

# Tideflats and Industrial Land Use

## Proposed Amendments to Title 13 Land Use Regulatory Code

## And Title 19 Shoreline Master Program

### Public Review Document

Prepared for  
Planning Commission Public Hearing  
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# Chapter 1

## Executive Summary

### Tideflats and Industrial Land Use Amendments





# EXECUTIVE SUMMARY

## About This Document

This is the **Public Review Document** prepared for the Planning Commission's public hearing concerning the Tideflats and Industrial Land Use Amendments to the Land Use Regulatory Code and Shoreline Master Program. This document is posted online at [www.cityoftacoma.org/tideflatsinterim](http://www.cityoftacoma.org/tideflatsinterim).

## Summary of Proposed Amendments

The proposal includes four primary topics as directed by Amended Ordinance No. 28696 and approved in the Planning Commission's Scope of Work. See **Chapter 2** of this document for the complete text, staff analyses, and pertinent background information associated with these applications.

### ***Topic 1: Expanded Notification for Heavy Industrial Permits and Land Use Amendments***

(See **Chapter 2 - Section A** of this document)

Permit and land use notifications are intended to ensure that potentially impacted parties are aware of permit applications or other land use amendments and have an opportunity to participate in the review and decision-making process. Due to the size of the City's industrial areas in South Tacoma and the Tideflats, permit notification distances for direct mailing were found insufficient to notify potentially impacted communities of the projects under consideration.

- The proposed amendments address TMC 13.05 Land Use Permits and Procedures and TMC 13.02 Planning Commission.
- The amendments identify specific permit types that are subject to expanded notification: heavy industrial uses requiring SEPA determinations, conditional use permits, and all types of shoreline permits.
- Public hearing notice procedures would be amended to:
  - Extend notices to occupants as well as taxpayers;
  - Extend notification distances to 2500' of a subject property for all land use designation changes and area-wide zoning reclassifications;
  - Extend notification distances for designated Regional Growth Centers and Manufacturing and Industrial Centers to 2500' of the center boundary for land use designation changes and area-wide zoning reclassifications.
- Other proposed modifications would expand the pool of persons notified beyond taxpayers to include residents/occupants, as well as adjacent cities and the Puyallup Tribe of Indians:

### ***Topic 2: Conversion of Industrial Lands in the Port of Tacoma M/IC***

(See **Chapter 2 - Section B** of this document)

Regional and local policy supports the retention of industrial lands and protection of such lands from incompatible non-industrial uses; see the Puget Sound Regional Council's VISION 2050 / Manufacturing Industrial Center polices, Growth Management Act Container Port Element requirements, and the Shoreline Management Act use preferences. If the baseline zoning were left in place, significant non-industrial uses could locate in the Port M/IC thereby reducing the available land supply for industrial use and creating long-term conflicts with prioritized uses and activities.

The following code amendments are proposed to:

- Implement use priorities consistent with the Shoreline Management Act and Container Port Element of the Comprehensive Plan;
- Structure allowed, conditional, and prohibited uses based on the defined Core Area (S-10 Shoreline District and the Port Maritime Industrial District (PMI)) and Commercial/Industrial Buffer Area (M-2 Heavy Industrial and M-1 Light Industrial Zones);
- Broadly prohibit non-industrial uses that would have significant impacts on core container shipping activities or that would convert a significant industrial land area to non-industrial use, including Agriculture, Airports, Juvenile Community Facilities, Marijuana Retailers, High Intensity and Destination Park and Recreation facilities, Work Release Centers, and public and private General K-12 Educational Facilities;
- Establish a conditional use permit and criteria for specific non-industrial uses to ensure a site specific review of the potential impacts on existing and planned industrial uses.

***Topic 3: Residential Encroachment on the Port of Tacoma M/IC***

(See **Chapter 2 - Section C** of this document)

In 2014, the City adopted a Container Port Element in the Comprehensive Plan, consistent with Growth Management Act requirements. The policies in the Container Port Element called for buffers to limit encroachment of incompatible land uses on the Port of Tacoma Manufacturing and Industrial, specifically identifying slopes and other topographical features as natural buffers to be maintained. However, zoning and land use regulations for this area in northeast Tacoma, were not amended to fully implement the adopted policies. Instead, the area remained zoned primarily for single family residential dwellings, with a 5,000 square foot minimum lot size.

The proposed amendments would establish a new Overlay District to limit residential encroachment on the Port of Tacoma Manufacturing and Industrial Center (Port M/IC). The proposal would apply the overlay to the hillside in NE Tacoma. In addition:

- The Overlay District would establish minimum lot sizes that would reduce development capacity to a density of 1 unit per acre.
- The Overlay District would require Notice on Title for any new residential unit construction identifying the proximity to an established industrial area.
- Existing critical area regulations for wetlands, fish and wildlife habitat, and steep slopes would continue to apply to this area.

***Topic 4: Siting of Potential High Impact/High Risk Heavy Industrial Uses***

(See **Chapter 2 - Section D** of this document)

Current zoning and land use regulations consolidate a broad spectrum of industrial use and activity within a single heavy industrial use category despite a diverse differentiation of potential impacts and risks associated with such uses. In addition, current regulations permit heavy industrial use outright within the M-2 Heavy Industrial District and PMI Port Maritime Industrial District without special use standards tailored to address the disparate potential impacts of use and activity that fall under this category. In recent years, the City has adopted new policies pertaining to use prioritization, climate change mitigation and adaptation, critical areas, and economic development, without conducting a broad review of use allowances within the City's industrial zoning districts to ensure internal consistency with established policies. The following amendments are proposed to ensure greater internal consistency between the One Tacoma Plan (including the Shoreline Master Program) and implementing zoning and land use regulations.

The City's proposal addresses seven general use categories, all of which affect different zoning districts throughout the City:

- Mining and Quarrying – This use would be prohibited citywide.
- Smelting – This use would be prohibited citywide.
- Coal Storage and Export – This use would be prohibited citywide.
- Chemical Manufacturing
  - Petrochemical, explosives, and fertilizer manufacturing would be prohibited citywide.
  - Chemical manufacturing of hazardous materials would require a conditional use permit in the PMI and M-2 Zones.
  - Chemical manufacturing would be prohibited in Shoreline Districts, except for water-dependent facilities.
  - Chemical manufacturing would be prohibited in the Downtown Regional Growth Center.
  - In the M-2 Heavy Industrial District, Chemical Manufacturing would require a conditional use permit.
- Major Fossil Fuel Facilities – New facilities would be prohibited and existing facilities would be prohibited from improvements that would expand existing facility capacity. Non-capacity expansions would be subject to special use standards.
- Renewable Fuel Production Facilities – These uses would be considered a conditional use in the PMI and M-2 districts subject to special use standards and conditional use criteria.
- High Impact Uses – High impact uses are defined by the use, storage, or processing of hazardous materials. These uses would generally require a conditional use permit, with the exception of the PMI district, where they would be permitted outright.

## Environmental Review

Based on a review of an environmental checklist, the City has issued a Preliminary Determination of Environmental Nonsignificance (DNS), which is subject to public comments through March 8, 2021. The DNS and the Environmental Checklist are included in **Chapter III** of this document. The City may reconsider or modify the preliminary determination in light of timely comments. Unless modified, the preliminary determination would become final on March 15, 2021.

## Public Hearing and Informational Meeting

The Planning Commission will conduct a public hearing on March 3, 2021 to receive public comments on the proposed amendments. An informational meeting will be conducted by Planning staff on February 25, 2021. The Informational Meeting and Public Hearing will be conducted virtually. For information on how to participate, visit [www.cityoftacoma.org/tideflatsinterim](http://www.cityoftacoma.org/tideflatsinterim) for directions.

## Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma Plan*, adopted in 2015 by Ordinance No. 28335, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA). As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The *One Tacoma Plan* is a blueprint for the future character of our City. The plan can be viewed online at [www.cityoftacoma.org/OneTacoma](http://www.cityoftacoma.org/OneTacoma).

The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that implements the *One Tacoma Plan*. Title 13 contains regulations and procedures for controlling land use, platting, shorelines, environment, critical areas, and historic preservation, among others. The Tacoma Municipal Code can be viewed online at [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning) (and click on "Tacoma Municipal Code").

## **Shoreline Master Program**

The City of Tacoma Shoreline Master Program (TSMP or the Program) is a result of Washington State legislation requiring all jurisdictions to adequately manage and protect shorelines of the state. Washington's Shoreline Management Act (SMA or Act) (Revised Code of Washington [RCW] 90.48) was passed by the Legislature in 1971 and adopted by the public in a 1972 referendum. The goal of the SMA is "to prevent the inherent harm of uncoordinated and piecemeal development of the state's shorelines."

The Act specifically states: "It is the policy of the State to provide for the management of the shorelines of the State by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner, which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the State and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto."

The Shoreline Master Program was developed to be consistent with and implement the State Shoreline Management Act. The TSMP provides goals, policies, and regulations for shoreline use and protection and establishes a permit system for administering the Program. The goals, policies, and regulations are tailored to the specific geographic, economic, and environmental needs of the City of Tacoma.

## Chapter 2

### Section A

# Permit and Land Use Notification





# Section A. Permit and Land Use Notifications

## 1. Issue Description

Permit and land use notifications are intended to ensure that potentially impacted parties are aware of permit applications and have an opportunity to participate in the permit process. Public input is vital to understand the potential impacts of a project and the appropriate mitigation measures. However, due to the size of the City's industrial areas in South Tacoma and the Tideflats, permit notification distances for direct mailing were insufficient to notify potentially impacted communities of the projects under consideration. Given the range of uses that are potentially permissible in the City's industrial areas and the ranging areas of impact, the City enacted a Director's Rule in 2017 to expand notification for discretionary permits associated with heavy industrial activities. The Director's Rule was then carried over into the Tideflats Interim Regulations. This review seeks to finalize appropriate direct mailing notification areas related to heavy industrial use permits as well as for Comprehensive Plan Future Land Use Map Amendments and Area-wide zoning reclassifications. Similar notification distances are proposed for any boundary modifications or zoning reclassifications to the City's designated Regional Growth Centers.

## 2. Summary of Proposed Amendments

The proposed amendments would apply to two primary sections of the Tacoma Municipal Code: TMC 13.05 Land Use Permits and Procedures, and TMC 13.02 Planning Commission.

TMC 13.05.070: This amendment to the Notice Process Summary Table identify specific permit types that are subject to expanded notification.

TMC 13.05.070.I: This amendment would add a new section to the municipal code describing the expanded notification purpose and procedures.

TMC 13.05.070.J: Sub-section J pertains to public hearings and would amend the procedures to do the following:

- Extend notices to occupants as well as taxpayers;
- Extend notification distances to 2500' of a subject property for all land use designation changes and area-wide zoning reclassifications;
- Extend notification distances for designated Regional Growth Centers and Manufacturing and Industrial Centers to 2500' of the center boundary for land use designation changes and areawide zoning reclassifications.

TMC 13.05.030: This amendment ensures a consistent notice procedure for the notice of application of a proposed zoning areawide rezone.

TMC 13.02.070: This amendment ensures a consistent notice procedure for the notice of application of a proposed Comprehensive Plan land use designation change.

Other proposed modifications:

1. Allow for agencies and neighborhood groups to request electronic notification rather than (or in addition to) first class mail.
2. Distinguish between mailed public notice and the Notice of Application; allows flexibility in how the City designs mailings to make them most useful for the public.
3. Eliminates some redundant code sections and inconsistencies in mailing distances.

### 3. Policy Review

#### Growth Management Act

Goal (11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

#### One Tacoma Comprehensive Plan

Policy AD–1.2 Ensure that community engagement opportunities are broadly accessible and incorporate a range of locations, times and formats, including accommodations that allow people with disabilities, people with childcare responsibilities, and people with first languages other than English to fully participate.

Policy AD–1.3 Provide broad and timely notification of public meetings and events through a variety of methods, including social media

Policy AD–1.8 Evaluate community involvement processes on a regular basis, considering available data, feedback and lessons learned to determine whether any changes are needed to City practices in order to enhance future involvement efforts.

Policy AD–1.9 Utilize community members’ knowledge and input on policy priorities to update the Comprehensive Plan and ensure that it remains relevant and consistent with community needs.

#### Staff Findings:

- State notification requirements are generally minimal. Most jurisdictions are conducting notification processes that typically follow more minimum requirements.
- One Tacoma Plan policies support broad, equitable community engagement but allow for flexibility on how to conduct those processes.
- The City’s current processes and procedures are typically above and beyond existing procedural requirements.
- The inclusion of occupants would address a significant equity issue consistent with City policy.

### 4. Draft Code Amendments

#### ➤ Proposed Amendments to TMC 13.05.070 Notice process.<sup>1</sup>

##### A. Purpose.

The purpose of this section is to provide notice requirements for land use applications.

##### B. Administrative Determination.

1. A ~~public notice of application~~ is not required for Administrative Determinations. Examples of Administrative Determinations are minor variances, reasonable accommodation requests, review of non-conforming rights, zoning verification requests, and information requests.

2. Determinations of the Director shall be mailed to the applicant and the property owner (if different than the applicant) by first class mail.

<sup>1</sup> Code Reviser’s note: Previously codified as 13.05.020 (Notice process); relocated to 13.05.070 per Ord. 28613 Ex. G; passed Sept. 24, 2019.

3. At the discretion of the Director, notice of the Determination and/or summary of Determination may be provided to other qualified or interested parties.

C. Process I – Minor Land Use Decisions.

1. A ~~public notice of application~~ shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.E. Examples of minor land use decisions are variances, Conditional Use Major Modifications, temporary shelters, wetland/stream/FWHCA Verifications, and wetland/stream/FWHCA Minor Development Permits.

2. ~~Public notice of application~~ shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils pursuant to TMC 1.45 and business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ~~;~~ ~~and to~~ Notice shall also be mailed by first-class mail to residents and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H.

3. Parties receiving ~~public notice of application~~ shall be given 14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department. ~~The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 14 days of the mailing of such notice, or who requests receipt of a copy of the decision.~~

4. Decisions of the Director shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Director requiring environmental review pursuant to the State Environmental Policy Act, WAC 197-11, and the provisions of TMC Chapter 13.12, shall also include a Threshold Determination by the Responsible Official for the Department.

(a) A full copy of the decision shall be provided to any party who commented on the proposal during the comment period.

(b) A notice of decision shall be mailed by first-class mail to: all recipients of the initial public notice, as described above. owners of property and/or taxpayers of record as indicated by the Pierce County Assessor/Treasurer’s records within the distance identified in Section 13.05.020.H; neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; and the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988.

5. A neighborhood or community organization shall be qualified to receive notice under this section upon a finding that the organization:

(a) has filed a request for a notification with the City Clerk in the form prescribed by rule, specifying the names and addresses of its representatives for the receipt of notice and its officers and directors;

(b) includes within its boundaries land within the jurisdiction of the permit authority;

(c) allows full participating membership to allow property owners/residents within its boundaries;

6. More than one neighborhood or community organization may represent the same area.

7. It shall be the duty of the neighborhood group to advise the City Clerk’s office in writing of changes in its boundaries, or changes in the names and addresses of the officers and representatives for receipt of notice.

8. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.070.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

D. Process II – Administrative Decisions Requiring an Environmental Determination and Height Variances, Shoreline Permits, Conditional Use, Special Development Permits, Wetland/Stream/Fish & Wildlife Habitat Conservation Area (FWHCA) Development Permits, Site Approvals.

1. A ~~public notice of application~~ shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.E.

2. ~~Public notice of application~~ shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations consistent with the requirements set forth for Process I land use permits; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ; and to Notice shall also be mailed by first-class mail to residents and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all residents and owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. from the boundary of the PRD District.

3. Parties receiving ~~public notice of application~~ shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department, unless a Public Meeting is held, as provided by Section 13.05.070.G. ~~The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 30 days of the mailing of such notice, or who requests receipt of a copy of the decision.~~

4. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.070.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection H of this section.

E. Process III – Decisions Requiring a Public Hearing.

1. A ~~public notice of application~~ shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.C.

2. Public notice of application, including the information identified in Section 13.05.070.F, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ~~and~~ Notice shall also be mailed by first-class mail to residents and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to residents and all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H from the boundary of the PRD District.

3. The notified parties shall be allowed 21 days from the date of mailing to comment on the pre-threshold environmental determination under provisions of Chapter 13.12, after which time the responsible official for SEPA shall make a final determination. Those parties who comment on the environmental information shall receive notice of the environmental determination. If an appeal of the determination is filed, it will be considered by the Hearing Examiner at the public hearing on the proposal.

4. A public information sign (or signs), provided by the Department, indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The notice shall contain, at a minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection H of this section.

F. Content of Public Notice and Notice of Application.

1. At a minimum, the Public Notice shall contain the following elements:

a. A clear statement that a full Notice of Application as described below is available, and how to access that Notice;

b. A project description, including type of permit requested, proponent, location, and vicinity map;

c. Preliminary environmental determination (or exemption);

d. Project contact information, including comment method and deadline and, as applicable, the following:

i. Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);

ii. A provision which advises that a “public meeting” may be requested by any party entitled to notice.

2. The Notice of application shall contain the following information, where applicable, in whatever sequence is most appropriate for the proposal. The notice shall be made available, at a minimum, in the project’s online permit file, and by any other methods deemed appropriate:

a. Date of application;

b. Date of notice of completion for the application;

- c. Date of the notice of application;
- d. Description of the proposed project action;
- e. List of permits included in the application;
- f. List of studies requested;
- g. Other permits which may be required;
- h. A list of existing environmental documents used to evaluate the proposed project(s) and where they can be reviewed;
- i. Public comment period (not less than 14 nor more than 30 days), statement of right to comment on the application, receive notice of and participate in hearings, request a copy of the decision when made, and any appeal rights;
- j. Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);
- k. Statement of preliminary determination of development regulations that will be used for project mitigation and of consistency;
- l. A provision which advises that a “public meeting” may be requested by any party entitled to notice;
- m. Notice that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 14 days of the mailing of such notice, or who requests receipt of a copy of the decision.
- n. Any other information determined appropriate, e.g., preliminary environmental determination, applicant’s analysis of code/policy applicability to project.

G. Public Comment Provisions.

Parties receiving public notice of application shall be given the opportunity to comment in writing to the department. A “public meeting” to obtain information, as defined in Section 13.01.050, may be held on applications which require public notification under Process II, and Conditional Use Major Modifications, when:

1. The Director determines that the proposed project is of broad public significance; or
2. The neighborhood council pursuant to TMC 1.45 or the neighborhood business district pursuant to TMC 1.47 in the area of the proposed project requests a “public meeting”; or
3. The owners of five or more parcels entitled to notice for the application make a written request for a meeting; or
4. The applicant has requested a “public meeting.”

Requests for a meeting must be made in writing and must be in the Planning and Development Services office within the comment period identified in the notice. One public meeting shall be held for a permit request regardless of the number of public meeting requests received. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting. Notice of the “public meeting” shall be mailed at least 14 days prior to the meeting to all parties entitled to original notice, and shall specify the extended public comment period; however, if the Director has determined that the proposed project is of broad public significance, or if the applicant requests a meeting, notification of a public meeting may be made with the notice of application, and shall allow the standard 30-day public comment period.

The comment period for permit type is identified in Section 13.05.070.H. When a proposal requires an environmental determination under Chapter 13.12, the notice shall include the time within which comments will be accepted prior to making a threshold determination of environmental significance or non-significance.

H. Notice and Comment Period for Specified Permit Applications.

Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

➤ **Proposed Amendments to TMC 13.05.070 Notice Process Summary Table**

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Environmental SEPA DNS* (see <a href="#">TMC 13.05.020.I</a> )	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
Environmental Impact Statement (EIS)* (see <a href="#">TMC 13.05.020.I</a> )	Required for scoping, DEIS and FEIS	1000 feet	Yes	Yes	Minimum 30 days	Director	No, unless part of associated action. Public scoping meeting(s) required	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	2	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	1000 feet	Yes	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years <sup>6</sup>
Rezones	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance* (see <a href="#">TMC 13.05.020.I</a> )	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/ maximum <sup>6</sup>
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years <sup>6</sup>
Site approval	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years
Conditional use* (see <a href="#">TMC 13.05.020.I</a> )	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
Conditional use, correctional facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Conditional use, detention facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days <sup>2</sup>	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
Temporary Shelters Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	14 days	Director	No <sup>1</sup>	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Wetland/Stream/FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years

➤ **Propose Amendments to TMC 13.05.070**

\*New Section\* [13.05.070.I Expanded Notification for Heavy Industrial Uses](#)

[1. Notice for designated projects will be emailed to all Neighborhood Councils and Business Districts, as well as the Community Council. In addition, notice will be sent to the SEPA contact for all adjacent jurisdictions \(Federal Way, Fife, Fircrest, Lakewood, Pierce County, and University Place\). This is in addition to all typically-notified parties and the Puyallup Tribe of Indians.](#)

[2. Notification of designated projects will be mailed by first-class mail to the applicant; property owner \(if different than the applicant\); neighborhood councils and business districts; qualified neighborhood or community organizations; the Puyallup Tribe of Indians; Local Governments in Pierce County; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer.](#)

[3. Notification distance.](#)

[\(a\) The notification distance for a project within the Port of Tacoma Manufacturing/Industrial Center \(M/IC\) will be 2,500 feet from the boundaries of that center.](#)

[\(b\) Notification distance for a project within the South Tacoma Manufacturing/Industrial Overlay District will be 2,500 feet from the boundaries of the Overlay District.](#)

[\(c\) Notification distance for a qualifying industrial project in any other zoning district, outside either of the above areas, will be 2,500 feet from the boundaries of the project site.](#)

4. Upon determination of a Complete Application, the City will hold a community meeting to provide notification to the community that a significant project has been applied for. Further, the meeting will provide clarity on the public process (from all permitting agencies) and opportunities for public review and comment.

(a) For projects with an associated land use permit and public notice, this meeting will take place approximately two weeks after the start of the public notice period. Public notice will be extended to 30 days in the rare case that the TMC-required notice period is not already 30 days.

(b) For projects not associated with a land use permit, the meeting will take place after determination that a SEPA application is complete, but prior to issuance of a preliminary SEPA determination. The meeting will include a proposed SEPA timeline, including issuance of the preliminary determination, opportunity for comment, and the appeal process for this type of SEPA determination.

5. Upon determination of a Complete Application, the City will post the permit package and all relevant studies under “public notices” on [www.tacomapermits.org](http://www.tacomapermits.org).

6. Additional notification may be done as necessary (i.e., social media posts or separate project web pages) or as appropriate for the project type.

➤ **Proposed Amendments to TMC 13.05.070.J Notice for Public Hearings**

1. The Department shall give public/legal notice of the subject, time and place of the Planning Commission, or its advisory committee, public hearings in a newspaper of general circulation in the City of Tacoma prior to the hearing date. The Department shall provide notice of Commission public hearings on proposed amendments to the Comprehensive Plan and development regulations to adjacent jurisdictions, other local and state government agencies, Puyallup Tribal Nation, the applicable current neighborhood council board members pursuant to TMC 1.45, neighborhood business districts pursuant to TMC 1.47, and other individuals or organizations identified by the Department as either affected or likely to be interested.

2. For Comprehensive Plan land use designation changes, area-wide zoning reclassifications, and interim zoning of an area-wide nature, the Department shall ensure that a special notice of public hearing is mailed to all property taxpayers and occupants, as indicated in the records of the Pierce County Assessor, within ~~2500~~1000 feet of the subject area.

3. For land use designation amendments, area-wide zoning reclassifications, or center boundary modifications affecting a designated regional growth center or manufacturing and industrial center, the Department shall ensure that a special notice of public hearing is mailed to all property taxpayers and occupants within, and within 2500 feet, of the designated center.

3. For a proposed amendment to the Comprehensive Plan land use designations or area-wide zoning classifications within a focused geographic area, the Department shall require that a public information sign(s), provided by the Department, is posted in the affected area at least 14 calendar days prior to the Planning Commission public hearing. The sign shall be erected at a location or locations as determined by the Department, and shall remain on site until final decision is made by the City Council on the proposed amendment. The applicant shall check the sign(s) periodically in order to make sure that the sign(s) remains up and in a readable condition. The sign shall contain, at a minimum, the name of the applicant, a description and location of the proposed amendment, and where additional information may be obtained.

4. The City Clerk shall give public notice of the subject, time and place of public hearings for actions by the City Council in a newspaper of general circulation in the City of Tacoma prior to the hearing date.

➤ **Proposed Amendments to TMC 13.05.030 Zoning and Land Use Regulatory Code Amendments**

B. Area-Wide Zoning Reclassifications

...

#### 9. Planning Commission Review.

- a. The Department will present the proposed amendment along with analysis conducted pursuant to this Section to the Planning Commission for review and direction. The Commission will conduct public meetings and hearings, and solicit comments from the general public, organizations and agencies, other governmental departments and agencies, and adjacent jurisdictions as appropriate.
- b. In formulating its recommendations to the City Council concerning a proposed area-wide zoning reclassification, the Planning Commission shall provide public notice and conduct at least one public hearing.
- c. Advisory committees established in accordance with Section 13.02.015 may also conduct one or more public hearings prior to making recommendations to the Planning Commission.
- d. For area-wide zoning reclassifications, the Department shall ensure that a special notice of the acceptance of the application by the Planning Commission for consideration in the current amendment cycle is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, **and occupants**, within, and within **2500 400** feet of, the subject area. This special notice will inform property taxpayers that an application has been filed, identify where the application and background information may be reviewed, describe in general terms the review and public comment process, establish a time and place for an informational meeting with City staff, and solicit preliminary comments.
- e. The Planning Commission shall conduct a public hearing to consider an area-wide zoning reclassification and to determine the consistency of the reclassification with the Comprehensive Plan and its elements and RCW 36.70A. In making its recommendation to the City Council, the Planning Commission shall make findings and conclusions to demonstrate the manner in which the area-wide reclassification carries out and helps implement the goals and policies of the Comprehensive Plan.

#### ➤ **Proposed Amendments to TMC 13.02.070 Comprehensive Plan Amendments**

##### G. Planning Commission review.

1. The Department will present the proposed amendment along with analysis conducted pursuant to Section 13.02.070.F to the Planning Commission for review and direction. The Commission will conduct public meetings and hearings, and solicit comments from the general public, organizations and agencies, other governmental departments and agencies, and adjacent jurisdictions as appropriate.
2. In formulating its recommendations to the City Council concerning adoption or amendment of the Comprehensive Plan, the Planning Commission shall provide public notice and conduct at least one public hearing.
3. Advisory committees established in accordance with Section 13.02.015 may also conduct one or more public hearings prior to making recommendations to the Planning Commission.
4. Planning Commission public hearings for adoption or amendment of development regulations and processes, moratoria, or interim zoning may be, but are not required to be, held at the same time as and in conjunction with the public hearing(s) for adoption or amendment of the Comprehensive Plan.
5. For land use designation changes, the Department shall ensure that a special notice of the acceptance of the application by the Planning Commission for consideration in the current amendment cycle is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, and occupants within, and within **2500 400** feet of, the subject area. This special notice will inform property taxpayers that an application has been filed, identify where the application and background information may be reviewed, describe in general terms the review and public comment process, establish a time and place for an informational meeting with City staff, and solicit preliminary comments.

6. After a public hearing, the Department will prepare a report summarizing the public hearing comments, provide a response to comments and make further recommendations, if appropriate, and forward the report and all comments to the Planning Commission for consideration.

## Supplemental Information

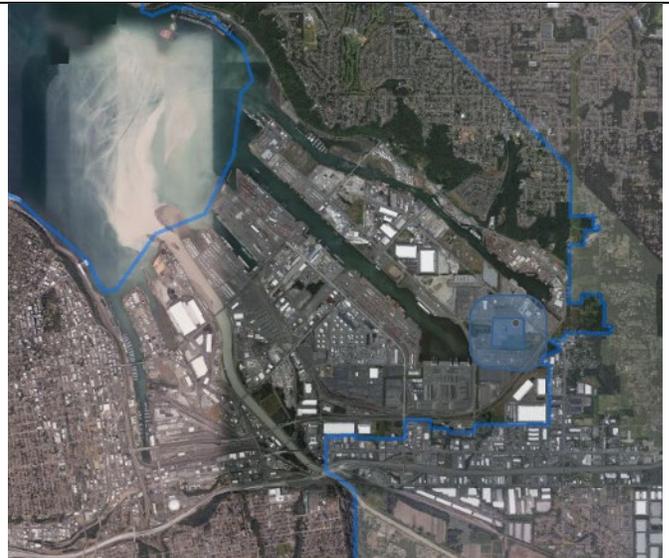
The following information was considered in the development of the proposed code amendments.

### A. Sample Maps of Notification Areas

The following maps depict examples of the expanded notification areas. The maps on the left depict the sample areas of expanded notification, the maps on the right depict a more typical baseline notification area.



7,144 taxpayers notified + 6,248 occupants



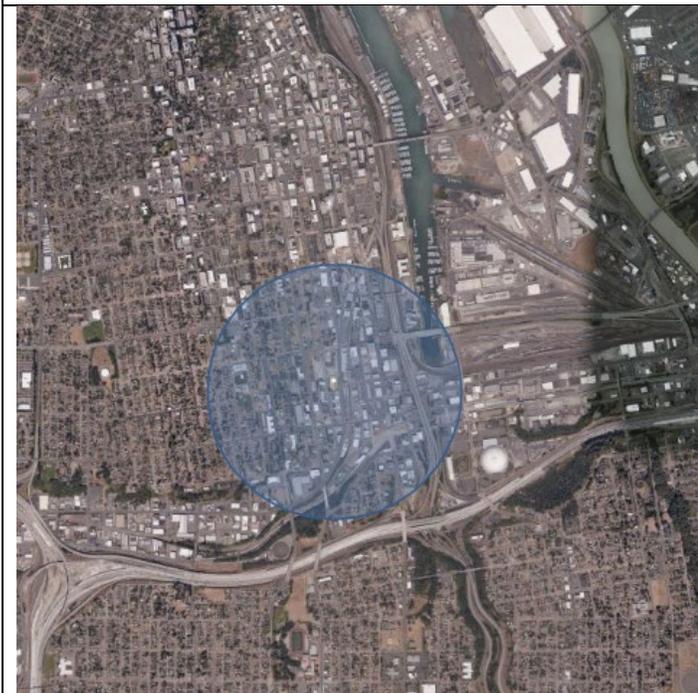
33 taxpayers within 1000'



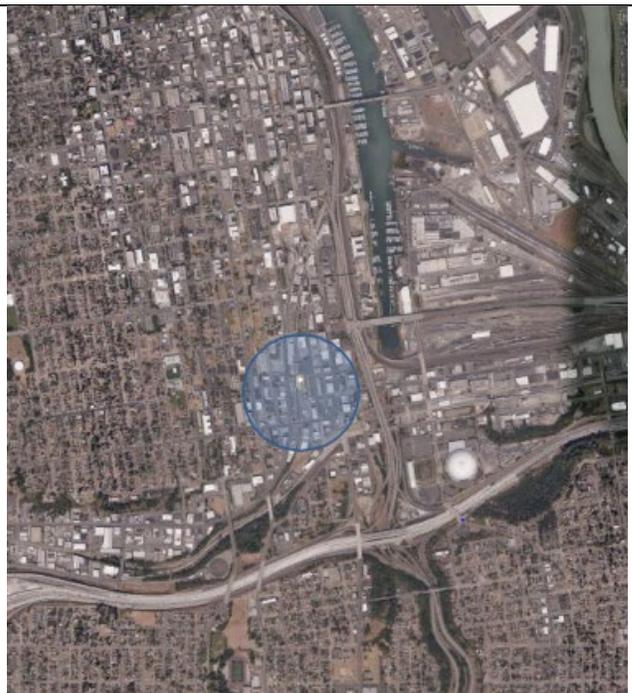
7,744 taxpayer notices + 9,000 Occupants



167 taxpayers notified



1,495 taxpayers + 1969 occupants



240 taxpayers

**B. Summary of Comprehensive Plan and Land Use Regulatory Code Amendment Notifications**

Planning Services uses a broad variety of notification methods to inform interested parties about the City's projects, processes, and programs. In addition to direct mailings, these methods include:

### **Website**

Planning Services maintains a calendar of events, project updates, advisory group meeting summaries and project documents on the Planning web site. The website is available at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning).

### **Planning Manager's Letter**

The Planning Manager distributes a twice-yearly letter providing updates on projects, events, and accomplishments. The letter is distributed to numerous civic organizations throughout the City with an interest in planning issues and engagement.

### **Listserv**

An electronic mailing list is used to provide updates to interested parties regarding meetings, events and new products, including mailing lists for Planning Commission Agendas, Neighborhood Councils, Business Districts, Adjacent Jurisdictions, education and civic institutions, public agencies, and interested individuals.

### **Media**

Announcements for key events and document releases are distributed to local media outlets including the Daily Index and The News Tribune, neighborhood newspapers and other outlets. Advertisements and legal notices for the public hearing is placed with the News Tribune and Daily Index.

### **Social Media**

Facebook, Instagram, and Twitter are used to announce project news and promote and document events. Social Media is also used to make connections to similar efforts, organizations and individuals in Tacoma. The City often uses boosted advertisements and events for public hearings.

### **Community Events**

Staff periodically attend community meetings, such as Neighborhood Council meetings, as well as community events like the Sustainability Expo, farmers markets, and the T-Town: Play Explore Learn City Services Expo.

### **Community Facilities**

Notices are provided to key community facilities, such as community centers and libraries, for posting on informational boards.

## **C. Summary of Permit Notification Methods**

### **Permit Dashboard**

Permit applications are posted on Tacoma Permits: <https://wspdsmap.cityoftacoma.org/website/PDS/Permits/>

### **GovDelivery**

Interested parties can sign up to receive notices of land use permit applications.

## TMC 13.05.070 Notice Process Summary Table

Permit notifications are based on the type of permit application and generally include direct mailing, email notification to interested parties, posting of public notice signs on site, and newspaper publication.

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Environmental SEPA DNS* (see TMC 13.05.020.1)	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
Environmental Impact Statement (EIS)* (see TMC 13.05.020.1)	Required for scoping, DEIS and FEIS	1000 feet	Yes	Yes	Minimum 30 days	Director	No, unless part of associated action. Public scoping meeting(s) required	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	2	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	1000 feet	Yes	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years <sup>6</sup>
Rezones	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance* (see TMC 13.05.020.1)	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/ maximum <sup>6</sup>
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years <sup>6</sup>
Site approval	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years
Conditional use* (see TMC 13.05.020.1)	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
Conditional use, correctional facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Conditional use, detention facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days <sup>2</sup>	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
Temporary Shelters Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	14 days	Director	No <sup>1</sup>	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Wetland/Stream/FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years

#### D. Benchmarking

Jurisdiction	Mailing Radius	Mail Notice Recipients	Other Notice Requirements	Code Location
Tacoma	<ul style="list-style-type: none"> <li>400 foot (this is the general requirement, distances of up to 1000 feet are used for some applications such as rezoning and CUP)</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owner"</li> </ul>	<ul style="list-style-type: none"> <li>City Clerk shall give public notice of public hearings by the City Council in a local newspaper.</li> </ul>	<ul style="list-style-type: none"> <li>13.05.070</li> </ul>
Fife	<ul style="list-style-type: none"> <li>300 ft *if abutting property is owned by same owner then this distance applies to that property as well</li> </ul>	<ul style="list-style-type: none"> <li>"Owners"</li> <li>Individuals who submitted public comment</li> </ul>	<ul style="list-style-type: none"> <li>Sign (30 days prior to hearing)</li> <li>Local Newspaper and</li> <li>Notify citizen groups or agency, or</li> <li>City Newsletter</li> </ul>	<ul style="list-style-type: none"> <li>14.06.010</li> <li>14.06.020</li> <li>14.06.030</li> </ul>
Federal Way	<ul style="list-style-type: none"> <li>300 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Recipients of Property Tax Statements"</li> </ul>	<ul style="list-style-type: none"> <li>Website</li> <li>Local Newspaper</li> <li>3 Signs on property placed conspicuously</li> </ul>	<ul style="list-style-type: none"> <li>19.70.060</li> </ul>
Pierce County	<ul style="list-style-type: none"> <li>300 ft *exterior boundaries</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> </ul>	<ul style="list-style-type: none"> <li>Local Newspaper</li> <li>Sign</li> </ul>	<ul style="list-style-type: none"> <li>18.80.040</li> </ul>

		<ul style="list-style-type: none"> <li>Relevant Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>Pierce County Notification Board</li> </ul>	
Lakewood	<ul style="list-style-type: none"> <li>150 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> <li>"SEPA mailing list"(unless exempt)</li> <li>Neighborhood leader mailing list</li> </ul>	<ul style="list-style-type: none"> <li>2 Signs (at least 2' X 3')</li> </ul>	<ul style="list-style-type: none"> <li>15.24.080</li> <li>15.24.090</li> </ul>
Bellevue	<ul style="list-style-type: none"> <li>300 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owner"</li> </ul>	<ul style="list-style-type: none"> <li>City Clerk physical Postings(3)</li> </ul>	<ul style="list-style-type: none"> <li>14.35.050</li> </ul>
Spokane	<ul style="list-style-type: none"> <li>400 ft *from any portion of the boundary</li> </ul>	<ul style="list-style-type: none"> <li>"Owners/ Taxpayers"</li> <li>Interested Parties list</li> <li>Applicable Neighborhood Council</li> <li>Relevant Public Agency/Jurisdiction</li> </ul>	<ul style="list-style-type: none"> <li>City Hall</li> <li>Library</li> <li>Any other public building/notice board</li> </ul>	<ul style="list-style-type: none"> <li>17G.060.120</li> </ul>
Sumner	<ul style="list-style-type: none"> <li>500 ft of boundaries</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> </ul>	<ul style="list-style-type: none"> <li>On-site</li> <li>Public Locations(City Hall and other designated)</li> <li>Publication using 2 electronic methods</li> </ul>	<ul style="list-style-type: none"> <li>18.56.070</li> </ul>
Puyallup	<ul style="list-style-type: none"> <li>300 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> </ul>	<ul style="list-style-type: none"> <li>Meeting Location sign(2'X2')</li> <li>Public information sign</li> </ul>	<ul style="list-style-type: none"> <li>20.11.012</li> </ul>
Auburn	<ul style="list-style-type: none"> <li>300 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> <li>Interested parties</li> </ul>	<ul style="list-style-type: none"> <li>Sign at property</li> <li>Local Newspaper</li> </ul>	<ul style="list-style-type: none"> <li>10.06.090</li> <li>14.07.040</li> </ul>
Renton	<ul style="list-style-type: none"> <li>300 ft</li> </ul>	<ul style="list-style-type: none"> <li>"Property Owners"</li> </ul>	<ul style="list-style-type: none"> <li>Local Newspaper</li> <li>City's webpage</li> <li>Sign at approx.. midpoint of property frontage</li> </ul>	<ul style="list-style-type: none"> <li>4.8.090</li> </ul>

## Chapter 2

### Section B

# Conversion of Industrial Lands





# Section B. Conversion of Industrial Lands

## 1. Issue Description

Regional and local policy supports the retention of industrial lands and directs local governments, particularly those with a designated regional Manufacturing and Industrial Center (MIC) and those planning under the Container Port Element of the Growth Management Act, to protect such lands from incompatible non-industrial uses. While the City established a Container Port Element in the One Tacoma Plan in 2014 for the area designated as a MIC, the City's zoning does not fully implement the policies articulated in that Element. As a result, if the baseline zoning were left in place, significant non-industrial uses could locate in the MIC thereby reducing the available land supply for industrial use and creating long-term conflicts with prioritized uses and activities. The purpose of this regulatory review is to bring the City's zoning districts into compliance with established policies and use preferences.

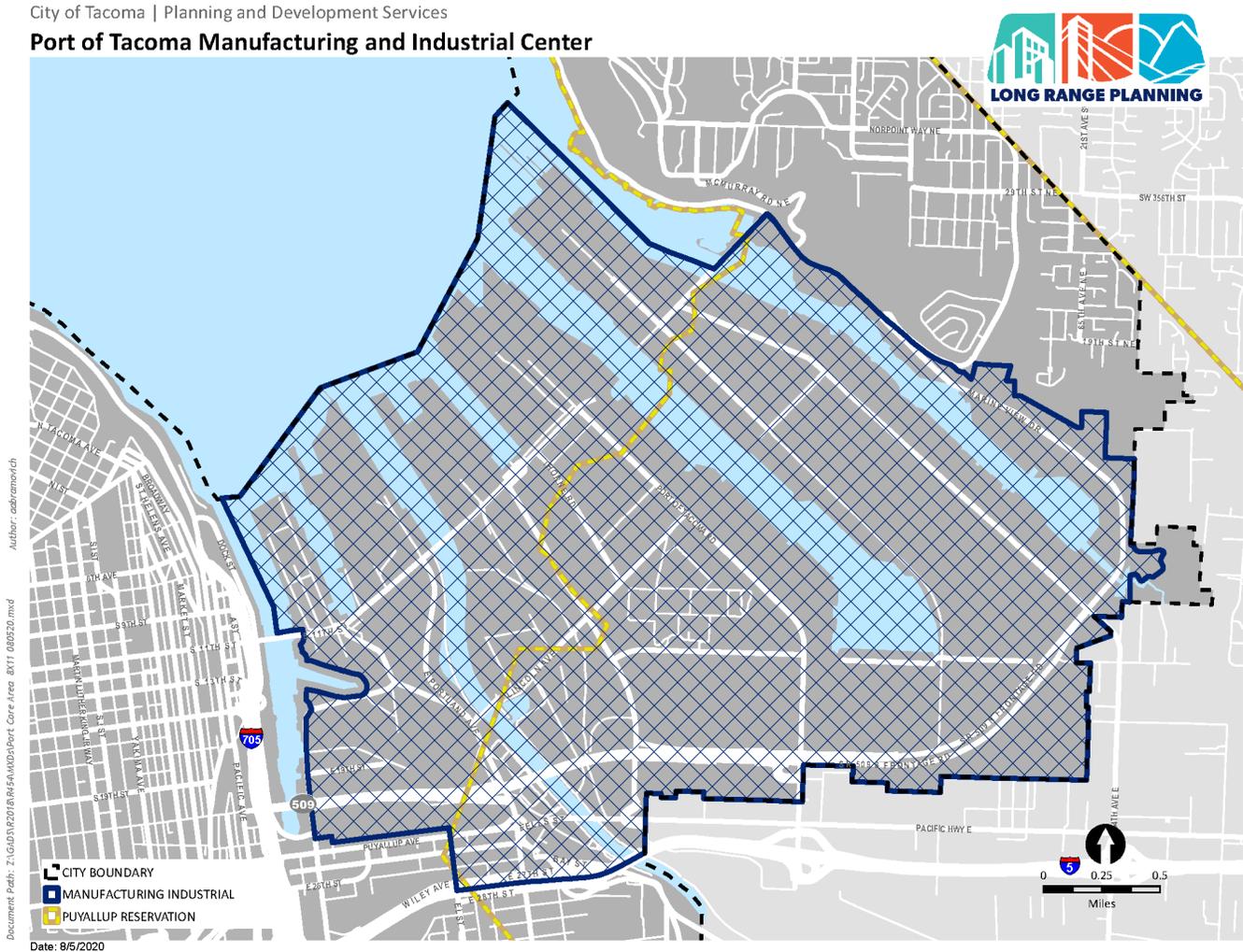
## 2. Summary of Proposed Amendments

The following amendments would:

- Implement use priorities consistent with the Shoreline Management Act and Container Port Element of the Comprehensive Plan;
- Structure allowed, conditional, and prohibited uses based on the defined Core Area and Commercial/Industrial Buffer Area;
- Broadly prohibit non-industrial uses that would have significant impacts on core container shipping activities or that would convert a significant industrial land area to non-industrial use;
- Establish a conditional use permit and criteria for specific non-industrial uses to ensure a site specific review of the potential impacts on existing and planned industrial uses.

### 3. Area of Applicability

This regulatory review applies to the Port of Tacoma Manufacturing and Industrial Center as depicted in the map below:



### 4. Policy Review

The following is a summary of policies from the Growth Management Act, Shoreline Management Act, Multicounty Planning Policies (VISION 2040), and the One Tacoma Comprehensive Plan that will be used to guide this land use regulatory code review and determine consistency with applicable goals and policies.

#### Growth Management Act

This review is supported by Goal 5 of the Growth Management Act, which states: “Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all

citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.”

As a subset of this goal, the City of Tacoma is required to plan under RCW 36.70A.085 Port elements. This section outlines the following planning requirements:

- (3) Port elements adopted under subsections (1) and (2) of this section must be developed collaboratively between the city and the applicable port, and must establish policies and programs that:*
- (a) Define and protect the core areas of port and port-related industrial uses within the city;*
  - (b) Provide reasonably efficient access to the core area through freight corridors within the city limits;*  
*and*
  - (c) Identify and resolve key land use conflicts along the edge of the core area, and minimize and mitigate, to the extent practicable, incompatible uses along the edge of the core area.*

In 2014 the City and Port worked collaboratively to develop and adopt goals and policies consistent with these requirements in the City’s One Tacoma Comprehensive Plan.

## **Shoreline Management Act**

In accordance with RCW 90.58.020, the City shall manage shorelines of statewide significance in accordance with this section and in accordance with this Program as a whole. Preference shall be given to uses that are consistent with the statewide interest in such shorelines. Uses that are not consistent with this section or do not comply with the other applicable policies and regulations of this Program shall not be permitted on shorelines of statewide significance. In managing shorelines of statewide significance, The City of Tacoma shall: 1. Recognize and protect the statewide interest over local interest; 2. Preserve the natural character of the shoreline; 3. Seek long-term benefits over short-term benefit; 4. Protect the resources and ecology of the shoreline; Increase public access to publicly owned areas of the shoreline; 6. Increase recreational opportunities for the public in the shoreline; and 7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

The overarching goal of the Shoreline Management Act is to retain the State’s shorelines for:

- Ecological protection and restoration;
- Public access and enjoyment;
- for Water-dependent uses.

Uses within the shoreline are generally categorized and prioritized as 1. Those uses that are dependent on a water location, such as marine terminals; 2. Those uses that are economically dependent on a shoreline location; 3. Those uses that attract general use and enjoyment of the shoreline, such as restaurants; 4. Those uses that are non-water oriented, such as medical offices, that neither require a shoreline location or facilitate active enjoyment of the shoreline.

## **VISION 2040**

The Tacoma Tidelands MIC is part of a regional system of manufacturing and industrial centers. The center framework is a key component of the Puget Sound Regional Council’s (PSRC) regional growth strategy and guides regional growth allocations, informs transit service planning, and represents priority areas for PSRC’s federal transportation funding.

PSRC designates two types of centers – Regional Growth Centers and Manufacturing/Industrial Centers. Regional Growth Centers are locations of more compact, pedestrian-oriented development with a mix of housing, jobs, retail, services, and other destinations. Manufacturing/Industrial Centers, on the other hand, are locations with a

concentration of a diverse set of industrial and manufacturing jobs and/or key infrastructure assets; they are regional resources that create and sustains economic diversity and supports national and international trade.

## **One Tacoma Plan – Container Port Element**

Policies in the One Tacoma Plan differentiate between a “Core Area” and an “Industrial/Commercial Buffer Area”. This differentiation suggests that distinct use allowances should be considered for consistency with these established policies. In general, the Core Area corresponds to the S-10 Shoreline District and the Port Maritime Industrial District (PMI), whereas the Buffer Area corresponds to M-2 Heavy Industrial and M-1 Light Industrial Zones.

### Core Area

Policy CP–1.1 Prioritize, protect and preserve existing and planned port uses, port-related container and industrial uses and rail-related uses. Uses should consist primarily of cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities, and other similar uses.

Policy CP–1.2 Prohibit uses that would negatively affect the availability of land for the primary port and port-related cargo and industrial function of the Core Area. Encourage aggregation of industrial land for future development as cargo port terminals and supporting uses.

Policy CP–1.3 Clearly identify and prohibit uses that are entirely incompatible with the Core Area uses. Examples may include those that attract people to the area for non-industrial purposes or that would be incompatible with typical industrial area impacts (noise, truck movement, etc.). These may include residential, general retail, temporary lodging or other similar uses.

### Industrial Commercial Buffer Area

Policy CP–2.4 Recognizing the importance of industrial activity to the local and regional economy, industrial uses in the Industrial/Commercial Buffer area should be preserved and promoted. Industrial uses, including non-water related industry, is compatible with and can support maritime industrial uses in the Core Area, as well as contributing to the region’s economy as a whole.

Policy CP–2.5 While the Industrial/Commercial Buffer Area provides for a wider range of uses than the Core Area, incompatible uses that would be impacted by the potential noise, odor and visual character of industrial areas should continue to be prohibited. This may include residential or other sensitive uses.

## **One Tacoma Plan – Urban Form Chapter**

Policy UF–8.1 Strive to capture 46% of Urban Pierce County’s employment growth by 2040.

Policy UF–8.2 Ensure that there is sufficient zoning and development capacity to accommodate the 2040 employment growth allocations.

Policy UF–8.3 Ensure an equitable distribution of employment throughout the City, with the highest concentration of job growth occurring in the Downtown Regional Growth Center.

## **One Tacoma Plan – Economic Development Chapter**

As one of five designated Metropolitan Cities in the Puget Sound Regional Council’s (PSRC) VISION 2040, Tacoma is planning for 97,000 new jobs by 2040. The city has more than enough physical and land use zoning capacity to accommodate this growth, based on the most recent Buildable Lands report, but to work towards this target, Tacoma

must strategically attract and grow businesses to increase the number of jobs in the city. Not only does the city have to grow its economic base generally, it must also deliberately channel this growth into the areas of Tacoma best suited to accommodate this increase.

Policy EC–3.1 Support efforts to attract, expand and retain large, medium and small businesses that offer high quality jobs, generate local tax revenue and/or provide needed goods or services to residents.

Policy EC–6.19 Provide industrial land and encourage investment in necessary services that support industrial business retention, growth and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing and a widely accessible base of living wage jobs, particularly for underserved and underrepresented people.

Policy EC–6.21 Protect and preserve sufficient land use capacity for water-dependent and related industrial uses within the city’s industrial shorelines.

Policy EC–6.21 Protect and preserve sufficient land use capacity for water-dependent and related industrial uses within the city’s industrial shorelines.

**Staff Findings:**

1. Generally, within the S-10 Shoreline District, use preferences are for water-dependent industrial uses, followed by water-related industrial uses.
2. Within the Core Area of the Manufacturing and Industrial Center, use preference is given to container shipping facilities and ancillary uses, and compatible industrial and manufacturing activities.
3. Within the Buffer Area, policies support greater use flexibility, but with restrictions on sensitive uses.
4. Existing policies support diversifying the City’s economy, expanding the employment base, and focusing on jobs that support living wages.
5. Overall, the City’s employment targets seek to nearly double the employment densities in the Port of Tacoma MIC.

## 4. Proposed Code Amendments

### ➤ Proposed Amendments to TMC 13.06.060.E Industrial Use District Use Restrictions

Use Category	Buffer Area		Core Area	
	M-1	M-2	PMI	
Agriculture	<u>CU</u> <del>N</del>	<u>CU</u> <del>N</del>	<u>N</u> <del>CU</del>	
Airport	<u>N</u> <del>CU</del>	<u>N</u> <del>CU</del>	<u>N</u> <del>CU</del>	
Commercial Recreation and Entertainment	<u>CU</u> <del>** P</del>	<u>CU</u> <del>* P</del>	<b>N</b>	<u>*Indoor only</u> <u>** Indoor and Outdoor</u>
Cultural Institution	<u>CU</u> <del>P</del>	<u>CU</u> <del>P</del>	<b>N</b>	
Dwellings	<u>CU</u> <del>* P</del>	<b>N</b> <del>**</del>	<b>N</b> <del>**</del>	*In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.
Golf Course	<u>N</u> <del>P</del>	<u>N</u> <del>P</del>	<b>N</b>	
Hospital	<u>CU</u> <del>P</del>	<u>N</u> <del>P</del>	<b>N</b>	
Juvenile Community Facility	<u>CU</u> <del>P</del>	<u>N</u> <del>P</del>	<u>N</u> <del>P</del>	
Marijuana Retailer	<u>P</u> <del>* P</del>	<u>CU</u> <del>* P</del>	<u>N</u> <del>P</del>	Limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
Office	<u>P</u> <del>*</del>	<u>P</u> <del>*</del>	<u>CU</u> <del>*</del>	Unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
Parks, Recreation and Open Space – High Intensity/Destination Facilities	<u>CU</u> <del>** P</del>	<u>CU</u> <del>* P</del>	<u>N</u> <del>P</del>	<u>*Indoor only</u> <u>** Indoor and Outdoor</u>
Retail	<u>P</u> <del>*</del>	<u>CU</u> <del>* P</del>	<u>N</u> <del>P</del>	Unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
School, Public or Private	<u>CU</u> <del>P</del>	<u>N</u> <del>P</del>	<u>N</u> <del>P</del>	<u>General K-12 only</u>
Work Release Center	<b>CU</b>	<u>N</u> <del>CU</del>	<u>N</u> <del>P</del>	

➤ **Proposed Amendments to TMC 13.05.010.A Conditional Use Permits**

**\*New\* Section: TMC 13.05.010.A.26 Non-Industrial Uses in the Port of Tacoma MIC**

a. In addition to the general conditional use criteria in TMC 13.05.010.A, non-industrial conditional uses in the Port of Tacoma Manufacturing and Industrial Center shall meet the following criteria. In consider conditional use permit applications, the City will consult with the Puyallup Tribe of Indians and Port of Tacoma to determine potential off-site impacts on port/industrial facilities and operations, and to identify appropriate mitigation measures.

- Location will not significantly interfere with container shipping facilities. Mitigation may be required to avoid and minimize disruptions to nearby industrial activity.
- Location is buffered from certain potentially high-risk industrial facilities.
- Use will incorporate design elements to reduce impact on employees and customers from adjacent or nearby industrial activities.

## 5. Supplemental Information

Use Category	Definition
<b>Agriculture</b>	13.01.060.A  “Agricultural use.” The use of land for tree farming or growing or producing field crops, livestock, or livestock products for the production of income, together with incidental retail sales by the producer of products raised on the farm. Field crops include, among others, barley, soy beans, corn, hay, oats, and potatoes. Livestock includes, among others, dairy and beef cattle, goats, sheep, hogs, poultry and game birds. Livestock products include, among others, milk, butter, cheese, eggs and meat.
<b>Airport</b>	13.01.060.A  “Airport.” Facilities for the takeoff and landing of aircraft, including runways, aircraft storage, hangars, air traffic control facilities, terminal buildings, and customary accessory facilities and uses, such as cargo and freight transfer, aircraft maintenance, aviation fueling, aviation instruction, and eating and drinking.
<b>Commercial Recreation and Entertainment</b>	13.01.060.C  “Commercial recreation and entertainment.” Private provision of participant or spectator recreation or entertainment. This classification includes uses such as privately operated sports stadiums and arenas, amusement parks, bingo parlors, bowling alleys, billiard parlors, poolrooms, dance halls, ice/roller skating rinks, miniature golf courses, golf driving ranges, archery ranges, scale-model courses, shooting galleries, tennis/racquetball courts, croquet courts, swim clubs, health/fitness clubs, and pinball arcades or electronic gaming centers having more than five coin-operated game

	<p>machines. This use does not include public or quasi-public parks, recreation or open space, theaters or golf courses.</p>
<b>Cultural Institution</b>	<p>13.01.060.C</p> <p>“Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums.</p>
<b>Dwellings</b>	<p>13.01.060.D</p> <p>“Dwelling.” A building or portion thereof designed and used entirely as the residence of one or more families, except hotels</p>
<b>Golf Course</b>	<p>13.01.060.G</p> <p>“Golf course.” A facility providing a private or public golf recreation area that is designed for executive or regulation play, generally consisting of tees, greens, fairways, and hazards, along with customary golf support facilities, such as a clubhouse, restrooms, locker rooms, related retail sales, and eating and drinking. This use does not include standalone miniature golf courses or driving ranges (see “Commercial recreation and entertainment”), but may include those as accessory components of the overall golf course facility</p>
<b>Hospital</b>	<p>13.01.060.H</p> <p>“Hospitals.” Medical facilities, licensed by the Department of Health Services, the Committee on Accreditation of Rehabilitation Facilities, the Department of Aging, or other similar organizations, for the provision of surgery, rehabilitation and physical care, acute psychiatric care, chemical dependency, and substance abuse on an out-patient basis, including ancillary nursing, training, and administrative facilities. Such facilities are generally licensed by the state under the provisions of RCW 70.41.</p>
<b>Industry, light</b>	<p>13.01.060.I</p> <p>“Industry, light.” Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services, both within an enclosed building. This classification includes commercial bakeries, dry cleaning plants, lumber yards, retail storage, and businesses engaged in processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, food processing, log yards, bulk storage, and raw materials storage.</p>
<b>Industry, heavy</b>	<p>13.01.060.I</p> <p>“Industry, heavy.” Manufacturing of any and all parts or products, provision of industrial services, and commercial production and sale of goods and services. This classification includes, but is not limited to, basic industrial processing from raw materials, food processing, industrial boatyards, industrial recycling facilities, scrap metal yards, CDL waste recycling facilities, port/terminal uses, log yards, sawmills, chemical plants, hulk hauling yards, wrecking yards, and bulk or raw materials storage.</p>
<b>Juvenile Community Facility</b>	<p>13.01.060.J</p> <p>“Juvenile community facility.” A group care facility for the care of juveniles committed to the physical custody of the Washington State Department of Social and Health Services under the Juvenile Justice Act of 1977. A county detention facility that houses juveniles is not a juvenile community facility. Nothing in this section precludes placement in a juvenile community facility of children who would otherwise be eligible for placement in</p>

	a community care facility for youth, a residential care facility for youth, or a staffed residential home as defined herein.
<b>Marijuana Retailer</b>	13.01.060.M  "Marijuana retailer." As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.
<b>Office</b>	13.01.060.O  "Office." Offices of firms or organizations providing medical, professional, executive, management, or administrative services. This classification includes offices for a physician, dentist, chiropractor, massage therapy, and acupuncture; laboratories; emergency medical care; architectural; computer software consulting; data management; engineering; interior design; graphic design; real estate; insurance; investment; banks and savings and loan associations; government offices; and law offices.
<b>Parks, Recreation and Open Space – High Intensity/Destination Facilities</b>	13.01.060.P  "Parks, recreation and open space." Metropolitan Park District, City of Tacoma, or other public/quasi-public parks, playgrounds, community gardens, and active-use open spaces, including commonly associated uses and features such as recreation facilities and community centers; and, undeveloped, passive use public or quasi-public open space lands maintained primarily in a natural state for their conservation, aesthetic and other open space benefits. Open space may be enhanced with low-impact public access features such as trails and viewpoints, on-site parking, small buildings such as storage structures, bathrooms or picnic shelters, or interpretive signage and other limited improvements, and in some cases may serve additional public purposes.
<b>Retail</b>	13.01.060.R  "Retail." Establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, bank branches, furniture stores, pawn shop, pharmacies, and businesses retailing the following goods as examples: toys, hobby materials, food and beverages sales (including catering), hand-crafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, baseball cards, coins, comics, paint and wallpaper, carpeting and floor covering, medical supplies, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).
<b>School, Public or Private</b>	13.01.060.S  "School, public or private." Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

<b>Work Release Center</b>	<p>13.01.060.W</p> <p>“Work release center.” An alternative to imprisonment, including work and/or training release programs which are under the supervision of a court or a federal, state, or local agency. This definition excludes at-home electronic surveillance.</p>
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**B. General Conditional Use Permit Criteria**

Unless otherwise excepted, all conditional use permit applications shall be subject to the following criteria:

- a. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
- b. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
- c. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.
- d. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
  - (1) The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
  - (2) Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
  - (3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

**C. Existing Uses in the Manufacturing and Industrial Center**

The study area includes 3,963 acres (parcel acres) spread across 752 parcels with a diverse range of uses. The majority (34%) of uses are industrial activities. Manufacturing (16%), warehousing (15%) and transportation (4%) are also

significant proportions of the overall land use acreage in the study area (parcel acres). These activities together account for roughly 70% of the land use in the study area.

These acreages reflect the presence of the Port of Tacoma, container and intermodal facilities, and a range of maritime, transportation, manufacturing, construction, utilities, and industrial service uses. Specific uses include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair.

Similar to other industrial areas in the region, however, a number of non-industrial activities that have similar needs around outdoor storage, and distance from residential areas, are also located in the study area. These include uses related to services (6%), construction (6%), utilities (5%) and commercial (2%) activities. Services, retail and commercial uses include food services, auto and other repair services, and other similar uses that serve employees in the area as well as residents in the city. Utilities uses include three substations owned by Tacoma Public Utilities, a substation owned by Bonneville Power Administration, a wastewater treatment plant operated by the City of Tacoma, and property operated by the Tacoma Fire Department. These existing utilities facilities are part of the infrastructure serving the Port of Tacoma.

Current uses in the PMI, Shoreline Districts, and M-2 are predominantly industrial uses and activities. The majority of current non-industrial activity is within the M-1 Light Industrial District adjacent to Downtown in along Puyallup Avenue.



## D. Findings from the 2017 Planning Commission Recommendation

### 1. VISION 2040 Manufacturing and Industrial Centers

The Puget Sound Regional Council's VISION 2040 Multicounty Planning Policies and the City's One Tacoma Comprehensive Plan designate the Port/Tideflats as a Manufacturing/Industrial Center (MIC). These areas are focal points for targeted regional employment growth. The designation provides regional funding priority for major transportation projects (e.g., Port of Tacoma Road, Taylor Way, SR 167, and freight projects). Regional planning policies protect MICs from encroachment of non-industrial uses.

### 2. Regional Industrial Employment Forecasts

Puget Sound Regional Council forecasts show industrial jobs region-wide increasing from 305,100 jobs in 2012 to 389,000 jobs in 2040, an increase in 83,900 total jobs.

(<https://www.psrc.org/sites/default/files/industriallandsanalysisreport.pdf>).

### 3. Regional Industrial Land Supply

PSRC forecasts employment and land supply for the Tacoma-Puyallup industrial area. Exhibit 6.18 to the Industrial Lands Analysis identifies the total land area, vacant land area, and underutilized land area for each sub-regional industrial area. The analysis indicates that the Tacoma-Puyallup industrial area includes approximately 13% of the regional vacant industrial land supply and 15% of the underutilized land supply.

### 4. Regional Economic Contribution of Industrial Land

According to PSRC's Industrial Lands Analysis Report "(i)n 2012, total wages paid out by industrial activities on industrial lands summed to \$24.4 billion. Overall, the annual earnings from industrial jobs on industrial lands averaged \$80,000 in 2012. Wages associated with industrial jobs on industrial lands equaled 23.2% of all wages paid out across the region in 2012. By comparison, the average wage across the four-county central Puget Sound region in 2012 was \$59,700. Retail Trade, one of the largest segments of the regional work force, supported an average wage of \$36,300, while Finance and Insurance paid an average wage of \$86,900 (page E-9)."

### 5. Conversion of Industrial Lands

PSRC estimates that non-industrial employment on industrial lands will grow from 36% of total jobs on industrial lands in 2012 to 45% by 2040 (page E-10, Industrial Lands Analysis Report). PSRC forecasts for the Tacoma-Puyallup subarea show "higher growth in non-industrial jobs, with such jobs representing 70% of all jobs in the subarea (page 6-16)." The employment forecasts for 2040 suggest the existing land supply is sufficient to accommodate both the industrial and non-industrial employment forecasts, but that rising land values, proximity to nearby commercial centers, and other factors, will require some shift in management strategies due these non-industrial trends.

### 6. Employment Allocation

VISION 2040 allocates an additional 97,000 jobs to Tacoma by 2040.

### 7. 2014 Pierce County Buildable Lands Analysis

The Pierce County Buildable Lands Analysis assesses the land capacity to absorb the VISION 2040 employment allocations. Appendix D to the report allocates 8% of the City's overall employment allocation to the Tideflats MIC, an estimate of 7,555 new jobs by 2040. The report identifies a total land area of 3,912 acres within the Tideflats MIC and sufficient land capacity to absorb the allocated employment.

### 8. Non-industrial Uses in the Port/Tideflats

The Port Tidelands are predominantly zoned Port Maritime Industrial (PMI) and Heavy Industrial (M-2) zoning districts. Some areas to the periphery are zoned Light Industrial (M-1). Current policies support the retention and protection of manufacturing and industrial lands for manufacturing and industrial use, and to expand a diversified employment base in these areas. However, the City's current zoning districts allow expansive uses, including certain non-industrial uses that typically require a large land area to accommodate. These uses include:

- Golf Courses
- Schools (K-12)
- Juvenile Community Facilities
- Airports
- Agricultural uses (excluding marijuana production and processing)
- Destination Parks and Recreation (such as stadiums, arenas, museums, zoos, and aquariums).

#### **E. South Tacoma Manufacturing and Industrial Center**

##### 4. District use restrictions.

###### a. Prohibited uses.

- Adult family home
- Confidential shelter
- Continuing care retirement community
- Day care, family
- Dwellings, not permitted except quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.
- Emergency and transitional housing
- Extended care facility
- Foster home
- Golf course
- Group Housing
- Hospital uses are prohibited in the M-2 District
- Hotel Motel
- Animal slaughter, fat rendering, smelters, and blast furnaces
- Intermediate care facility
- Juvenile community facility
- Residential care facility for youth
- Residential chemical dependency treatment facility
- Retirement home
- General K through 12 education facilities
- Staffed residential home
- Student housing
- Theater

###### b. Conditional uses.

- Commercial recreation and entertainment facilities over 10,000 square feet in the M-1 District and 15,000 square feet in the M-2 District.
- Cultural institution.

- Hospital uses in the M-1 District

c. Temporary uses.

- Carnival

5. District Development Standards

- Office: unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
- Marijuana retailer: limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
- Retail: unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.

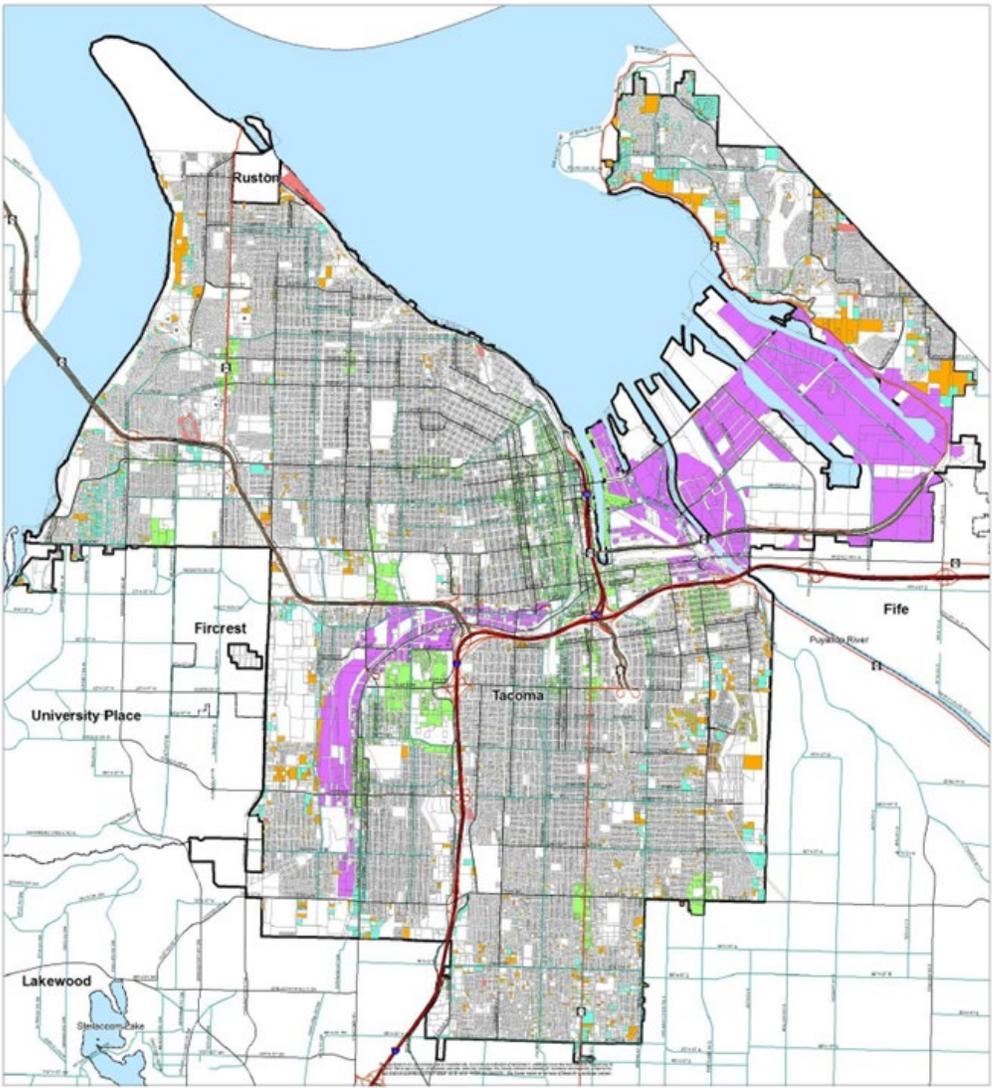
**F. Benchmarking**

<b>City of Fife</b> <a href="#">Fife Municipal Code</a>	<b>City of Sumner</b> <a href="#">Sumner Municipal Code</a>	<b>City of Seattle</b> <a href="#">Seattle Municipal Code</a>	<b>Pierce County</b> <a href="#">Pierce County Code</a>
Industrial Zone: Industrial (I) District	Industrial Zone: Manufacturing and Industrial Core Overlay	Industrial Zone: IG 1 in M/I Center	Industrial Zone: Employment Center, in Frederickson Community Plan area
<p>PERMITTED non-industrial uses:</p> <ul style="list-style-type: none"> <li>• existing dwelling unit;</li> <li>• Professional offices;</li> <li>• Agricultural use, including plant nursery, feed and seed store, livestock (see Chapter 19.68 FMC) and roadside stand for the sale of agricultural goods;</li> <li>• Retail sales or service use (with some limitations on type);</li> <li>• Commercial parking lots and park and ride lots;</li> <li>• Printing establishment,</li> <li>• Public and quasi public uses, such as museums, governmental offices, police station, pool, community center, court, school</li> </ul> <p>CONDITIONAL uses:</p> <ul style="list-style-type: none"> <li>• Restaurant,</li> </ul>	<p>PERMITTED non-industrial uses:</p> <ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Indoor commercial recreation</li> <li>• Existing residences</li> <li>• Restaurants with no bar</li> <li>• Taverns</li> <li>• Churches</li> <li>• General Commercial, limited to 10,000 sq ft, in M-1 area only</li> <li>• Breweries (M-2)</li> </ul> <p>CONDITIONAL uses:</p> <ul style="list-style-type: none"> <li>• Daycare (in M-1)</li> <li>• Outside commercial recreation</li> <li>• Breweries (M-1)</li> <li>• Cemeteries</li> <li>• Hospitals</li> <li>• Parks</li> <li>• Public Facilities</li> </ul>	<p>PERMITTED non-industrial uses:</p> <ul style="list-style-type: none"> <li>• Community Garden,</li> <li>• urban farm,</li> <li>• eating and drinking establishment</li> <li>• indoor/outdoor sports and recreation;</li> <li>• Food processing and craft work;</li> <li>• Medical services</li> <li>• Offices</li> <li>• Sales and Services</li> <li>• Child care centers</li> <li>• Community centers and family support centers</li> <li>• Religious facilities</li> </ul> <p>CONDITIONAL uses:</p> <ul style="list-style-type: none"> <li>• Artist dwellings/studios</li> <li>• Residential Use in a landmark structure or district</li> </ul>	<p>PERMITTED non-industrial uses:</p> <ul style="list-style-type: none"> <li>• Administrative and professional offices</li> <li>• Health Services</li> <li>• Postal Services</li> <li>• Public Park Facilities</li> <li>• Agritourism</li> <li>• Crop Production</li> <li>• Mobile and manufactured home sales</li> <li>• Business Services</li> </ul>

<ul style="list-style-type: none"> <li>• Retail services,</li> <li>• Religious institutions</li> <li>• Go-kart</li> </ul>			
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**G. 2014 Pierce County Buildable Lands Report**

The Pierce County Buildable Lands Analysis assesses the land capacity to absorb the VISION 2040 employment allocations. Appendix D to the report allocates 8% of the City’s overall employment allocation to the Tideflats MIC, an estimate of 7,555 new jobs by 2040. The report identifies a total land area of 3,912 acres within the Tideflats MIC and sufficient land capacity to absorb the allocated employment. The map below depicts the City’s buildable land supply. The purple/violet areas identify buildable industrial lands within the City’s two designated industrial centers.



## Chapter 2

### Section C

# Residential Encroachment





# Section C. Residential Encroachment

## 1. Issue Description

In 2014, the City adopted a Container Port Element in the Comprehensive Plan, consistent with Growth Management Act requirements. The policies in the Container Port Element called for buffers to limit encroachment of incompatible land uses on the Port of Tacoma Manufacturing and Industrial, specifically identifying slopes and other topographical features as natural buffers to be maintained. However, zoning and land use regulations for this area in NE Tacoma, were not amended to fully implement the adopted policies. Instead, the area remained zoned primarily for single family residential dwellings, with a 5,000 square foot minimum lot size. In the past the City had relied on market conditions to limit development – assuming that development on steep slopes would be infeasible. However, in recent years, new permit activity has been documented along the hillside and new housing developments were constructed contrary to established policy. The encroachment of residential uses, especially single family, on industrial areas can often create new impacts on both the residential communities resulting from noise, light and odor from industrial activities, and can likewise result in nuisance complaints or other interference with industrial activity. This review will consider limitations on new development along Marine View Drive and NE Tacoma to improve the long term interface between industrial and non-industrial uses.

## 2. Summary of Proposed Amendments

The proposed amendments would establish a new Overlay District to limit residential encroachment on the Port of Tacoma Manufacturing and Industrial Center. The proposal would apply the overlay to the hillside in NE Tacoma as depicted in the map below. In addition:

- The proposal includes an initial map based on the current Interim Regulations, but identifies two areas under consideration for removal from the proposed Overlay.
- The Overlay District would establish minimum lot sizes that would reduce development capacity to a density of 1 unit per acre.
- The Overlay District would require Notice on Title for any new residential unit construction identifying the proximity to an established industrial area.
- Existing critical area regulations for wetlands, fish and wildlife habitat, and steep slopes would continue to apply to this area.



## **One Tacoma Plan - Container Port Element**

Policy CP–1.4 Reduce the potential for land use conflicts between industrial development and surrounding nonindustrial uses by providing for adequate Industrial/Commercial Buffer areas, and clear public commitment to continuation of Port and port-related cargo and industrial uses in the designated Core Area.

Policy CP–2.2 In general, natural buffers, such as change in topography, vegetated areas and water bodies are preferred as a means to buffer and separate incompatible uses. The Industrial/Commercial Buffer Area designation is needed only where the existing geography does not provide an effective buffer. Ensure that unrelated uses in the Industrial/ Commercial Buffer Area are not allowed to gradually encroach on the Core Area boundary. The industrial/Commercial Buffer Area should remain of sufficient size to provide a long-term buffer for the Core Area.

Policy CP–2.3 Development standards for industrial and commercial activities in the Industrial/Commercial Buffer Area should ensure compatibility with the activity levels and physical character of adjacent less intensive community character.

## **One Tacoma Plan – Environment and Watershed Health**

Policy EN–1.22 Develop and maintain a prioritized list of natural resource types, target areas and/or properties desirable for public acquisition to support long-term natural resource protection, and establish a process for coordinating acquisition with other programs including programs to maintain enough land for employment needs, programs to protect water quality and programs to reduce exposure to flooding hazards.

Policy EN–3.1 Ensure that the City achieves no-net-loss of ecological functions over time.

Policy EN–3.2 Evaluate the potential adverse impacts of proposed development on Tacoma’s environmental assets, their functions and the ecosystem services they provide.

Policy EN–3.3 Require that developments avoid and minimize adverse impacts, to the maximum extent feasible, to existing natural resources, critical areas and shorelines through site design prior to providing mitigation to compensate for project impacts.

Policy EN–3.5 Discourage development on lands where such development would pose hazards to life, property or infrastructure, or where important ecological functions or environmental quality would be adversely affected: a. Floodways and 100-year floodplains b. Geologic hazard areas c. Wetlands d. Streams e. Fish and wildlife habitat conservation areas f. Aquifer recharge areas g. Shorelines

Policy EN–4.29 Ensure that plans and investments are consistent with and advance efforts to improve the quantity, quality and equitable distribution of Tacoma’s urban forest: a. Strive to achieve a citywide tree canopy cover of 30 per cent by the Copper Beech at Wright Park year 2030 (“30-by-30”)

Policy EN–4.13 Ensure that plans and investments are consistent with and advance efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by: a. Preventing habitat fragmentation b. Improving habitat quality c. Preserving or creating habitat areas as feasible on new development and redevelopment sites d. Creating and enhancing Open Space Corridors that allow fish and wildlife to safely access and move through and between habitat areas

## **One Tacoma Plan – Design and Development**

Policy DD–9.2 Improve the interface between non-residential activities and residential areas, in areas where commercial or employment areas are adjacent to residential zoned land.

Policy DD–9.5 Protect non-industrial zoned parcels from the adverse impacts of activities on industrial zoned parcels.

Policy DD–9.6 Buffer between designated Manufacturing/Industrial Centers and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

Policy DD–9.7 Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality and noise impacts to building users and residents, particularly in areas near freeways, high traffic streets, and other sources of air pollution.

Policy DD–11.2 Limit development in or near areas prone to natural hazards where practicable, using the most current hazard and climate change-related information and maps.

**Staff Findings:**

- Policies directly reference the need to maintain the slopes as natural buffers.
- Preservation of the hillside in a predominantly vegetated, natural state, supports multiple benefits and established policies.
- Maintenance of tree canopy and siting of any new residential in accordance with the policies in the Environment and Design and Development Elements can potentially mitigate some of the off-site impacts from industrial activity.
- City policies support the use of incentives, such as transfer of development rights, to preserve privately owned lands.
- While the City’s policies support the use of zoning and land use regulations to limit development, through the Critical Areas Code, policies also identify public acquisition as a preferred strategy for retaining these buffer areas and ensuring long term benefits.

## 4. Proposed Code Amendments

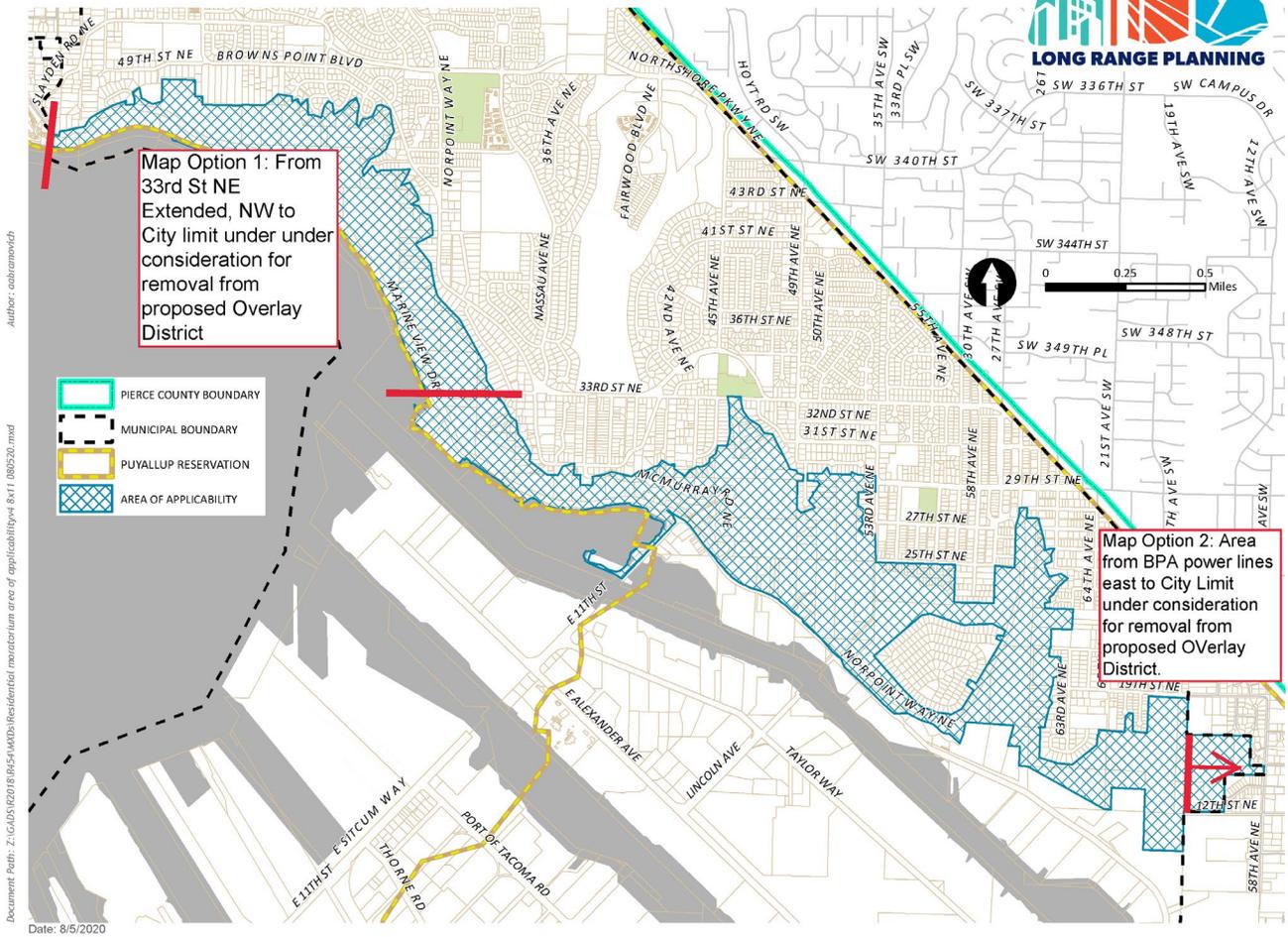
➤ **Proposed Amendment to TMC 13.06.070 Overlay Districts**

**\*New Section\*:** [TMC 13.06.070.G Port of Tacoma Transition Overlay Zone](#)

[1. Applicability.](#)

[a. The Port of Tacoma Transition Overlay Zone applies to all residential platting, subdivision, and land uses within the district boundaries established herein:](#)

**Port of Tacoma Transition Overlay District: Area of Applicability and Potential Map Amendments**



b. Standards established through the overlay zone are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply.

2. Purpose. The purpose of the Port of Tacoma Transition Overlay Zone is to maintain an appropriate separation between port/industrial activity in the Port of Tacoma Manufacturing and Industrial Center and residential neighborhoods, to avoid and minimize off-site impacts on residential areas, and to minimize disruption to port operations and associated industrial activity resulting from residential encroachment, consistent with the Container Port Element of the One Tacoma Plan and the Growth Management Act.

3. District Development Standards

a. Prohibited uses. Multifamily dwelling units, including duplex, triplex, cottage housing, and fourplex, are prohibited as stand-alone primary uses or as part of a mixed-use development.

b. Minimum lot size. Minimum residential lot sizes in the district shall be no less than 43,560 square feet.

c. Location. Residential development shall be located the greatest distance from the boundaries of the Port of Tacoma Manufacturing and Industrial Center as is feasible.

d. Design. Residential development shall be designed to minimize disruptions to Port/industrial operations, including minimizing clearing and grading, driveways, and vegetation removal.

e. Accessory uses and structures. Uses and structures accessory to a single dwelling unit are permitted in the Overlay district consistent with established development standards for accessory uses in the base zone.

f. Notice on Title. As a condition of residential development, developers shall record a notice on title prior to initial sale which attests that the property is within proximity of the Port of Tacoma Manufacturing and Industrial Center, in which industrial activities, including container terminal facilities, are operating and will continue to operate and expand in the future. The distance of the unit from the Port of Tacoma Manufacturing and Industrial Center shall be recorded.

## Supplemental Information

The following information was utilized by the Planning Commission in developing the draft code.

### **A. Land Area Analysis of Current Interim Ordinance**

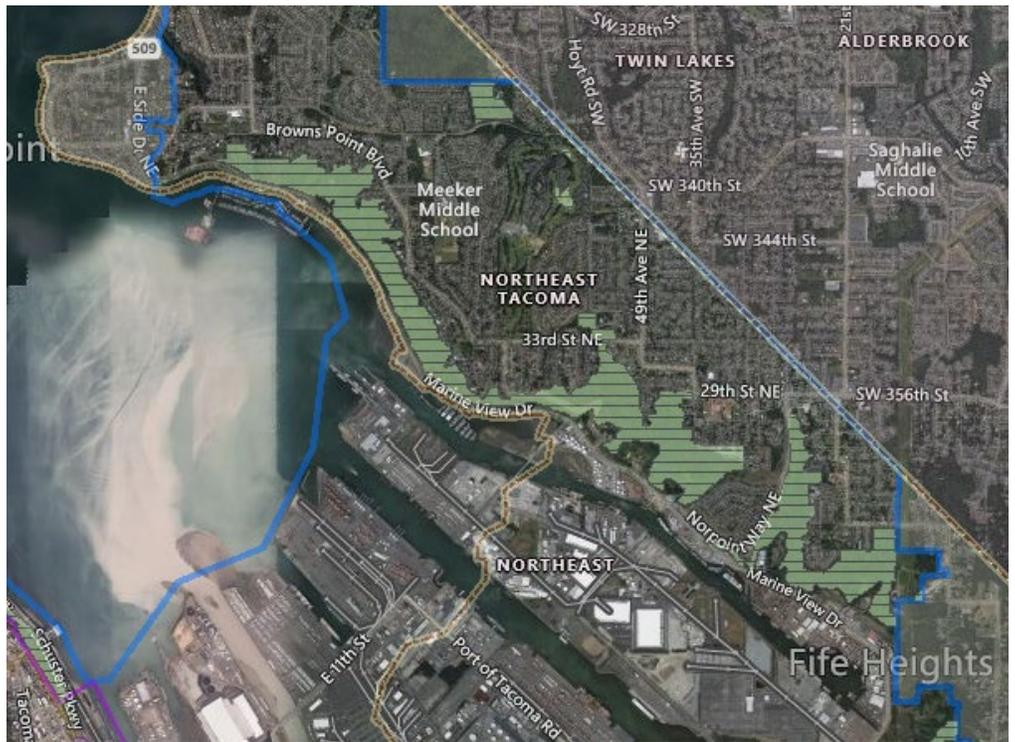
- What is the total acreage of privately held lands? **761.91 Acres**
- What is the total acreage of publicly owned lands? **304.68 Acres**
- What is the average private lot size? **1.88 acres**
- How many private lots are there in this area? **449**



### i. Biodiversity Corridors

Purpose: Preserve fish and wildlife habitat

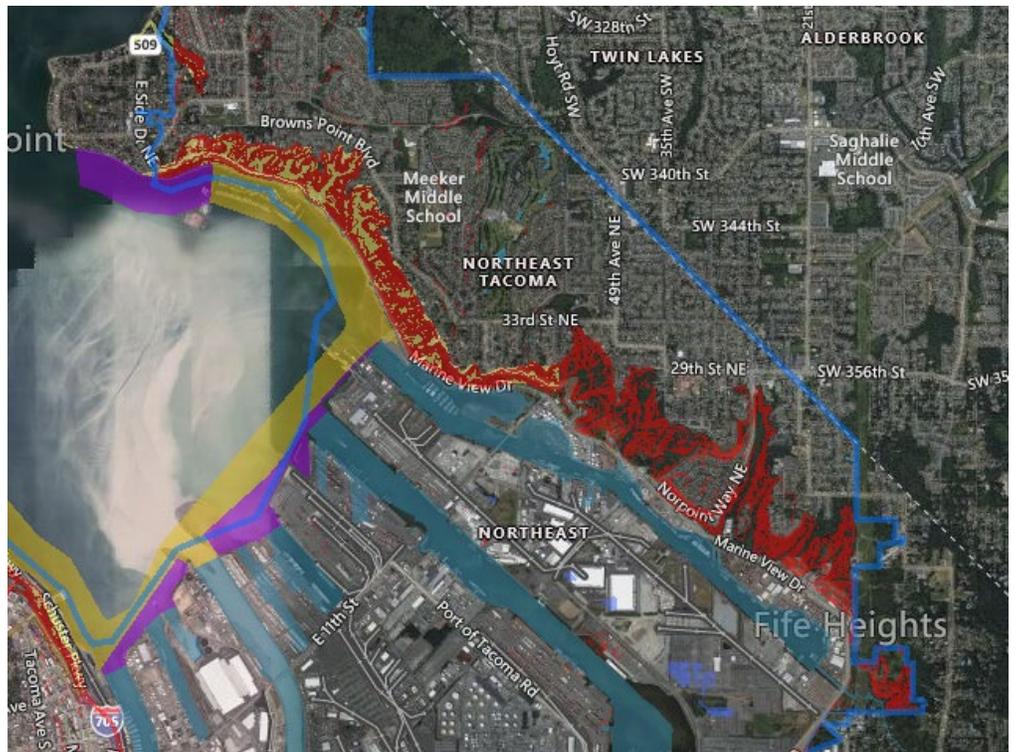
- Limits overall clearing and grading activity to no more than 35% of site
- Clusters development in the least sensitive portion of the site



### ii. Steep Slopes and Landslide Hazards

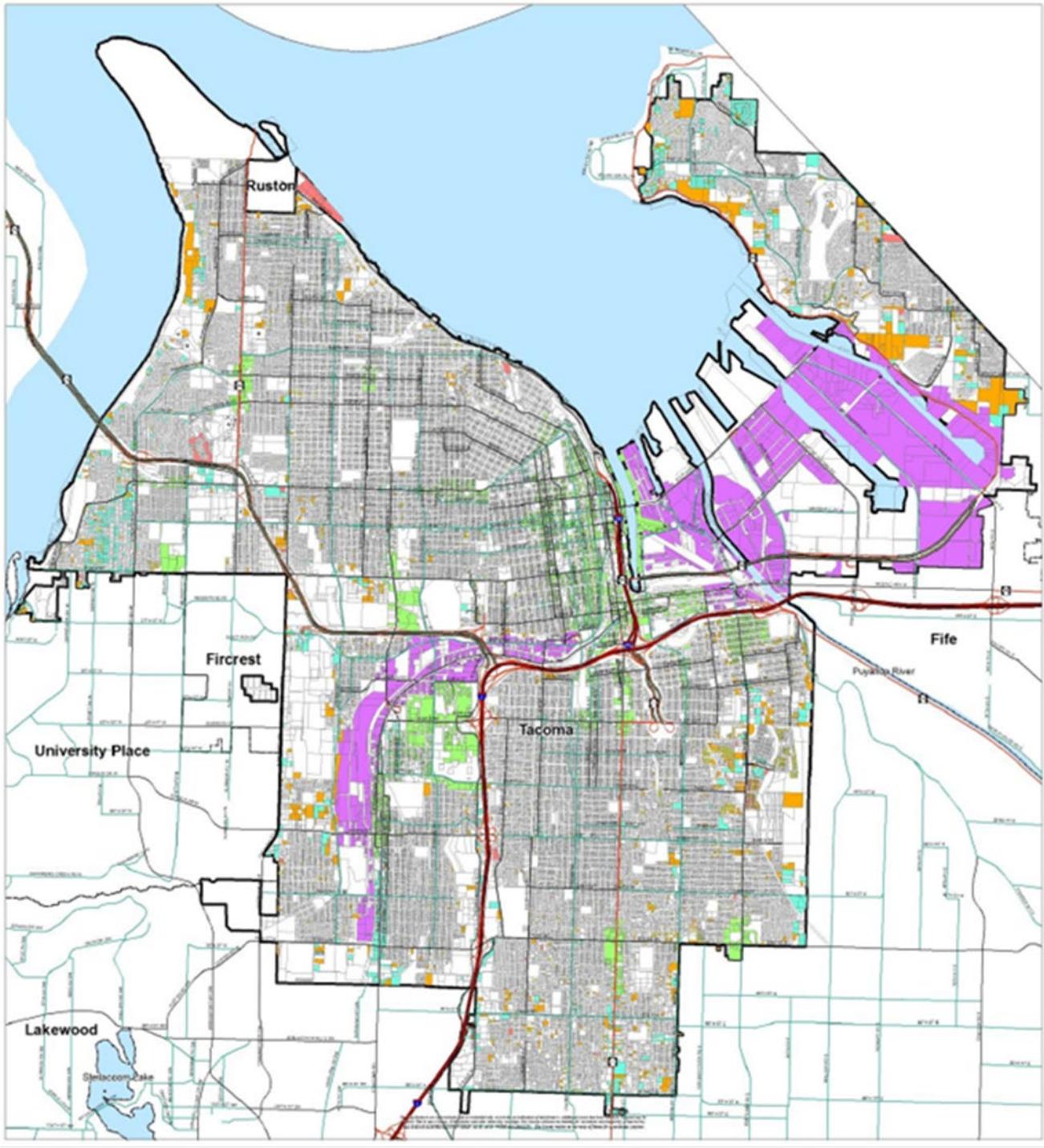
Purpose: Protect life and safety

- Maintain a setback on top and bottom of slope
- Discourage development on slope
- Allow reasonable use on a case by case review



### C. Buildable Lands

Significant areas along the hillside with the area of review were determined to be developable in the 2014 Buildable Lands Report. However, the City later adopted updated Biodiversity Corridors and steep slope standards to limit overall development capacity in this area.



D. Findings from 2017 Planning Commission Recommendation

## 15. Likelihood of Residential Development in Close Proximity

The 2014 Pierce County Buildable Lands Report documents significant development capacity along the City's steep slopes overlooking the Port/Tideflats along Marine View Drive. In addition, the City has seen increased development pressure on these sites. Multiple plats have been submitted to develop slope properties. With continued rising demand for housing in the City of Tacoma, there is a significant likelihood that additional developments will occur on the slopes above Marine View Drive in close proximity to the Port/Tideflats and during the subarea planning process. Many of the concerns raised about Port/Tideflats industrial activities originate from residential developments along these hillsides that have less separation from the industrial waterfront. New residential development in these areas will likely introduce new interested parties and potential for nuisance complaints during the subarea planning process.

### E. Benchmarking

Minimum lot sizes are a typical method for limiting proximity of incompatible land uses. Large minimum lot size requirements are frequently used to limit density around sensitive lands, such as critical areas, as well as resource lands and industries, as a method to both protect residential uses from off-site impacts and to protect the viability of resource industries.

The Growth Management Act establishes such a framework for natural resource lands, stating:

#### RCW [36.70A.060](#)

Natural resource lands and critical areas—Development regulations.

(1)(a) Each county that is required or chooses to plan under RCW [36.70A.040](#), and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW [36.70A.170](#). Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW [36.70A.040](#). Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals. Any county located to the west of the crest of the Cascade mountains that has both a population of at least four hundred thousand and a border that touches another state, and any city in such county, may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forestlands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forestlands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

While these regulations are more typical of counties, some Cities use a similar framework. The following two zoning districts are from the City of Sumner Municipal Code, addressing adjacent uses surrounding resource based industries.

Example: City of Sumner Resource Protection District

**SMC 18.08.010 Purpose.**

The purpose of the resource protection district (RES) is to implement the goals and policies of the Sumner comprehensive plan:

- A. To protect natural resources such as agricultural, mineral resource, fish and wildlife habitat areas from the intrusion of non-resource based development;
- B. To promote the conservation of natural resource lands and related activities or operations; and
- C. To maintain large areas free of impervious surfaces in order to increase the potential for natural infiltration of rainfall and the retention of natural drainage water patterns, minimizing the need for storm water facilities and increasing the protection of ground water resources. (Ord. 2531 § 2 (part), 2015; Ord. 1694 § 1, 1995)

Minimum Lot Size: 20 acres

Example: City of Sumner Residential Protection District

**SMC 18.10.010 Purpose.**

The purpose of this district is to act as a buffer between lands in resource production or sensitive critical areas and higher density/ intensity uses, as well as function as an urban reserve designation for areas with the absence of full city services. The designation is applied to help ensure that previous land use patterns will not hinder future choices. (Ord. 1694 § 1, 1995)

Minimum Lot Size: 20 acre

The Port element of the Growth Management Act includes a similar approach to regulating adjacent land uses that are encroaching on port-related activities.

## Chapter 2

### Section D

# Siting of High Risk/High Impact Heavy Industrial Uses





# Section D. Siting and Expansion of High Risk/High Impact Heavy Industrial Uses

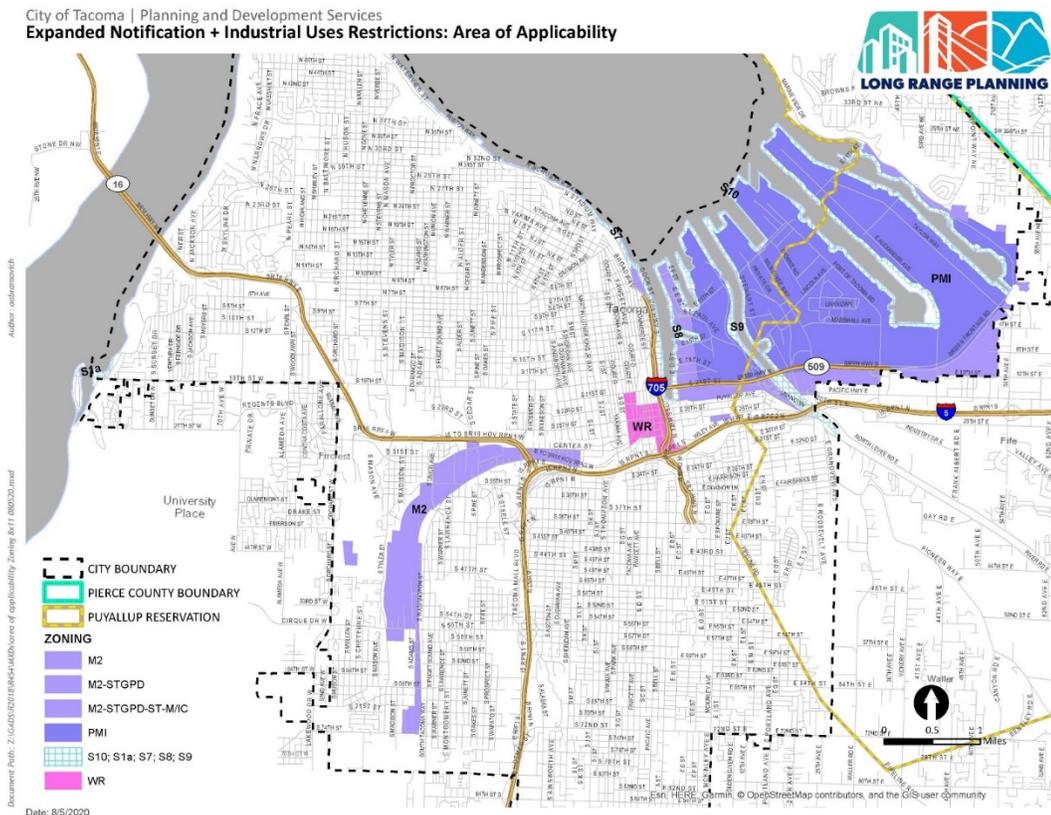
## Subsection I: General Context

### 1. Issue Description

Broadly, this review will consider the siting of specific potentially high risk/high impact heavy industrial uses. Current zoning and land use regulations consolidate a broad spectrum of industrial use and activity within a single heavy industrial use category despite a diverse differentiation of potential impacts and risks associated with such uses. In addition, current regulations permit heavy industrial use outright within the M-2 Heavy Industrial District and PMI Port Maritime Industrial District without special use standards tailored to address the disparate potential impacts of use and activity that fall under this category. This review will consider the compatibility of specific heavy industrial uses with the use priorities in the Port Tideflats as well as compatibility with environmental site context and surrounding land uses. The result of this review may be the establishment of more specific uses to be regulated under TMC 13.06 Zoning and Title 19 Shoreline Master Program.

### 2. Interim Area of Applicability

This review applies to heavy industrial uses citywide. There are five general use categories under consideration, all of which are allowed in different zoning districts throughout the City. In general, the following map indicates zoning districts that allow heavy industrial uses. However, the specific use subsections will identify other zoning districts where the uses are allowed.



### 3. Policy Review

In addition to policies specifically cited in Sections A, B and C of this report, the following policies from the One Tacoma Plan apply this broad review:

#### *Use Priorities:*

Policy CP–1.1 Prioritize, protect and preserve existing and planned port uses, port-related container and industrial uses and rail-related uses. Uses should consist primarily of cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities, and other similar uses.

Policy CP–1.2 Prohibit uses that would negatively affect the availability of land for the primary port and port-related cargo and industrial function of the Core Area. Encourage aggregation of industrial land for future development as cargo port terminals and supporting uses.

#### *Economic Development and Industrial Land Supply:*

Policy EC–6.19 Provide industrial land and encourage investment in necessary services that support industrial business retention, growth and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing and a widely accessible base of living wage jobs, particularly for underserved and underrepresented people.

Policy EC–6.21 Protect and preserve sufficient land use capacity for water-dependent and related industrial uses within the city's industrial shorelines.

Policy EC–1.2 Ensure that there is sufficient zoning and development capacity to accommodate the 2040 employment growth allocations.

Policy EC–1.10 Leverage Tacoma's industry sector strengths and assets to position Tacoma as a leader and innovator in the local, regional and state economy.

Policy EC–1.11 Identify and regularly update Tacoma's target industries to better leverage the city's economic position within the region and to respond to strategic opportunities as they arise.

Policy EC–1.12 Actively seek investments to grow Tacoma's presence in the following target industries: a. Bio-medical and medical b. Information technology and cyber security c. Professional services d. Industrial and manufacturing e. Tourism and hospitality f. Creative economy g. International trade h. Finance and Insurance

#### *Environment, Critical Areas, and Life Safety:*

Policy DD–11.2 Limit development in or near areas prone to natural hazards where practicable, using the most current hazard and climate change-related information and maps.

Policy DD–11.3 Encourage development approaches that will enhance the ability of people, wildlife, natural systems, and property to withstand and recover from a natural disaster or other major disturbance

Policy EN–1.5 Protect the quantity, quality and function of high value environmental assets identified in the City's natural resource inventories, including:

- a. Rivers, lakes, streams and associated riparian uplands
- b. Floodplains
- c. Riparian corridors
- d. Wetlands and buffers

- e. Groundwater
- f. Trees and urban forests
- g. Bays, estuaries and marshes
- h. Shorelines
- i. Native and other vegetation species and communities that provide habitat value
- j. Habitat complexes and corridors, rare and declining habitats such as wetlands, native oak and habitats that support special-status or at-risk plant and wildlife species
- k. Other natural resources as identified

Policy EN–1.6 Direct development activities away from critical natural features such as steep slope areas and unstable soils, wooded areas, shorelines, aquatic lands and other unique and high value natural areas when planning for growth.

Policy EN–1.26 Maintain, implement and periodically update a climate action plan and greenhouse gas inventory, and adjust greenhouse gas emission targets accordingly to ensure successful implementation and consistency with regional and state goals.

Policy EN–1.18 Evaluate climate data and consider climate risks in the development of regulations, plans and programs.

Policy EN–1.29 Protect processes and functions of Tacoma’s environmental assets (wetlands, streams, lakes) in anticipation of climate change impacts.

Policy EN–3.1 Ensure that the City achieves no-net-loss of ecological functions over time.

Policy EN–2.1 Minimize the risk of damage to life and property by establishing robust development standards that ensure avoidance and/or minimization of potential geologic hazards.

Policy EN–2.8 Regulate development in the 100-year floodplain to avoid substantial risk and damage to life, public and private property, infrastructure, and fish and wildlife habitat. Ensure these regulations, as a minimum, comply with state and federal requirements for floodplain regulations.

*Transitions and Off-Site Impacts:*

Policy CP–1.6 In the Core Area, allow for localized impacts associated with industrial activities, including noise, odor and visual character, that are appropriate and expected in heavy industrial areas but would not be allowed in other parts of the city. Noise and odor may be associated with transportation and manufacturing facilities. Visual character may include outdoor storage, relatively large building mass and impervious surface area. While localized impacts are permitted, continue to require Core Area industrial uses to be developed in a manner that protects the environment and preserves public health and safety from a citywide and regional perspective.

Policy CP–1.4 Reduce the potential for land use conflicts between industrial development and surrounding nonindustrial uses by providing for adequate Industrial/Commercial Buffer areas, and clear public commitment to continuation of Port and port-related cargo and industrial uses in the designated Core Area.

Policy CP–2.3 Development standards for industrial and commercial activities in the Industrial/Commercial Buffer Area should ensure compatibility with the activity levels and physical character of adjacent less intensive community character.

Policy CP–2.6 Establish development or performance standards to allow for continued viability of the Industrial/Commercial Buffer Area, while protecting the livability of adjacent areas.

Policy DD–9.3 Use land use and other regulations to limit and mitigate impacts, such as odor, noise, glare, air pollutants, and vibration that the use or development of a site may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas.

Policy DD–9.5 Protect non-industrial zoned parcels from the adverse impacts of activities on industrial zoned parcels.

Policy DD–9.6 Buffer between designated Manufacturing/Industrial Centers and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

### *Shorelines*

In accordance with RCW 90.58.020, the City shall manage shorelines of statewide significance in accordance with this section and in accordance with this Program as a whole. Preference shall be given to uses that are consistent with the statewide interest in such shorelines. Uses that are not consistent with this section or do not comply with the other applicable policies and regulations of this Program shall not be permitted on shorelines of statewide significance. In managing shorelines of statewide significance, The City of Tacoma shall:

1. Recognize and protect the statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Seek long-term benefits over short-term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shoreline;
6. Increase recreational opportunities for the public in the shoreline; and
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary

### *Groundwater Protection*

Policy EN–3.22 Protect and preserve the quantity and quality of Tacoma’s groundwater supply.

Policy EN–3.28 Protect the quality of groundwater used for public water supplies to ensure adequate sources of potable water for Tacoma and the region. Ensure that the level of protection provided corresponds with the potential for contaminating the municipal water supply aquifer.

### **Staff Findings and Observations:**

1. Shoreline policies mandate that the City consider the long-term statewide interest over short-term benefits or local interests.
2. Comprehensive Plan policies establish use priorities for the Port of Tacoma MIC, but South Tacoma lacks the same prioritization. In the Port of Tacoma MIC, the primary use is intended for cargo related port activities, followed by uses that support that core function.
3. Policies recognize that in the Core Area localized off-site impacts are acceptable, including noise, odor, and visual impacts.
4. Policies call for development regulations that apply to industrial use in the Buffer area to ensure an appropriate transition to non-industrial areas. Both the Port of Tacoma MIC and South Tacoma MIC have significant residential and commercial areas in close proximity to heavy industry.

5. The Tideflats area is also an area with multiple vulnerabilities, including seismic, volcanic, flood, and geologic hazards, as well as long-term sea level rise. Policies call for approaches to both avoid and mitigate these vulnerabilities.
6. The Tideflats is an area with significant environmental assets including wetlands, streams, fish and wildlife areas, and restoration sites. Policies call for no net loss of ecological function and a net gain of ecological function over time.
7. Comprehensive Plan policies direct the City to utilize best available science and climate data in this review process.
8. Climate policies direct the City to support both the reduction of Greenhouse Gases over time as well as efforts to improve resilience to climate and other natural disasters.
9. The South Tacoma MIC is co-located with the South Tacoma Groundwater Protection District. This district implements policies to protect and preserve groundwater quantity and quality. This district limits specific uses that are incompatible with these policies.
10. The City's policies consider air and water quality impacts and seek to ensure that all Tacomans have access to clean air, clean water and a healthy environment.

## 4. Supplemental Information

### **a. Findings from 2017 Review**

#### 14. Likelihood of Industrial Development in Tacoma's Port/Tideflats

In addition to the regional industrial employment growth forecasts and availability of developable land within the Port/Tideflats, two major new energy projects have recently been proposed in the Port Tideflats as well as a significant expansion of an existing facility: 1. A liquefied natural gas facility that was permitted and is now under construction, 2. A gas to methanol plant that was proposed for the Tideflats but later withdrawn, and 3. An expansion of an existing refinery to produce ethanol. Multiple oil, gas and petrochemical refineries, terminals, and bulk storage sites currently operate in the Port Tideflats. In addition, a permit application was submitted and approved for a surface mine along Marine View Drive.

#### 19. Environmental Risks to Critical Areas

The Port/Tideflats is an area with multiple environmentally sensitive areas, including fish and wildlife habitat conservation areas, streams, wetlands, and aquifer recharge areas. The subarea planning process will include an environmental review that will allow the City to conduct a more scientifically rigorous, area-wide review of the potential impacts from development in the Port/Tideflats, the scale of those impacts, and potential mitigation measures.

#### 20. Environmental Hazards to Port/Industrial Uses

The Port/Tideflats is an area with potential risks of geologic, flood, and other natural disasters. The subarea planning process will include an environmental review that will allow the City to conduct a more scientifically rigorous, area-wide review of the potential risks to new and existing uses, development, and infrastructure, as well as the compounding impacts of a natural disaster occurring in an area with potentially hazardous chemicals and other materials.

21. Public Health, Safety, and Nuisance Impacts to Surrounding Neighborhoods and Employees Some industrial and manufacturing uses carry a higher probability of health and safety concerns, or a higher risk of nuisance impacts to adjacent uses. These risks may vary considerably depending on the type of use, the location, and the building and operational design and management. Certain types of impacts may be minimized and mitigated adequately by existing

regulatory structures (such as storm water management). The City has received complaints pertaining to traffic impacts, greenhouse gas emissions, odor, noise, water consumption, and lighting, The Subarea Planning process will provide a mechanism to review these complaints and potential risks and to evaluate alternative methods of minimizing and mitigating these public health, safety and nuisance risks.

#### 22. Climate Policy (2015)

The 2015 update of the City's Comprehensive Plan, One Tacoma, included new goals and policies pertaining to the assessment of climate risks, adaptation measures, mitigation of climate causing greenhouse gas emissions, and the promotion of community resilience strategies.

#### 23. Climate Change Resiliency Study (2016)

This study marks the beginning of a process undertaken by the City of Tacoma's Environmental Services and the Planning and Development Services Departments to better understand and proactively manage climate risks in order to protect local residents, make sound investments, and ensure that the City can prosper, even in a changing climate.

Three systems were considered in the study:

- Built infrastructure, with a focus on surface water, wastewater, solid waste, and transportation assets;
- Natural systems, including streams, lakes, wetlands, open spaces, and restoration sites; and
- Social systems, including general health and social services and potentially at-risk populations and neighborhoods.

#### 24. Washington Coastal Resilience Project (2016-2018)

The City of Tacoma is participating as a case study in the Washington Coastal Resilience Project. Washington's Coastal Resilience Project is a three-year effort to rapidly increase the state's capacity to prepare for natural events that threaten the coast. The project will improve risk projections, provide better guidance for land use planners and strengthen capital investment programs for coastal restoration and infrastructure. These are the tools that coastal communities need to become more resilient to disasters.

#### 26. Emergency Response

The City of Tacoma and the Port of Tacoma partnered with other agencies and private companies to initiate a study of Emergency Response systems in the tideflats area. The team included representatives from Tacoma's Planning and Development Services, Fire, and Public Works departments, as well as Tacoma Rail. In addition to active involvement from the Port of Tacoma, the Puyallup Tribe of Indians, U.S. Oil, Targa Sound Terminals, and Puget Sound Energy all participated in the study.

The Emergency Response/Intelligent Transportation System (ER/ITS) study addresses existing and future traffic congestion as well as infrastructure and operating deficiencies for emergency response in the tideflats.

### **b. Industry Concentrations and Employment Growth**

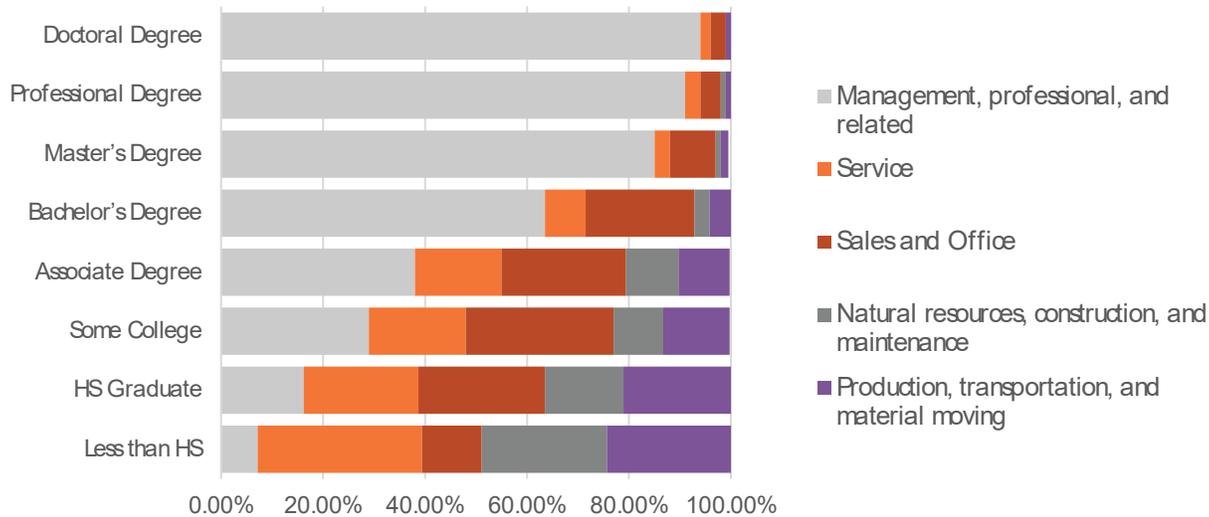
Industrial jobs in the Port of Tacoma MIC account for 9% of all industrial jobs in the County. In comparison, the Frederickson MIC accounted for about 4% of all industrial jobs in the County as of 2010 while the Sumner-Pacific MIC accounted for about 14% of all industrial jobs in the County as of 2015.<sup>1</sup>

<sup>1</sup> Employment density alone does not capture the extent and impact of industrial activity, especially for an area like the Port of Tacoma MIC, since trends such as containerization have reduced the need for personnel but increased productivity.

Industrial jobs can be a significant source of employment for people without high educational attainment levels. A large portion of Tacoma’s population experiences barriers to employment due to lower education levels, less specialized or technical skillsets, language barriers, or lack of transportation or mobility. Only about 39% of Tacoma’s population that is 25 years and above have a college degree.

As shown in the following graphic, occupations in production, transportation, and material moving as well as natural resources, construction, and maintenance are a strong source of employment for the employed civilian workforce without college degrees.

*Educational Attainment by Occupation – Employed Civilian Workforce, 2016*



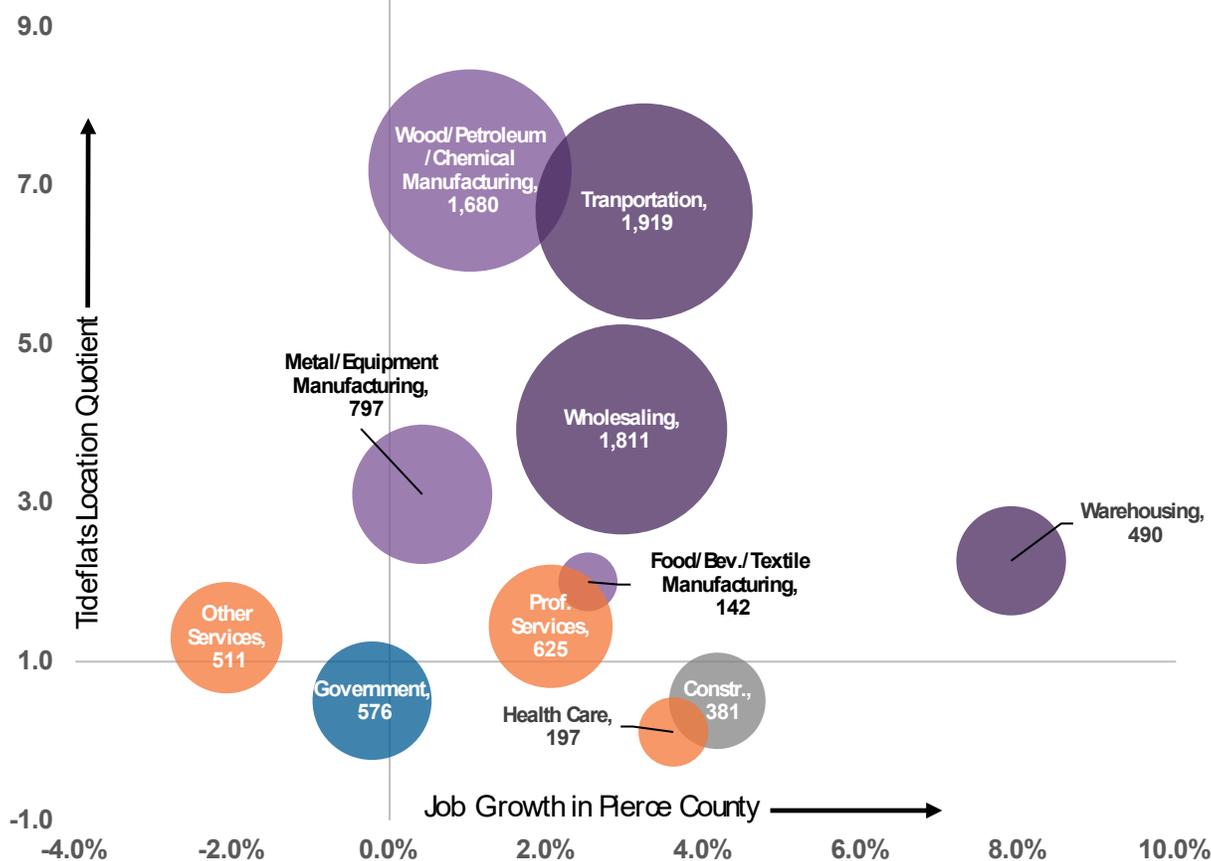
Sources: BLS, 2016; BERK, 2020.

For workers without a college degree and/or lower skilled workers, industrial jobs can typically provide higher wages, better benefits, and better opportunities for career advancement and skill development compared with other employment opportunities. For some workers in the region, these industrial jobs are a pathway to economic advancement.

Competitive Strengths

The Port of Tacoma MIC has competitive strengths in the sectoral clusters of manufacturing as well as WTU. On the vertical axis of the following graphic is the location quotient of each cluster, with sub-sectors with location quotients greater than 1.0 representing sub-sectors that have a greater concentration in the Port of Tacoma MIC than elsewhere in Pierce County. On the horizontal axis is compound annual employment growth in Pierce County over the last ten years from 2010 to 2019. The size of the bubbles represents the employment in each sub-sector in the Port of Tacoma MIC for 2019.

Location Quotient and Job Growth Analysis, 2019



Note: Job growth is calculated by taking the compound annual growth rate for each industry sector between 2010 to 2019 for Pierce County. Location quotients are calculated using 2019 employment information provided by PSRC.

Sources: PSRC, 2020; BERK, 2020.

The upper right-hand quadrant of the graph shows the sub-sectoral clusters in the Port of Tacoma MIC with the highest concentration of jobs and highest employment growth. Sub-sectors with both high concentration of jobs and relatively high employment growth include transportation, warehousing, and wholesaling – all sub-sectors associated with the WTU sector. The transportation (6.7 location quotient) and wholesaling (3.9 location quotient) sub-sectors are highly concentrated in the Port of Tacoma MIC. Employment in the transportation subsector is likely fueled by Port of Tacoma marine cargo operations as well as private businesses involved in general freight trucking, coastal freight transportation, pipeline transportation, general warehousing, and storage, among others. The wholesaling subsector is made up of a diverse array of private firms wholesaling motor vehicle parts, lumber, construction equipment, professional and industrial supplies, hardware, fresh fruit, and groceries, etc.

Other sub-sectors highly concentrated in the MIC include wood, petroleum, and chemical manufacturing (7.2 location quotient) as well as metal and equipment manufacturing (3.1 location quotient). Firms in the metal and equipment sub-sector include such businesses as boat and shipbuilding firms, firms related to iron foundries and metal manufacturing, and firms manufacturing motor vehicle parts, among others. These sub-sectors are also among the slowest growing sub-sectors in Pierce County over the last several years. One potential cause for the slowing growth of these manufacturing sub-sectors may be recent innovations such as increasing automation. Studies suggest a negative relationship between automation and routine manual employment in local labor markets (Bharadwaj and Dvorkin, 2019).

### c. Environmental Assets and Hazards Citywide

#### *Fish and Wildlife Habitat, Wetlands, and Streams*

The Puyallup River, Hylebos Creek, and Wapato Creek flow through the study area within highly modified channels and armored banks. The Puyallup River is tidally influenced throughout the study area and is the major source of sediment to nearshore marine habitats. Prior to construction of the waterways and dredging of the Puyallup River channel, the Commencement Bay nearshore and Puyallup River delta supported over 2,100 acres of intertidal mudflats (Kerwin 1999, as cited in City of Tacoma 2007). Today, estuarine wetlands and mudflats occur in a few isolated areas adjacent to the waterways and associated with Port of Tacoma restoration sites (USFWS 2020a; City of Tacoma 2020a). Freshwater wetlands are present in small, isolated areas within the built environment and comprise a very small percentage of the study area. According to the City of Tacoma's wetland inventory, less than 200 acres, or about 3.5% of the tideflats area supports known wetlands or areas with high probability (City of Tacoma 2020a). The inventory maps cover 40 small (<1 acre) known wetlands that are scattered throughout the area.

The Puyallup River supports several salmonid species including coastal cutthroat trout, bull trout, steelhead, Chinook (spring and fall) salmon, sockeye, coho, pink, and chum (WDFW 2020a; WDFW and NWIFC 2020). Wapato Creek and Hylebos Creeks support a smaller set of species including steelhead, coho, Chinook (fall), pink, and chum. Several of these fish species are federally listed under the Endangered Species Act (ESA), have designated critical habitat in the study area, and are also listed in Washington State by WDFW (Exhibit 5-4). The waterways are characterized by narrow intertidal and shallow subtidal margins around a relatively deep channel. These margins are important migratory routes for salmon, waterfowl, and shorebirds, and serve as rearing areas for juvenile and adult salmonids and their prey. Adult salmonids are typically found in Commencement Bay in August and November, except spring Chinook and steelhead, which are present during the winter and spring (City of Tacoma 2007). Juvenile Chinook salmon use the Commencement Bay nearshore and the waterways, particularly after the releases of hatchery fish in mid to late May (Kerwin 1999, as cited in City of Tacoma 2007).

Despite substantial modification of the Commencement Bay nearshore, WDFW has documented forage fish (i.e., surf smelt and sand lance) spawning at the west edge of the Middle Waterway, near the mouth of the Puyallup River, and along the upper intertidal zone of the sand-gravel beaches of the former Milwaukee Waterway, which is a small rectangular area located between the Puyallup River and Sitcum Waterway (WDFW 2020b). The WDFW surveys documented mostly surf smelt spawning at these locations with only a small area of sand lance spawning observed at the spit on the west side of the Puyallup River.

The Puyallup Tribe operates a robust program to maximize and optimize the shellfish harvest by protecting the habitats and populations of shellfish while also providing a safe environment for commercial, ceremonial, and subsistence fishing opportunities for Tribal members. The Tribe manages this fishery per their Revised Puyallup Tribal Shellfish Code (Chapter 12.12), and it includes crab (Dungeness, red rock, graceful), sea cucumber, geoduck, and spot prawn, among other species. Despite productive habitat for crab along edges of the waterways, there is no Tribal harvest within the Tideflats study area due to ship traffic associated with Port activities (Winfrey, pers. comm., 2020). The closest approved commercial harvest for shellfish is north of the study area between Browns Point and Dash Point. Recreational harvest of spot shrimp occurs near the barge rafts on the west side of Commencement Bay, and common squid are harvested from areas near Les Davis pier adjacent to Ruston Way (Winfrey, pers. comm., 2020). According to WDFW, documented shellfish resources include Dungeness crab and geoduck clams, although the Washington State Department of Health has closed all of Commencement Bay shoreline to shellfish harvesting due to a combination of marine biotoxins and pollution.

Marine mammals that have or may have occurred in Commencement Bay include Pacific harbor seal, California sea lion, and killer whale. Seal and sea lion haul-outs have been documented along Tacoma's marine shoreline on buoys, floats, and logbooms in northeast Commencement Bay (Jeffries et al. 2000, as cited in City of Tacoma 2007). In general, marine mammals are unlikely to use nearshore marine habitats in the study area due to shipping traffic.

Commencement Bay is located within the Pacific Flyway, a major north-south migratory corridor which extends from Mexico north into Canada and the state of Alaska. The marine waters along with the restored intertidal wetlands and riparian buffers associated with mitigation sites provide habitat for shorebirds, waterfowl, and upland birds to breed and overwinter. The WDFW Priority Habitats and Species (PHS) database online mapper also documents big brown bat, purple martin, bald eagle, great blue heron, and western pond turtle in the study area (WDFW 2020c). None of these species are listed under the federal ESA or have specific protections under state regulations. Coyote and beaver are frequently found in the study area with the latter species requiring active management to maintain stream and ditch conveyance and reduce localized flooding issues.

*South Tacoma Groundwater Protection District (from TMC 13.06)*

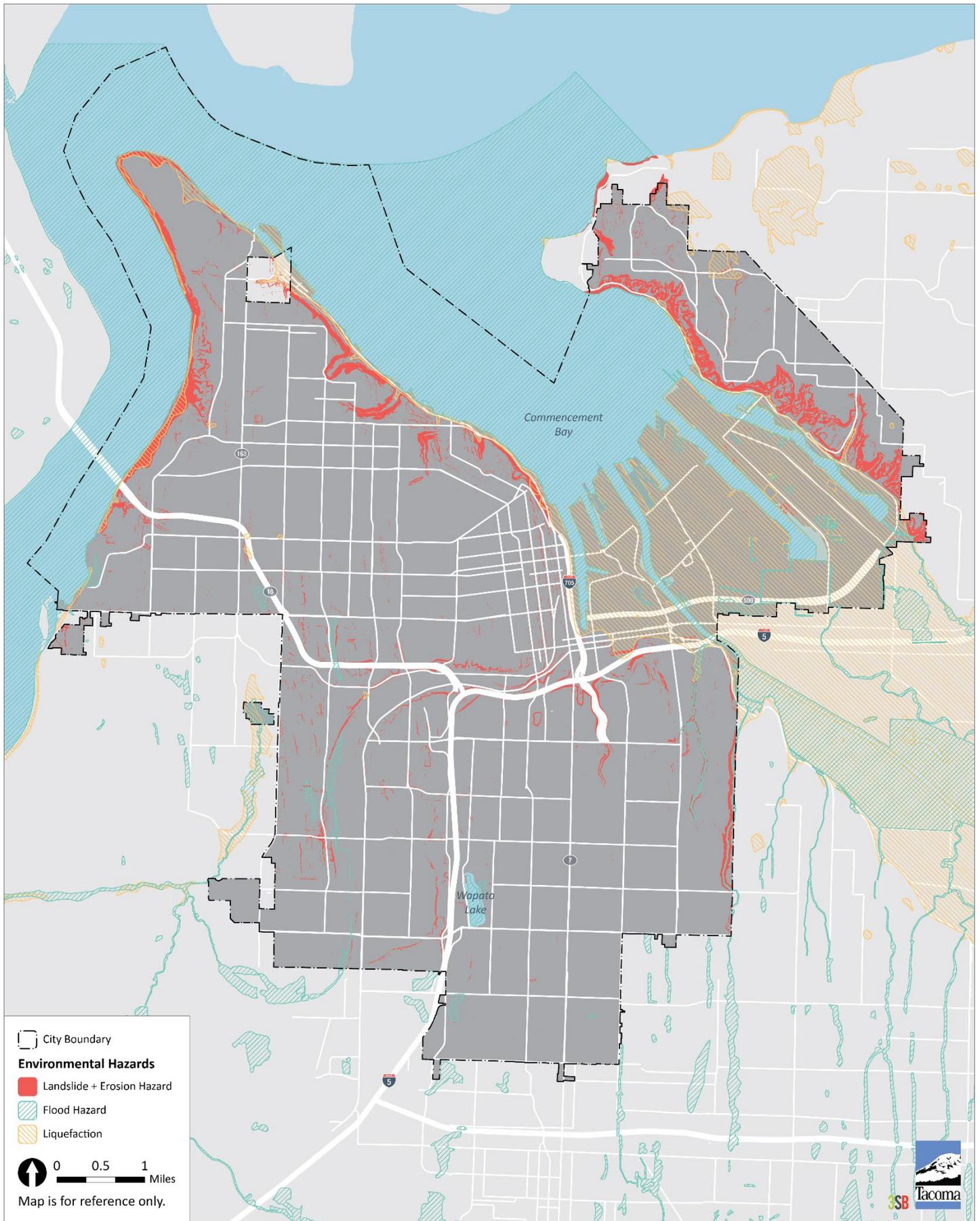
The South Tacoma groundwater aquifer system serves as a significant source of drinking water for the City of Tacoma. It may supply as much as 40 percent of the City's total water demand during periods of peak summer usage. For future growth, supplemental supply, and emergency response, this resource will continue to be extremely important to the City of Tacoma.

It has been found and determined that a major cause of historical groundwater contamination in the South Tacoma aquifer system is from accidental or improper release of hazardous substances from spillage, leaks, or discharges from local industry. Due to the large number of potential sources of toxic and hazardous substances within the area which recharges the aquifer system and the possibility of further contamination, the City of Tacoma found that it was necessary and in the public interest to establish the South Tacoma Groundwater Protection District in 1988.

The South Tacoma Groundwater Protection District is an overlay zoning and land use control district specifically designed to prevent the degradation of groundwater in the South Tacoma aquifer system by controlling the handling, storage and disposal of hazardous substances by businesses. The overlay zoning district imposes additional restrictions on high impact land use development in order to protect public health and safety by preserving and maintaining the existing groundwater supply for current and potential users and to protect the City of Tacoma from costs which might be incurred if unsuitable high impact land uses were to reduce either the quality or quantity of this important public water supply source.

It is the intent of this chapter to establish orderly procedures that reduce the risks to public health and safety and to the existing groundwater supply. These procedures shall ensure that within the South Tacoma Groundwater Protection District, properties that have stormwater infiltration facilities and properties that store hazardous substances meet appropriate performance standards, and those properties are properly maintained, inspected, and tested when necessary.





Seismic Hazards

The Seattle Fault Zone runs roughly east-west just south of downtown Seattle and runs roughly parallel to I-90. A fault is considered active when it has shown evidence of displacement within the last 11,600 years. An earthquake on the Seattle Fault poses substantial risk to the Puget Sound region. Deep quakes are the most common large earthquakes that have occurred in the Puget Sound region. Quakes larger than magnitude 6.0 occurred in 1909, 1939, 1946, 1949, 1965, and 2001 (PNSN 2020). However, shallow quakes can create more damage than deep quakes because of the proximity to the epicenter. Resulting damage from earthquakes depends on many factors including distance to epicenter, soil and bedrock properties, and the duration of shaking.

Basins containing thick deposits of unconsolidated materials can amplify earthquakes waves and cause far more damage to structures than the same waves passing through bedrock. As noted above, the depth to bedrock in the study area is relatively deep at between 500 and 600 meters. In addition, the study area includes large areas of undocumented fill where the geotechnical engineering characteristics are unknown and thus may be susceptible to higher ground shaking hazards without either the use of engineered fill, specially designed foundation types, or use of deep foundation systems (e.g., pile supports).

### *Liquefaction*

According to mapping compiled by the Washington State Department of Natural Resources (DNR), the entire study area is susceptible to liquefaction hazards (DNR 2003).

Liquefaction occurs where surface soils are primarily loose, granular in consistency, and located below the water table. Saturated loose soils that are generally within 50 feet of the ground surface are at most risk of liquefaction. Liquefaction is of particular concern because it has often been the cause of damage to structures during past earthquakes. The consequences of liquefaction include loss in the strength and settlement of the soil. The loss of strength can result in lateral spreading, bearing failures, or flotation of buried vaults and pipes. Typical of marshland and tidal areas, soils in low-lying areas near bodies of water can contain enough saturated sandy sediments that they are commonly susceptible to liquefaction.

### *Tsunami and Seiche Waves*

Tsunami and seiche waves are possible secondary effects that can occur from seismic events or other large displacements of materials. Tsunamis, often incorrectly described as tidal waves, are sea waves usually caused by the displacement of the ocean floor. Typically generated by seismic or volcanic activity or by underwater landslides, a tsunami consists of a series of high-energy waves that radiate outward like pond ripples from the area where the generating event occurred. For the Puget Sound region, either a large subduction zone quake off the coast or along the Seattle or Tacoma Faults could produce a tsunami. In the case of a subduction zone quake, a tsunami would travel from the coast through the Strait of Juan de Fuca into Puget Sound, and then south. Numerical modeling of tsunamis generated by earthquakes on the Seattle Fault and the Tacoma Fault show that the City of Tacoma would be subjected to larger and more damaging tsunami waves from a Seattle Fault earthquake (USGS 2010). While the Seattle Fault is considerably more distant than the Tacoma Fault, the Seattle Fault traverses Puget Sound in much deeper water and can therefore displace more water, resulting in bigger tsunami waves.

Seiche waves consist of a series of standing waves of an enclosed body or partially enclosed body of water caused by earthquake shaking, similar to what could be described as sloshing action. Seiche waves can affect harbors, bays, lakes, rivers, and canals. Both Puget Sound and Lake Washington have experienced seiche waves in 1891, 1949, and 1964. The “sloshing” effect of a seiche event can damage facilities close to the water and could potentially be experienced within Commencement Bay.

The Washington Geological Survey's tsunami hazards database maps inundation extents for a variety of earthquake scenarios, including a Cascadia Subduction Zone magnitude 9.0 scenario, and other scenarios that include modeled inundation extents for local crustal earthquakes on the Tacoma and Seattle Faults. The entire study area is located in an area that could be inundated in a tsunami event (Exhibit 3-4; DNR 2020a). According to a more detailed evaluation, with the modeled scenario of a 7.3 magnitude earthquake on the Seattle Fault (considered the worst-case credible event), the study area would experience inundation ranging from less than 0.5 meter (approximately 1.6 feet) up to as much as 5 meters (approximately 16 feet) (DGER 2009).

#### **d. Tideflats Emergency Response Plan (2016)**

Link: [https://cms.cityoftacoma.org/Planning/ER-ITS/Tideflats\\_ER\\_Plan\\_Final\\_March2016.pdf](https://cms.cityoftacoma.org/Planning/ER-ITS/Tideflats_ER_Plan_Final_March2016.pdf)

Excerpt:

##### THE EMERGENCY RESPONSE PROBLEM

The emergency response problem has two facets. First, the Tideflats has a mix of land uses and operations that have the potential for serious fire or EMS emergencies. Second, the emergency response times to the Tideflats have increased over the past several years. Each of these factors is summarized below.

##### TIDEFLATS LAND USE AND OPERATIONS

Within the City of Tacoma, the Tideflats is the highest risk zone for Hazardous Material (HazMat) incidents. Within the area, there is resurgence in manufacturing, particularly on the Blair-Hylebos peninsula. Several of the proposals include operations with higher emergency risk potential. While potentially adding to the demand for fire services, these developments will help restore the economic and tax-generating base within the Tideflats. There are other key factors that heighten the emergency response needs within the Tideflats:

##### Geographic

- Location of incidents spread out through entire zone
- Marinas are in fairly remote locations so land response is longer; not quickly or easily accessible by water routes either
- Access to area limited by waterways, rail, vacated streets and closed bridges

##### Demographic

- Low residential population but a 1575-bed detention center and a 75-bed reentry facility and a high daytime worker population

##### Physical

- Mostly chemical releases and combustible/flammable liquid spills/leaks
- Large un-sprinkled buildings/yards with high fire load
- Private hydrants with limited water
- Presence of flammable liquid pipelines
- Abundant ignition sources

The past decade has seen an increase in the Tacoma Fire Departments (TFD) emergency response times to the Tideflats area due to a number of factors. Contributing factors for the response time deficiencies are listed below.

- Temporary blockage of certain roadways within the Port area by Tacoma Rail and other Port operations
- Roadway congestion resulting from local and regional traffic patterns
- Permanent vacation of a portion of Alexander Avenue north of SR509 and other recent street vacations
- Poor roadway surfaces within the Port that make travel difficult for fire apparatus
- Permanent closures of bridges and an increase in truck activity/congestion
- Closure and relocation of fire stations

### e. Sea Level Rise and Flood Conditions

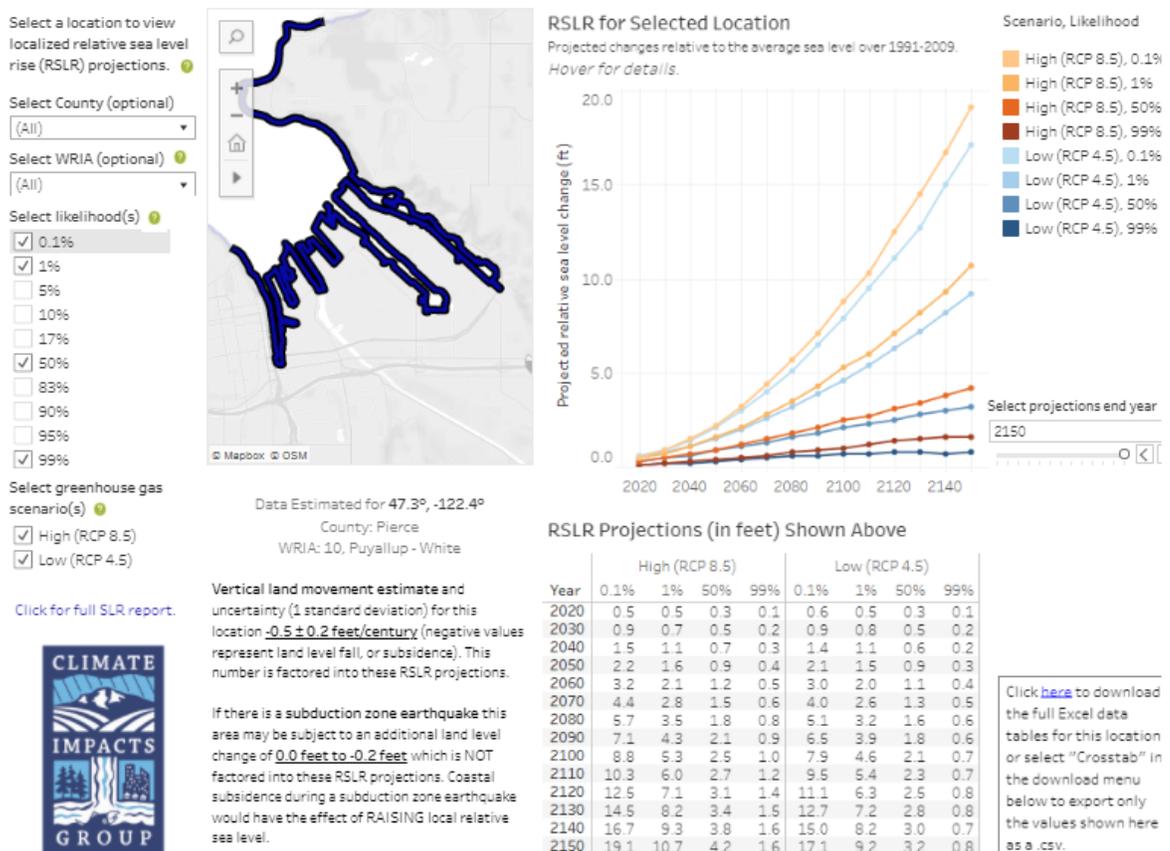
In 2015 the City updated the Comprehensive Plan, incorporating sea level rise and climate resilience policies to the Environment and Watershed Health Chapter. Following that, the City has conducted vulnerability assessments and partnered with Washington Sea Grant and the Climate Impacts Group to evaluate sea level rise probabilities. Much of that analysis and modeling work is now available at:

<http://wacoastalnetwork.com/chrn/research/sea-level-rise-research/>

The following is a screenshot demonstrating the modeling capabilities. Additional sea level rise estimates and vulnerability assessments are being conducted as part of the Tidelands Subarea Plan and is available as part of the agenda packet for the January 14, 2021 meeting of the Tidelands Steering Committee at:

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

#### VISUALIZATION #1: Projected sea level change by year





adopts development regulations pursuant to RCW [36.70A.040](#). *Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.* Any county located to the west of the crest of the Cascade mountains that has both a population of at least four hundred thousand and a border that touches another state, and any city in such county, may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forestlands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forestlands, or mineral resource lands on which a variety of *commercial activities may occur that are not compatible with residential development for certain periods of limited duration.* The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

\* \* \*

(3) *Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW [36.70A.040](#) and implementing development regulations under RCW [36.70A.120](#) and may alter such designations and development regulations to insure consistency.*

## **One Tacoma Plan – Urban Form**

Overall Planning Targets: 127,000 new residents + 97,000 new jobs

### *Centers*

Centers are compact, walkable and pedestrian-oriented urban places. They are connected by public transit and active transportation networks. They anchor complete neighborhoods with retail stores and businesses (grocery stores, restaurants, markets, shops, etc.) civic amenities (libraries, schools, community centers, places of worship, etc.), housing options, health clinics, daycare centers, employment centers, plazas and parks and other public gathering places. Centers will be the primary areas for growth and change in Tacoma over the next 25 years.

Focusing new growth in centers helps achieve goals of having more Tacomans live in complete neighborhoods, use public transit and active transportation—walking, biking and rolling—to commute to work and complete errands, and it will help mitigate and prepare for the effects of climate change. Clustering and co-locating destinations and housing within compact, walkable centers makes access by transit, walking, wheelchair, and bicycle more practical and reduces the amount of driving needed to access services, reducing the impact on roadways, reducing congestion, and facilitating freight movement.

### *Commercial Districts:*

Commercial development involves a wide variety of uses and can range in scale from small neighborhood convenience shops to regional shopping centers. Commercial areas are the activity centers of the community. Commercial districts should be safe, well designed, appropriately scaled, and integrated into the fabric of the community. Infill development and intensification of existing commercial areas will aid their continued economic viability. In some limited instances, physical expansion of existing areas may be permitted; however, linear expansion is to be strictly limited. Commercial development within the mixed-use centers is also guided by policies in Section II specifically addressing the designated centers.

### *Major institutional Campus*

Institutions in the health care and education sectors are concentrated in large hospital and college campuses and dispersed smaller facilities. Major institutions are large employers with campuses that vary from pastoral expanses to more concentrated urban grounds. They are located throughout the city, often in or adjacent to residential areas.

### *Manufacturing + Industrial Areas*

Manufacturing/Industrial areas are in the low, flat areas along the Port/ Tideflats and the Nalley Valley. The manufacturing and distribution sectors concentrate here. Manufacturing/industrial centers are intended to be well-served by major transportation facilities including rail, interstate and transit systems. Many of the industrial uses are land intensive in nature. To preserve land at these centers, large retail, residential or nonrelated office uses are discouraged.

### *Open Space Corridors*

Open Space Corridors are natural areas that provide safe, healthy places for resident and migratory fish and wildlife species that live in and move through the city. Maintaining diverse, connected habitat corridors will help fish and wildlife adapt to continued human population growth, development, and climate change. Open Space Corridors also benefit Tacomans by keeping air and water clean and cool, reducing the risks from landslides and flooding, and providing places for people to play, learn and experience nature. Open Space Corridors encompass the city's most valuable and distinctive natural features—streams and sloughs, wetlands, and large forested areas, such as Hylebos Creek, Swan Creek, Wapato Lake, Snake Lake, China Lake, and the City's many gulches. Other urban habitats are woven throughout the built environment and include things like street and yard trees, backyard plantings, parks, and bridges that provide opportunities for bird nesting. Enhancing or establishing new Open Space Corridors will involve preserving and restoring existing natural features, creating vegetated connections between tree canopy and greenspaces, and incorporating nature into the design of buildings and landscaping, streetscapes, parking lots, and infrastructure.

### *Residential Pattern Areas*

Tacoma has six distinct Historic Residential Pattern Areas, as shown in Figure 8. The development patterns and characteristics of these areas are influenced by the natural landscape and how and when these parts of the city were developed. Each Historic Residential Pattern Area has unique physical, social, cultural and environmental qualities that differentiate them and create their sense of place. In order to maintain and enhance the positive qualities and sense of place in each pattern area, it is desirable to have policies and regulations that respond to each area's unique natural and built assets. The following policies identify key characteristics of each of Tacoma's Historic Residential Areas that are relevant to decisions related to future development in these areas as well as special opportunities to enhance the residential environment.

## **One Tacoma Plan – Environment and Watershed Health**

Policy EN-4.13 Ensure that plans and investments are consistent with and advance efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by:

- a. Preventing habitat fragmentation
- b. Improving habitat quality
- c. Preserving or creating habitat areas as feasible on new development and redevelopment sites
- d. Creating and enhancing Open Space Corridors that allow fish and wildlife to safely access and move through and between habitat areas

Policy EN–4.29 Ensure that plans and investments are consistent with and advance efforts to improve the quantity, quality and equitable distribution of Tacoma’s urban forest:

- a. Strive to achieve a citywide tree canopy cover of 30 per cent by the Copper Beech at Wright Park year 2030 (“30-by-30”)
- b. Require or encourage the preservation of large healthy trees, native trees and vegetation, tree groves and forested areas as an element of discretionary land use reviews
- c. Coordinate plans and investments with efforts to improve tree species diversity and age diversity
- d. Invest in tree planting and maintenance, especially in low canopy areas, neighborhoods with underserved or under-represented communities and within and near Open Space Corridors
- e. Promote the restoration of native trees and vegetation in Open Space Corridors, buffers and shorelines
- f. Encourage planting of native or climate adapted trees and vegetation generally, especially in Open Space Corridors
- g. Identify priority areas for tree preservation and planting in the development of subarea, neighborhood and watershed plans

*Staff Findings:*

- Mineral Resource Lands are a protected use under the Growth Management Act.
- State policies recognize inherent incompatibility between natural resource uses and urban densities of surrounding development and suggest that areas surrounding natural resource uses should have standards in place to limit encroachment of incompatible uses.
- Cities planning under GMA were required to designate and protect such lands prior to the development of the first Comprehensive Plans. Upon adoption of the Comprehensive Plan, such use allowances and development regulations that protect mineral resource lands may be amended for consistency with Comprehensive Plan policies.
- The City of Tacoma is designated as a Metropolitan City in VISION 2040, and is expected to accommodate significant population and employment growth (127,000 new residents and 97,000 new jobs). The Growth Management Act.
- Continuing to designate and allow such uses could detrimentally impact population and housing growth in adjacent areas.
- Further, such uses are potential source of significant off-site impacts, including noise, traffic, odor, and light.
- Mining and quarrying uses are inconsistent with urban form, urban densities, employment growth targets, and walkability policies established in the Comprehensive Plan for Residential, Commercial, Mixed-use areas.
- Mining and quarrying uses are not preferred or prioritized uses within the City’s Industrial Lands.
- Mineral resource lands are inconsistent with the policy intent for areas designated as parks and open space. Further, the City has scarce opportunities to maintain and enhance fish and wildlife habitat areas within the City and continuing to allow mineral resource extraction would have a detrimental impact on these areas.

## 4. Proposed Code Amendments: Mining and Quarrying

### ➤ Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10:

#### “Mining and Quarrying”

The Mining, Quarrying, and Oil and Gas Extraction sector comprises establishments that extract naturally occurring mineral solids, such as coal and ores; liquid minerals, such as crude petroleum; and gases, such as natural gas. The term mining is used in the broad sense to include quarrying, well operations, beneficiating (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. This use category includes all industry sectors identified under NAICS Code 21 Mining, Quarrying, and Oil and Gas Extraction.

### ➤ Proposed amendments to use tables in TMC 13.06.020.E Residential Districts, 13.06.030.E Commercial Districts, 13.06.040.E Mixed Use Districts, 13.06.060.E Industrial Districts, and Title 19 Shoreline Master Program Chapter 7.2 and Table 9-2.

- All Districts: CU P\*/N

\*Existing surface mines permitted prior to (adoption date) are considered Permitted, subject to standards in TMC 13.06.080.O Surface Mining and all other applicable development standards. Otherwise prohibited.

### ➤ Proposed Amendments to TMC 13.06.050.E District use restrictions.<sup>2</sup>

8. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:

- a. Adult retail and entertainment.
- b. Heliports.
- c. Work release facilities.
- d. Correctional and detention facilities.
- e. Billboards
- f. Drive-throughs not located entirely within a building.

8. Special needs housing shall be allowed in all downtown districts in accordance with the provisions of Section 13.06.080.N.

9. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.080.I.

10. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher and marijuana retailer).

Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.080.J. Marijuana producers, marijuana processors, and marijuana researchers shall be prohibited in all downtown districts.

#### 12. Mining and Quarrying

<sup>2</sup> Code Reviser’s note: Previously codified as 13.06A.050 (Additional use regulations); relocated 13.06.050 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28491 Ex. A; passed Feb. 20, 2018: Ord. 28361 Ex. B; passed May 24, 2016: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28230 Ex. E; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. G; passed Jun. 25, 2013: Ord. 28088 Ex. B; passed Sept. 25, 2012: Ord. 27539 § 21; passed Oct. 31, 2006: Ord. 27245 § 23; passed Jun. 22, 2004: Ord. 26556 § 28; passed Dec. 14, 1999.

## Subsection III: Smelting

### 1. Issue Description

**Current Use Definition:** (1) Primary Smelting and Refining of Copper. This industry comprises establishments primarily engaged in (1) smelting copper ore and/or (2) the primary refining of copper by electrolytic methods or other processes. Establishments in this industry make primary copper and copper-based alloys, such as brass and bronze, from ore or concentrates. NAICS Code 331411.

(2) Alumina Refining and Primary Aluminum Production. This industry comprises establishments primarily engaged in one or more of the following: (1) refining alumina (i.e., aluminum oxide) generally from bauxite; (2) making aluminum from alumina; and/or (3) making aluminum from alumina and rolling, drawing, extruding, or casting the aluminum they make into primary forms. establishments in this industry may make primary aluminum or aluminum-based alloys from alumina. NAICS Code 331313

(3) Nonferrous Metal (except Aluminum) Smelting and Refining. This industry comprises establishments primarily engaged in (1) smelting ores into nonferrous metals and/or (2) the primary refining of nonferrous metals (except aluminum) by electrolytic methods or other processes. NAICS Code 331410.

**Associated Impacts:** Smelting requires massive amounts of power and water. Requires significant land area (180 acres for proposed site in Eastern WA). Principal impacts include wastewater and slag, air emissions, particularly emissions that contribute to acid rain, groundwater impacts, chemical spill and discharge, explosion and fire risks.

**Likelihood of Development:** Limited evidence and examples at this time. A silicon smelting facility was proposed in Eastern Washington (<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Industrial-facilities-permits/PacWest-Silicon-project>). Growth in solar panels is driving investment in silicon smelting. History of smelting in the Northwest, including Tacoma.

#### Examples:



Image from UW Tacoma

Asarco Smelter



Photo Courtesy of: <https://www.sms-group.com/press-media/press-releases/press-detail/successful-commissioning-of-the-silicon-metal-plant-of-mississippi-silicon-usa-495/>

## 2. Area of Applicability

This review applies to zoning districts citywide that allow heavy industrial uses, including WR - Warehouse Residential, PMI - Port Maritime Industrial, M-2 Heavy Industrial, S-1a Shoreline District (Narrows Marina), S-9 Puyallup River, and S-10 Port Industrial, and S-7 Schuster Parkway.

## 3. Policy Review

No additional policies specific to smelting uses.

## 4. Proposed Code Amendments – Smelting

- **Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10: “Smelting”**

Smelting is a process of applying heat to ore in order to extract a base metal. It is a form of extractive metallurgy. It is used to extract many metals from their ores, including silver, iron, copper, and other base metals. This use category includes all smelting activities identified in NAICS codes 331411, 331313, and 331410.

- **Proposed amendments to use tables in TMC 13.06.020.E Residential Districts, 13.06.030.E Commercial Districts, 13.06.040.E Mixed Use Districts, 13.06.050.E Downtown, 13.06.060.E Industrial Districts, and Title 19 Shoreline Master Program Chapter 7.2 and Table 9-2.**
  - All Districts: Prohibited

## 5. Supplemental Information – Smelting

The following resources were considered in evaluating smelting uses by the Planning Commission.

- <https://www.northernminer.com/news/milling-smelting-and-the-environment/1000197293/#:~:text=Apart%20from%20the%20ores%20they,chemicals%20to%20extract%20the%20metals.&text=The%20milling%20process%20uses%20plenty,several%20hundred%20litres%20per%20minute>
- <https://www.semanticscholar.org/paper/Life-Cycle-Inventory-Assessment-of-Smelting-Process-Mabiza-Mbohwa/4dbd3bcd0114e32fe48744cd9b3c4e6aa6dc646d>
- <https://uppersouthplatte.org/learn/wp-content/uploads/2015/04/Milling-and-Processing-Worksheet-Key.pdf>
- [https://www.usgs.gov/centers/or-water/science/ecosystem-effects-increased-coal-transport-across-pacific-northwest?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/centers/or-water/science/ecosystem-effects-increased-coal-transport-across-pacific-northwest?qt-science_center_objects=0#qt-science_center_objects)

## Subsection IV: Coal Storage and Export

### 1. Issue Description

**Use Definition:** The bulk storage or wholesale distribution of coal and coal products or transfer of coal products via shipping terminal.

**Associated Impacts:** Increased cancer risks to nearby communities, traffic congestion, increased vessel traffic, rail impacts, impacts to fish and wildlife (mercury and PAHs), air quality (emissions and particulate matter), impacts to Treaty fishing rights.

**Likelihood of Development:** In the past decade, multiple projects have been proposed for major coal terminals throughout the Pacific Northwest due to the declining use of coal for energy production in the United States and overseas demand for coal. These project proposals include:

- Millennium Bulk Terminals, Longview WA (2018): Permits denied by the Department of Ecology due to unavoidable and irreparable harm.
- Grays Harbor Coal Export Facility (2012): RailAmerica canceled plans for the facility citing other economic uses for the site that would provide more jobs, tax revenues, and business for the port.
- Gateway Pacific Terminal, Cherry Point, near Ferndale WA (2017): The permits were denied by the Army Corps of Engineers, determining that the project would impact legally-protected treaty fishing rights of the Lummi Nation. In 2017, Pacific International Terminals withdrew the environmental impact statement.

**Example:** From <https://gorgefriends.org/protect-the-gorge/coal-export.html>



A open-top coal train thunders alongside Washington State Route 14 in the Columbia River Gorge. (photographer: Daniel Dancer)



Photo from: <https://www.sierraclub.org/san-francisco-bay/coalfreeoakland>

## 2. Area of Applicability

The proposed code amendments apply to zoning districts citywide that allow heavy industrial uses, including WR - Warehouse Residential, PMI - Port Maritime Industrial, M-2 Heavy Industrial, S-1a Shoreline District (Narrows Marina), S-9 Puyallup River, and S-10 Port Industrial, and S-7 Schuster Parkway.

## 3. Policy Review

The following is a summary of policies from the Growth Management Act, Shoreline Management Act, Multicounty Planning Policies (VISION 2040), and the One Tacoma Comprehensive Plan that will be used to guide this land use regulatory code review and determine consistency with applicable goals and policies.

### One Tacoma Plan Policies:

- Policy EN–1.3 Consider the impacts of climate change and the risks to the city’s environmental assets in all phases of planning, programming and investing.
- Policy EN–1.18 Evaluate climate data and consider climate risks in the development of regulations, plans and programs..
- Policy EN–3.26 Prevent groundwater contamination through performance criteria and guidelines for siting, design, construction and operation of commercial and industrial structures and activities.

- Policy EN–4.7 Ensure that plans and investments are consistent with, and advance, efforts to improve air quality and reduce exposure to air toxics, criteria pollutants and urban heat island effects. Consider air quality related health impacts on all Tacomans.
- Policy EN–4.10 Ensure that plans and investments are consistent with and advance efforts to improve water quality in rivers, streams, marine waters, floodplains, groundwater and wetlands. This includes reducing toxics, bacteria, temperature, metals and sediment pollution. Consider water quality related health impacts on all Tacomans.
- Policy EN–4.43 Reduce greenhouse gas emissions associated with single occupant vehicles and trucks hauling freight by creating a safe, clean and integrated multimodal transportation system.
- Policy EN–4.41 Support the reduction of Tacoma’s greenhouse gas emissions consistent with the City’s adopted targets.

#### 4. Proposed Code Amendments – Coal Facilities

- **Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10: “Coal facilities”**
  - Bulk coal storage: any structure, group of structures, equipment, or device that stores or transfers coal for use in the production of electricity or power, or for wholesale distribution.
  - Coal power plant: a thermal power station which burns coal to generate electricity or other usable power.
- **Proposed amendments to use tables in TMC 13.06.020.E Residential Districts, 13.06.030.E Commercial Districts, 13.06.040.E Mixed Use Districts, 13.06.050.E Downtown, 13.06.060.E Industrial Districts, and Title 19 Shoreline Master Program Chapter 7.2 and Table 9-2.**
  - All Districts: Prohibited

#### 5. Supplemental Information – Coal Facilities

*a. Links to other stories and information:*

- <https://www.eia.gov/energyexplained/coal/imports-and-exports.php>
- [https://www.usgs.gov/centers/or-water/science/ecosystem-effects-increased-coal-transport-across-pacific-northwest?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/centers/or-water/science/ecosystem-effects-increased-coal-transport-across-pacific-northwest?qt-science_center_objects=0#qt-science_center_objects)
- <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-at-Ecology/Millennium>
- <http://mrsc.org/Home/Explore-Topics/Environment/Special-Topics/Coal-and-Oil-Transportation-in-the-Northwest.aspx>
- <https://www.bellinghamherald.com/news/local/article45648606.html>

*b. United States Geologic Survey Presentation (attached to end of this report)*

## Subsection V: Chemical Manufacturing

### 1. Issue Description

**Use Definition:** Chemical manufacturing. The Chemical Manufacturing subsector is based on the transformation of organic and inorganic raw materials by a chemical process and the formulation of products. This subsector distinguishes the production of basic chemicals that comprise the first industry group from the production of intermediate and end products produced by further processing of basic chemicals that make up the remaining industry groups. For the purposes of these special use restrictions, this definition will apply to all industries classified as subcategories of NAICS Code 325 Chemical Manufacturing.

Chemical and allied products wholesalers. This industry comprises establishments primarily engaged in the merchant wholesale distribution of chemicals and allied products (except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes).

**Associated Impacts:** The breadth of chemicals and chemical processes in this category span a broad range of potential impacts and associated risks. Chemical production is also a key component of broader industrial and manufacturing processes. Determining specific risks, impacts, and vulnerabilities is dependent on the location, specific chemical processes, and amount of chemicals stored and processed, as well as the character of nearby areas. In general, these can include: explosive and fire risks, spill, exposure to toxic chemicals, odor, stormwater and waste products, and air quality emissions including greenhouse gases. In addition, due to the vulnerabilities of the area, risk of spill and discharge is a factor that could compound the impacts of other natural disasters. Transport by rail or vessel introduces risk of spill during transfer and transport. Chemicals span varying degrees of toxicity to plants and wildlife. Some chemicals may pose a fire or explosion danger, but not pose any toxicity or air emissions impacts.

**Likelihood of Development:** The City has multiple existing chemical wholesale and distribution facilities. Prior to the Interim Regulations a methanol plant was proposed within the Tideflats that is within the chemical manufacturing use category. The industry is growing nationally with some evidence of potential expansion into Tacoma.

#### Examples:

The following is a summary of the North American Industrial Classification system for Chemical Manufacturing

NAICS Codes	Titles	Total Marketable US Businesses
• 325110	Petrochemical Manufacturing	1,474
• 325120	Industrial Gas Manufacturing	1,414
• 325130	Synthetic Dye and Pigment Manufacturing	282
• 325180	Other Basic Inorganic Chemical Manufacturing	2,701
• 325193	Ethyl Alcohol Manufacturing	227
• 325194	Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing	203
• 325199	All Other Basic Organic Chemical Manufacturing	1,819
• 3252	Resin, Synthetic Rubber, and Artificial and Synthetic Fibers and Filaments Manufacturing	3,269
• 325211	Plastics Material and Resin Manufacturing	2,781
• 325212	Synthetic Rubber Manufacturing	256
• 325220	Artificial and Synthetic Fibers and Filaments Manufacturing	232
• 3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	2,185
• 325311	Nitrogenous Fertilizer Manufacturing	470

- 325312 Phosphatic Fertilizer Manufacturing 111
- 325314 Fertilizer (Mixing Only) Manufacturing 595
- 325320 Pesticide and Other Agricultural Chemical Manufacturing 1,009
- 3254 Pharmaceutical and Medicine Manufacturing 12,440
- 325411 Medicinal and Botanical Manufacturing 1,242
- 325412 Pharmaceutical Preparation Manufacturing 9,164
- 325413 In-Vitro Diagnostic Substance Manufacturing 168
- 325414 Biological Product (except Diagnostic) Manufacturing 1,866
- 3255 Paint, Coating, and Adhesive Manufacturing 3,435
- 325510 Paint and Coating Manufacturing 2,251
- 325520 Adhesive Manufacturing 1,184
- 3256 Soap, Cleaning Compound, and Toilet Preparation Manufacturing 8,008
- 325611 Soap and Other Detergent Manufacturing 1,289
- 325612 Polish and Other Sanitation Good Manufacturing 2,059
- 325613 Surface Active Agent Manufacturing 161
- 325620 Toilet Preparation Manufacturing 4,499
- 3259 Other Chemical Product and Preparation Manufacturing 4,651
- 325910 Printing Ink Manufacturing 628
- 325920 Explosives Manufacturing 241
- 325991 Custom Compounding of Purchased Resins 147
- 325992 Photographic Film, Paper, Plate, and Chemical Manufacturing 328
- 325998 All Other Miscellaneous Chemical Product and Preparation Manufacturing 3,307

## 2. Area of Applicability

This review applies to zoning districts citywide that allow heavy industrial uses, including WR - Warehouse Residential, PMI - Port Maritime Industrial, M-2 Heavy Industrial, S-1a Shoreline District (Narrows Marina), S-9 Puyallup River, and S-10 Port Industrial, and S-7 Schuster Parkway.

## 3. Policy Review

No additional policies in addition to the general policy citations at the beginning of Section D and Subsection 1 General Context.

## 4. Proposed Code Amendments – Chemical Manufacturing

### ➤ Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10:

“Chemical Manufacturing.” The production, processing, and wholesale distribution of chemicals and allied products.

1. “Production and processing:” Establishments primarily engaged in the transformation of organic and inorganic raw materials by a chemical process and the formulation of products. This subsector distinguishes the production of basic chemicals that comprise the first industry group from the production of intermediate and end products produced by further processing of basic chemicals that make up the remaining industry groups.

2. “Wholesaling:” Establishments primarily engaged in the merchant wholesale distribution of chemicals and allied products (except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes).

3. “Petrochemical Manufacturing:” Establishments primarily engaged in (1) manufacturing acyclic (i.e., aliphatic) hydrocarbons such as ethylene, propylene, and butylene made from refined petroleum or liquid hydrocarbons and/or (2) manufacturing cyclic aromatic hydrocarbons such as benzene, toluene, styrene, xylene, ethyl benzene, and cumene made from refined petroleum or liquid hydrocarbons. NAICS 325110

4. “Explosives Manufacturing:” Establishments primarily engaged in manufacturing explosives.

5. “Fertilizer Manufacturing:” Establishments primarily engaged in one or more of the following: (1) manufacturing nitrogenous or phosphatic fertilizer materials; (2) manufacturing fertilizers from sewage or animal waste; (3) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; (4) mixing ingredients made elsewhere into fertilizers; and (5) formulating and preparing pesticides and other agricultural chemicals.

### ➤ Proposed Amendments to TMC 13.05.010 Conditional Use Permits and Title 19 Chapter 2.1.7.f Shoreline Conditional Use Permits:

\*New\* 13.05.010.A.23 Chemical Manufacturing, Processing, and Wholesale Distribution.

1. The Hearings Examiner will seek input from the Fire Chief, Tacoma-Pierce County Health Department, Puyallup Tribe of Indians, and any other subject matter experts necessary to determine the potential risks and impacts of the proposed facility, as well as appropriate mitigation measures.
2. A management plan may be required. The Hearings Examiner may determine the level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the effects. Discussion of materials handling and storage, odor control, transportation, spill prevention, and other factors may be required;
3. The nature of the materials produced and/or the scale of manufacturing operations may be limited in order to minimize the degree and severity of risks to public health and safety;
4. Plans and sufficient, realistic performance bonding for decommissioning and failure incidents are provided to ensure that the site will be rehabilitated after the use or activity is completed, terminated, or abandoned.
5. The lot is located so that large concentrations of people, particularly in residential and commercial areas, are not exposed to unreasonable adverse impacts.

6. The lot is located, and the use can be appropriately mitigated, to avoid any adverse impacts on HUD funding for affordable housing and community development in adjacent residential and mixed-use areas. The City will consider the methodology for Acceptable Separation Distances as published by the Department of Housing and Urban in determining appropriate separation distances and on-site mitigation measures.
7. All reasonable steps are taken to avoid and minimize adverse impacts to fish and wildlife, including impacts on migration routes and habitat areas of species listed as endangered or threatened, environmentally critical and sensitive habitats such as breeding, spawning, nursery, foraging areas and wetlands. All impacts that cannot be avoided can be sufficiently mitigated or compensated so as to achieve no net loss of ecological functions over time;
8. All reasonable steps are taken to avoid, minimize, and compensate for adverse social and economic impacts, including impacts on recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
9. The finished product as packaged for sale or distribution shall be in such a form that product handling and shipment does not constitute a significant public health risk.

➤ **Proposed amendments to use tables in TMC 13.06.020.E Residential Districts, 13.06.030.E Commercial Districts, 13.06.040.E Mixed Use Districts:**

- All Districts: Prohibited

➤ **Proposed Amendments to use table in TMC 13.06.060.E.4 Industrial Districts Use Table and Title 19 Shoreline Master Program Table 9-2:**

- Chemical Manufacturing, Processing, and Wholesale Distribution

- S-10 and S-13 Shoreline Districts: CU\*/N~

\*Primary uses are prohibited. Supportive water-dependent facilities may be permitted subject to a conditional use permit.

- Port Maritime Industrial District (PMI): P/CU\*\*/N~

\*\*A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials as referenced in the City's Fire Code when a hazardous materials license is required, subject to criteria in 13.05.010.

Heavy Industrial District (M-2): CU/N\*\*\_P

~Prohibited in all districts: Petrochemical manufacturing, Explosives manufacturing, and Fertilizer Manufacturing

➤ **Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10: "High Impact Use"**

Means any use where the business activity will result in the manufacturing, processing, storage, transshipment, or disposal of hazardous materials, as defined in the UN Hazard Classification System, when hazardous materials are present in quantities greater than 2,500 pounds of solids, 275 gallons of liquids, or 1,000 cubic feet of gas at any time.

➤ **Proposed Amendments to TMC 13.05.010 Conditional Use Permits and Title 19 Chapter 2.1.7.f Shoreline Conditional Use Permits:**

- \*New\* High Impact Uses

1. The lot is located so that large concentrations of people, particularly in residential and commercial areas, are not exposed to unreasonable adverse impacts;
  2. A management plan may be required. The Hearings Examiner may determine the level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the effects. Discussion of materials handling and storage, odor control, transportation, and other factors may be required;
  3. The finished product as packaged for sale or distribution shall be in such a form that product handling and shipment does not constitute a significant public health risk; and
  4. The nature of the materials produced and/or the scale of manufacturing operations may be limited in order to minimize the degree and severity of risks to public health and safety.
- **Proposed amendments to use tables in TMC 13.06.020.E Residential Districts, 13.06.030.E Commercial Districts, 13.06.040.E Mixed Use Districts, 13.06.050.E Downtown:**
- All Districts: Conditional Use where the primary use is otherwise allowed.
- **Proposed amendments to use tables in TMC 13.06.060.E Industrial Districts:**
- PMI District: Permitted.
  - M-2 and M-1: Conditional Use where the primary use is otherwise allowed.
- **Proposed amendments to Title 19 Shoreline Master Program Table 9-2:**
- All Districts: Conditional Use where the primary use is otherwise allowed.
- **Proposed Amendments to TMC 13.06.050.E District use restrictions.<sup>3</sup>**
1. Downtown Commercial Core District (DCC).
    - a. Preferred – retail, office, hotel, cultural, governmental.
    - b. Allowable – residential, educational, industrial located entirely within a building.
    - c. Prohibited – Light industrial uses not located entirely within a building and automobile service stations/gasoline dispensing facilities other than those noted in Section 13.06.050.E.7.
  2. Downtown Mixed-Use District (DMU).
    - a. Preferred – governmental, educational, office, residential, cultural.
    - b. Allowable – retail, residential, industrial located entirely within a building.
    - c. Prohibited – Light industrial uses not located entirely within a building, and automobile service stations/gasoline dispensing facilities, in addition to those noted in Section 13.06.050.E.7.
  3. Downtown Residential District (DR).
    - a. Preferred – residential.
    - b. Allowable – retail, office, educational.

<sup>3</sup> Code Reviser’s note: Previously codified as 13.06A.050 (Additional use regulations); relocated 13.06.050 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28491 Ex. A; passed Feb. 20, 2018: Ord. 28361 Ex. B; passed May 24, 2016: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28230 Ex. E; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. G; passed Jun. 25, 2013: Ord. 28088 Ex. B; passed Sept. 25, 2012: Ord. 27539 § 21; passed Oct. 31, 2006: Ord. 27245 § 23; passed Jun. 22, 2004: Ord. 26556 § 28; passed Dec. 14, 1999.

- c. Prohibited - industrial, other than those noted in Section 13.06.050.E.7.
4. Warehouse/Residential District (WR).
  - a. Preferred – Light industrial located entirely in a building, residential.
  - b. Allowable – retail, educational, office, governmental.
  - c. Prohibited – uses can be found in Section 13.06.050.E.7.
5. University of Washington, Tacoma Campus: Management of landscaping, street trees, parking (including ADA parking), telecommunications, street design (including pedestrian streets), ground floor uses, streetscape design, light and glare, storm drainage, signage, etc., shall all be addressed on a campus-wide basis. Please refer to the Campus Master Plan.
6. Use Categories.
  - a. Preferred. Preferred uses are expected to be the predominant use in each district.
  - b. Allowable. Named uses and any other uses, except those expressly prohibited, are allowed.
  - c. Prohibited. Prohibited uses are disallowed uses (no administrative variances).
  - d. Conditional. Conditional uses may be allowed if specific criteria can be met.
7. The following uses are conditional in all of the above districts, unless otherwise specifically allowed:
  - a. High Risk Uses
8. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:
  - a. Adult retail and entertainment.
  - b. Heliports.
  - c. Work release facilities.
  - d. Correctional and detention facilities.
  - e. Billboards
  - f. Drive-throughs not located entirely within a building.
8. Special needs housing shall be allowed in all downtown districts in accordance with the provisions of Section 13.06.080.N.
9. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.080.I.
10. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher and marijuana retailer).  
Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.080.J. Marijuana producers, marijuana processors, and marijuana researchers shall be prohibited in all downtown districts.
11. Heavy industrial uses

## 5. Supplemental Information – Chemical Manufacturing

The following additional information was considered by the Planning Commission in the review of this topic and development of the proposed code amendments.

- <https://www.iea.org/reports/the-future-of-petrochemicals>
- <https://www.eia.gov/consumption/manufacturing/briefs/chemical/index.php>

## Subsection VI: Oil and liquefied fossil fuel

### 1. Issue Description

#### Current Use Definition:

(a) Petroleum bulk stations and terminals. This industry comprises establishments with bulk liquid storage facilities primarily engaged in the merchant wholesale distribution of crude petroleum and petroleum products. NAICS Code 424710.

(b) Petroleum refineries. This industry comprises establishments primarily engaged in refining crude petroleum into refined petroleum. Petroleum refining involves one or more of the following activities: (1) fractionation; (2) straight distillation of crude oil; and (3) cracking. NAICS Code 324110.

(c) Natural gas liquid extraction. This industry comprises establishments primarily engaged in the recovery of liquid hydrocarbons from oil and gas field gases. Establishments primarily engaged in sulfur recovery from natural gas are included in this industry. NAICS Code 211112.

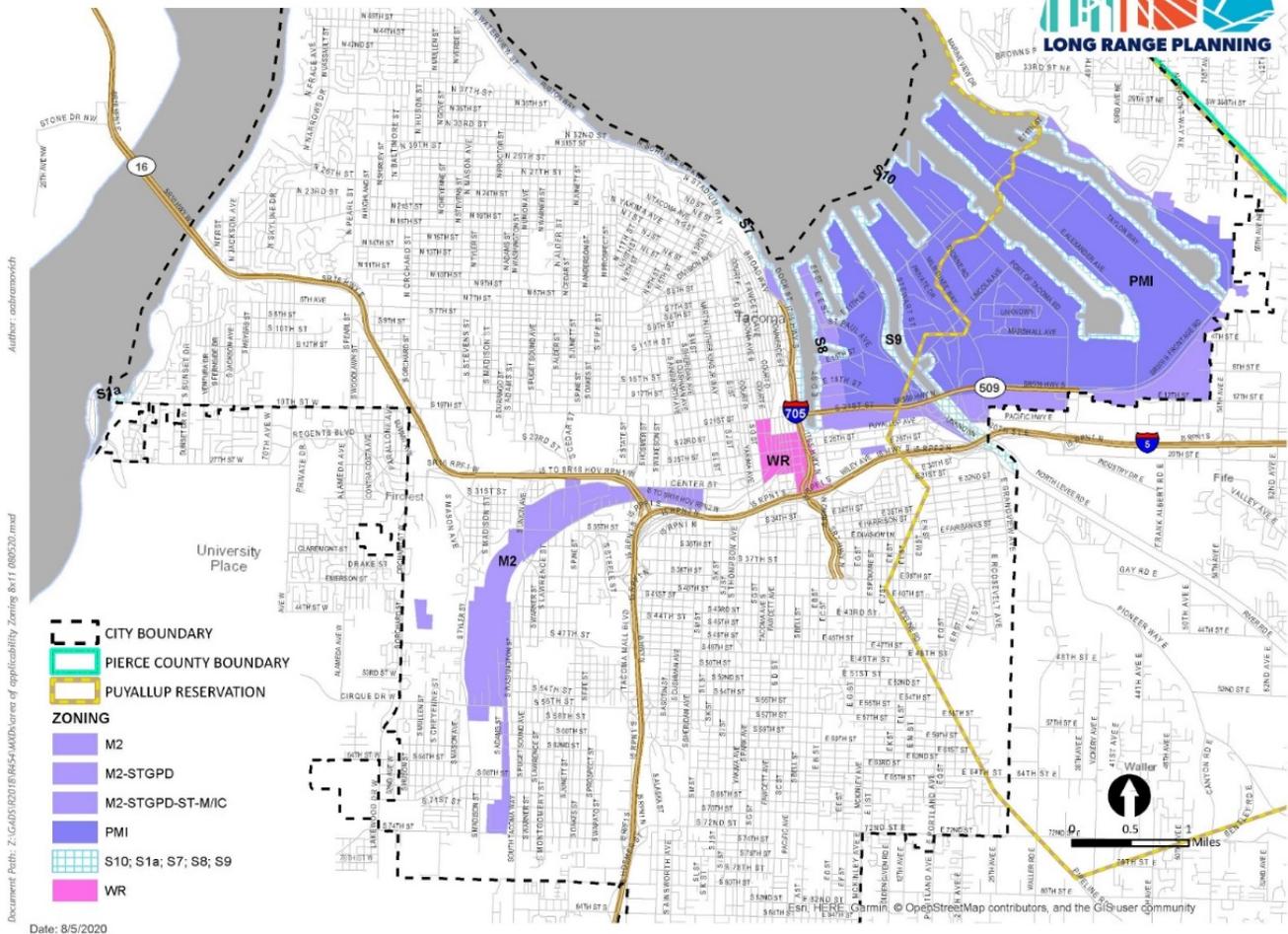
(d) Bulk storage, production, and wholesale distribution of natural gas liquids, liquefied natural gas, and liquefied petroleum gas.

**Associated Impacts:** Commonly associated risks and impacts include air emissions from crude oil and natural gas refining, the risk of spill and potential impacts to fish and wildlife habitat areas, as well as impacts to other economic activity and cultural practices that rely on marine waters and estuaries. The impacts that may result from these uses can be both local and global. Greenhouse gas emissions are driving climate change. In addition, the transport via rail, pipeline, and vessel introduce risks to communities, shoreline resources, and other economic livelihoods along these transport routes. The location of Tacoma's facilities in an area subject to flooding risks, geologic hazards, liquefaction, and increasing vulnerabilities due to sea level rise pose additional risks that a natural disaster could have compounding effects of oil and fuel spills. Likewise, the location of these facilities within a dense urban environment raises potential risks of fire, explosion, or other emergency response events that could impact surrounding communities that live or work in close proximity.

**Likelihood of Development:** There are six existing facilities located within the Port of Tacoma Manufacturing and Industrial Center including an oil refinery and processing facilities, bulk storage, and a liquefied natural gas facility. Previous expansions have occurred within the City of Tacoma but since 2017 Seaport Sound Terminal has applied for several rail expansions and bulk storage expansion. The Tideflats has existing access to deepwater, rail, pipeline access as well as freeway access that make the area potentially attractive for future expansion of these facilities. The area has also seen a recent project permitted to construct a liquefied natural gas facility and a permit was withdrawn to construct a methanol production facility. Due to increased domestic production of crude oil and natural gas, as well as the lifting on federal export prohibitions, there has been renewed statewide interest in developing new marine terminals to transport oil and liquefied natural gas as well as other finished products.

### 2. Interim Area of Applicability

The proposed amendments apply to heavy industrial uses citywide and all zoning districts that allow heavy industrial uses. In general, the following map indicates zoning districts that allow heavy industrial uses.



### 3. Policy Review

In addition to policies specifically cited in previous staff reports from January 6, 2021 and January 20, 2021, the following policies and findings apply to the discussion of oil and liquefied fossil fuel industries.

➤ **Magnuson Amendment**

<https://www.law.cornell.edu/uscode/text/33/476>

(a) The Congress finds that—

- (1) the navigable waters of Puget Sound in the State of Washington, and the natural resources therein, are a fragile and important national asset;
- (2) Puget Sound and the shore area immediately adjacent thereto is threatened by increased domestic and international traffic of tankers carrying crude oil in bulk which increases the possibility of vessel collisions and oil spills; and
- (3) it is necessary to restrict such tanker traffic in Puget Sound in order to protect the navigable waters thereof, the natural resources therein, and the shore area immediately adjacent thereto, from environmental harm.

(b) Notwithstanding any other provision of law, on and after October 18, 1977, no officer, employee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve

any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of October 18, 1977), other than oil to be refined for consumption in the State of Washington.

## ➤ **Ocean Resources Management Act**

<https://app.leg.wa.gov/RCW/default.aspx?cite=43.143>

### **Legislative findings.**

(1) Washington's coastal waters, seabed, and shorelines are among the most valuable and fragile of its natural resources.

(2) Ocean and marine-based industries and activities, such as fishing, aquaculture, tourism, and marine transportation have played a major role in the history of the state and will continue to be important in the future.

(3) Washington's coastal waters, seabed, and shorelines are faced with conflicting use demands. Some uses may pose unacceptable environmental or social risks at certain times.

(4) The state of Washington has primary jurisdiction over the management of coastal and ocean natural resources within three miles of its coastline. From three miles seaward to the boundary of the two hundred mile exclusive economic zone, the United States federal government has primary jurisdiction. Since protection, conservation, and development of the natural resources in the exclusive economic zone directly affect Washington's economy and environment, the state has an inherent interest in how these resources are managed.

### **Legislative policy and intent—Moratorium on leases for oil and gas exploration, development, or production—Appeals from regulation of recreational uses—Participation in federal ocean and marine resource decisions.**

(1) The purpose of this chapter is to articulate policies and establish guidelines for the exercise of state and local management authority over Washington's coastal waters, seabed, and shorelines.

(2) There shall be no leasing of Washington's tidal or submerged lands extending from mean high tide seaward three miles along the Washington coast from Cape Flattery south to Cape Disappointment, nor in Grays Harbor, Willapa Bay, and the Columbia river downstream from the Longview bridge, for purposes of oil or gas exploration, development, or production.

(3) When conflicts arise among uses and activities, priority shall be given to resource uses and activities that will not adversely impact renewable resources over uses which are likely to have an adverse impact on renewable resources.

(4) It is the policy of the state of Washington to actively encourage the conservation of liquid fossil fuels, and to explore available methods of encouraging such conservation.

(5) It is not currently the intent of the legislature to include recreational uses or currently existing commercial uses involving fishing or other renewable marine or ocean resources within the uses and activities which must meet the planning and review criteria set forth in RCW [43.143.030](#). It is not the intent of the legislature, however, to permanently exclude these uses from the requirements of RCW [43.143.030](#). If information becomes available which indicates that such uses should reasonably be covered by the requirements of RCW [43.143.030](#), the permitting government or agency may require compliance with those requirements, and appeals of that decision shall be handled through the established appeals procedure for that permit or approval.

(6) The state shall participate in federal ocean and marine resource decisions to the fullest extent possible to ensure that the decisions are consistent with the state's policy concerning the use of those resources.

## **Planning and project review criteria.**

(1) When the state of Washington and local governments develop plans for the management, conservation, use, or development of natural resources in Washington's coastal waters, the policies in RCW [43.143.010](#) shall guide the decision-making process.

(2) Uses or activities that require federal, state, or local government permits or other approvals and that will adversely impact renewable resources, marine life, fishing, aquaculture, recreation, navigation, air or water quality, or other existing ocean or coastal uses, may be permitted only if the criteria below are met or exceeded:

- (a) There is a demonstrated significant local, state, or national need for the proposed use or activity;
- (b) There is no reasonable alternative to meet the public need for the proposed use or activity;
- (c) There will be no likely long-term significant adverse impacts to coastal or marine resources or uses;
- (d) All reasonable steps are taken to avoid and minimize adverse environmental impacts, with special protection provided for the marine life and resources of the Columbia river, Willapa Bay and Grays Harbor estuaries, and Olympic national park;
- (e) All reasonable steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
- (f) Compensation is provided to mitigate adverse impacts to coastal resources or uses;
- (g) Plans and sufficient performance bonding are provided to ensure that the site will be rehabilitated after the use or activity is completed; and
- (h) The use or activity complies with all applicable local, state, and federal laws and regulations.

## ➤ **City of Tacoma Shoreline Master Program and State Shoreline Management Act**

### **Designation of Shorelines of Statewide Significance**

In accordance with RCW 90.58.030(2)(f), the following City of Tacoma shorelines are designated shorelines of statewide significance:

1. The Puyallup River and associated shorelands within the City boundary consistent with RCW 90.58.030(2)(f)(v)(A) and (vi); and
2. Those areas of the Puget Sound and Commencement Bay within the City lying seaward from the line of extreme low tide.

### **4.3 Statewide Interests Protected**

In accordance with RCW 90.58.020, the City shall manage shorelines of statewide significance in accordance with this section and in accordance with this Program as a whole. Preference shall be given to uses that are consistent with the statewide interest in such shorelines. Uses that are not consistent with this section or do not

comply with the other applicable policies and regulations of this Program shall not be permitted on shorelines of statewide significance. In managing shorelines of statewide significance, The City of Tacoma shall:

1. Recognize and protect the statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Seek long-term benefits over short-term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shoreline;
6. Increase recreational opportunities for the public in the shoreline; and
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

#### **4.4 Policies for Shorelines of Statewide Significance**

The statewide interest should be recognized and protected over the local interest in shorelines of statewide significance. To ensure that statewide interests are protected over local interests, the City shall review all development proposals within shorelines of statewide significance for consistency with RCW 90.58.020 and the following policies:

1. Redevelopment of shorelines should be encouraged where it restores or enhances shoreline ecological functions and processes impaired by prior development activities.
2. The Washington Departments of Fish and Wildlife and Ecology, the Puyallup Tribe, and other resource agencies should be consulted for development proposals that could affect anadromous fisheries.
3. The range of options for shoreline use should be preserved to the maximum possible extent for succeeding generations. Development that consumes valuable, scarce or irreplaceable natural resources should not be permitted if alternative sites are available.
4. Potential short term economic gains or convenience should be measured against potential long term and/or costly impairment of natural features.
5. Protection or enhancement of aesthetic values should be actively promoted in new or expanding development.
6. Resources and ecological systems of shorelines of statewide significance should be protected.
7. Those limited shorelines containing unique, scarce and/or sensitive resources should be protected to the maximum extent feasible.
8. Erosion and sedimentation from development sites should be controlled to minimize adverse impacts on ecosystem processes. If site conditions preclude effective erosion and sediment control, excavations, land clearing, or other activities likely to result in significant erosion should be not be permitted.
9. Public access development in extremely sensitive areas should be restricted or prohibited. All forms of recreation or access development should be designed to protect the resource base upon which such uses in general depend.
10. Public and private developments should be encouraged to provide trails, viewpoints, water access points and shoreline related recreation opportunities whenever possible. Such development is recognized as a high priority use.
11. Development not requiring a waterside or shoreline location should be located upland so that lawful public enjoyment of shorelines is enhanced.

#### **Purpose and Intent**

Consistent with the Shoreline Management Act, this Program is intended to:

1. Prevent the inherent harm of uncoordinated and piecemeal development of the state's shoreline.
2. Implement the following laws or the applicable elements of the following:
  - a. Shoreline Management Act: RCW 90.58;
  - b. Shoreline Guidelines: WAC 173-26;
  - c. Shoreline Management Permit and Enforcement procedures: WAC 173-27; and
  - d. To achieve consistency with the following laws or the applicable elements of the following:
    - i. The Growth Management Act: RCW 36.70A;
    - ii. City of Tacoma Comprehensive Plan; and
    - iii. Chapter 13 of the City of Tacoma Municipal Code;
3. Guide the future development of shorelines in the City of Tacoma in a positive, effective, and equitable manner consistent with the Washington State Shoreline Management Act of 1971 (the "Act") as amended (RCW 90.58).
4. Promote the public health, safety, and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Tacoma's shorelines; and
5. Ensure, at minimum, no net loss of shoreline ecological functions and processes and to plan for restoring shorelines that have been impaired or degraded by adopting and fostering the following policy contained in RCW 90.58.020, Legislative Findings for shorelines of the State:

*"It is the policy of the State to provide for the management of the shorelines of the State by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner, which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the State and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto...*

*In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the State shall be preserved to the greatest extent feasible consistent with the overall best interest of the State and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment or are unique to or dependent upon use of the State's shoreline. Alterations of the natural condition of the shorelines of the State, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the State, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the State, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the State.*

*Permitted uses in the shorelines of the State shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water."*

### **Shoreline Land Use Policies**

1. Encourage new water-dependent, water-related, and water-enjoyment uses in priority order.
2. Support the City Comprehensive Plan policies as they relate to the shoreline.
7. Discourage new non-water-oriented industrial uses from locating inside shoreline jurisdiction, in order to reserve adequate land supply to serve future water-dependent and water-related industrial uses.
8. Promote and encourage uses and facilities that require and take advantage of the deep water of Commencement Bay and the associated Waterways.
9. Support the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and ensure that container ports continue to function effectively alongside vibrant city waterfronts.

### **Economic Policies**

3. Encourage new economic uses that create family wage jobs and employment.
4. Ensure that only those new industries that are either water-dependent or water-related operate in the shoreline area.
6. Encourage economic development that has minimal adverse effects and mitigates unavoidable impacts upon shoreline ecological functions and processes and the built environment.
7. Support the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and ensure that container ports continue to function effectively alongside vibrant city waterfronts.
8. Encourage shoreline development that has a positive effect upon economic and social activities of value to the City and region.

### **Flood Prevention and Flood Damage Minimization**

3. Discourage development in floodplains, channel migration zones and coastal high hazard areas associated with the City's shorelines that would individually or cumulatively result in an increased risk of flood damage.

### **Critical Areas and Marine Shoreline Protection**

1. Maintain healthy, functioning ecosystems through the protection of ground and surface waters, marine shorelines, wetlands, and fish and wildlife and their habitats, and to conserve biodiversity of plant and animal species.
2. Prevent cumulative adverse impacts to water quality, streams, FWHCAs, geologic hazard areas, shoreline functions and processes, and wetlands over time.
3. Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.
4. Shoreline use and development should be carried out in a manner that achieves no net loss of ecological functions; in assessing the potential for net loss of ecological functions or processes, project specific and cumulative impacts should be considered.

7. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, volcanic eruptions, flooding or similar events.
8. Protect natural processes and functions of Tacoma’s environmental assets (wetlands, streams, lakes, and marine shorelines) in anticipation of climate change impacts, including sea level rise.

#### **Port/Industrial Use Policies**

1. Because of the great natural deep water potential of Commencement Bay, new deep water terminal and port-related industrial development is encouraged.
2. Because of the exceptional value of Puget Sound shorelines for residential, recreational, resource and other economic elements requiring clean water, deep water terminal expansion should not include oil super tanker transfer or super tanker storage facilities.

### ➤ **One Tacoma Comprehensive Plan**

The introduction to One Tacoma states an overarching goal to advance sustainable growth, including an overall reduction in greenhouse gas emissions.

- Policy EN–1.3 Consider the impacts of climate change and the risks to the city’s environmental assets in all phases of planning, programming and investing.
- Policy EN–1.9 Develop hazard mitigation plans that reduce exposure of Tacoma citizens to future disasters or hazards (e.g., flooding, earthquakes, winds).
- Policy EN–1.12 Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil conservation organizations and community organizations and groups to maximize the benefits and cost-effectiveness of watershed environmental efforts and investments.
- Policy EN–1.17 Assess and periodically review the best available science for managing critical areas and natural resources and utilize the development of plans and regulations while also taking into consideration Tacoma’s obligation to meet urban-level densities under the Growth Management Act.
- Policy EN–1.26 Maintain, implement and periodically update a climate action plan and greenhouse gas inventory, and adjust greenhouse gas emission targets accordingly to ensure successful implementation and consistency with regional and state goals.
- Policy EN–1.30 Promote community resilience through the development of climate change adaptation strategies. Strategies should be used by both the public and private sectors to help minimize the potential impacts of climate change on new and existing development and operations, include programs that encourage retrofitting of existing development and infrastructure to adapt to the effects of climate change.
- Goal EN–3 Ensure that all Tacomans have access to clean air and water, can experience nature in their daily lives and benefit from development that is designed to lessen the impacts of natural hazards and environmental contamination and degradation, now and in the future.
- Policy EN–3.1 Ensure that the City achieves no-net-loss of ecological functions over time.
- Policy EN–3.2 Evaluate the potential adverse impacts of proposed development on Tacoma’s environmental assets, their functions and the ecosystem services they provide.
- Policy EN–3.3 Require that developments avoid and minimize adverse impacts, to the maximum extent feasible, to existing natural resources, critical areas and shorelines through site design prior to providing mitigation to compensate for project impacts.

- Policy EN–3.4 Encourage mitigation approaches when preservation is not feasible that maximize the intended ecosystem benefits. Require on-site or use of established approved mitigation banks versus off-site mitigation; unless off-site mitigation within the same watershed will improve mitigation effectiveness.
- Goal EN–4 Achieve the greatest possible gain in environmental health City-wide over the next 25 years through proactive planning, investment and stewardship.
- Policy EN–4.7 Ensure that plans and investments are consistent with, and advance, efforts to improve air quality and reduce exposure to air toxics, criteria pollutants and urban heat island effects. Consider air quality related health impacts on all Tacomans.
- Policy EN–4.8 Achieve criteria air pollutant [particle pollution, ground-level ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, and lead] reductions in both municipal operations and the community.
- Policy EN–4.41 Support the reduction of Tacoma’s greenhouse gas emissions consistent with the City’s adopted targets.

➤ **Resolution 40509**

[T]he City declares that our city, region, state, nation, civilization, humanity, and the natural world are experiencing a climate emergency, and the City Council hereby expresses its support for initiatives to foster a Citywide climate emergency mobilization effort to combat global warming that will result in the goal of a just transition to a carbon-neutral economy and accelerate adaptation and resilience strategies in preparation for intensifying climate impacts.

[T]he City Manager shall establish a method by which the quantity and type of fossil and bio-fuels produced, refined, stored in, and distributed through the City of Tacoma can be determined, and periodically reported. The City Manager should further establish a method to gather information on specific fossil fuel facilities in the City of Tacoma, including changes of ownership, mergers and acquisitions, investor presentations and reports, or any other public information that may indicate a facility’s interest or intent to expand in the future, taking into account broader market trends in oil and gas refining and export in the Pacific Northwest. If this method does not require the consideration of additional City Council legislation, the method will be implemented and the data furnished to the City Council on a periodic basis, depending on the frequency of availability of data.

➤ **Staff Findings:**

1. The Magnuson Amendment describes the risks associated with oil shipments in Puget Sound waters and enunciates an intent to restrict new crude oil vessel traffic to prevent irreparable harm. However, Magnuson only applies to Federal permits and not local permitting.
2. The Ocean Resources Management Act (ORMA) describes the value and fragility of marine/oceanic resources and acknowledges that significant other social and economic uses depend on the health of these waters. ORMA was adopted in response to potential oil and gas exploration, development, and production in oceanic waters and provides a framework for prioritizing uses. Specifically, ORMA recognizes the risk to oceanic resources resulting from liquid fossil fuels and includes a state policy to conserve liquid fossil fuels. In addition, ORMA gives priority to uses that will not have an adverse impact on renewable resources. While ORMA does not directly apply to the City of Tacoma it provides a framework for weighing the benefits and impacts of specific ocean uses and shoreline uses that may result in additional vessel transport of fossil fuels.
3. The State Shoreline Management Act and Tacoma’s Shoreline Master Program establish use policies and preferences for shoreline areas, which include:
  - a. Fostering reasonable and appropriate uses;
  - b. Ports and industrial uses which are dependent on a shoreline location.

- c. For shorelines of statewide significance, which includes the waters of Commencement Bay and the Puyallup River, the policy intent is to protect long term interests and statewide interests over local, short term benefits. Furthermore, the intent prioritizes uses that will protect the ecological functions of these waters and promotes the preservation of shoreline space for the use of succeeding generations.
4. In considering which uses are deemed “reasonable and appropriate” the following policies should be considered:
- a. Discourage uses that would increase potential flood damage.
  - b. Encourage uses that will not result in cumulative adverse impacts to natural resources.
  - c. Support uses that result in a broader economic and social contribution.
  - d. Give special consideration to the potential impacts to salmonids.
  - e. Prioritize uses that can achieve no net loss of ecological functions.
  - f. Finally, the policies include language expressly discouraging expansion of oil super tankers, recognizing the potential harm resulting from a spill or collision.
  - g. Encourage new uses that support the City’s air quality goals, for both reduction of criteria air pollutants and greenhouse gas emissions.
5. Resolution No. 40509 direct the City to mobilize to transition to a carbon-neutral economy.

#### 4. Proposed Code Amendments – Oil and other Liquefied and Gaseous Fossil Fuels

- **Proposed Amendments to TMC 13.01 Definitions and Title 19 Shoreline Master Program Chapter 10:**
  - "Facility Emissions" means greenhouse gas emissions associated with fossil fuel refineries, processing, or fossil fuel transshipment facilities based upon the refining and processing of fossil fuels located within the Port of Tacoma Manufacturing and Industrial Center.
  - "Fossil fuels" include coal, petroleum, crude oil, natural gas, oil shales, bitumens, tar sands, propane, butane, and heavy oils. All contain carbon and were formed as a result of geologic processes acting on the remains of organic matter. Renewable fuels are not fossil fuels.
  - "Fossil-Fuel Refinery" means a facility that converts crude oil and other liquids into petroleum products including but not limited to gasoline, distillates such as diesel fuel and heating oil, jet fuel, petrochemical feedstocks, waxes, lubricating oils, and asphalt. Activities that support refineries include but are not limited to: bulk storage, manufacturing, or processing of fossil fuels or by-products. This definition excludes Small Fossil or Renewable Storage and Distribution Facilities.
  - "Greenhouse Gas Emissions" means gases that trap heat in the atmosphere. "Greenhouse gas," "greenhouse gases," "GHG," and "GHGs" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and any other gas or gases designated by the federal clean air act (United States Code Title 42, Chapter 85), state clean air act (Chapter 70.94 RCW) or state limiting greenhouse gas emissions law (Chapter 70.235 RCW).
  - "Lifecycle greenhouse gas emissions" means the aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions), related to the full fuel lifecycle, including all stages of fuel and feedstock production and distribution, from feedstock generation or extraction through the distribution

and delivery and use of the finished fuel to the ultimate consumer, where the mass values for all greenhouse gases are adjusted to account for their relative global warming potential.

“Major fossil fuel facilities” means:

- Fossil fuel refinery;
- Terminals engaged in the bulk movement of fossil fuels (excluding railyards and marine fueling facilities);
- Natural gas processing: any facility which (i) separates natural gas components to recover usable natural gas liquids (i.e., liquefied petroleum or natural gas), or (ii) produces natural gas suitable for transport (i.e., pipeline quality dry natural gas), or (iii) processes natural gas to create methanol or other chemical products.
- Bulk storage and processing of one type of fossil fuel, or a combination of multiple types of fossil fuels, in excess of one million gallons.

“Renewable Fuel” means fuels that are synthesized from renewable energy sources, such as wind and solar, those approved by the US Environmental Protection Agency (EPA) Renewable Fuels Standard Program and hydrogen fuels (when produced with renewable processes), that result in a lifecycle greenhouse gas emission reduction of at least 50% or more under the Federal Clean Air Act, until such time as a state renewable fuel standard is adopted. Upon adoption of a state standard, the state standards will be used to define the use classification. Renewable fuels shall not include products produced from palm oil or other feedstocks that cannot be proven to reduce greenhouse gas emissions utilizing accepted methods of the Washington State Department of Ecology or US EPA.

“Renewable Fuel Production Facilities” means

- A Renewable Fuel Refinery: a facility that processes or produces renewable fuels, excluding Small Fossil or Renewable Storage and Distribution Facilities.
- Shipment and Transshipment facilities: the process of off-loading of fuel materials, refined or unrefined, refinery feedstocks, products or by products, from one transportation facility and loading it onto another transportation facility for the purposes of transporting such products into or out of the City of Tacoma. Examples of transportation facilities include ship, truck, or freight car.
- Bulk storage of one type of renewable fuel, or a combination of multiple types of renewable fuels, in excess of two million gallons.

“Small Fossil or Renewable Fuel Storage and Distribution Facilities” means:

- Equipment and buildings used for purposes of direct sale or distribution to consumers of fossil fuels or renewable fuels, or
- Accessory equipment that supplies fossil fuels or renewable fuels to an onsite allowed commercial or industrial operation, including facilities for vessel and vehicle fueling, and that does not meet the definitions of fossil or renewable fuel refinery, or fossil or renewable fuel transshipment facilities.

➤ **Proposed Amendments to TMC 13.05.010 Conditional Use Permits and Title 19 Chapter 2.1.7.f Shoreline Conditional Use Permits:**

**\*New\* Major Fossil Fuel Facilities and Renewable Fuel Facilities**

In addition to the general conditional use criteria, new or expansion of Major Fossil Fuel Facilities and Renewable Fuel Facilities must demonstrate the following:

1. There is a demonstrated significant local, state, or national need for the proposed use or activity;
2. There is no reasonable alternative to meet the public need for the proposed use or activity;
3. There will be no likely long-term significant adverse impacts to shoreline resources or uses or state waters;
4. All feasible steps are taken to avoid and minimize adverse environmental impacts.
5. All feasible steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
6. Compensation is provided to mitigate adverse impacts to shoreline resources or uses;
7. The lot is located so that large concentrations of people, particularly in residential and commercial areas, are not exposed to unreasonable adverse impacts.
8. The project shall not result in any increased risk of spill within the waters of Puget Sound and Commencement Bay. Updated spill response and emergency response plans shall be provided with the application, for review by all appropriate agencies.
9. Plans and sufficient, realistic performance bonding for decommissioning and failure incidents are provided to ensure that the site will be rehabilitated after the use or activity is completed, terminated, or abandoned;
10. The proposed facility shall meet a minimum 50% reduction in lifecycle GHG per Clean Air Act at the time of occupancy and 80% reduction by 2050.
11. Permit applicant to provide proof of insurance naming City of Tacoma as additional insured.

➤ **Proposed Amendments to TMC 13.06.080 Special Use Standards and Title 19 Shoreline Master Program Chapter 7:**

**\*New\* Subsection: Major Fossil Fuel Facilities and Renewable Fuel Facilities**

1. Applicability: The following standards apply to all existing or proposed Major Fossil Fuel Facilities and Renewable Fuel Production Facilities where allowed in the base zoning district.

2. Purpose: The purpose of these standards is to minimize the risk of spill or discharge of fuels into the Puyallup River or marine waters; to support a reduction in greenhouse gas emissions and a transition to renewable fuel and energy production consistent with Federal, state and local targets; to avoid and minimize any impacts to adjacent communities from fire, explosion, or increased air emissions resulting from facility expansion; to and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

3. Use Standards:

a. New major fossil fuel facilities are prohibited.

b. Existing major fossil fuel facilities, legally permitted at the time of adoption of this ordinance (REFERENCE), shall be considered permitted uses, subject to the following limitations:

(1) Expansion (non-capacity) of existing facilities. Existing uses may conduct repairs, improvements, maintenance, modifications, remodeling or other changes that do not demonstrably increase facility

capacity, including but not limited to the following, provided that a conditional use permit is not required:

- Accessory and appurtenant buildings and structures.
- Office space.
- Parking lots.
- Radio communications facilities.
- Security buildings, fire stations, and operation centers.
- Storage buildings.
- Routine maintenance and repair.
- Environmental improvements and other projects that are required on the subject site by federal, state, regional, or local regulations.
- Temporary trailers.
- Heating and cooling systems.
- Cable installation.
- Information technology improvements.
- Continuous emissions monitoring systems or analyzer shelters.
- Wastewater and stormwater treatment facilities.
- Replacement and upgrading of existing equipment.
- Safety upgrades.
- Any other non-capacity project that is necessary to the continued viability of a legally established use.

(2) Maintenance and repair: A Conditional Use Permit, 13.05.010.A.25, is required in the following circumstances:

- Replacement of any storage tank in excess of 1428 barrels (60,000 gallons, the SEPA threshold)
- Modification of any storage tank to change the type of fossil fuel stored in the tank.
- Replacement or other modification of any transshipment or transportation facility.

(3) Prohibited improvements:

- New driveways, private rail sidings, docks, piers, wharves and floats, or storage tanks.
- Site or facility improvements that would increase the capacity of a driveway, private rail siding, dock, pier, wharf or float.
- New refining or processing equipment and facilities, except for normal maintenance and repair.

(4) Projects are limited to property owned and occupied by the use as of {date}.

(5) Change of Use:

- (a) An existing Major Fossil Fuel Facility may change use to a Renewable Fuel Production Facility, subject to a Conditional Use Permit.
- (b) A change of use of a Renewable Fuel Refinery or Renewable Fuel Transshipment Facilities to a fossil fuel facility inside the boundary of an existing legal fossil fuel refinery requires a conditional use permit subject to CUP 13.05.010.A.25. Other changes of use from Renewable Fuel Refinery or Renewable Fuel Transshipment Facilities to fossil fuel facilities are prohibited.

4. Renewable Fuel Facilities are allowed, subject to a Conditional Use Permit and the criteria in 13.05.010.A.25.

5. New or expansion of existing Major Fossil Fuel Facilities and Renewable Fuel Facilities shall meet the following special use standards:

a. Mitigation for local greenhouse gas impacts calculated consistent with the definition of facility emissions in TMC 13.01.060:

(1) Assessment: Greenhouse gas emissions impacts shall be assessed using current valid modeling techniques.

(2) Mitigation: Greenhouse gas emissions that create specific adverse environmental impacts may be offset through mitigation projects that provide real and quantifiable greenhouse gas mitigation.

(3) Location: Greenhouse gas emissions offsets for local impacts shall be located in the following order of preference:

i. Within the City of Tacoma;

ii. Within the Puyallup River Watershed;

iii. Within Pierce County;

iv. Within the Central Puget Sound region, including Pierce County, Kitsap County, Snohomish County, and King County.

b. The applicant shall provide annual reporting of the following:

- The number of vessel transfers of crude oil or other fossil or renewable fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.
- The number of rail cars transporting crude oil, fossil fuels, or renewable fuels, both to and from the site, including a description of the product, volume, and destination.
- The number of trucks transporting fossil or renewable fuel, both to and from the site, including a description of the product, volume, and destination.
- A description of on-site storage capacity including the number of tanks, tank volumes, and products.
- A description of all facility emissions for previous five years and a three year forecast.

## **5. Supplemental Information – Oil and other Liquefied and Gaseous Fossil Fuels**

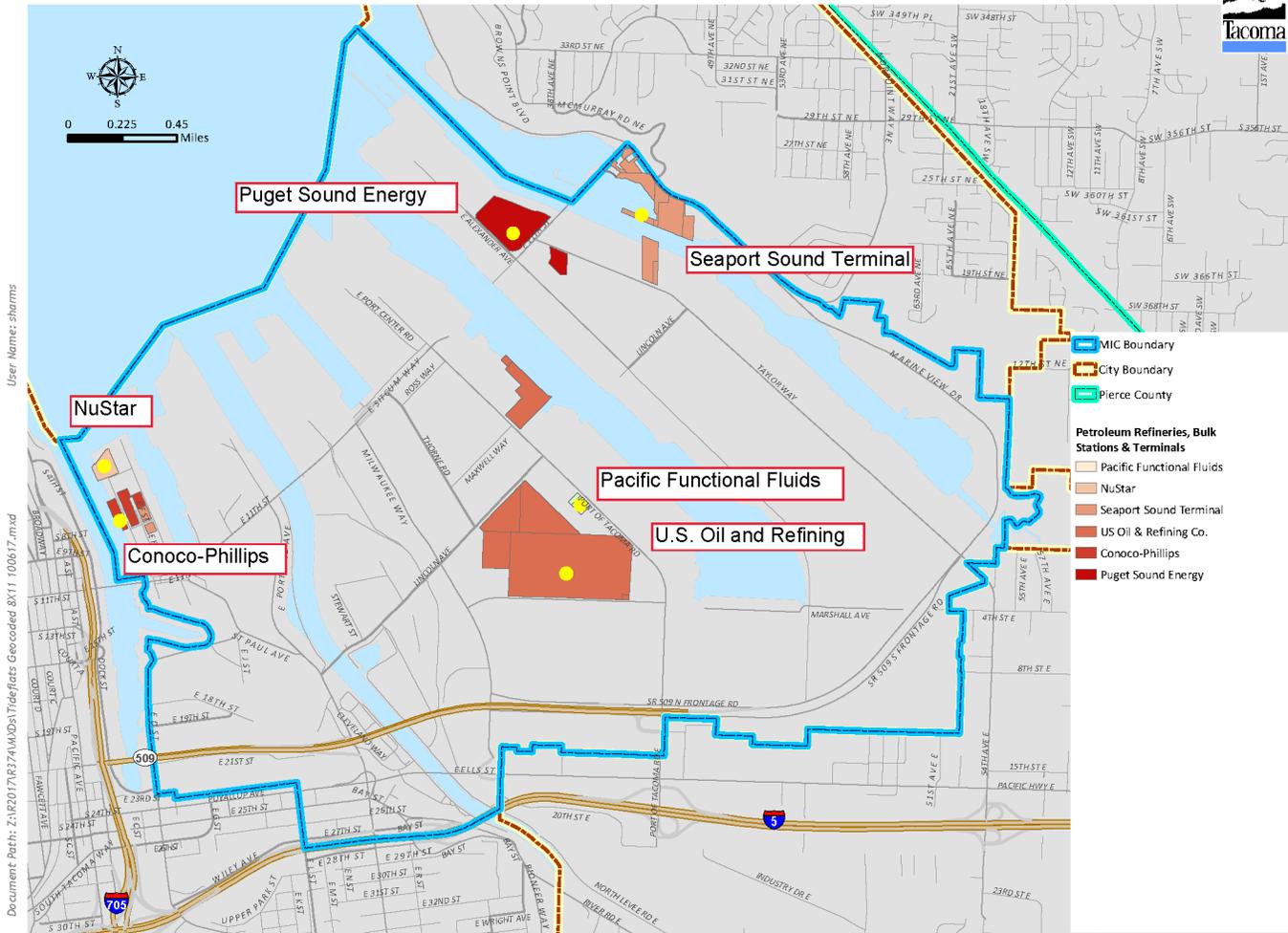
The following supplemental information was considered by the Planning Commission in developing the proposed code amendments:

# Tideflats Fossil Fuel Storage, Refinement and Processing Facilities

The City of Tacoma's tideflats are home to six fossil fuel storage, refinement, and processing facilities. These include:

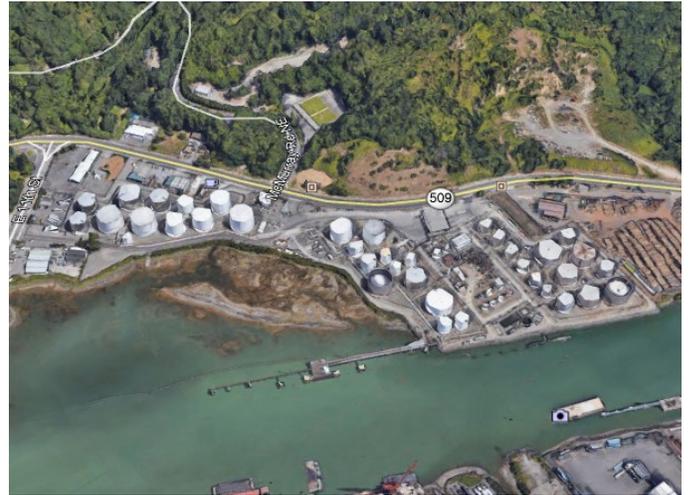
1. Seaport Sound Terminal
2. U.S. Oil and Refining
3. Conoco-Phillips
4. NuStar
5. Puget Sound Energy
6. Pacific Functional Fluids

## Fossil Fuel Facilities in Tacoma's Tideflats



## 1. Seaport Sound Terminal (TARGA)

**Facility Description:** “SeaPort Sound Terminal provides bulk liquid storage of petroleum, petroleum products, and renewable fuels. It is accessible by water, rail, pipeline, and truck and offers on-water diesel, a five-lane truck rack, oily water treatment, transmix, specialty blending, and rail car logistics. The Facility ... is two distinct parcels separated by the Hylebos Waterway. The main Facility is a 33-acre loading terminal with 52 aboveground storage tanks (ASTs), a 5-lane truck loading rack, an 800-ft tug and vessel fueling pier, and old un-used refining equipment. The topography is relatively flat. Each tank storing petroleum products is surrounded by secondary containment, and drainage is controlled by valves and piping with ultimate discharge to the Hylebos Waterway to the southwest. The second parcel is a 6-acre rail offload area with 36 rail spots located on the southwest side of the Hylebos Waterway. A pipeline under the Hylebos Waterway sediment transports fuel from the rail offload area to the terminal.”



**Source:** Seaport Sound Terminal LLC, “Spill Prevention, Control, and Countermeasure Plan,” December 2018.

**Tanks:** 52 tanks

**Storage Capacity:** 1,362,460 barrels

**Products/materials:** Diesel, gasoline, additives, ethanol

**Modes served:** Vessel, rail, pipeline, and truck.

**Truck Facilities:** 5 lanes

**Dock Data:** 800’ tug and vessel fueling pier.

**Greenhouse Gas Emissions:** TBD

**Vessel Transfers:** TBD

**Direct Employment:** TBD

## 2. U.S. Oil and Refining

**Facility Description:** “U.S. Oil & Refining Co.'s (USOR) Tacoma Refinery (NAICS Code 32411) is a continuous processing plant with 42,000 barrels (bbl) per day crude oil charge rate capacity. Products produced at the refinery include gasoline, jet fuel, diesel fuel, marine fuel oils, gas oils (intermediate product), as well as emulsified, medium curing and road asphalts. The refinery has storage capacity for approximately 2.8 million barrels of crude oil and refined products.

**Source:** “Facility Oil Spill Prevention, Control, and Countermeasures Plan Submittal Agreement for U.S. Oil & Refining Co., (2018)”



**Storage Capacity:** 2.8 million barrels of crude oil and refined products.

**Products/materials:** Gasoline, jet fuel, diesel fuel, marine fuel oils, gas oils, asphalts.

**Modes served:** Vessel, rail, pipeline, and truck.

**Average Daily Throughput:** 42,000 barrels per day

**Greenhouse Gas Emissions:** 146,000 metric tons annually, 2019, per <https://www.epa.gov/ghgreporting/ghgrp-refineries#trends-subsector>

**Vessel Transfers:** TBD

**Direct Employment:** TBD

### 3. Conoco-Phillips

**Facility Description:** “The Tacoma Terminal is a 24-hr bulk storage and distribution terminal for finished products. Petroleum products (gasoline and mid-distillates) and additives are delivered to, stored at, and distributed from the terminal. Products are received by pipeline and barge, and distributed by tank trucks. The majority of the petroleum product is received through the Olympic Pipeline, with an average receipt range of 1,500-2,000 bph. Ethanol and gasoline additives are received at the terminal by tank trucks.”

**Source:** <https://www.phillips66pipeline.com/amsite/media/tacoma-renton-terminal-erap-2.pdf>

**Tanks:** 18 tanks

**Storage Capacity:** 298,809 barrels

**Products/materials:** Diesel, gasoline, additives, ethanol

**Modes served:** Pipeline, Vessel, and Trucks

**Truck Facilities:** 4 lanes

**Dock Data:** Draft: 26 feet; LOA: 450 feet; Loading rate 3,000-4,000 bph; Unloading rate: 7,000 bph

**Average Daily Throughput:** 504,000 gallons of bulk petroleum products

**Greenhouse Gas Emissions:** TBD

**Vessel Transfers:** TBD

**Direct Employment:** TBD



## 4. NuStar

**Source:**

[http://www.nustarenergy.com/Business/AssetSheets?assetid=TR\\_TAC\\_WA&assettype=Storage](http://www.nustarenergy.com/Business/AssetSheets?assetid=TR_TAC_WA&assettype=Storage)

**Tanks:** 15 tanks

**Storage Capacity:** 377,000 barrels

**Products/materials:** Gasoline, Aviation fuels, Diesel, Ethanol, Fuel Oils

**Modes served:** Barge, Pipeline, Rail, Truck, Vessel

**Truck Facilities:** 4 lanes

**Dock Data:** Draft: 26 feet; LOA: 450 feet; Loading rate 3,000-4,000 bph; Unloading rate: 7,000 bph

**Greenhouse Gas Emissions:** TBD

**Vessel Transfers:** TBD

**Direct Employment:** TBD



## 5. Puget Sound Energy LNG Facility

**Facility Description:** “The facility would chill natural gas to produce approximately 250,000 gallons of liquefied natural gas (LNG) daily for use as a reduced-emissions fuel for marine vessels and land-based vehicles, as well as for utility peak shaving during periods of high demand. A single eight-million gallon, non-pressurized full-containment LNG storage tank consisting of an inner nickel-steel tank and an outer concrete tank with interstitial insulation, would be located on the site. The facility would also include infrastructure for loading marine vessels with LNG from a new fueling platform and mooring dolphins to be installed on the Blair Waterway.”

**Source:**

[https://www.cityoftacoma.org/government/city\\_departments/planning\\_and\\_development\\_services/planning\\_services/pse\\_proposed\\_tideflats\\_lng\\_facility](https://www.cityoftacoma.org/government/city_departments/planning_and_development_services/planning_services/pse_proposed_tideflats_lng_facility)

**Tanks:** 1

**Production Capacity:** 250,000 gallons of liquefied natural gas daily

**Storage Capacity:** 8,000,000 gallons

**Direct Employment:** 18 permanent jobs

**Modes served:** Gas arrives via pipeline, project includes marine vessel fueling facilities



## 6. Pacific Functional Fluids

**Facility Description:** “This plant is primarily a storage/distribution facility, but also has blending/compounding capabilities. Non hazardous products stored at this plant include bio-diesel fuels; lubrication oils, Propylene Glycol, aircraft de-icing fluids, runway de-icing fluids, along with various chemical and oil blend additives. Hazardous products stored at this facility on a daily basis are Acetic Acid, Potassium Hydroxide (KOH), drums of gasoline, diesel fuel, small amounts of various solvents, and propane for fuel. Pacific Functional Fluids tank transport vehicles are occasionally parked in the containment area of the facility loaded with Jet Fuels, lubricating oils, and/or deicing fluids for delivery the next day.”



**Source:** Pacific Functional Fluids, “Oil Spill Plan,” 2011 (revised 2018).

**Tanks:** 60

**Storage Capacity:** 919,205 gallons

**Products/materials:** Acetic Acid, Chemical Blend, De-Icer, Diesel #2, E36-Runway De-Icer, Flush Diesel, Glycol Blend, Lube Oil, Lube Oil Blend, Octaflow EF Concentrated, Octaflow EF Diluted, PG, Propylene Glycol, Polar Plus concentrate, Polar Plus Diluted, Potassium Hydroxide

**Modes served:** Rail, Truck

**Truck Facilities:** TBD

**Dock Data:** N/A

**Greenhouse Gas Emissions:** TBD

**Direct Employment:** TBD

## Additional Fuel Users (partial list)

### City of Tacoma Tidelands, Nalley Valley, and Surrounding Area Employer List.

- Data provided by the Economic Development Board of Pierce County
- Employment data from 2020 Pierce County Major Employers Annual Report

	Employer	Industry Sector	JOB 2020 FTE	FTE Code
1	AERO PRECISION	MANUFACTURING	345	
2	AUTO WAREHOUSING	DISTRIBUTION		
3	CAL PORTLAND	MANUFACTURING	80	
4	CARAUSTAR TACOMA BOARD (GRIEF)	LOGISTICS		
5	CARLILE TRANSPORTATION SYSTEMS	LOGISTICS	93	
6	CODEL ENTRY SYSTEM	MANUFACTURING	100	†
7	COMMENCEMENT BAY CORRUGATED	MANUFACTURING	166	
8	CONCRETE TECHNOLOGY	MANUFACTURING	230	
9	GEORGIA PACIFIC GYPSUM	MANUFACTURING	106	
10	GREEN AIR SUPPLY	MANUFACTURING		
11	MACMILLIAN PIPER	LOGISTICS	100	†
12	MANKE LUMBER COMPANY	MANUFACTURING	385	
13	NEWCOLD	LOGISTICS	85	
14	NORTH STAR GLOVE	MANUFACTURING	50	
15	NW ETCH	MANUFACTURING		
16	PABCO ROOFING PRODUCTS	MANUFACTURING	143	
17	PEPSI BOTTLING GROUP	MANUFACTURING	100	†
18	REDDAWAY	LOGISTICS	93	*
19	SOUND BROKERAGE INTERNATIONAL, LLC	LOGISTICS		
20	TACOMA SCREW PRODUCTS	DISTRIBUTION	155	
21	TOTE MARITIME	LOGISTICS	150	
22	TRIDENT SEAFOODS	MANUFACTURING FOOD	95	
23	TRIPAK	LOGISTICS		
25	WALLENIUS WILHELMSSEN	LOGISTICS	100	†
26	WESTROCK	MANUFACTURING	394	

27	WORLD FUEL (ASSOCIATED PETROLEUM PRODUCTS)	LOGISTICS	295	
28	SERVICE STEEL AEROSPACE	AEROSPACE	42	
29	BROWN & HALEY	MANUFACTURING FOOD	215	
30	BRADKEN	MANUFACTURING	229	
31	BNSF RAIL	TRANSPORTATION	450	
32	SCHNITZER STEEL	RECYCLING	125	
33	GLOBE MACHINE MANUFACTURING	MANUFACTURING		
34	EMERALD SERVICES	RECYCLING	30	

4,546

\*Most recent count available

†anecdotal data indicates > 100 FTEs; not ranked

## Interim Permit Activity

As part of the City Council interim regulations periodic extensions, the City Council has requested information on permit activity for existing fossil fuel industries and whether that permit activity has resulted in an expansion of storage or production capacity. The following is a summary of staff findings.

### Seaport Sound Terminal (formerly Targa)

Permit Activity: Seaport Sound Terminal has applied for multiple permits during the interim period, including:

- December 2016 – Seaport Sound Terminal was permitted for piling replacement and pier modifications that resulted in an expansion of overwater coverage. This shoreline permit was approved prior to the Interim Regulations.
- November 2019 – Seaport Sound Terminal was permitted for four new rail spurs on the Taylor Way property that expanded the number of rail car unloading stations onsite from 36 to 68.
- July 2020 – Seaport Sound Terminal has applied for permits to demolish existing refinery equipment and replace it with new storage tanks. The proposal would result in a net increase of 166,000 barrels of bulk fuel storage onsite.

Staff Finding: The projects will result in an increase in the operational capacity of the facility long-term, subject to additional permitting, and an immediate increase in the volume of bulk fuels stored at the site.

### U.S. Oil and Refining

Permit Activity: Prior to the interim regulations taking effect, U.S. Oil and Refining applied for permits to convert a portion of the existing facility to ethanol production and mixing of biofuels. U.S. Oil permits during the interim period include a Commercial Alteration to install a new foundation, support structure and containment for two product transfer pumps.

Staff Finding: No capacity expansion has been permitted during the interim period by the City of Tacoma.

### NuStar Energy

Permit Activity: No significant permit activity during the interim period.

Staff Finding: No capacity expansion has been permitted during the interim period by the City of Tacoma.

### Phillips 66

Permit Activity: No significant permit activity during the interim period.

Staff Finding: No capacity expansion has been permitted during the interim period by the City of Tacoma.

### Pacific Functional Fluids

Permit Activity: No significant permit activity during the interim period.

Staff Finding: No capacity expansion has been permitted during the interim period by the City of Tacoma.

### Puget Sound Energy – LNG Facility

Permit Activity: Puget Sound Energy, Inc. (PSE) is in the process of constructing a natural gas liquefaction and storage facility in the Tideflats. The project was permitted prior to the interim regulations taking effect and as such is considered an existing use under the City's land use codes. Additional building and mechanical permits for the facility have been issued during the interim period, including an office conversion, interior remodel, right-of-way permits for fencing, and other operations.

Staff Finding: No capacity expansion beyond that which was considered as part of the initial environmental review has been permitted during the interim period by the City of Tacoma.

## **Renewable Fuel Standard Program – Fuel Pathways**

The following link is to the Environmental Protection Agency website that describes the renewable fuel standards and approved renewable fuel pathways.

<https://www.epa.gov/renewable-fuel-standard-program/what-fuel-pathway>

## **Kalama Methanol Project**

This article summarizes Ecology findings that though the methanol proposal in Kalama would reduce global greenhouse gas emissions over other sources of methanol production, it would still contribute to an increase in emissions and that the impact of the proposal outweighed the state interest in ecologically responsible economic development. This is an example of how Ecology is balancing the goals to foster appropriate shoreline economic use with the broader goal to protect shorelines of statewide significance and local versus global impacts.

[https://tdn.com/news/local/ecology-denies-permit-for-kalama-methanol-plant/article\\_5852cbfa-1565-5c61-a973-94df2485da4c.html?fbclid=IwAR3CJabbGzRZsBPuaRyKGMcedABGAlTMazni4ozSQTyQlyELixy8mSJPQmA](https://tdn.com/news/local/ecology-denies-permit-for-kalama-methanol-plant/article_5852cbfa-1565-5c61-a973-94df2485da4c.html?fbclid=IwAR3CJabbGzRZsBPuaRyKGMcedABGAlTMazni4ozSQTyQlyELixy8mSJPQmA)

<https://ecology.wa.gov/DOE/files/0b/0b8ab19a-75a9-41db-9c5c-9e5505bb4bfe.pdf>

*Excerpts:*

12. For the above reasons, Ecology has determined that the Project is inconsistent with the following policies of the Shoreline Management Act, as provided in RCW 90.58.020:

a. "This policy is designed to insure the development of these shorelines in a manner which...will promote and enhance the public interest." RCW 90.58.020.

b. "This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life...." RCW 90.58.020.

B. Inconsistency with the Cowlitz County Shoreline Master Program (SMP) policies related to shorelines of statewide significance. WAC 173-27-160(1)(a).

1. The Project would be located on the Columbia River, which the Shoreline Management Act and the Cowlitz County SMP identify as a shoreline of statewide significance. RCW 90.58.030(2)(f)(v)(A); SMP at 68. The Shoreline Management Act provides "that the interest of all of the people shall be paramount in the management of shorelines of statewide significance." RCW 90.58.020. The Cowlitz County SMP provides that shorelines of statewide significance: are considered as deserving of consideration beyond that ascribed to other water bodies. Since these specified shorelines are major resources from which all people in the state derive benefit, we must:

... 2) Preserve the natural character of the shoreline.

3) Address uses which result in a long-term over short-term benefit.

4) Protect the resources and ecology of the shorelines. ...

SMP at 2. 2.

For the reasons identified in Section A above, Ecology has determined that the Project is inconsistent with the above referenced policies of the Cowlitz County SMP because it will directly contribute to and exacerbate climate change impacts that will alter the natural character of and damage the shorelines of the Columbia River.

C. Failure to demonstrate that the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located. WAC 173-27-160(1)(d).

1. For the reasons identified in Section A above, Ecology has determined that the Project proponents have not demonstrated that the Project will not cause significant adverse effects to the shoreline of the Columbia River. Therefore, conditional use permit criterion WAC 173-27-160(1)(d) has not been met.

D. Failure to demonstrate that the public interest suffers no substantial detrimental effect. WAC 173-27-160(1)(e).

1. The Final Second SEIS demonstrated that the Project's greenhouse gas emissions are significant, and will exacerbate the impacts of climate change we are already experiencing in the state of Washington, as well as on the shorelines and waters of the state. 2019 Supplemental EIS at 3-2 to 3-4; Final Second SEIS at 30-34, 101-103.

2. The Legislature has specifically found that avoiding global warming, which has serious health and ecological impacts in the state of Washington, is only possible if greenhouse gas Port of Kalama Northwest Innovation Works, LLC January 19, 2021 Page 6 emissions start to decline precipitously and as soon as possible through immediate and aggressive action. Laws of 2020, ch. 79, § 1.

3. The Legislature has also found that the longer our state delays in taking definitive action to reduce greenhouse gases, the greater the threat posed by climate change to current and future generations, and the more costly it will be to protect our communities from the impacts of climate change. Laws of 2020, ch. 79, § 1.

4. Accordingly, the Legislature intends for the state to limit and reduce emissions of greenhouse gases over the next 30 years. See Final Second SEIS at 33-34.

5. The quantity of the Project's emissions and the length of time those emissions would occur will significantly impede the state's ability to meet the emissions limits provided in RCW 70A.45.

6. As such, and for the reasons identified in Section A above, Ecology has determined that the Project proponents have not demonstrated that the public interest will suffer no substantial detrimental effect as result of the granting of a conditional use permit. Therefore, conditional use permit criterion WAC 173-27-160(1)(e) has not been met.

7. In addition, a federal court recently vacated two permits issued by the Army Corps of Engineers under the Clean Water Act and Rivers and Harbors Act, finding that the Project did not meet the “public interest” assessment required by those statutes for three reasons:

- (1) the Corps improperly relied on uncertain global benefits of the Project without assessing global detriments;
- (2) the Corps failed to consider the need for expansion of a regional gas pipeline as a reasonably foreseeable future action; and,
- (3) the Corps failed to properly consider recreational impacts near the site due to air quality concerns.

In regards to the first reason, Ecology’s Final Second SEIS demonstrates that the Project will have significant impacts in the form of in-state, upstream, and downstream emissions. The second and third reasons demonstrate that there are substantial unanswered questions in regards to this proposal’s impact to the public interest.

## **Greenhouse Gas Impacts, Inventory and Targets**

### **PSRC Climate Change Background Report**

This document provides a broad summary of state and regional greenhouse gas reduction targets, regional sources of emissions, expected climate change impacts in the region, and regional strategies to reduce greenhouse gas emissions.

<https://www.psrc.org/sites/default/files/vision2050climatepaper.pdf>

Excerpt:

The University of Washington’s Climate Impacts Group published State of Knowledge:

Climate Change in Puget Sound in 2015, describing expected impacts from climate change in the Puget Sound region. Changes are expected to include temperature, precipitation, sea level, and ocean acidification. These changes will affect snowpack and streamflow, landslides, flooding, species and habitat, forests and agriculture. A few examples of impacts the region can expect to experience include:

- Decreased snowpack and increased winter stream flows
- Increased landslides, erosion and sediment transport during fall, winter and spring
- Increased extent and frequency of flooding and storm surge
- Negative effects on salmon from warmer streams, ocean acidification, lower summer streamflow, and higher winter streamflow
- Changes in forest tree species and increased large wildfires
- Changes to agriculture including increased pests, heat stress, flood risk, and growing season and decreased summer water availability
- Changes in coastal habitats, including increased salt marshes and erosion and decreased freshwater marshes
- More frequent and severe harmful algal blooms

Negative effects to some species such as salmon and shellfish due to changes in marine ecosystems The impacts listed above will, in turn, have many effects on people and communities. Hazards such as floods, wildfires, and heat waves will have impacts on the built environment, including transportation, energy, drinking water, stormwater, and wastewater systems. An increase in heat waves and flooding, poor air and water quality, and increased allergens and spread of diseases will harm human health. Communities of color, indigenous people, and people with lower incomes are at higher risk due to greater exposure to hazards and often have fewer resources to respond to those hazards. Tribes are particularly vulnerable due to impacts on the forest, coastal and marine ecosystems on which they rely.

## **2019 City of Tacoma Greenhouse Gas Inventory**

The following pages provide a summary of the current Greenhouse Gas Inventory, a comparison with past inventory data, and a business as usual forecast of future emissions.

## Subsection VII: General Amendments for Internal Consistency

### 1. Issue Description

The following amendments are intended to ensure consistency between the intent statements of the Industrial Zoning Districts, Comprehensive Plan policies, and the specific use amendments under consideration in previous sections of this staff report. In addition, amendments to the unlisted uses is intended to ensure that there is a significant permit review and public process associated with any application for an unlisted use.

#### ➤ Proposed Amendments to TMC 13.06.060 Industrial Districts

##### A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

##### B. Purpose.

The specific purposes of the Industrial districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.
3. Create a variety of context-sensitive industrial settings matching scale and intensity of use to location.
4. Provide for predictability in the expectations for development projects.

5. Expand and diversify employment opportunities.

6. Preserve an adequate supply of land for employment generating uses.

7. Protect industrial and manufacturing areas from encroachment while providing for reasonable transitions that ensure compatibility with surrounding areas.

##### C. Districts established.

M-1	Light Industrial District
M-2	Heavy Industrial District
PMI	Port Maritime & Industrial District

##### 1. M-1 Light Industrial District.

This district is intended to ~~as a buffer between heavy industrial uses and less intensive commercial and/or residential uses, provide areas for light manufacturing, warehousing and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed industrial uses, or neighboring commercial and residential districts. M-1 districts may be established in new areas of the City and is an appropriate zone to apply as a transition between heavy industrial districts and non-industrial areas. Development standards should ensure compatibility between the industrial operations therein and the existing activities and character of the community in which the district is located.~~ However, ~~†~~ This classification is only appropriate inside Comprehensive Plan areas designated for Light Industrial, medium and high intensity uses.

##### 2. M-2 Heavy Industrial District.

This district is intended to allow ~~most~~ heavy industrial and manufacturing uses that can reasonably be accommodated without adverse impacts on the public's health, welfare, or safety. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated ~~for Heavy Industrial~~ medium and high intensity uses.

##### 3. PMI Port Maritime & Industrial District.

This district is intended to implement the use priorities of the Container Port Element of the Comprehensive Plan, specifically as they pertain to the Core Maritime Industrial Area, and to protect the long-term function and viability of the area. These use priorities include: Cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities, and other similar uses.

~~allow all industrial uses and uses that are not permitted in other districts, barring uses that are prohibited by City Charter.~~

The Port of Tacoma facilities, facilities that support the Port's operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area's employees.

➤ **Proposed Amendments to use table in TMC 13.06.060.E.4 Industrial Districts Use Table**

Uses	M-1	M-2	PMI	Additional Regulations
Uses not prohibited by City Charter and not prohibited herein	N	N	<u>CU</u> <del>P</del>	

## Section III

### Environmental Checklist

# Determination of Environmental Nonsignificance





City of Tacoma

## Preliminary Determination of Environmental Nonsignificance

### Tideflats and Industrial Land Use Regulations

**SEPA File Number:** LU21-0035

**TO:** All Departments and Agencies with Jurisdiction

**SUBJECT:** Preliminary Determination of Environmental Nonsignificance

In accordance with WAC 197-11-340, a copy of the Preliminary Determination of Environmental Nonsignificance for the project described below is transmitted:

**Applicant:** City of Tacoma Planning and Development Services Department

747 Market Street, Room 345

Tacoma, WA 98402

**Proposal:** The City of Tacoma is proposing new permanent land use regulations in the Port of Tacoma Manufacturing and Industrial Center and Industrial Zoning Districts City-wide to address the following issues:

- Public notification requirements for permits and land use amendments;
- Conversion of industrial lands to non-industrial uses;
- Encroachment of residential developments on industrial lands; and
- Siting of potentially high risk/high impact heavy industrial uses.

With new permanent regulations, interim regulations first established in November 2017 through Amended Ordinance 28470 and renewed every six months through June of 2021 would expire.

The complete text of the proposed amendments and the associated staff analysis reports are available for review at the Planning and Development Services Department at the below address and posted on the website at <http://www.cityoftacoma.org/tideflatsinterim>.

**Location:** City of Tacoma

**Lead Agency:** City of Tacoma

**City Contact:** Stephen Atkinson

Planning and Development Services Department

747 Market Street, Room 345

Tacoma, WA 98402

(253) 905-4146 or [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org)

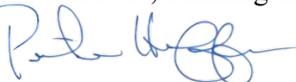
The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of an environmental checklist and other information on file with the lead agency. This information is available to the public upon request. This Preliminary Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). **Comments must be submitted by 5:00 p.m. on March 8, 2021.** The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. **Unless modified by the City, this determination will become final on March 15, 2021.** There is no administrative appeal for this determination. Appeals must be filed in conjunction with appeals of the adopted amendments to the Growth Management Hearings Board; appeals shall be taken in accordance with procedures and limitations set forth in RCW 43.21C.075 and WAC 242-02. In addition to Growth Management Hearings Board requirements, a copy of the appeal shall be filed with the Planning and Development Services Department, 747 Market Street, Room 345, Tacoma, Washington 98402.

The Puyallup Tribe is notified that this initiates the consultation process.

Responsible Official: Peter Huffman

Position/Title: Director, Planning and Development Services Department

Signature:



SEPA Officer Signature:  
Issue Date: February 19, 2021  
Comment Deadline: March 8, 2021, 5:00 p.m.



NOTE: The issuance of this Preliminary Determination of Nonsignificance does not constitute project approval. Future project applicants must comply with all other applicable requirements of the City of Tacoma and other agencies with jurisdiction prior to receiving development permits.

# SEPA Environmental Checklist

## City of Tacoma

### Tideflats and Industrial Land Use Regulations

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#### PURPOSE OF CHECKLIST:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

#### INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

#### INSTRUCTIONS FOR LEAD AGENCIES:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but

not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## USE OF CHECKLIST FOR NONPROJECT PROPOSALS:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [supplemental sheet for nonproject actions \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## A. Background

*1) Name of proposed project, if applicable:*

Tideflats and Industrial Land Use Regulations

*2) Name of applicant:*

City of Tacoma, Planning and Development Services

*3) Address and phone number of applicant and contact person:*

Stephen Atkinson  
Principal Planner  
Planning and Development Services Department  
747 Market Street  
Tacoma, WA 98402  
(253) 591-5000  
[satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org)

*4) Date checklist prepared:*

February 19, 2021

Prepared by: BERK Consulting, Inc. on behalf of the City of Tacoma



5) *Agency requesting checklist:*

City of Tacoma

6) *Proposed timing or schedule (including phasing, if applicable):*

City adoption of legislation is anticipated by May 2021.

7) *Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.*

This is a non-project action. Future development allowed by the proposal would implement zoning and land use regulations.

8) *List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.*

As a non-project action, the proposal is related to the City's environmental review of the One Tacoma Comprehensive Plan, the Container Port Element, the Shoreline Master Program, and the Interim Tidelands Regulations.

- May 2019, Determination of Non-Significance and SEPA Checklist: City of Tacoma 2019 Comprehensive Plan and Land Use Regulatory Code Amendments; The 2019 Annual Amendment to the One Tacoma Comprehensive Plan and the Land Use Regulatory Code (or "2019 Amendment") includes the following six (6) subjects: 1. Future Land Use Map Implementation, 2. Shoreline Master Program Periodic Review, 3. Affordable Housing Action Strategy Incorporation into Comprehensive Plan, 4. Historic Preservation Code Amendments, 5. Manitou Potential Annexation, 6. Minor Plan and Code Amendments.
- September 2015, Determination of Non-Significance and SEPA Checklist: Tacoma's 2015 Annual Amendment: The Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2015 (or "2015 Annual Amendment") are categorized in the following five subjects: 1. Comprehensive Plan Update, 2. Mixed-Use Centers Review, 3. Affordable Housing Regulations, 4. Code Cleanup, 5. Narrowmoor Addition Conservation District.
- February 2014, Determination of Non-Significance and SEPA Checklist: Tacoma's 2014 Annual Amendment: The proposed 2014 Annual Amendment would amend

five elements of the Comprehensive Plan and eight chapters of the Tacoma Municipal Code, including the new Container Port Element.

- June 2011, Determination of Non-Significance and SEPA Checklist: Shoreline Master Program, Comprehensive Plan, and Land Use Regulatory Code Proposed Amendments for 2011.

9) *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.*

Prior to or during interim regulations, some development has been allowed or is in permitting:

- Seaport Sound Terminal: During interim regulations, the applicant proposed piling replacement, pier modifications, rail spurs, demolition of refinery equipment and new storage tanks of 166,000 barrels of bulk fuel storage.
- US Oil and Refining: Prior to interim regulations, a permit was filed to convert a portion of the existing facility to ethanol production and mixing of biofuels. During interim regulations: Commercial Alteration to install a new foundation, support structure and containment for two product transfer pumps.
- Puget Sound Energy – LNG Facility: Puget Sound Energy, Inc. (PSE) is in the process of constructing a natural gas liquefaction and storage facility in the Tideflats. The project was permitted prior to the interim regulations taking effect and as such is considered an existing use under the City’s land use codes. Additional building and mechanical permits for the facility have been issued during the interim period, including an office conversion, interior remodel, right-of-way permits for fencing, and other operations.

The City is developing the Tideflats Subarea Plan in collaboration with the Port of Tacoma, City of Fife, Pierce County, and the Puyallup Tribe of Indians. As part of developing the subarea plan, an environmental impact statement (EIS) would be developed.

*10) List any government approvals or permits that will be needed for your proposal, if known.*

State of Washington Department of Commerce notice of intent to adopt development regulations; Tacoma Planning Commission recommendations; City Council deliberation and approval, and approval by the Department of Ecology for amendments to the City's Shoreline Master Program.

*11) Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)*

The City of Tacoma is proposing new permanent land use regulations in the Port of Tacoma Manufacturing and Industrial Center and Industrial Zoning Districts City-wide to address the following issues:

- Public notification requirements for permits and land use amendments;
- Conversion of industrial lands to non-industrial uses;
- Encroachment of residential developments on industrial lands; and
- Siting of potentially high risk/high impact heavy industrial uses.

With new permanent regulations, interim regulations first established in November 2017 through Ordinance 28470 and renewed every six months through October 2020 would expire.

This SEPA Checklist has been prepared to evaluate alternatives illustrating a range of code allowances:

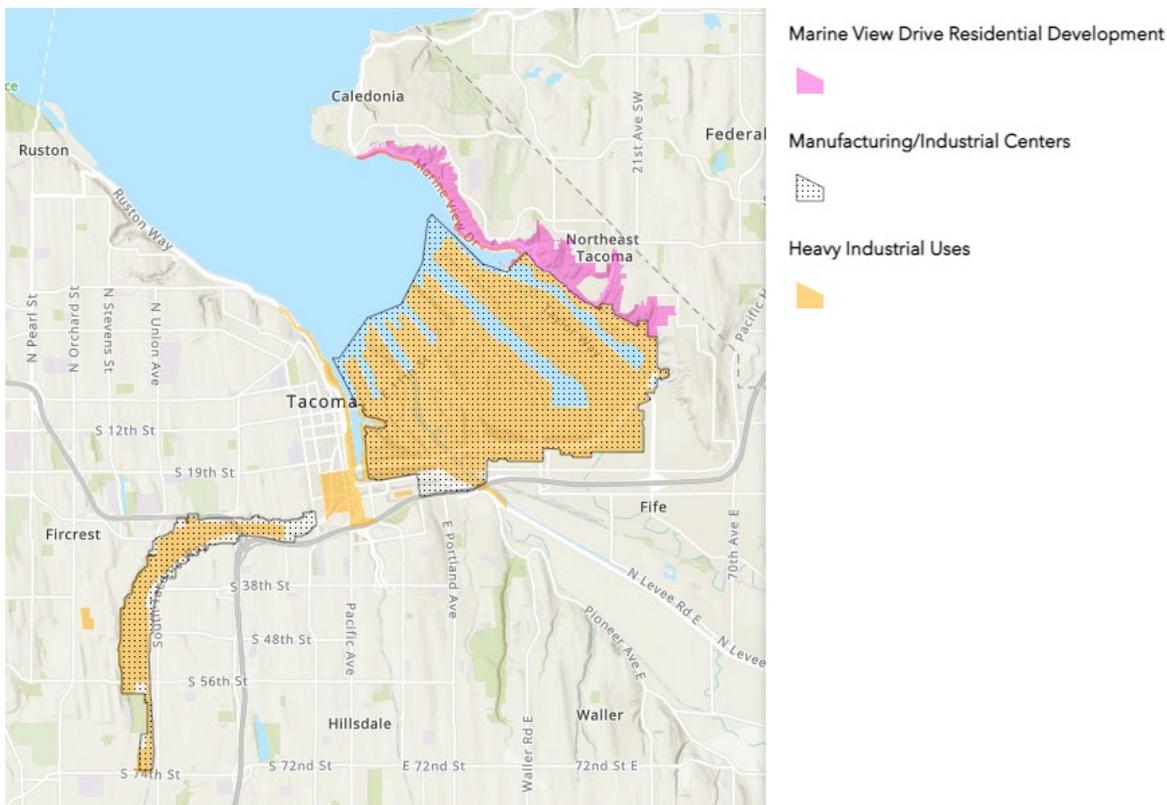
- Option A: Proposal Alternative – Planning Commission Hearing Draft for February 3, 2021.
- Option B: Baseline – the “No Action” Pre-Interim Ordinance.
- Option C: Current Ordinance – the Interim Regulations that are in effect.

See Appendix A for a detailed description of the proposals and each option.

12) Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The land use regulations apply to different components of heavy industrial areas and adjacent residential lands illustrated on Exhibit 1.

### Exhibit 1. Study Area



Source: City of Tacoma, 2021

## B. Environmental Elements

### 1. EARTH

- a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

This is a non-project action. The proposal affects land use regulations city-wide.

- b. What is the steepest slope on the site (approximate percent slope)?

Steep slopes are along bluffs bordering Marine View Drive. Under any studied options, when site-specific developments are proposed they will provide information required for development permits.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The USDA Soil Survey indicates much of the study area does not have digital data available. Other areas are considered "Xerorthents, fill areas, Artificial fill and/or dredge spoils."

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Mapped landslides and erosion hazard areas border Marine View Drive; see 8.H for a map. Under any studied options, when site-specific developments are proposed they will provide information required for development permits including critical areas.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable – not a site specific proposal.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Future development allowed under any studied option could clear sites and construct new development subject to existing development regulations.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable – not a site specific proposal. No changes to development standards regarding impervious areas are proposed under any options.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No significant impacts are identified for the non-project proposal. Future site-specific development allowed under proposed regulations are subject to regulations meant to protect health and safety, address geologic hazards, and reduce erosion:

- TMC 2.19.050 Clearing and Grading Requirements.
- TMC 2.19.060 Surface Water Drainage and Temporary Erosion Control Requirements.
- TMC Chapter 12.08 Surface Water Management / Tacoma Stormwater Management Manual.
- TMC Chapter 13.11.700, Geologically Hazardous Areas.
- SMP Chapter 6.4.7, Geologically Hazardous Areas

## 2. AIR

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

The proposed amendments to Tacoma’s land use regulations are meant to help reduce greenhouse gas (GHG) emissions, including carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases are drivers of climate change. The City monitors greenhouse gas reductions made by the City of Tacoma and the community. See [Staff Report Section D](#) for a



summary of current emissions and trends. About 30% of emissions come from industrial uses and 44% from transportation. City Resolution No. 40509 direct the City to mobilize to transition to a carbon-neutral economy.

Tacoma's Tideflats are home to six fossil fuel storage, refinement, and processing facilities. The heavy industrial uses under review, and expansions of them, or conversion to renewable energy can produce GHG emissions.

Under Option A, the Proposal Alternative, new Major Fossil Fuel Facilities are prohibited. These include: fossil fuel refineries, bulk fossil fuel terminals, natural gas processing, and bulk storage and processing of fossil fuels or combinations. Existing facilities are permitted but cannot expand capacity. Repair and maintenance are allowed. A change to a Renewable Fuel Production Facility is allowed with a conditional use permit; these include fuels that result in a lifecycle GHG emission reduction of at least 50% or more under the Federal Clean Air Act. Renewable Fuel Production Facilities are allowed with a conditional use permit. New or expansion of Major Fossil Fuel Facilities and Renewable Fuel Facilities are subject to GHG emission impact analysis and mitigation offsets as well as annual reporting. Heavy industrial uses including Major Fossil Fuel Facilities and Renewable Fuel Facilities as well as other industrial uses would require expanded notification of permits including SEPA determinations, conditional use permits, and all shoreline permits. As well, Coal Storage and Export is prohibited. Other heavy industrial uses would be restricted including mining, smelters, and chemical manufacturing would be limited through added permitting criteria/procedures or would be prohibited.

Under Option B, the No Action/Pre-Interim regulations, Major Fossil Fuel Facilities, Renewable Fuel Facilities, and Coal Storage and Export as well as other heavy industrial uses (mining, smelters and chemical manufacturing) would be allowed within a single heavy industrial use category in industrial zones; these are allowed outright within the M-2 Heavy Industrial District and PMI Port Maritime Industrial District without special use standards tailored to address the disparate potential impacts of use and activity. The City would not apply requirements to report GHG emissions and offset them. State standards for major facilities GHG reporting would continue.

Under Option C, the Interim Regulations, oil and other Liquefied and Gaseous Fossil Fuels terminals, storage, manufacturing production, processing, etc.: new uses are prohibited. Existing uses would be considered allowed without limits on expansion. The City would not require existing facilities to report or mitigate GHG emissions as

part of an expansion. Renewable Fuel facilities were not specified. Unlisted uses would be prohibited. Also, mining, smelters, and chemical manufacturing would be restricted to existing uses.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable – not a site specific proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- Facilities that emit at least 10,000 metric tons of carbon pollution – or suppliers of liquid motor vehicle fuel, special fuel, and aircraft fuel that supply products equivalent to at least 10,000 metric tons of carbon dioxide – must annually report their GHG emissions to the State of Washington Department of Ecology (Ecology); this reporting requirement has been in place since 2012. Ecology adopted a rule in 2019 to transition away from hydrofluorocarbons (or HFCs) in products and equipment starting January 1, 2020. Oil refineries were required to reduce their greenhouse gas emissions 10 percent by 2015. If they were not able to reduce their emissions, they were required to maintain an above-average energy efficiency rating.<sup>1</sup>
- The 2019 State Legislature adopted [new standards that will increase the efficiency of residential, commercial, and industrial buildings](#) and reduce emissions.
- Through the Puget Sound Clean Air Agency (PSCAA), construction permits are required before constructing a new facility, or before installing or modifying equipment that generates or emits air pollution. Also through PSCAA, Air

<sup>1</sup> See Ecology, Reducing greenhouse gases. Available: <https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases/Reducing-greenhouse-gases>. Also, see: Ecology, Required greenhouse gas reporting programs. Available: <https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases/Greenhouse-gas-reporting>. Accessed: February 16, 2021.



Operating Permits, which are also referred to as Title V permits, are required for major sources of air pollution. This includes manufacturing operations, refineries, solid waste operations, energy facilities, and others. In Tacoma, several manufacturers and US Oil and Refining have Air Operating Permits. Other monitored land uses include gas stations, dry cleaners, spray coaters, and others.<sup>2</sup>

- Development of industrial, commercial, residential, and institutional uses that exceed categorical exemptions are subject to review under SEPA through TMC Chapter 13.12, Environmental Code. Through this process, the City can identify impacts and mitigation measures to meet the City’s policies and codes including protecting air quality and meeting the City’s [Resolution No. 40509](#) – Declaration of Climate Emergency.

Under Option A, the Proposal Alternative, the City would limit new Major Fossil Fuel Facilities and allow new or expanded Renewable Fuel Facilities with GHG impact analysis and mitigation offsets along with regular reporting.

### 3. WATER

#### a. Surface Water:

- 1) *Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.*

There are streams including the Puyallup River, Hylebos Creek, and Wapato Creek that flow through the study area. Estuarine wetlands and mudflats occur in a few isolated areas adjacent to the waterways and associated with Port of Tacoma restoration sites. The study area abuts Commencement Bay with marine waters.

<sup>2</sup> See: PSCAA, Permits and Registration. Available: <https://psccleanair.gov/101/Permits-Registration>. Accessed: February 16, 2021.



2) *Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.*

Not applicable – not a site specific proposal. Future development that may develop within 200 feet of the surface waters are subject to the City’s Shoreline Master Program and Critical Area regulations.

3) *Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.*

Not applicable – not a site specific proposal. Future development that would propose fill or dredging would be subject to City clearing and grading regulations as well as Shoreline Master Program and Critical Area regulations.

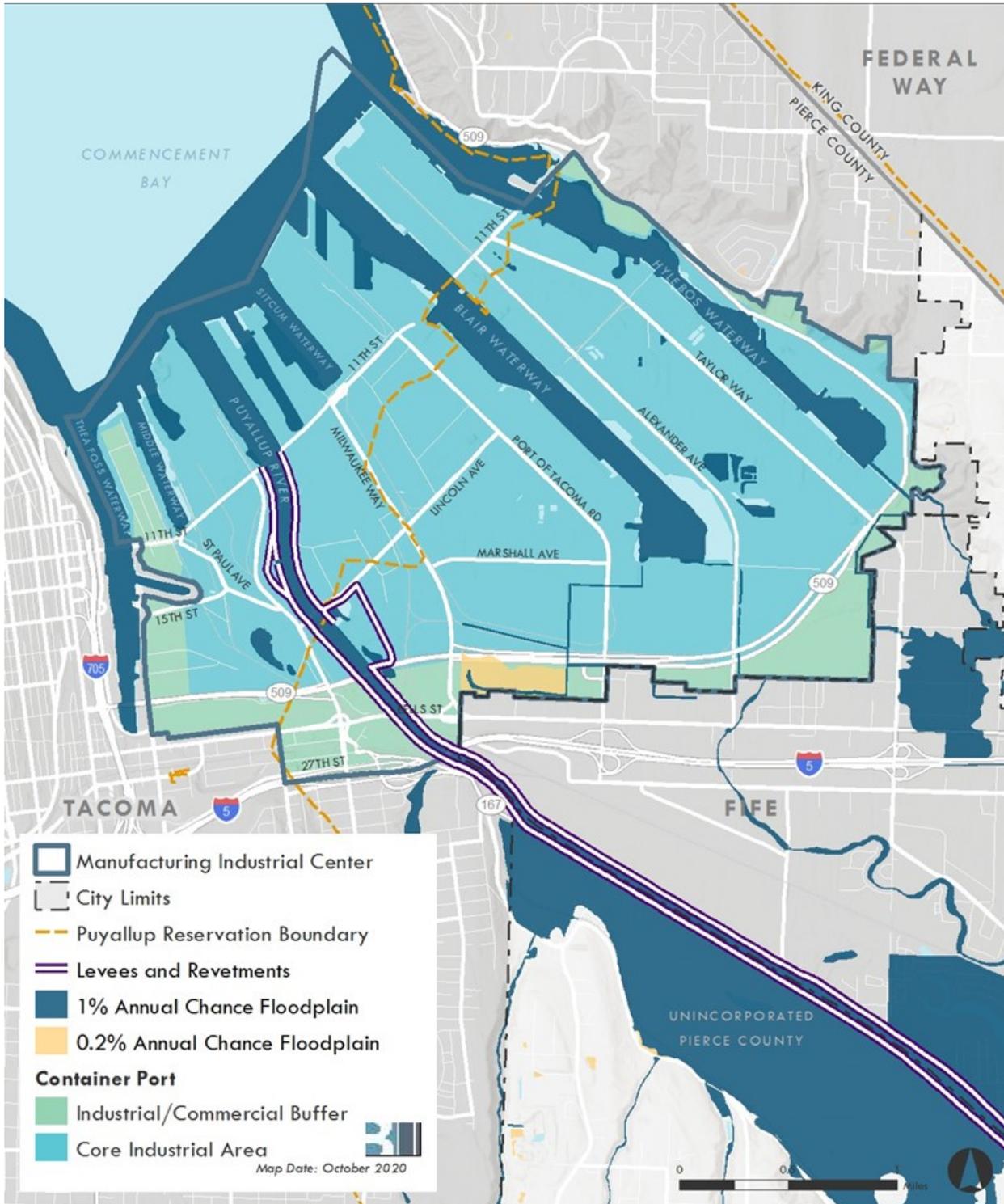
4) *Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.*

Not applicable – not a site specific proposal. The area is served by the [Tacoma water system](#). Any changes to surface waters would also be subject to the Shoreline Master Program and Critical Area regulations.

5) *Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.*

The Port of Tacoma Manufacturing Industrial Center (M/IC) and the South Tacoma M/IC have [mapped areas of floodplains](#), particularly in the Port of Tacoma M/IC. See Exhibit 2.

## Exhibit 2. Tidel flats Vicinity Floodplain Map



Source: ESA, 2020; BERK, 2020.

6) *Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.*

Not applicable – not a site specific proposal. Future development would be subject to surface water management regulations, including the Tacoma Stormwater Manual.

b. Ground Water:

1) *Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.*

Not applicable – not a site specific proposal. The study area is served by the [Tacoma water system](#).

2) *Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.*

Not applicable – not a site specific proposal. Under all Options, [aquifer recharge areas](#) are subject to critical area regulations including TMC Chapter 13.11.800 and SMP Chapter 6.4.9.

Applicable to the South Tacoma M/IC, the South Tacoma groundwater aquifer system serves as a significant source of drinking water for the City of Tacoma. It may supply as much as 40 percent of the City's total water demand during periods of peak summer usage. The South Tacoma Groundwater Protection District is an overlay to base zones. It is meant to prevent the degradation of groundwater in the South Tacoma aquifer system by controlling the handling, storage, and disposal of hazardous substances by businesses. Procedures also ensure properties that have stormwater infiltration facilities and properties that store hazardous substances meet appropriate performance standards, and those properties are properly maintained, inspected, and tested when necessary.

Under Options A and C, added restriction or regulation of mining, smelting, and chemical manufacturing as well as fossil fuel and renewable fuel facilities should further reduce risks to surface and groundwater quality.

c. Water runoff (including stormwater):

- 1) *Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.*

Not applicable – not a site specific proposal. Water runoff could occur from point sources and non–point sources. However, all development is subject to surface water regulations and manuals.

- 2) *Could waste materials enter ground or surface waters? If so, generally describe.*

Not applicable – not a site specific proposal. Future development would be subject to aquifer protection regulations and surface water quality regulations.

- 3) *Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.*

Not applicable – not a site specific proposal. Future development would be required to meet stormwater drainage regulations.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

No significant impacts are identified for the non–project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- Aquifer Recharge Areas TMC Chapter 13.11.800.
- Aquifer Recharge Areas SMP Chapter 6.4.9.
- South Tacoma Groundwater Protection District, TMC 13.06.070 Overlay Districts, Part D.
- Clearing and Grading Requirements, TMC 2.19.050.
- Surface Water Drainage and Temporary Erosion Control Requirements, TMC 2.19.060.
- Wastewater and Surface Water Management – Regulation and Rates TMC Chapter 12.08.

- Underground Storage Tank Removal, TMC Chapter 5.47.
- City of Tacoma Stormwater Management Manual, [2016 Version, Draft 2021 Version.](#)

#### 4. PLANTS

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

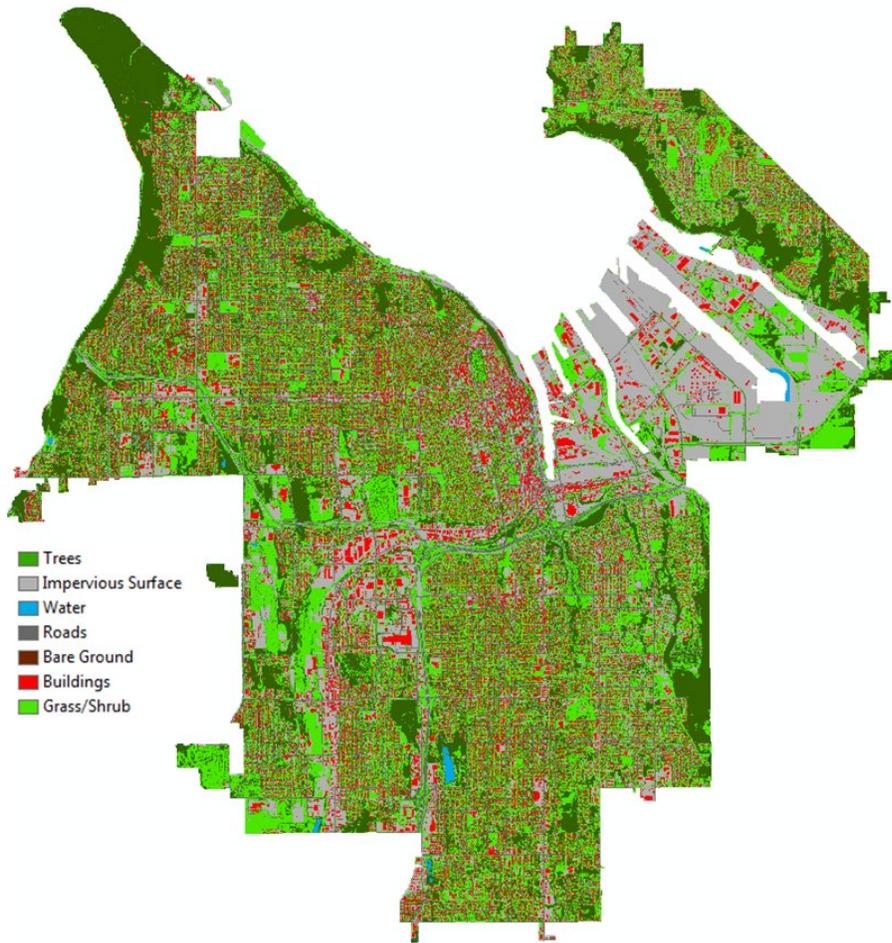
wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

The study area contains tree canopy in all extents but particularly near Marine View Drive. See Exhibit 3. The area also contains ornamental lawns and shrubs, and industrial areas with limited vegetation except in streetscapes. There are some mapped wetlands. See section 8.h for a map.

### Exhibit 3. Tree Canopy and Impervious Areas, 2009



Source: [University of Washington, 2011](#)

#### b. What kind and amount of vegetation will be removed or altered?

Not applicable – not a site specific proposal. Much of the area is developed and habitat for plants and animals is very limited. The City has mapped important Fish and Wildlife Habitat, and Open Space Corridors, which are natural areas that provide safe, healthy places for resident and migratory fish and wildlife species that live in and move through the city. See Section 8.h for a map. The area along Marine View Drive has some mapped habitat and Open Space Corridors. In addition, there are Port of Tacoma–managed habitat mitigation sites.

See 4.d below for applicable requirements for new or expanded development. Options A and C reduce residential densities in the Marine View Drive area, which would likely result in less vegetative clearing.

c. List threatened and endangered species known to be on or near the site.

Critical habitat has been identified for water bodies containing endangered and threatened fish species. See [Staff Report Section D](#).

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- Wetlands, TMC Chapter 13.11.300
- Streams and Riparian Habitats, TMC Chapter 13.11.400
- Fish and Wildlife Habitat Conservation Areas, TMC Chapter 13.11.500
- Wetlands SMP Chapter 6.4.5
- Streams and Riparian Habitats SMP Chapter 6.4.6
- Future development in residential zones would be required to meet tree canopy and landscaping requirements (TMC 13.06.020 Residential Districts, Part F development standards and Section 13.06.090.B landscaping).
- In industrial areas, landscaping is required equal to 5% of parking areas. Perimeter landscaping is required of M-1 parking lots though not M-2 or PMI. Street trees are required with new development in the PMI district.

e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable – not a site specific proposal. General mapping of noxious weeds shows some may exist in the study area on [public lands and rights of way](#) and on [tax parcels](#). Noxious weed laws apply to help prevent the spread of invasive species including RCW 17.10 and WAC Chapter 16-750.

## 5. ANIMALS

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

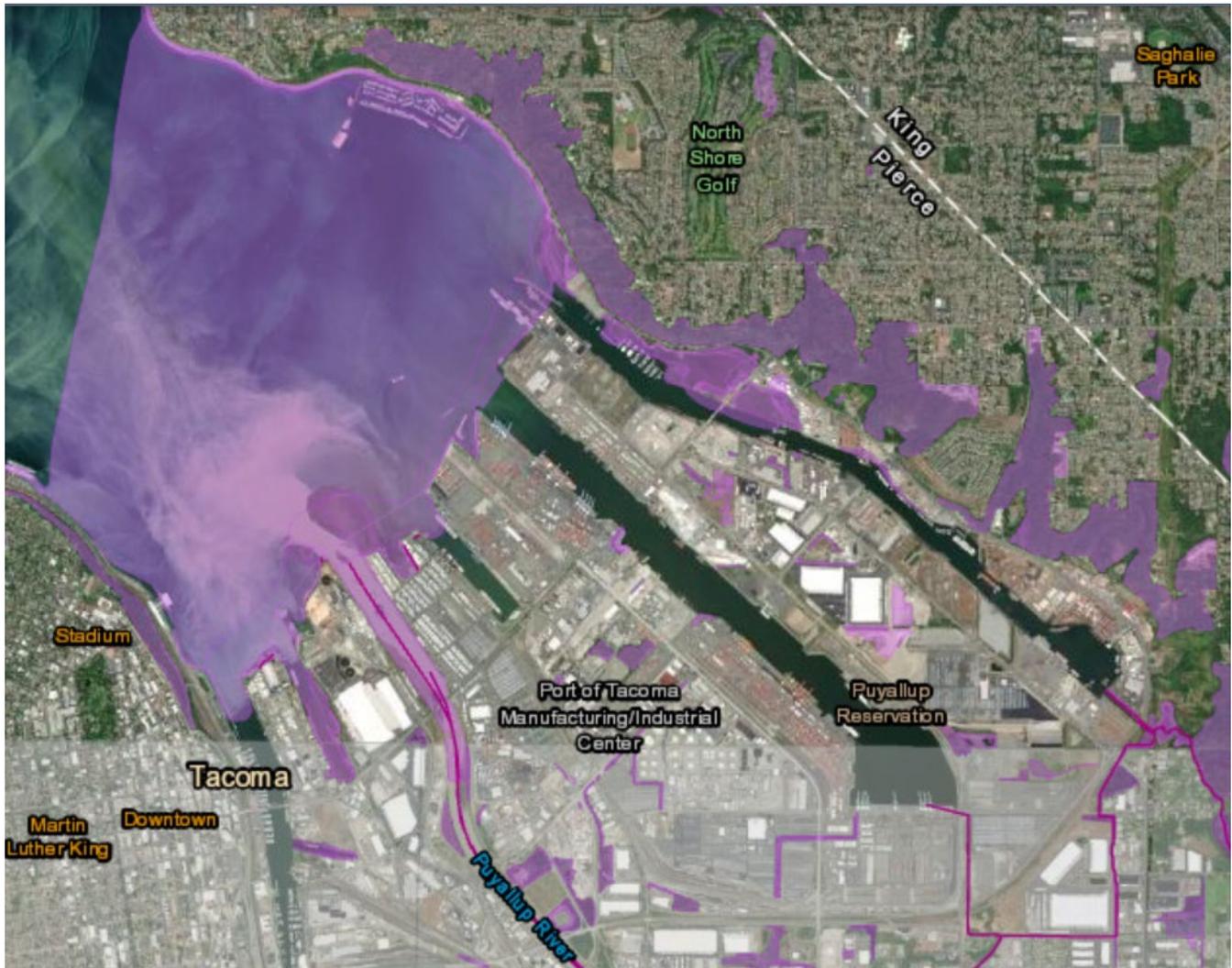
X birds: hawk, heron, eagle, songbirds, other:

X mammals: deer, bear, elk, beaver, other: marine

X fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

A range of fish, birds, and mammals are found in the study area, particularly along Marine View Drive where opens space and tree canopy is found, and along streams and waterways where sensitive fish and marine mammal species are found. WDFW Priority Habitats and Species that may require protection and management are mapped in the Tideflats and Marine View Drive Area. See Exhibit 4.

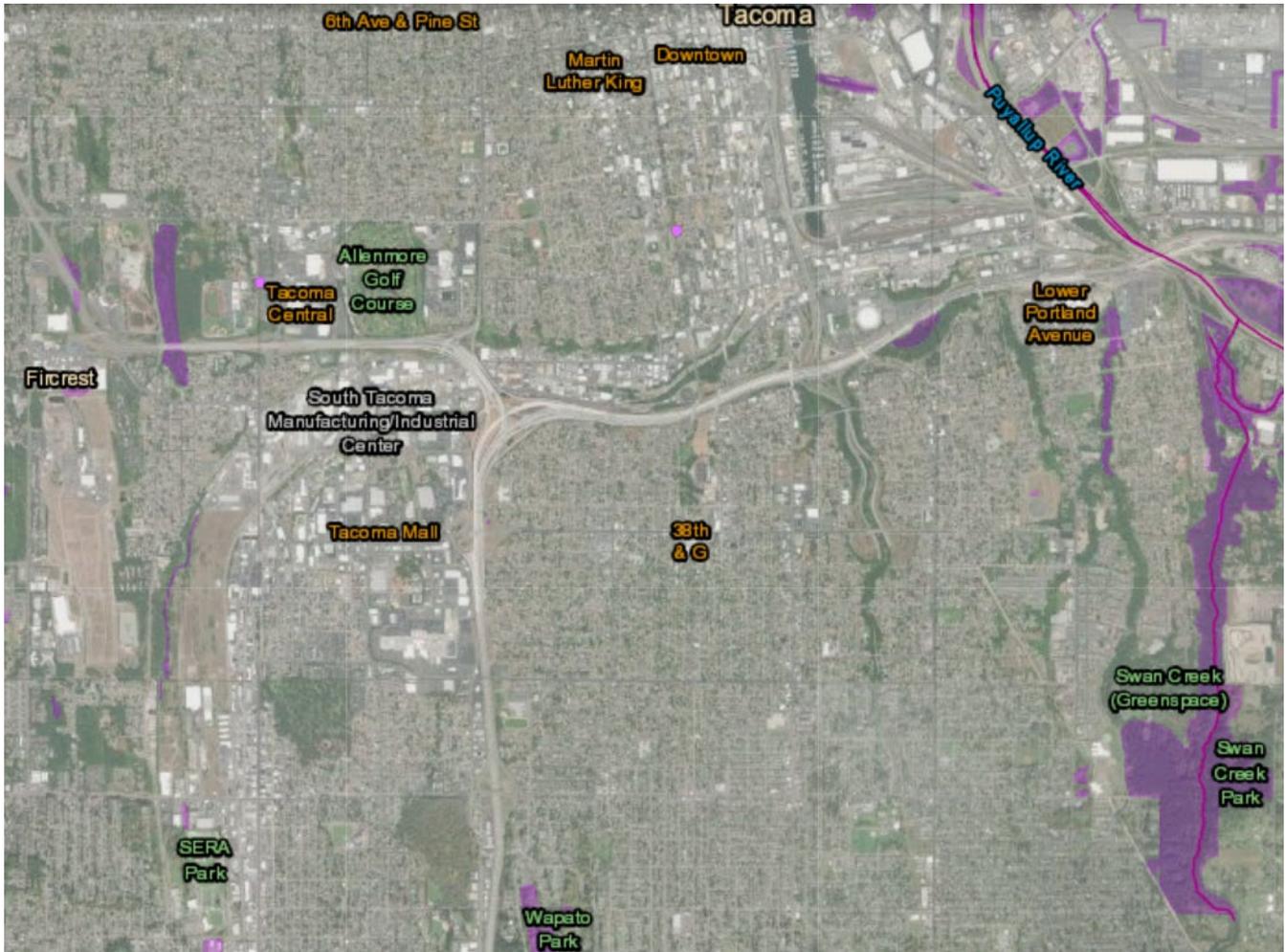
Exhibit 4. State Priority Habitats and Species – Tidel flats Area



Source: [WDFW 2021](#)

There are fewer mapped priority areas in the South Tacoma M/IC. See Exhibit 5.

Exhibit 5. State Priority Habitats and Species – South Tacoma M/IC



Source: [WDFW 2021](#)

b. List any threatened and endangered species known to be on or near the site.

A range of state and federally listed fish and marine mammal species (endangered, threatened, species of concern, candidate) are found in surface waters in the study area, particularly in the Puyallup River, Commencement Bay, and Hylebos Creek, and Wapato Creek: Chinook salmon (Puget Sound), Steelhead (Puget Sound), Bull trout, Sockeye salmon, Coho salmon (Puget Sound), Killer whale (orca). Species with critical habitat in the study area include Chinook salmon (Puget Sound), Bull trout, and Killer whale (orca).

The Puyallup River supports several salmonid species including coastal cutthroat trout, bull trout, steelhead, Chinook (spring and fall) salmon, sockeye, Coho, pink, and chum (WDFW 2020a; WDFW and NWIFC 2020). Wapato Creek and Hylebos Creeks

support a smaller set of species including steelhead, Coho, Chinook (fall), pink, and chum. See [Staff Report Section D](#).

Adult salmonids are typically found in Commencement Bay in August and November, except spring Chinook and steelhead, which are present during the winter and spring (City of Tacoma 2007). Juvenile Chinook salmon use the Commencement Bay nearshore and the waterways, particularly after the releases of hatchery fish in mid to late May (Kerwin 1999, as cited in City of Tacoma 2007). See [Staff Report Section D](#).

Despite substantial modification of the Commencement Bay nearshore, WDFW has documented forage fish (i.e., surf smelt and sand lance) spawning at the west edge of the Middle Waterway, near the mouth of the Puyallup River, and along the upper intertidal zone of the sand-gravel beaches of the former Milwaukee Waterway, which is a small rectangular area located between the Puyallup River and Sitcum Waterway (WDFW 2020b). The WDFW surveys documented mostly surf smelt spawning at these locations with only a small area of sand lance spawning observed at the spit on the west side of the Puyallup River.

The Puyallup Tribe operates a robust program to maximize and optimize the shellfish harvest by protecting the habitats and populations of shellfish while also providing a safe environment for commercial, ceremonial, and subsistence fishing opportunities for Tribal members. The Tribe manages this fishery per their Revised Puyallup Tribal Shellfish Code (Chapter 12.12), and it includes crab (Dungeness, red rock, graceful), sea cucumber, geoduck, and spot prawn, among other species.

c. Is the site part of a migration route? If so, explain.

Marine waterways are characterized by narrow intertidal and shallow subtidal margins around a relatively deep channel. These margins are important migratory routes for salmon, waterfowl, and shorebirds, and serve as rearing areas for juvenile and adult salmonids and their prey. See [Staff Report Section D](#).

Commencement Bay is located within the Pacific Flyway, a major north-south migratory corridor which extends from Mexico north into Canada and the state of Alaska. The marine waters along with the restored intertidal wetlands and riparian buffers associated with mitigation sites provide habitat for shorebirds, waterfowl, and upland birds to breed and overwinter. See [Staff Report Section D](#).

d. Proposed measures to preserve or enhance wildlife, if any:

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- Wetlands, TMC Chapter 13.11.300
- Streams and Riparian Habitats, TMC Chapter 13.11.400
- Fish and Wildlife Habitat Conservation Areas, TMC Chapter 13.11.500
- Wetlands SMP Chapter 6.4.5
- Streams and Riparian Habitats SMP Chapter 6.4.6
- Surface Water Drainage and Temporary Erosion Control Requirements, TMC 2.19.060.
- Wastewater and Surface Water Management – Regulation and Rates TMC Chapter 12.08.
- City of Tacoma Stormwater Management Manual, [2016 Version, Draft 2021 Version](#).

In addition Options A and C limit or further regulate activities that could affect water quality and some priority or listed species, such as mining, smelting, chemical manufacturing, and fossil fuel and renewable fuel facilities. As well, reducing potential GHG emissions is intended to help avoid negative effects to streamflow, flooding, coastal habitats, and algal blooms to avoid negative impacts to fish and wildlife species as well as to the community as a whole. See [Staff Report Section D](#), regarding PSRC Climate Change Background Report.

e. List any invasive animal species known to be on or near the site.

Not applicable – not a site specific proposal. The [Washington Invasive Species Council](#) has identified certain species considered invasive. The Mediterranean White Snail was detected at the Port of Tacoma in 2005, and addressed through joint efforts by the Washington State Department of Agriculture and the Port of Tacoma. The Council identifies ways to help control potential invasive species in fresh water and Puget Sound.

## 6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable – not a site specific proposal. Future development could use electric, gas, oil, and solar energy. Major energy users in the city include industrial; transportation, residential, and commercial uses represent smaller shares of energy users. See [Staff Report Section D](#) regarding City GHG emission inventories. Option B would allow a greater range of industrial uses that could use more energy compared to Options A and C that would limit or further regulate industrial uses. Option A regulations would allow for existing fossil fuel uses and new renewable energy facilities provided there is GHG mitigation and offsets could include energy reductions among other strategies.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable – not a site specific proposal. City regulations allowing for solar energy would not change.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- Energy Code, TMC Chapter 2.10
- The 2019 State Legislature adopted [new standards that will increase the efficiency of residential, commercial, and industrial buildings](#) and efficiency standards for appliances.

Option A regulations would allow for limited fossil fuel facilities and new renewable energy facilities provided there is GHG mitigation and offsets could include energy reductions among other strategies.

## 7. ENVIRONMENTAL HEALTH

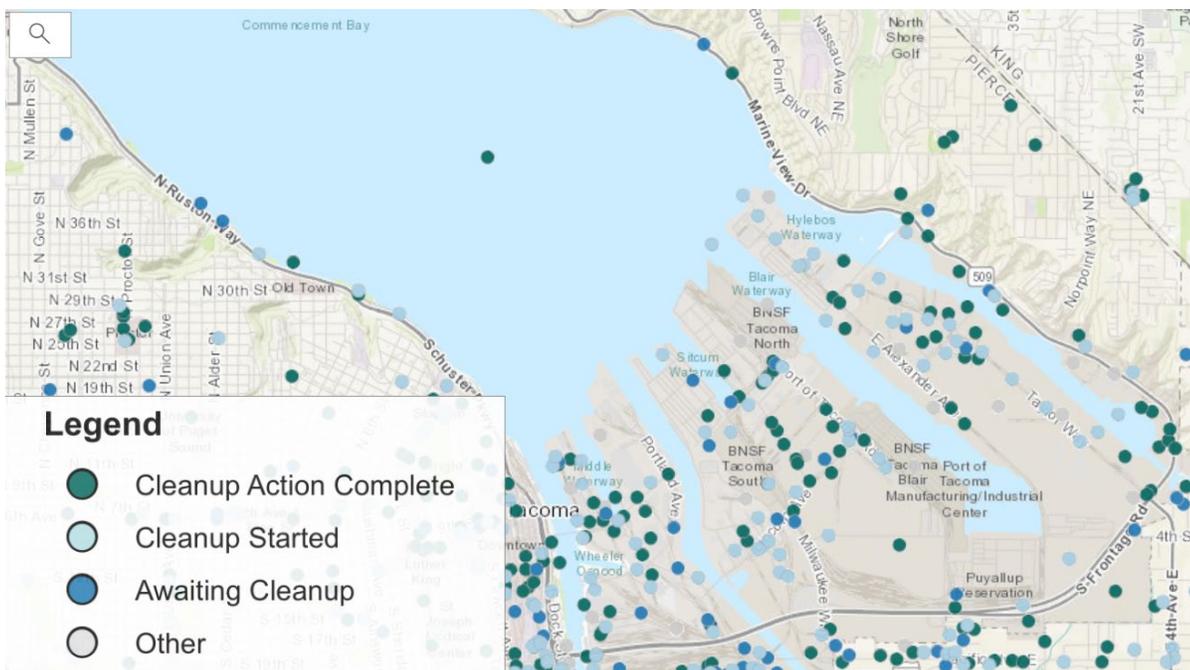
- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Some industrial uses involving chemical manufacturing, smelting, or fossil fuel or renewable fuel processing, handling, and storage have risks, impacts, and vulnerabilities, such as: explosive and fire risks, spill, exposure to toxic chemicals, odor, stormwater, and waste products.

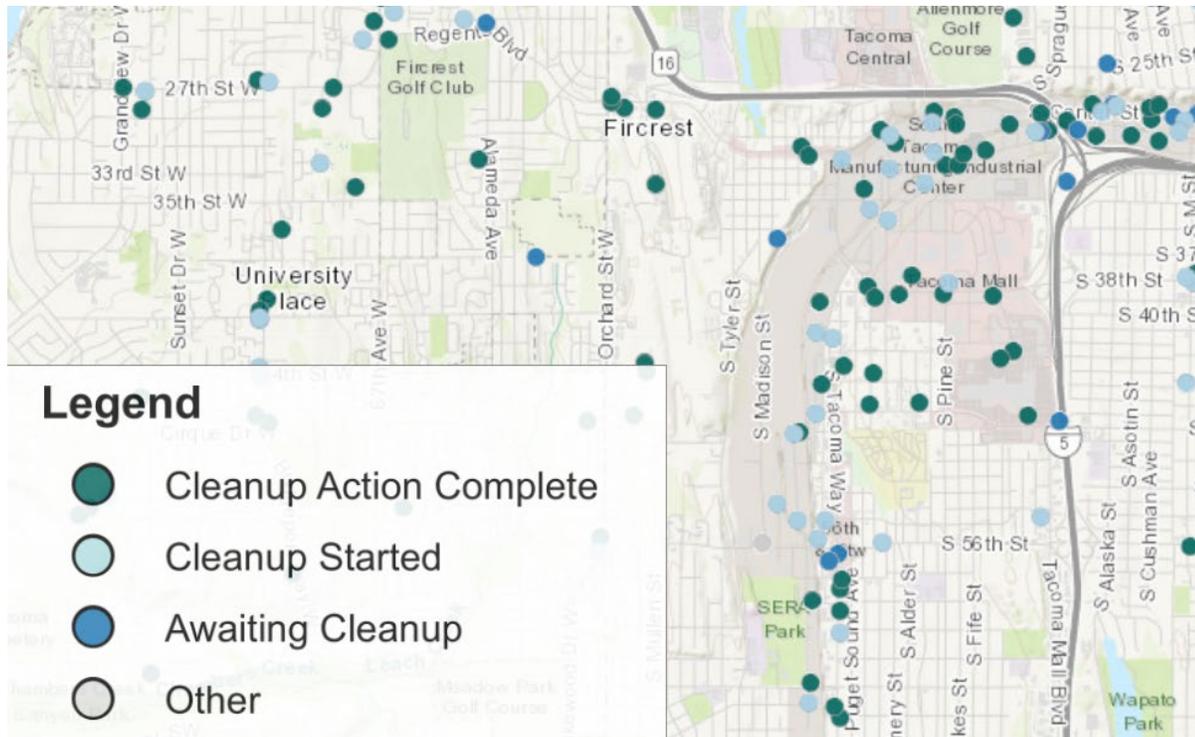
- 1) Describe any known or possible contamination at the site from present or past uses.

The State of Washington Department of Ecology maintains a database of contaminated sites. More than half of the state's identified sites have been cleaned up. More are in progress. In all parts of the study area there are completed, in progress, and pending clean-up efforts. See Exhibit 6 and Exhibit 7.

Exhibit 6. Ecology Clean Up Sites Map – Tideflats Area



## Exhibit 7. Ecology Clean Up Sites Map – South Tacoma Vicinity



Source: [State of Washington Department of Ecology](#), 2021.

2) *Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.*

There is an [interstate gas pipeline](#) serving the Tideflats (e.g. BP Pipelines).

Oil transported via pipeline enters the state from British Columbia and continues south along the I-5 Corridor to refineries in Cherry Point, Ferndale, Anacortes, and Tacoma, as well as destinations south of Washington State. See [Tideflats Interim Periodic Report](#), September 2020.

3) *Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.*

Not applicable – not a site specific proposal. The City has multiple existing chemical wholesale and distribution facilities. Options A and C would limit or further regulate new uses with chemical manufacturing, smelting, fossil fuel and renewable fuel handling, processing, and storage. Option B would allow a wider range of facilities that could store, use, or produce hazardous chemicals, or explosive materials.

4) *Describe special emergency services that might be required.*

A [Tideflats Emergency Response Plan](#) was prepared in 2016 to identify the necessary transportation facilities and fire station locations needed to meet the City's response time goals.

5) *Proposed measures to reduce or control environmental health hazards, if any:*

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

- State [Model Toxics Control Act](#) (Chapter 70.105D RCW)
- State Underground Storage Tank Regulations (Chapter 173-360A WAC)
- Fire and Emergency Medical Services, TMC Title 3, including Fire Prevention Code, and requirements for Mobile Fueling Operations within the South Tacoma Groundwater Protection District
- Nuisances, Prohibited Acts, Pollution, Hazardous Cargo and Unsafe Piers, TMC Chapter 4.26
- Transportation of Hazardous Materials, TMC Chapter 11.09

b. Noise

1) *What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?*

Noise sources in the study area include traffic on roads and rail lines, and industrial and commercial equipment and operation in industrial areas.

2) *What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.*

Not applicable – not a site specific proposal. Future development could produce noise as identified in b.1 above. Option A would limit mining operations to existing ones; new ones would not be allowed reducing potential noise sources due to that use. Option B would allow new mining operations, generally subject to a conditional use and review criteria that includes an evaluation of noise generation (TMC

13.05.010.A.2.d). Option C would prohibit new mining operations but allow existing operations to continue and/or expand subject to established conditional use criteria.

*3) Proposed measures to reduce or control noise impacts, if any:*

No significant impacts are identified for the non-project proposal. Under all studied Options, the following regulations apply to future development and can help reduce impacts:

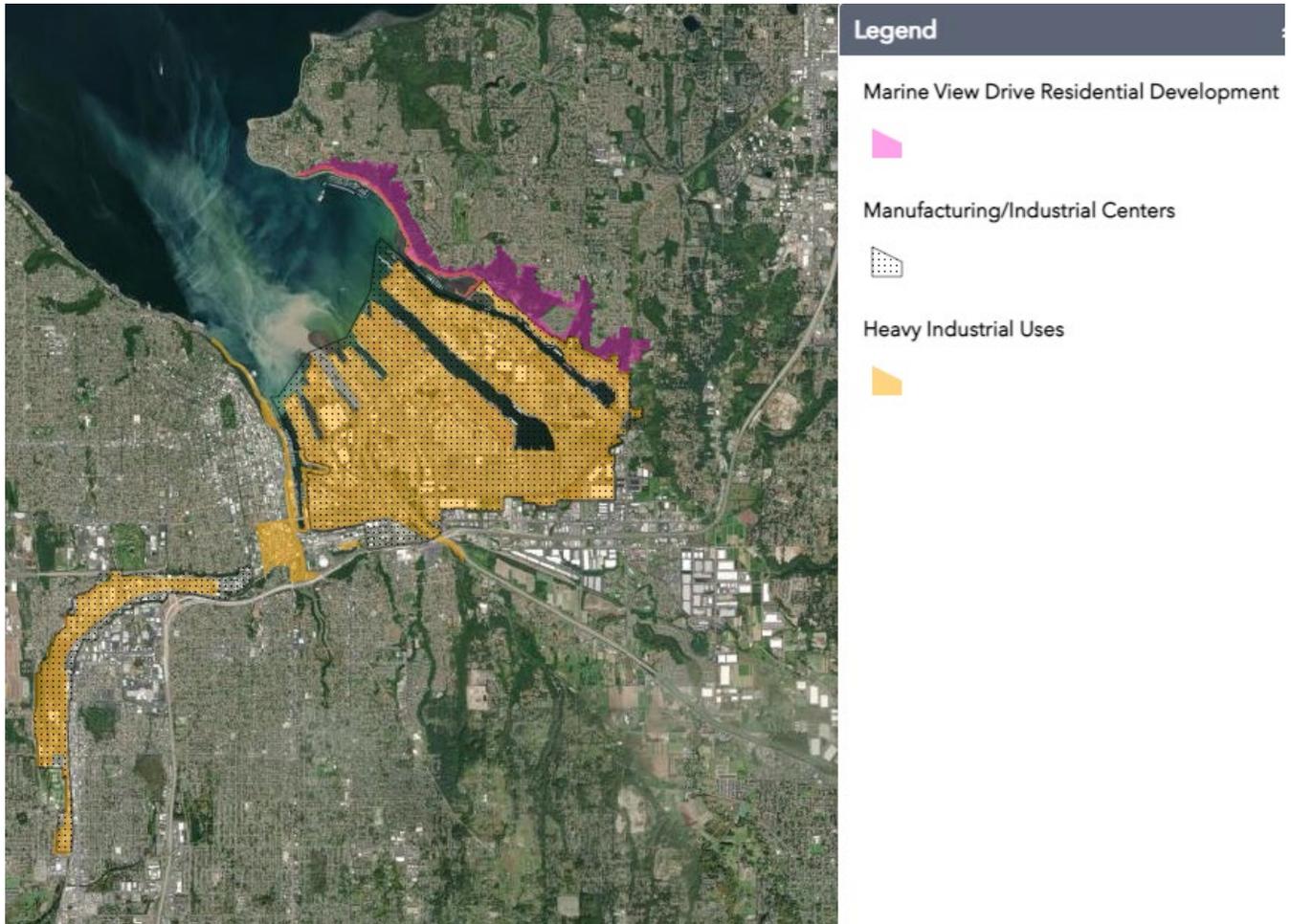
- Noise Enforcement, TMC Chapter 8.122

## 8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Current uses in the study broadly include residential in the Marine View Drive area and heavy industrial in the Port M/IC and South Tacoma M/IC. See Exhibit 8.

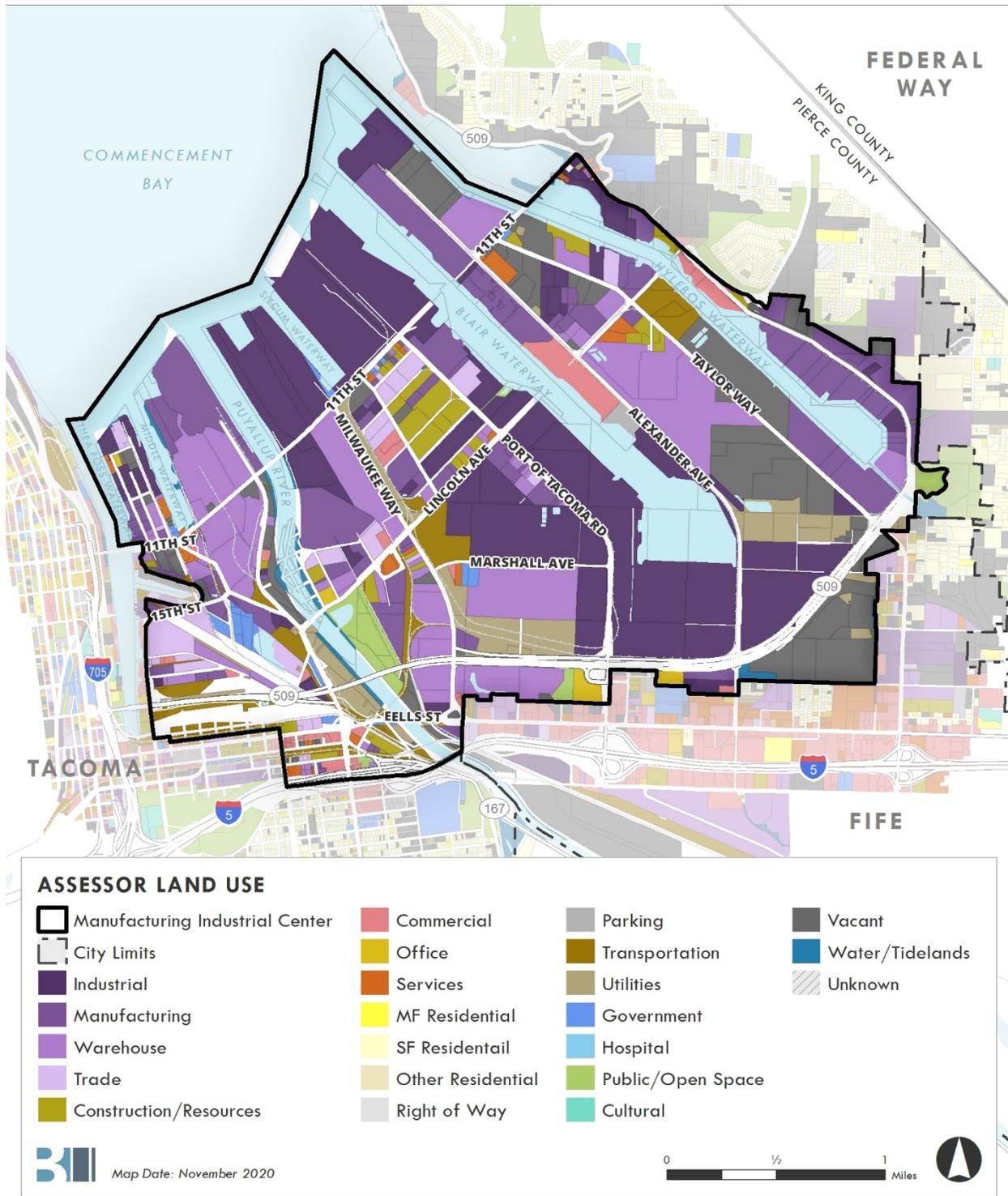
## Exhibit 8. Generalized Land Use – Full Study Area



Source: City of Tacoma 2021.

A parcel map shows industrial, manufacturing, warehousing, transportation, utilities, commercial, office, and public uses in the Tideflats area. See Exhibit 9.

Exhibit 9. Tidelands Land Use – Study Area, 2020



Source: City of Tacoma, 2020; BERK, 2020.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial

significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The study area does not contain working farmlands or working forest lands of long-term significance. The area is largely in industrial use in the Port M/IC and South Tacoma M/IC with residential and open space along Marine View Drive.

*1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:*

There are no working farmlands or working forest lands of long-term significance abutting the study area. Such uses are not designated in the City or County Comprehensive Plans in or abutting the study area.

c. Describe any structures on the site.

As seen on Exhibit 8, there are large industrial and manufacturing structures in the industrial zones and smaller scattered residential uses along Marine View Drive.

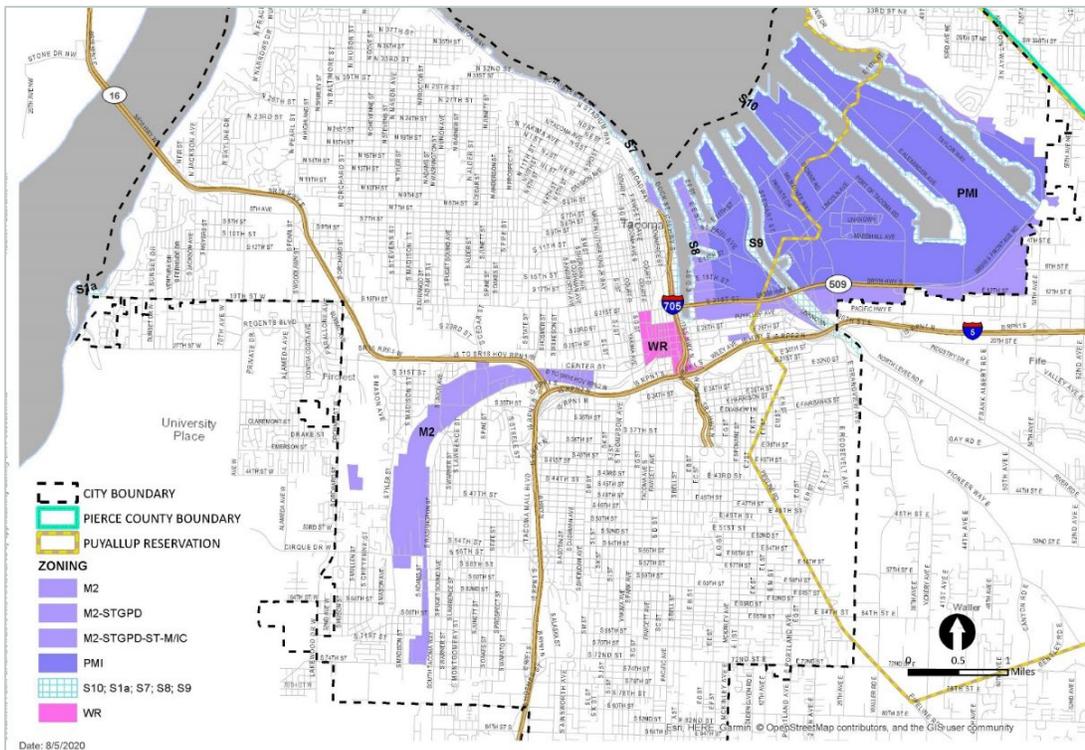
d. Will any structures be demolished? If so, what?

Not applicable – not a site specific proposal.

e. What is the current zoning classification of the site?

Most of the Port M/IC is zoned predominantly Port Maritime and Industrial (PMI), and M-2 to the south and west. South Tacoma M/IC is zoned predominantly M-2 Heavy Industrial. See Exhibit 10.

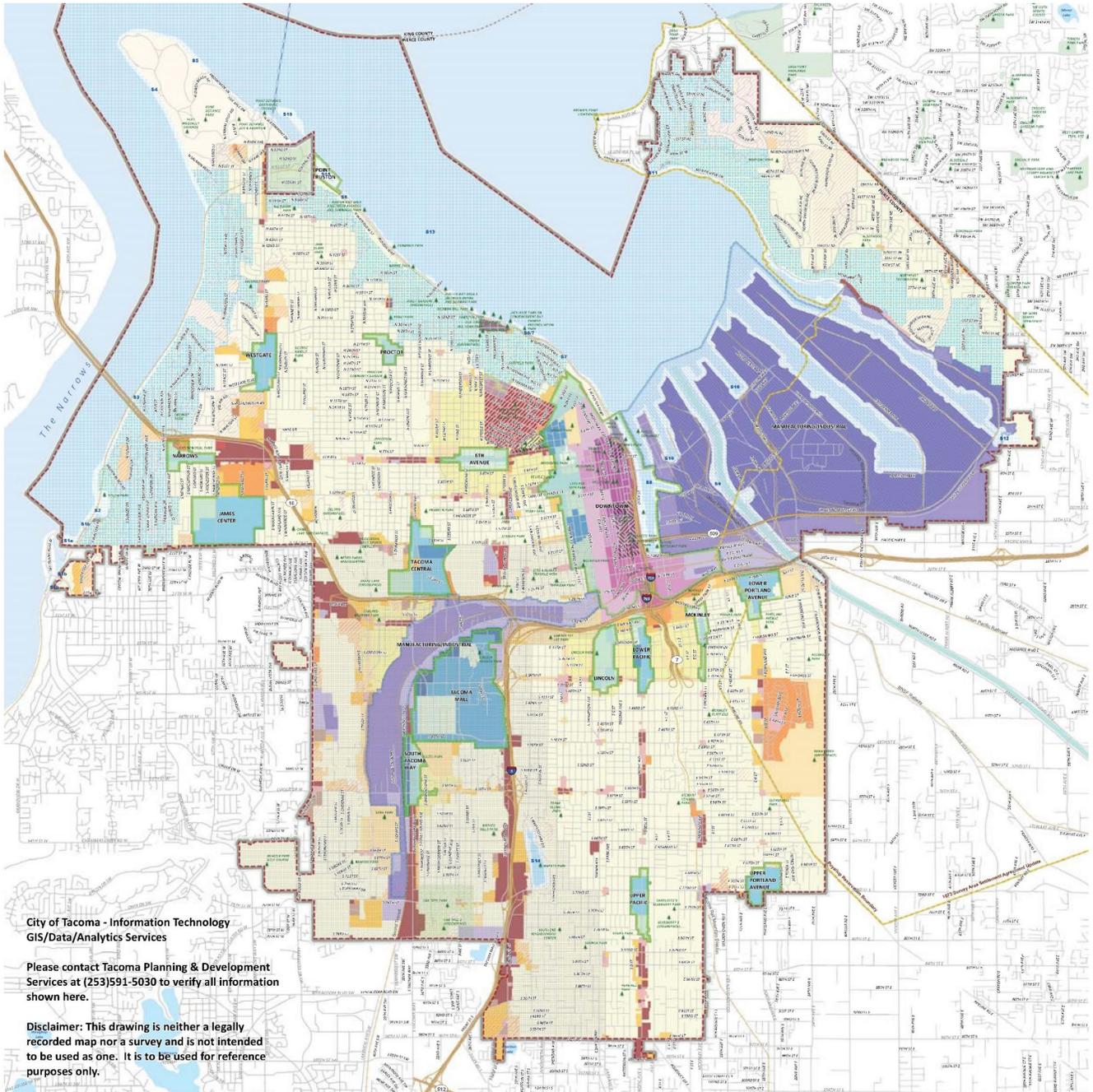
## Exhibit 10. Zones and Industrial Use Restrictions – Area of Applicability



Source: City of Tacoma, 2020.

West of the Port M/IC are Downtown zoning districts. The Marine View Drive area is zoned predominantly R-2 with a View Sensitive District Overlay. Smaller areas of R-2 and R-3. Areas west of the South Tacoma M/IC are also residentially zoned. See Exhibit 11.

# Exhibit 11. Citywide Zoning Map



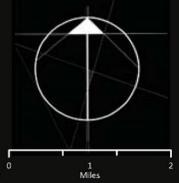
City of Tacoma - Information Technology  
GIS/Data/Analytics Services

Please contact Tacoma Planning & Development  
Services at (253)591-5030 to verify all information  
shown here.

**Disclaimer:** This drawing is neither a legally  
recorded map nor a survey and is not intended  
to be used as one. It is to be used for reference  
purposes only.



Map Location



0 1 2  
Miles

<ul style="list-style-type: none"> <li> City Limits</li> <li> County Boundary</li> <li> 1873 Survey Area - Settlement Agreement Update</li> <li> Mixed Use Centers</li> <li><b>Zoning Overlays</b></li> <li> COMS - Conservation</li> <li> HIST - Historical</li> <li> PRD - Planned Residential Development</li> <li> ST-M/C - South Tacoma Manufacturing / Industrial Center</li> <li> STGPD - South Tacoma Groundwater Protection</li> <li> VSD - View Sensitive</li> <li> ACD - Airport Compatibility Overlay</li> </ul>	<p><b>Zoning Districts</b></p> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li> R1 - One Family Dwelling</li> <li> R2 - One Family Dwelling</li> <li> R2-SRD - One Family Dwelling - Special Review</li> <li> HMB-SRD - Historic Mixed Residential - Special Review</li> <li> R3 - Two Family Dwelling</li> <li> R4 - Low Density Multiple Family Dwelling</li> <li> R4 - Multiple Family Dwelling</li> <li> R5 - Multiple Family Dwelling</li> <li> T - Transitional</li> </ul> <p><b>Commercial</b></p> <ul style="list-style-type: none"> <li> C1 - Commercial</li> <li> HM - Hospital/Medical</li> <li> PBD - Planned Business Development</li> <li> C2 - Commercial</li> <li> Mixed-Use Center</li> <li> MIX - Neighborhood Residential Mixed Use</li> <li> URS - Urban Residential Mixed Use</li> <li> RIX - Residential Commercial Mixed Use</li> <li> NIX - Neighborhood Commercial Mixed-Use</li> <li> CIX - Community Commercial Mixed Use</li> <li> UICX - Urban Commercial Mixed Use</li> <li> HMX - Hospital/Medical Mixed Use</li> </ul>	<p><b>Downtown</b></p> <ul style="list-style-type: none"> <li> DR - Downtown Residential</li> <li> DMU - Downtown Mixed-Use</li> <li> WR - Warehouse/Residential</li> <li> DCC - Downtown Commercial Core</li> <li> Industrial</li> <li> M1 - Light Industrial</li> <li> M2 - Heavy Industrial</li> <li> PMI - Port Maritime and Industrial</li> <li> Shoreline</li> <li> Combined Shoreline</li> </ul>
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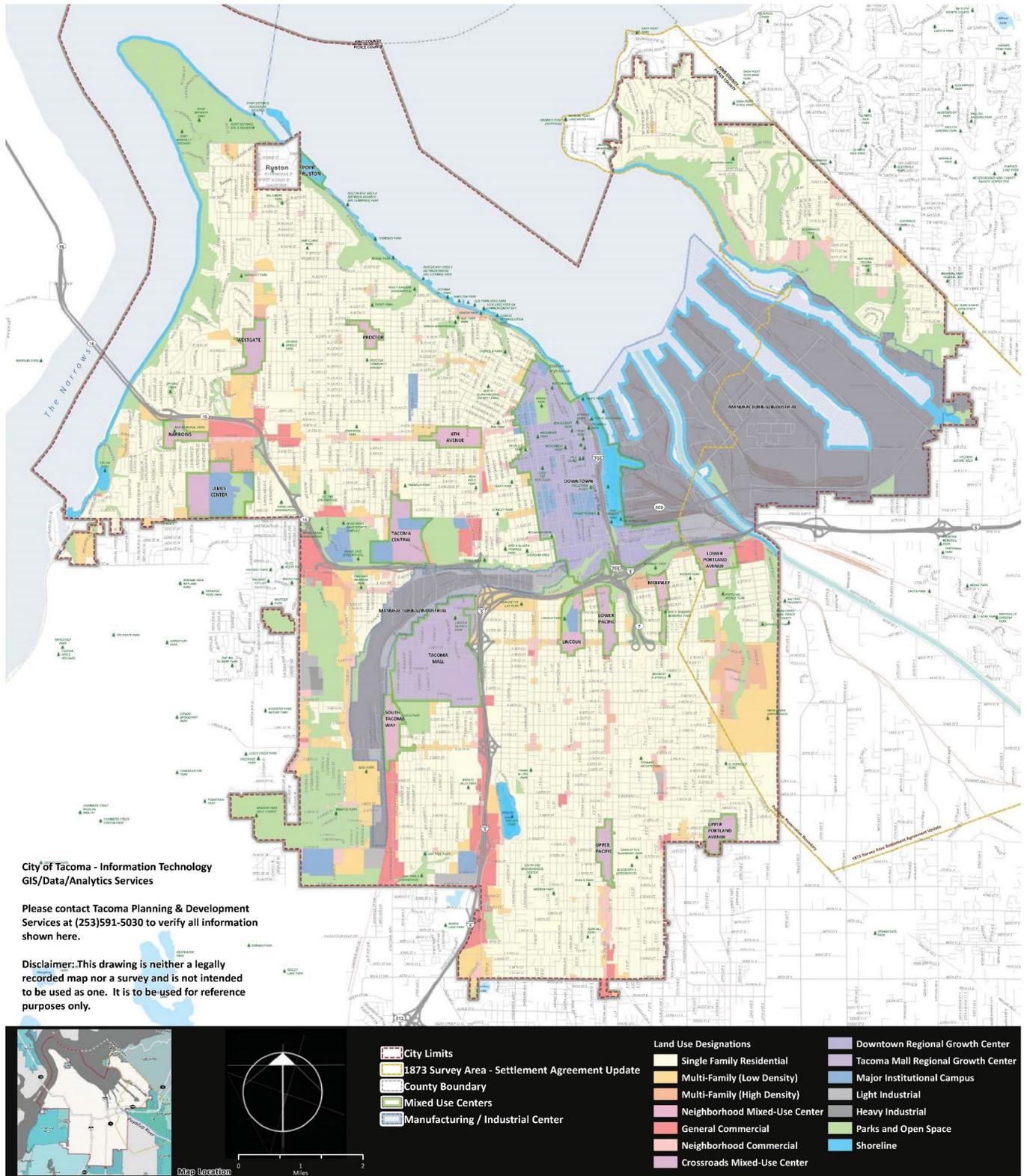
Source: City of Tacoma, 2020.



f. What is the current comprehensive plan designation of the site?

The Port M/IC area and the South Tacoma M/IC are designated Heavy Industrial. See Exhibit 12.

# Exhibit 12. Tacoma Future Land Use Map



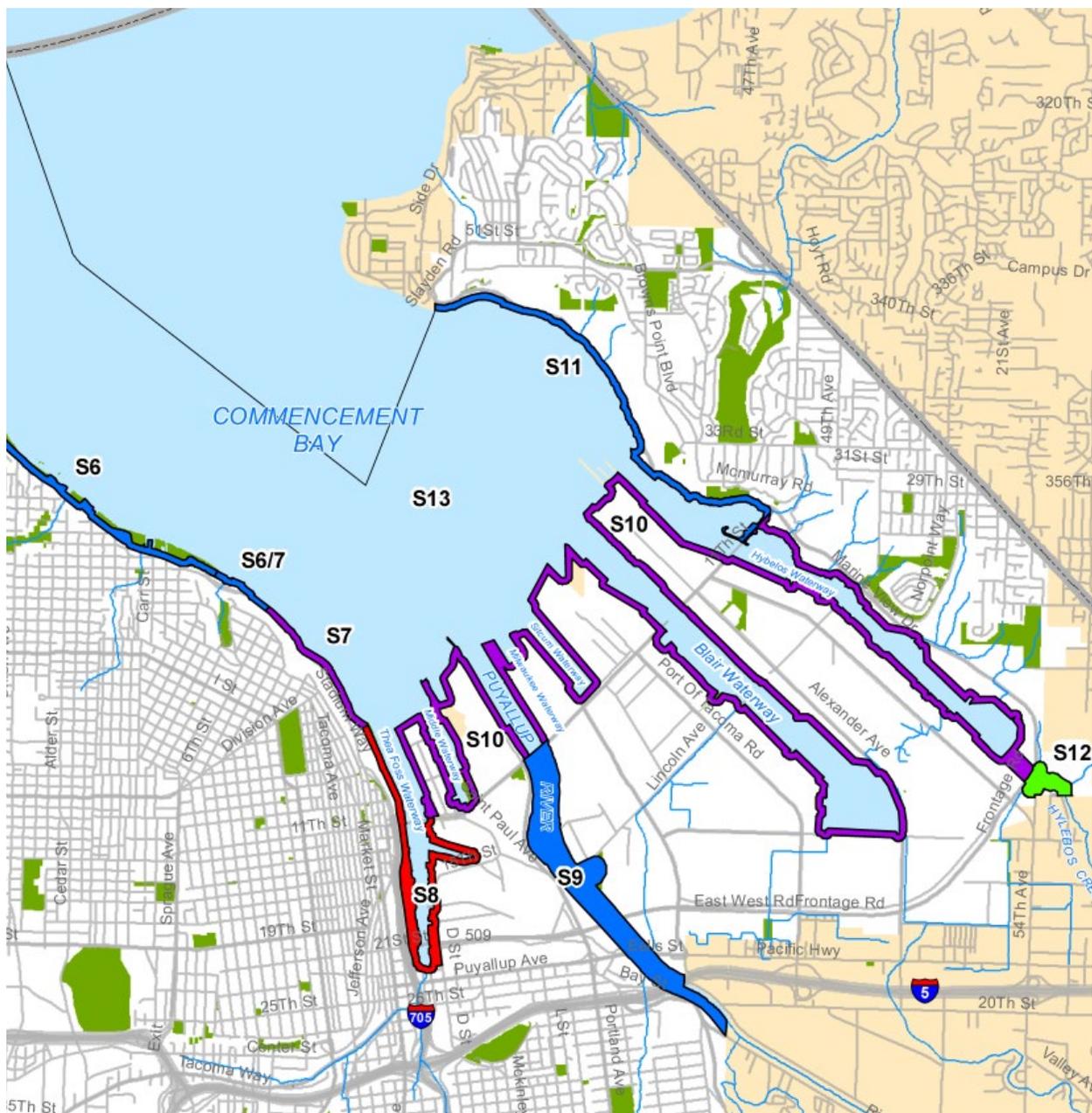
Source: City of Tacoma, 2020.

The Marine View Drive Area is largely designated Parks and Open Space and Single Family Residential. West of the Port M/IC is Downtown Regional Growth Center. West of the South Tacoma M/IC is Single Family Residential.

g. If applicable, what is the current shoreline master program designation of the site?

The City's SMP establishes 14 distinct shoreline districts. See Exhibit 13. Each district has shoreline environment designations, management policies, and use regulations applicable to properties in that district. See Exhibit 13.

Exhibit 13. Shoreline Environments Designation Map - City of Tacoma, 2020



Properties along Commencement Bay are included within the S-7, S-8, S-9, S-10, and S-11 Shoreline Districts and abuts District S-12. Each district is given a shoreline environment designation such as: Aquatic, Natural, Urban Conservancy, High Intensity, and Downtown Waterfront. Future permitted use activities within each district, as stated in the SMP, are described below for each district.

- **S-7 – Schuster Parkway (High Intensity):** The intent of this district “is to allow development of deep water terminal and light industrial facilities, support and retain water dependent commodity export business(es), and to preserve the character and quality of life in adjoining residential areas, school and park properties.”
- **S-8 – Thea Foss Waterway (Downtown Waterfront):** The intent of this district “is to improve the environmental quality of Thea Foss Waterway; provide continuous public access to the Waterway; encourage the reuse and redevelopment of the area for mixed-use pedestrian-oriented development, cultural facilities, marinas and related facilities, water-oriented commercial uses, maritime activities, water-oriented public parks and public facilities, residential development, and waterborne transportation; and to allow new water-oriented industrial uses where appropriate.”
- **S-9 – Puyallup River (Urban Conservancy):** The intent of this district “to encourage recreational development of the riverfront, ecological restoration activities that restore historic floodplain processes and functions, while allowing industrial development of adjacent upland areas, and to encourage continued preservation of Clear Creek, its associated wetlands, and related ecosystems. Permitted industrial uses will develop and operate in a manner that is compatible with shoreline ecological functions.”
- **S-10 – Port Industrial Area (High Intensity):** The intent of this district “is to allow the continued development of the Port Industrial Area, with an increase in the intensity of development and a greater emphasis on terminal facilities within the City.”
- **S-11 – Marine View Drive (Urban Conservancy):** The intent of this district is “to encourage the development of water-related parks, open space, and recreation facilities, to allow development of marinas and related facilities, water-oriented commercial uses, and residential uses that are compatible with the existing

shoreline processes and functions and that result in a net gain of shoreline functions over time.”

- **S-12 – Hylebos Creek (Natural):** The intent of the S-12 district “is to protect and restore the historic functions of Hylebos Creek and achieve a net gain of shoreline function over time.”
- **S-13 – Marine Waters of the State (Aquatic):** The intent of this district “is to maintain these water bodies for the use by the public for navigation, commerce and recreation purposes and to manage in-water structures in a consistent manner throughout the City’s shorelines.”

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Designated critical areas include all five types under the City’s Critical Areas Ordinance:

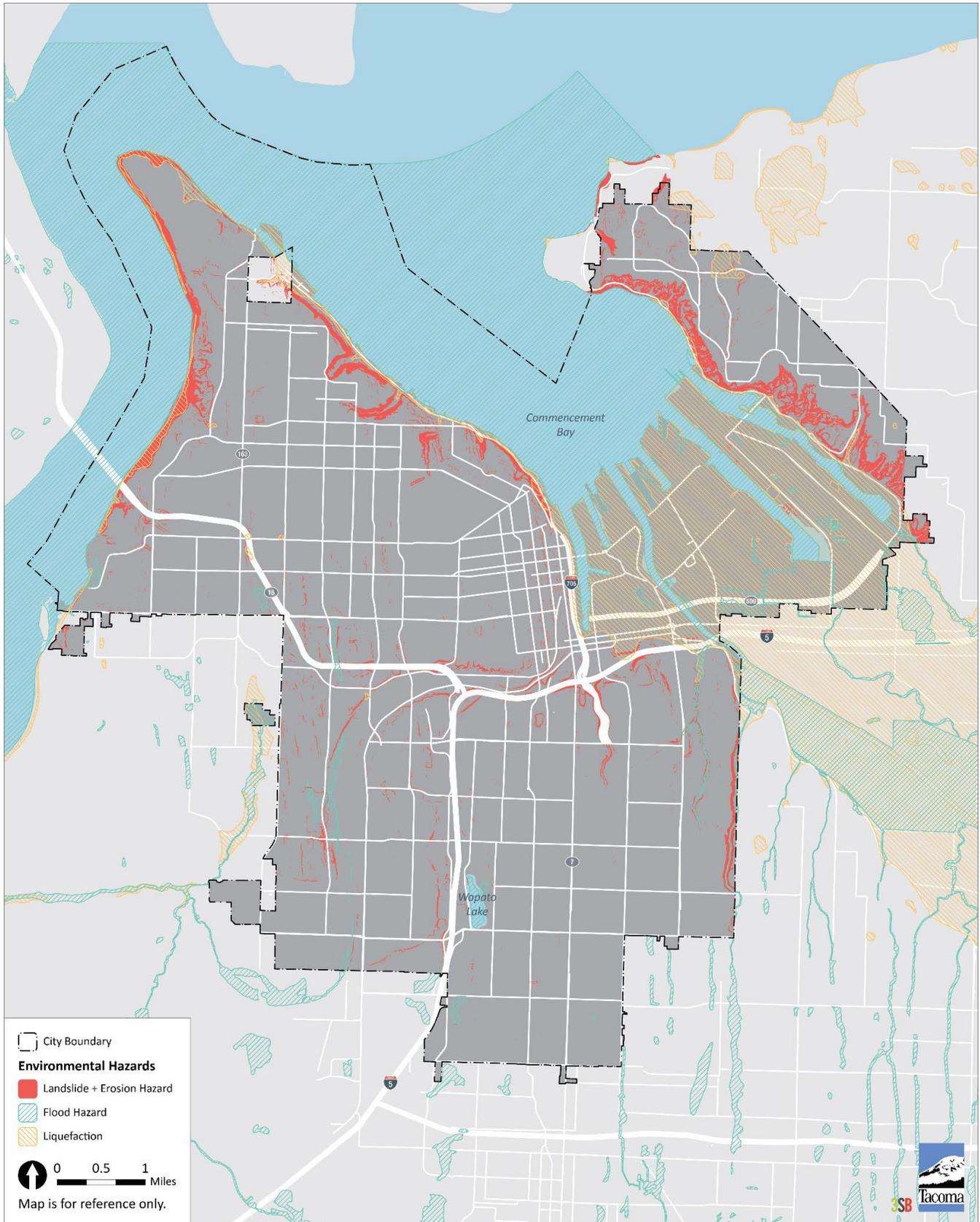
- Wetlands – see Exhibit 14
- Fish and Wildlife Habitat – see Exhibit 14
- Aquifer Recharge Areas – see Exhibit 14
- Geologic Hazard Areas – see Exhibit 15
- Floodplain Hazard Areas – see Exhibit 2

# Exhibit 14. Wetlands, Fish and Wildlife Habitat, Aquifer Recharge Areas, and Open Space Corridors



Source: City of Tacoma, [Staff Report Section D](#), Tacoma Comprehensive Plan 2015.

# Exhibit 15. Geologic Hazards



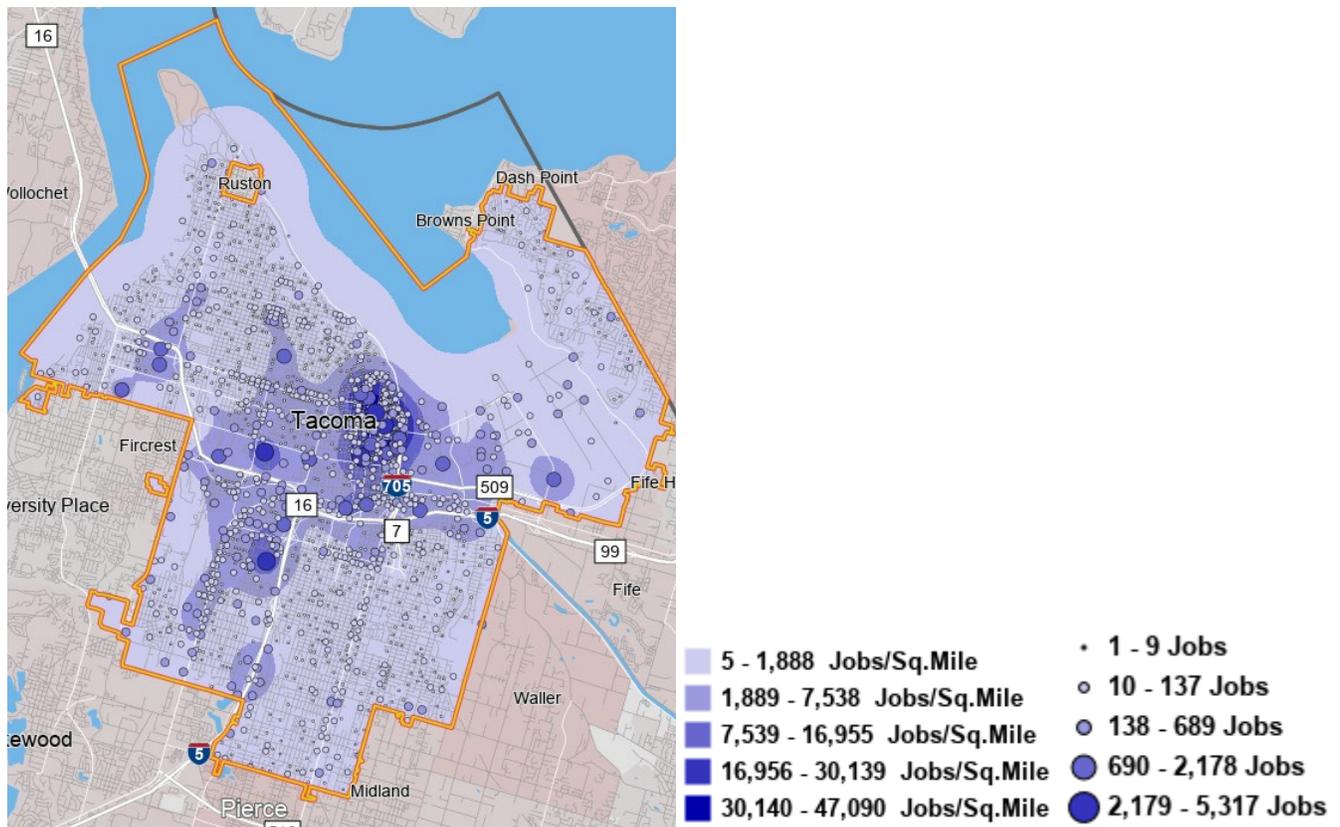
i. Approximately how many people would reside or work in the completed project?

As of 2019, total employment within the Port of Tacoma M/IC was 10,161, an increase of 735 jobs over the past 10 years. The Port M/IC has a small residential population of 353 as of 2020.

Beyond the small residential population there are major institutional uses in the Tideflats with group quarters. Located on Tacoma's Tideflats, the Northwest ICE Processing Center is the fourth-largest immigration detention center in the country. GEO Group, Inc. has operated the facility under contract with U.S. Immigration and Customs Enforcement since 2005. It has the capacity to house up to 1,575 immigrant detainees.

The South Tacoma M/IC is half of the acreage of the Port M/IC. Its employment levels are not immediately available. A map of job density in 2018 shows most jobs in Downtown and the mall area, and areas of low to moderate job densities in the two M/IC districts. See Exhibit 16.

**Exhibit 16. Census on the Map Total Jobs Public and Private 2018**



Source: Census on the Map 2018.



j. Approximately how many people would the completed project displace?

The non-project action does not propose site specific development that would displace current uses. Under Option A and Option C, there is less likelihood of conversion from industrial uses to non-industrial uses compared to Option B since Options A and C fulfill City policies in the Container Port Element and Comprehensive Plan to protect industrial uses. As well, under Options A and C, there would be less residential density to the east along Marine View Drive improving land use compatibility with industrial uses. Under all Options existing mine, smelter, chemical manufacturing, fossil fuel and renewable fuel can continue. Under Options B and C such uses could expand, whereas Option A would include more strict limits on expansions for fossil fuel facilities (no capacity additions). However, under Option C there is a potential to have new or expanded renewable fossil fuel industries with GHG mitigation. Thus, the job mix could change over time with new industries, but the current jobs are anticipated to remain.

k. Proposed measures to avoid or reduce displacement impacts, if any:

See 8.j above. For both the South Tacoma and Port M/IC there would be a reduction in non-industrial uses in industrial zones under Options A and C. See Appendix A which compares proposed allowable uses in the industrial zones.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

See 8.j and 8.k above regarding the limitation on non-industrial uses in industrial zones. Also, the Marine View Drive overlay would reduce allowable densities to the east of the Port M/IC under Options A and C. Option B would continue to allow some uses discouraged in the City's Comprehensive Plan and Container Port Element.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Not applicable. See 8.b.

## 9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable – not a site specific proposal. Under Options A, B, or C, housing is not a primary use in industrial zones. Housing would be more carefully permitted in the M-1 zone and prohibited in the M-2 and PMI zones under Options A and C. Caretaker quarters would continue to be allowed as would Live/Work and Work/Live.

Under Options A and C there would be limits on density along Marine View Drive. Option A would limit residential development to one dwelling unit per acre, focusing uses on single-family residential. The resulting density would be similar to the low density found in the area today. Under Option C not subdivision or platting would be allowed and residential development would be limited to one unit per established legal lot. Option B would allow residential development with a minimum lot size of 5,000 square feet. Considering the full overlay area proposed, following are statistics regarding ownership and current density, and the number of affected lots:

- Acreage of privately held lands: 761.91 Acres
- Acreage of publicly owned lands: 304.68 Acres
- Average private lot size: 1.88 acres
- Number of private lots: 449

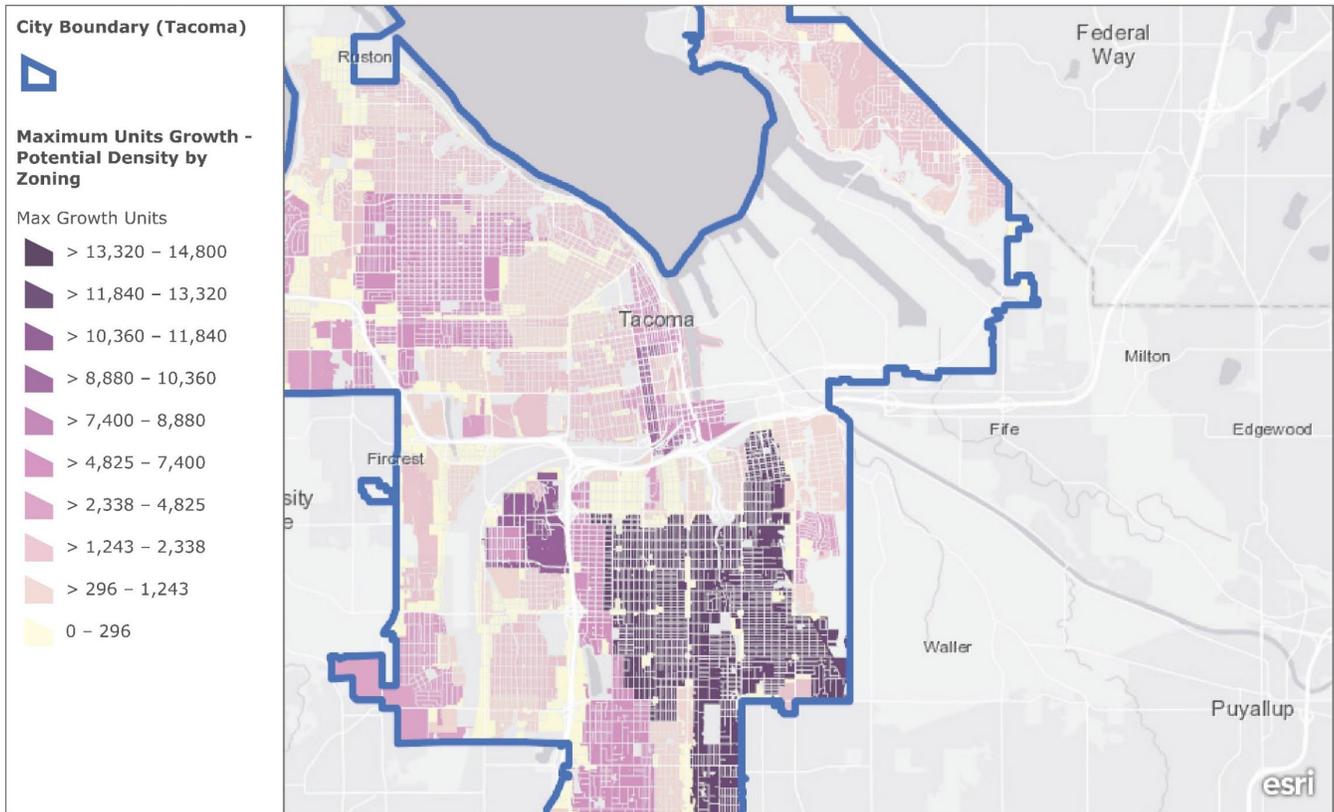
The extent of the overlay may vary to exclude northern and southern extents under Option A that extend beyond the Port M/IC active upland area. If the overlay is reduced in extent it would continue to limit density on the areas in parallel with port terminal activities. Regardless, Biodiversity Corridors and steep slope standards would limit development in areas north and south even if excluded from the proposed density overlay. Biodiversity Corridor standards generally limit clearing and grading to no more than 35% of the lot area.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable – not a site specific proposal. In areas along Marine Drive there are environmental limitations, and Options A and C would reduce housing densities accordingly to one per acre. Option A would not only limit densities but dwelling

types too, to focus on detached single family housing. In addition, housing related uses would be limited in industrial zones under Options A and C to improve land use compatibility with Port M/IC and South Tacoma M/IC and fulfill Comprehensive Plan policies, and for consistency with PSRC Centers criteria for M/IC areas. Other city zones and districts are primary locations for housing and the City would continue to meet its growth targets. See Exhibit 17.

**Exhibit 17. Housing Capacity per Zoning May 2020**



Housing capacity is based on the allowed housing density by acre per zoning district, discounting right of way, critical areas, setbacks and market factors.

Esri, HERE, NPS | Esri, HERE, NPS | City of Tacoma IT

Source: City of Tacoma, 2020.

**c. Proposed measures to reduce or control housing impacts, if any:**

No significant impacts are identified for the non-project proposal. The City would continue to implement its Comprehensive Plan housing and mixed use designations, and Land Use Regulatory Code, TMC Title 13. The limitation on residential uses in industrial zones and density reductions along Marine View Drive would improve housing compatibility with employment uses.

## 10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable – not a site specific proposal. No changes to allowed heights are proposed.

- b. What views in the immediate vicinity would be altered or obstructed?

View protection overlays along Marine View Drive would be retained under all Options. The density reductions along Marine View Drive under Options A and C could help retain tree cover, which could limit the changes to views. See Exhibit 3.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

No significant impacts are identified for the non-project proposal. The zone based height standards and view protection overlays in Land Use Regulatory Code, TMC Title 13 would be retained and applied.

## 11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable – not a site specific proposal. No changes to regulations addressing light and glare are proposed.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable – not a site specific proposal. No changes to regulations addressing light and glare are proposed.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable – not a site specific proposal. No changes to regulations addressing light and glare are proposed.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Land Use Regulatory Code, TMC Title 13 would be retained and applied including lighting standards and avoiding light and glare (e.g. signs).

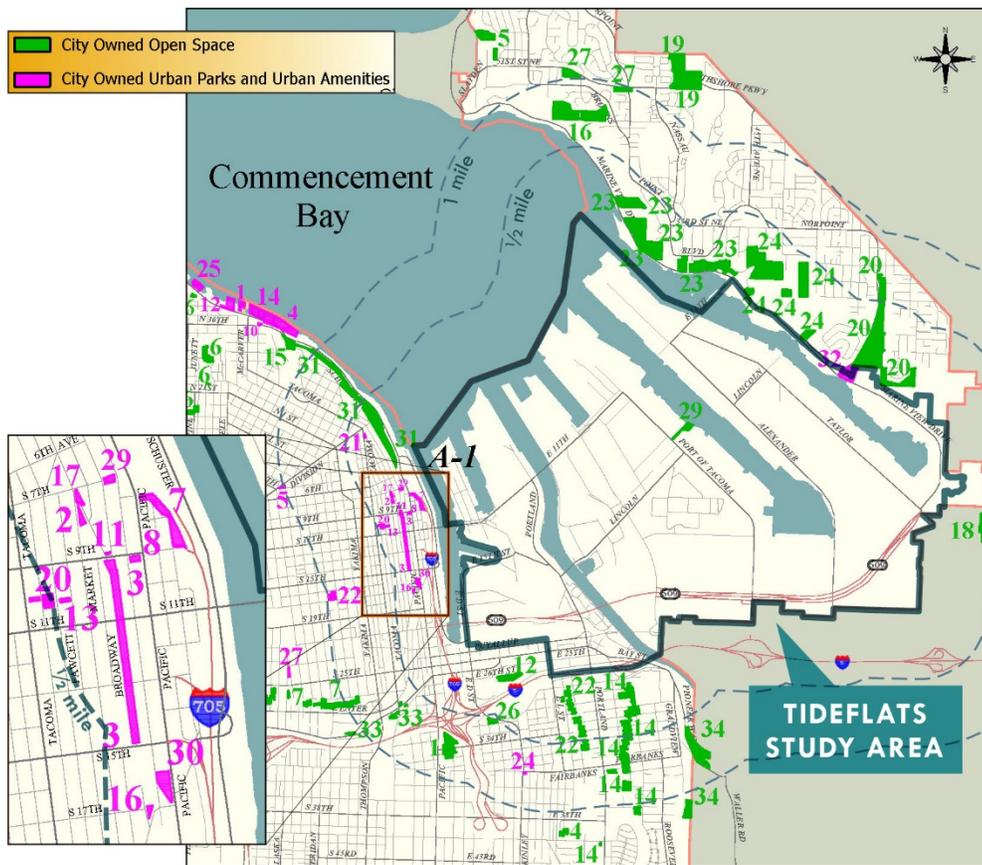


## 12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Two parks are located in the Port M/IC and many open spaces are located along Marine View Drive. See Exhibit 18.

Exhibit 18. Tacoma Parks and Open Space in Vicinity of Marine View Drive and Tideflats Area, 2020



ID	DESCRIPTION	DISTANCE	SIZE	ID	DESCRIPTION	DISTANCE	SIZE
Urban Parks/Amenities <sup>1</sup>				Open Space <sup>2</sup>			
2	Ben Gilbert Park	Within ½ mile	0.12	7	Center Street	Within 1 mile	11.91
3	Broadway Plaza	Within ½ mile		12	Dome Slope	Within ½ mile	3.34
7	Fireman's Park	Within ½ mile	1.79	14	First Creek	Within ½ mile	23.55
8	Frost Memorial Park	Within ½ mile	0.13	16	Harbor Ridge	Within 1 mile	20.60

11	Gunderson Point	Within ½ mile		18	Hylebos Creek	Within ½ mile	8.96
13	Harbor View Park	Within ½ mile	0.11	20	Julia's Gulch	Within ½ mile	41.66
16	Jefferson Ave Mini Parks	Within ½ mile	0.02	22	M Street Slope	Within ½ mile	6.77
17	Ledger Square	Within ½ mile	0.10	23	Marine View Drive	Within ½ mile	43.61
20	McCormick Park	Within ½ mile	0.56	24	Marine View Drive East	Within ½ mile	39.22
21	Norton Memorial Park	Within ½ mile	0.10	26	McKinley	Within 1 mile	0.83
22	People's Community Center	Within 1 mile	1.56	27	Northshore Parkway	Within 1 mile	4.46
24	Ray C. Roberts Memorial Park	Within 1 mile	0.14	<b>29</b>	<b>Rhone Poulenc</b>	<b>In Study Area</b>	<b>1.73</b>
29	Spanish Steps	Within ½ mile	0.10	31	Schuster Slope	Within ½ mile	22.36
30	Tollefson Plaza	Within ½ mile	0.60	33	South Tacoma Way	Within 1 mile	0.86
<b>32</b>	<b>View Point Park</b>	<b>In Study Area</b>	<b>2.00</b>	34	Swan Creek	Within 1 mile	11.43
<b>Total: 7.33 acres</b>				<b>Total: 241.29 acres</b>			

Note: The City departments with primary management responsibility for urban parks/amenities include Public Works – Real Property Services and Street Operations Divisions, and Planning and Development Services. The City departments with primary management responsibility for open space properties include Public Works – Real Property Services and Environmental Services.

Sources: City of Tacoma, 2019; City of Tacoma 2021–2026 Capital Facilities Plan, 2020; BERK, 2020.

Trails are also found in the Tideflats and Marine View Drive areas. See Exhibit 19.

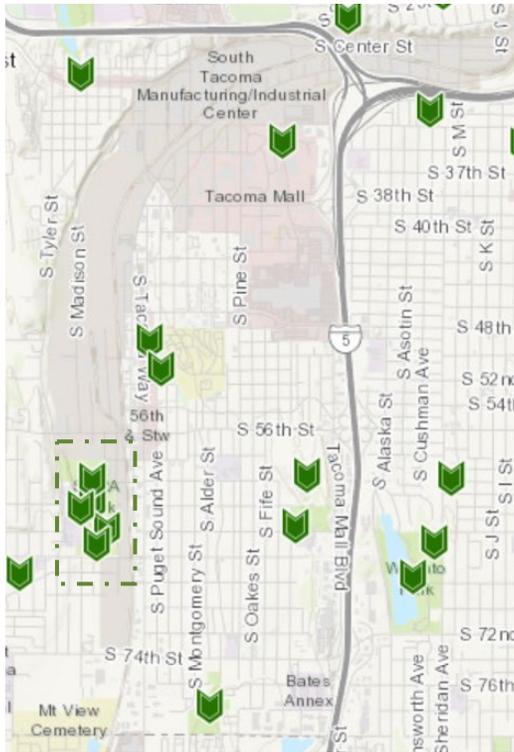
## Exhibit 19. Tacoma Signature and Natural Trails Near the Study Area, 2020



Source: One Tacoma Comprehensive Plan, 2019 (Figure 37); BERK, 2020.

The South Tacoma M/IC does not contain parks but abuts facilities such as SERA Sports Complex. See Exhibit 20.

## Exhibit 20. South Tacoma Area Parks



Source: [MetroParks Tacoma](#) 2021.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The regulations would not displace existing uses. Existing park and recreation uses would continue.

New High Intensity and Destination Park and Recreation facilities, which include stadiums, ballfields, and community centers, would change from a permitted use to a conditional use in the M-1 and M-2 zones under Option A. In the M-2 zone only indoor facilities are allowed.

High Intensity and Destination Park and Recreation facilities would become prohibited in the PMI zone under Option A.

Under Option B all High Intensity and Destination Park and Recreation facilities would be permitted and Option C would prohibit new facilities in the PMI and M-2 but allow expansion of existing uses.

Though there are no golf courses that exist, new ones would not be allowed.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The City would continue to implement the Parks and Recreation Element of its Comprehensive Plan in partnership with MetroParks Tacoma. Existing parks could continue and may require additional permit procedures for conditionally permitted or nonconforming parks under Options A. Option B would continue to allow for Parks, Recreation, and Open Space without additional standards.

### 13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Sites listed in the national, state, and city registers are found in Exhibit 21. There are about nine existing resources in the Tidelands area, and two listed and two eligible in the South Tacoma M/IC Vicinity.

**Exhibit 21. Historic Register-listed and Determined Eligible Resources**

Resource	Built Date	Site No.	Determined Eligible	Listed on NRHP	Listed on WHR	Listed on City of	DAHP Property ID
Tidelands Vicinity							
11 <sup>th</sup> Street Bridge/Murray Morgan Bridge/ City Waterway Bridge	1911	45-PI-654	x	x	x	x	54223
Fire Station No. 18 (Fireboat Station)*	1929	45-PI-653	x	x	x	x	31062
Lincoln Avenue Bridge	1929		x				90499
Puyallup River Bridge	1927		x				31786
Milwaukee Railroad – Puyallup River Bridge	1910		x				31231
Concrete Technology Corporation Plant	1951, 1956		x				91536



Resource	Built Date	Site No.	Determined Eligible	Listed on NRHP	Listed on WHR	Listed on City of	DAHP Property ID
Fire Station No. 15	1905	45-PI-650		x	x	x	31605
Educators Manufacturing Company Building	1956 / 1957 / 1962		x				709853
Tacoma Substation (BPA)	1942		x				705968
Puyallup Waterway Crossing**	1909	45-PI-260	x	x	x		700295
Unnamed Building**	1925		x				158399
Fire Station No. 12**	1948		x				705766
M.V. Kalakala Ferry**	1935	45-PI-742	x	x	x		700376
<b>South Tacoma M/IC Vicinity</b>							
The Coffee Pot Restaurant	1929-30			x	x	x	675949
Oakland High School	1908-10					x	n/a
Tacoma Water Works	1939		x				25581
Northwest Chair Company (Self Storage)	1918		x				112685

Note: \* Resource is adjacent to the study area; \*\* Resource is mapped within the study area by DAHP but is no longer present.

Source: DAHP, 2021; Tacoma Register of Historic Places, 2019; ESA 2020; BERK 2021.

The DAHP WISAARD system contains 325 historic-aged built environment records within the Tideflats area. There are a number of sites also with structures greater than 45 years old in the South Tacoma MI/C.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any



material evidence, artifacts, or areas of cultural importance on or near the site?  
Please list any professional studies conducted at the site to identify such resources.

The study area is located within the ancestral lands of the Spuyaləpabs̓ who are also known today as the Puyallup Tribe of Indians. DAHP's Statewide Predictive Model classifies the Tideflats area as Very High risk for archaeological sites (DAHP 2010). The South Tacoma M/IC has areas of Moderate and High Risk.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The methods included review of inventoried data with the Department of Archeology and Historic Preservation (WISAARD).

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

There are no anticipated impacts as a result of non-project proposals; no changes to historic or cultural resource regulations are proposed. Under all studied Options, development would be subject to federal, state, and local laws protecting historic and cultural resources, including:

- National Historic Preservation Act (NHPA) (Title 54 United States Code [U.S.C.]); Section 106 of the NHPA (36 Code of Federal Regulations [CFR] Part 800)
- Native American Graves Protection and Repatriation Act (NAGPRA; 25 U.S.C. 2001–13)
- American Antiquities Act of 1906 (16 U.S.C. 432)
- Archaeological Resources Protection Act of 1979 (ARPA, 16 U.S.C. 470aa–470mm)
- Section 4(f) of the Department of Transportation Act (DOT Act, 49 U.S.C. 303)
- Abandoned Shipwreck Act, of 1988 (ASA, 43 U.S.C. 2101–2106)
- Procedures for State, Tribal, and Local Government Historic Preservation Programs (36 CFR Part 61)
- State Environmental Policy Act (RCW 43.21C, WAC 197-11-330)



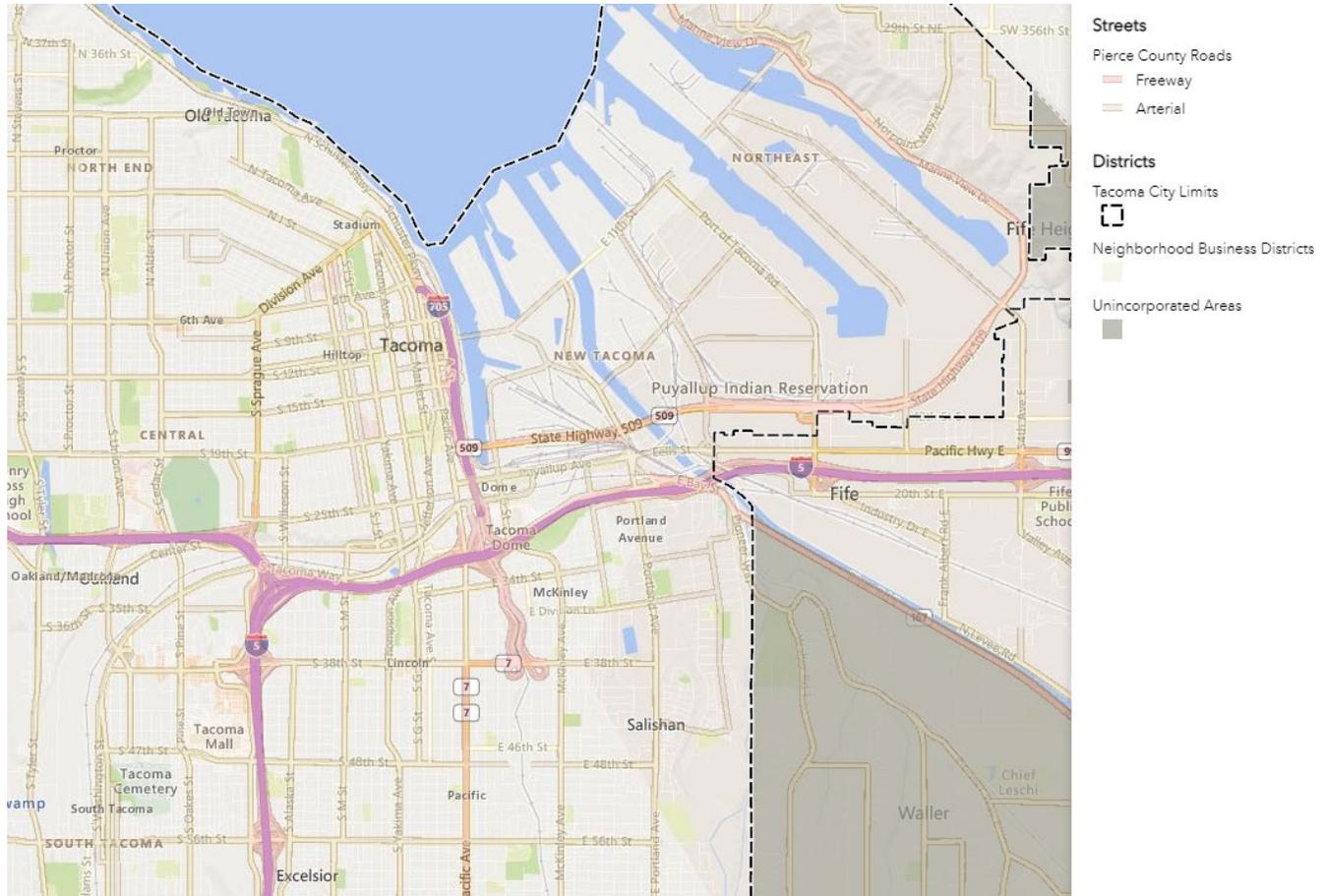
- Governor’s Executive Order 05–05
- Washington Heritage Register (Senate Bill 363; RCW 27.34.200, WAC 25–12)
- Archaeological Sites and Resources (RCW 27.53)
- Archaeological Site Public Disclosure Exemption (RCW 42.56.300)
- Human Remains (RCW 68.50)
- Indian Graves and Records (RCW 27.44)
- Abandoned and Historic Cemeteries and Historic Graves (RCW 68.60)
- Archaeological Excavation and Removal Permit (WAC 25 48)
- Archaeological activities on state–owned aquatic lands – Agreements, leases, or other conveyances (RCW 79.105.600)
- City of Tacoma Historic Preservation Plan (Amended Ordinance No. 27996)
- City of Tacoma Shoreline Master Program (TMC Title 19, Ordinance No. 28612)
- Landmarks Preservation Commission (TMC Chapter 1.42)
- Preventing Neglect of Historic Properties (TMC Chapter 8.35)
- Historic Preservation Land Use Decisions (TMC Chapter 13.05.040)
- Tacoma Landmarks and Historic Special Review Districts Code (TMC Chapter 13.07)
- Archaeological, Cultural, and Historic Resources (TMC Chapter 13.12.570)

## 14. TRANSPORTATION

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The study area as a whole is a predominantly vehicle–oriented environment, with a large share of truck freight traveling between it and regional highways as well as along arterials. See Exhibit 22.

## Exhibit 22. Freeways and Arterials Port M/IC and South Tacoma M/IC Vicinities



Source: City of Tacoma 2021.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable – not a site specific proposal. The study area is served by both Pierce Transit and Sound Transit.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable – not a site specific proposal. No changes are proposed to parking standards as a result of the studied Options.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

The nonproject proposals in Options A and C do not alter the City's growth targets or the City's planned roadway and nonmotorized road improvements. Most city roadways within the study area have sidewalks on at least one side of the street outside of the industrial core areas. The study area contains a mixture of bicycle facilities including striped lanes, multiuse trails, and wide shoulders. The Transportation Element of the Comprehensive Plan would continue to be implemented.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The study area includes areas served by water and rail transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable – not a site specific proposal. The City's Comprehensive Plan is based on growth targets that are the basis for planned improvements; growth projections are not anticipated to change as a result of the Options.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

The study area contains port facilities that move a wide range of goods. No changes to the movement of resource products are anticipated.

- h. Proposed measures to reduce or control transportation impacts, if any:

There are no anticipated impacts as a result of non-project proposals; no changes to transportation regulations are proposed. Under all studied Options, development would be subject to:

- Concurrency Management System, TMC 13.16

- Commute Trip Reduction, TMC 13.15
- Parking, Loading, Pedestrian and Bicycle Support Standards, Transit Support Facilities, TMC 13.06.090.C–H
- Public Works, Title 10, including Sidewalks and Complete Streets

## 15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable – not a site specific proposal. Under all studied Options, future development would have a demand for public services. The Options do not alter growth targets anticipated in the Comprehensive Plan Capital Facilities Element.

The Port M/IC (Tideflats) has a mix of land uses and operations that have the potential for serious fire or EMS emergencies. Emergency response times to the Tideflats have increased over the past several years. The City has adopted an improvement program of roads and new/replaced fire stations.<sup>3</sup>

The South Tacoma M/IC is considered to have a relatively higher number of moderate and high-risk fires. Both the Port M/IC (Tideflats) and South Tacoma M/IC are considered to have a Specialty Risk (haz-mat/technical rescue/marine firefighting and rescue). The Port M/IC (Tideflats) is anticipated to have the highest overall risk for a natural disaster (earthquake/lahar/landslide/tsunami/flood/drought/ wind). The Port M/IC (Tideflats) is also considered to have a high overall human caused risk for technological reasons (civil disturbance, epidemic, energy emergency).<sup>4</sup>

Options A and C would limit land uses with greater potential for fire and emergency medical services in the Tideflats due to their use of hazardous and explosive materials:

- Smelting

<sup>3</sup> Tacoma Fire Department, March 2016. Tideflats Emergency Response Plan. Available: [https://cms.cityoftacoma.org/Planning/ER-ITS/Tideflats\\_ER\\_Plan\\_Final\\_March2016.pdf](https://cms.cityoftacoma.org/Planning/ER-ITS/Tideflats_ER_Plan_Final_March2016.pdf).

<sup>4</sup> Tacoma Fire Department. 2016. All-Hazards Risk Assessment. Available: <https://cms.cityoftacoma.org/fire/Website%202013/all-hazards%20risk%20assessment%202016.pdf>.



- Coal Storage and Export
- Chemical Manufacturing
- Oil and Liquefied and Gaseous Fossil Fuel

b. Proposed measures to reduce or control direct impacts on public services, if any.

There are no anticipated adverse impacts as a result of non-project proposals. Future development would be required to meet:

- Fire and Emergency Medical Services, TMC Title 3
- Public Safety, Title 8

## 16. UTILITIES

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

Urban utilities are available to the study area. Future development would be required to meet City utility standards including Title 12 Utilities addressing power, wastewater, and water.

b. Describe the utilities that are proposed for the project, the utility providing the service,  
and the general construction activities on the site or in the immediate vicinity which might  
be needed.

Not applicable – not a site specific proposal.

## C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.



## D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

*Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.*

*When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.*

*1) How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?*

See B.2, B.3, and B.7.

Proposed measures to avoid or reduce such increases are:

See B.2, B.3, and B.7.

*2) How would the proposal be likely to affect plants, animals, fish, or marine life?*

See B.4 and B.5.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

See B.4 and B.5.

*3) How would the proposal be likely to deplete energy or natural resources?*

See B.6.

Proposed measures to protect or conserve energy and natural resources are:

See B.6.

*4) How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?*

See B.4, B.5, B.8, and B.12.

Proposed measures to protect such resources or to avoid or reduce impacts are:

See B.4, B.5, B.8, and B.12.

5) *How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?*

See B.8.

Proposed measures to avoid or reduce shoreline and land use impacts are:

See B.8.

6) *How would the proposal be likely to increase demands on transportation or public services and utilities?*

See B.14, B.15, and B.16.

Proposed measures to reduce or respond to such demand(s) are:

See B.14, B.15, and B.16.

7) *Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.*

Option A would solidify code changes intended to increase consistency with federal, state, and city plans, policies, and strategies. See Exhibit 23. Option B is the least consistent. Option C is similar to Option A though it is not as fully developed with regard to renewable fuels, and is interim in nature.

### Exhibit 23. Policy Evaluation Summary

Major Element	Federal/State/Regional Plans	One Tacoma Comprehensive Plan and Supporting Plans
Expanded Permit and Land Use Notifications	Supports State Growth Management Act Goal (11) Citizen participation and coordination.	Supports policies in the One Tacoma Engagement, Administration + Implementation Element.
Limit Conversion of Industrial Lands to Non-Industrial Uses	Supports State Growth Management Act Goal (5) Economic development.	Supports policies in the One Tacoma:



Major Element	Federal/State/Regional Plans	One Tacoma Comprehensive Plan and Supporting Plans
	<p>Consistent with RCW 36.70A.085 Port elements.</p> <p>Supports RCW 90.58.020 and RCW 90.58.100 use preferences to promote uses that are water dependent like marine terminals, those that are water dependent, and water enjoyment.</p> <p>PSRC VISION 2050 supports the Tacoma Tideflats M/IC where employment growth and infrastructure are prioritized.</p>	<ul style="list-style-type: none"> <li>▪ Container Port Element</li> <li>▪ Urban Form Element (planning targets)</li> <li>▪ Economic Development Element</li> </ul>
Reduce Residential Encroachment	PSRC VISION 2050 centers policies support limiting encroachment by incompatible uses in industrial areas.	<p>Supports policies in the One Tacoma:</p> <ul style="list-style-type: none"> <li>▪ Container Port Element</li> <li>▪ Environment and Watershed Health Element</li> <li>▪ Design and Development Element</li> </ul>

Major Element	Federal/State/Regional Plans	One Tacoma Comprehensive Plan and Supporting Plans
Siting and Expansion of High Risk/High Impact Heavy Industrial Uses	<p>Federal Magnuson Amendment: restrict tanker traffic in Puget Sound in order to protect the navigable waters thereof, the natural resources therein, and the shore area immediately adjacent thereto, from environmental harm.</p> <p>State Ocean Resources Management Act: addressing marine-based industries and activities, such as fishing, aquaculture, tourism, and marine transportation.</p> <p>State Shoreline Management Act, Shorelines of Statewide Significance, Statewide Interests Protected, Reasonable And Appropriate Uses</p>	<p>One Tacoma:</p> <ul style="list-style-type: none"> <li>▪ Urban Form Element (planning targets)</li> <li>▪ Environment and Watershed Health</li> </ul> <p>City Resolution 40509 to transition to a carbon-neutral economy.</p> <p>Climate Change Resiliency Study (2016)</p> <p>Washington Coastal Resilience Project (2016–2018).</p> <p>Tideflats Emergency Response Plan (2016).</p>

For a complete listing of relevant policies and findings, see:

- [Staff Report and Exhibits Section A: Permit Notification](#)
- [Staff Report and Exhibits Section B: Conversion of Industrial Lands](#)
- [Staff Report and Exhibits Section C: Residential Encroachment](#)
- [Staff Report and Exhibits Section D: Siting of Heavy Industrial Uses](#)

# Appendix A: Option Descriptions

# Appendix A.

## Tideflats and Industrial Land Use Regulations

### Description

#### INTRODUCTION AND PURPOSE

The City of Tacoma is proposing new permanent land use regulations in the Port of Tacoma Manufacturing and Industrial Center and Industrial Zoning Districts City-wide to address the following issues:

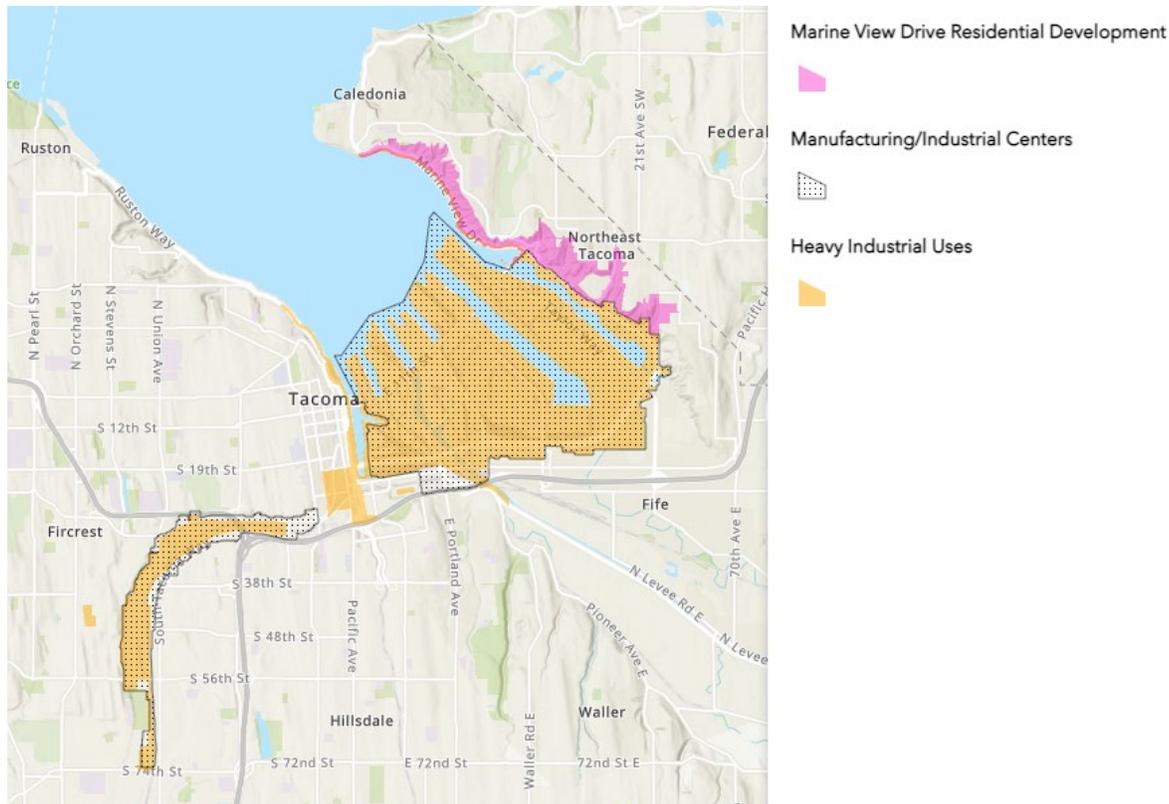
- Public notification requirements for permits and land use amendments;
- Conversion of industrial lands to non-industrial uses;
- Encroachment of residential developments on industrial lands; and
- Siting of potentially high risk/high impact heavy industrial uses.

With new permanent regulations, interim regulations first established in November 2017 through Ordinance 28470, and renewed every six months through June 2 of 2021, would expire.

#### AFFECTED AREAS

The land use regulations apply to different components of heavy industrial areas and adjacent residential lands illustrated on Exhibit 1.

## Exhibit 1. Study Area



Source: City of Tacoma, 2021

## ALTERNATIVES

The City is conducting an environmental review of the proposed permanent regulations under the State Environmental Policy Act (SEPA). A SEPA Checklist has been prepared to examine three alternatives to consider a range of possible code changes:

- Option A: Proposal Alternative – Planning Commission Hearing Draft for February 3, 2021.
- Option B: Baseline – the “No Action” Pre-Interim Ordinance.
- Option C: Current Ordinance – the Interim Regulations that are in effect.

Each option is compared below for the major topics evaluated.

## OPTION COMPARISONS

### Expanded Public Notification

Permit and land use notifications are intended to ensure that potentially impacted parties are aware of permit applications and have an opportunity to participate in the permit process. Due to the size of the City’s industrial areas in South Tacoma and the Tideflats, permit notification distances for direct mailing were found insufficient to notify potentially impacted communities of the projects under consideration.

The proposed amendments address TMC 13.05 Land Use Permits and Procedures and TMC 13.02 Planning Commission.

The amendments identify specific permit types that are subject to expanded notification: heavy industrial uses requiring SEPA determinations, conditional use permits, and all types of shoreline permits.

Public hearing notice procedures would be amended to:

- Extend notices to occupants as well as taxpayers;
- Extend notification distances to 2500’ of a subject property for all land use designation changes and area-wide zoning reclassifications;
- Extend notification distances for designated Regional Growth Centers and Manufacturing and Industrial Centers to 2500’ of the center boundary for land use designation changes and areawide zoning reclassifications.

Other proposed modifications would expand the pool of persons notified beyond taxpayers to include residents/occupants, as well as adjacent cities and the Puyallup Tribe of Indians:

Exhibit 2 compares public notification requirements for permits under each Option studied.

#### Exhibit 2. Public Notification Requirements for Permits and Land Use Amendments

Element	Option A: Proposal	Option B: No Action/ Pre-Interim	Option C: Current Interim Regulations
Types of Permits subject to expanded notification for Heavy Industrial Uses	<ul style="list-style-type: none"> <li>▪ SEPA DNS</li> <li>▪ SEPA EIS</li> <li>▪ Conditional Use Permits</li> </ul>	No permit types subject to expanded notification.	Same as Option A.

Element	Option A: Proposal	Option B: No Action/ Pre-Interim	Option C: Current Interim Regulations
	<ul style="list-style-type: none"> <li>Shoreline Permits (All)</li> </ul>		
Who is Notified of Public Hearings	<ul style="list-style-type: none"> <li>Extend notices to occupants as well as taxpayers.</li> <li>Adjacent Jurisdictions</li> <li>Tribes</li> </ul>	<ul style="list-style-type: none"> <li>Taxpayers</li> </ul>	Same as Option A.
Notification Buffer for Land Use Permits associated with Heavy Industrial Uses	<ul style="list-style-type: none"> <li>SEPA DNS: 2,500 feet</li> <li>SEPA EIS: 2,500 feet</li> <li>Conditional Use Permits: 2,500 feet</li> <li>Shoreline Permits (All): 2,500 feet</li> </ul>	<ul style="list-style-type: none"> <li>SEPA DNS: Determined by base permit.</li> <li>SEPA EIS: 1,000 feet</li> <li>Conditional Use Permits: 400 feet &lt; 1ac, 1,000 feet &gt; 1 ac</li> <li>Shoreline Permits (All): 400 feet</li> </ul>	Same as Option A.
Notification Buffer for Rezones and Comprehensive Plan Amendments	<ul style="list-style-type: none"> <li>Extend notification distances to 2500' of a subject property for all land use designation changes and area-wide zoning reclassifications.</li> <li>Extend notification distances for designated Regional Growth Centers and Manufacturing and Industrial Centers to 2500' of the center boundary for land use designation changes and areawide zoning reclassifications.</li> </ul>	<ul style="list-style-type: none"> <li>Rezones: 400 feet to 1,000 feet for public facility site</li> <li>Comprehensive Plan Amendments: 400 feet</li> </ul>	Same as Option B.
Community Meeting	<ul style="list-style-type: none"> <li>Required for Heavy Industrial Uses</li> </ul>	<ul style="list-style-type: none"> <li>SEPA DNS: Optional</li> <li>SEPA EIS: Required</li> <li>Conditional Use Permits: Required</li> <li>Shoreline Permits (All): Required</li> <li>Rezones: Required</li> </ul>	Same as Option A.

## Non-Industrial Uses in Industrial Zones

Regional and local policy supports the retention of industrial lands and protection of such lands from incompatible non-industrial uses; see the Puget Sound Regional Council's VISION 2050 / Manufacturing Industrial Center polices, Growth Management Act Container Port Element requirements, and the Shoreline Management Act use preferences. If the baseline zoning were left in place, significant non-industrial uses could locate in the Port M/IC thereby reducing the available land supply for industrial

use and creating long-term conflicts with prioritized uses and activities. The following code amendments are proposed to:

- Implement use priorities consistent with the Shoreline Management Act and Container Port Element of the Comprehensive Plan;
- Structure allowed, conditional, and prohibited uses based on the defined Core Area (S-10 Shoreline District and the Port Maritime Industrial District (PMI)) and Commercial/Industrial Buffer Area (M-2 Heavy Industrial and M-1 Light Industrial Zones);
- Broadly prohibit non-industrial uses that would have significant impacts on core container shipping activities or that would convert a significant industrial land area to non-industrial use;
- Establish a conditional use permit and criteria for specific non-industrial uses to ensure a site specific review of the potential impacts on existing and planned industrial uses.

Exhibit 3 compares proposed, current, and interim regulations regarding non-industrial uses.

**Exhibit 3. Conversion of Industrial Lands to Non-Industrial Uses**

Use Category	Option A Proposal Changes to Option B No Action / Pre-Interim				Difference of Option A Proposal with Option C Current Interim Regulations
	M-1	M-2	PMI	Use Notes	
<b>Agriculture</b>	<del>CU</del> -N	<del>CU</del> -N	<del>CU</del> -N		Interim M-1 = CU
<b>Airport</b>	<del>CU</del> -N	<del>CU</del> -N	<del>CU</del> -N		Interim M-1 = CU
<b>Commercial Recreation and Entertainment</b>	<del>CU</del> ** P	<del>CU</del> * P	N	*Indoor only ** Indoor and Outdoor	Interim M-1 = P Interim M-2 = CU~ a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district.

Option A Proposal Changes to Option B No Action / Pre-Interim					Difference of Option A Proposal with Option C Current Interim Regulations
Use Category	M-1	M-2	PMI	Use Notes	
Cultural Institution	<u>CU</u> P	<u>CU</u> P	N		Interim M-1 = P Interim M-2 = N
Dwellings	<u>CU</u> * P	N*	N*	*In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.	Interim M-1 = N*
Golf Course	<u>N</u> P	<u>N</u> P	N		Interim M-1 = P
Hospital	<u>CU</u> P	<u>N</u> P	N		Interim M-1 = P
Juvenile Community Facility	<u>CU</u> P	<u>N</u> P	<u>N</u> P		Interim M-1 = P
Marijuana Retailer	<u>P</u> * P	<u>CU</u> * P	<u>N</u> P	*Limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.	Interim M-1 = P, no size limit Interim M-2 = P, no size limit
Office	P*	P*	<u>CU</u> * P	* <del>Within the South Tacoma M/IC Overlay District,</del> <u>U</u> nless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.	Interim M-1 = P, no size limit Interim M-2 = P, no size limit

Option A Proposal Changes to Option B No Action / Pre-Interim					Difference of Option A Proposal with Option C Current Interim Regulations
Use Category	M-1	M-2	PMI	Use Notes	
Parks, Recreation and Open Space – High Intensity/Destination Facilities	<u>CU**</u> P	<u>CU*</u> P	<u>N</u> P	Subject to the requirements of Section <del>13.06.560.D</del> <u>13.06.080.L</u> . <u>*Indoor</u> only <u>**Indoor and Outdoor</u>	Interim M-1 = P Interim M-2 = N
Retail	P*	<u>CU*</u> P	<u>N</u> P*	<del>*Limited to 7,000 square feet of floor area, per development site, in the PMI District. ~Within the South Tacoma M/IC Overlay District, U</del> unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District. <del>Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per use, unless approved with a conditional use permit. See Section 13.06.640.J.</del>	Interim M-1 = P, different size limitation Interim M-2 = P, different size limitation Interim PMI = P subject to size limits
School, Public or Private	<u>CU</u> P	<u>N</u> P	<u>N</u> P	<u>General K-12 only</u> <del>*General K through 12 education not permitted in the PMI District or in the South Tacoma M/IC Overlay District.</del>	Interim M-1 = P
Work Release Center	CU	<u>N</u> CU	<u>N</u> P		Same as Option A



## Limit Residential Developments Near Industrial Zones

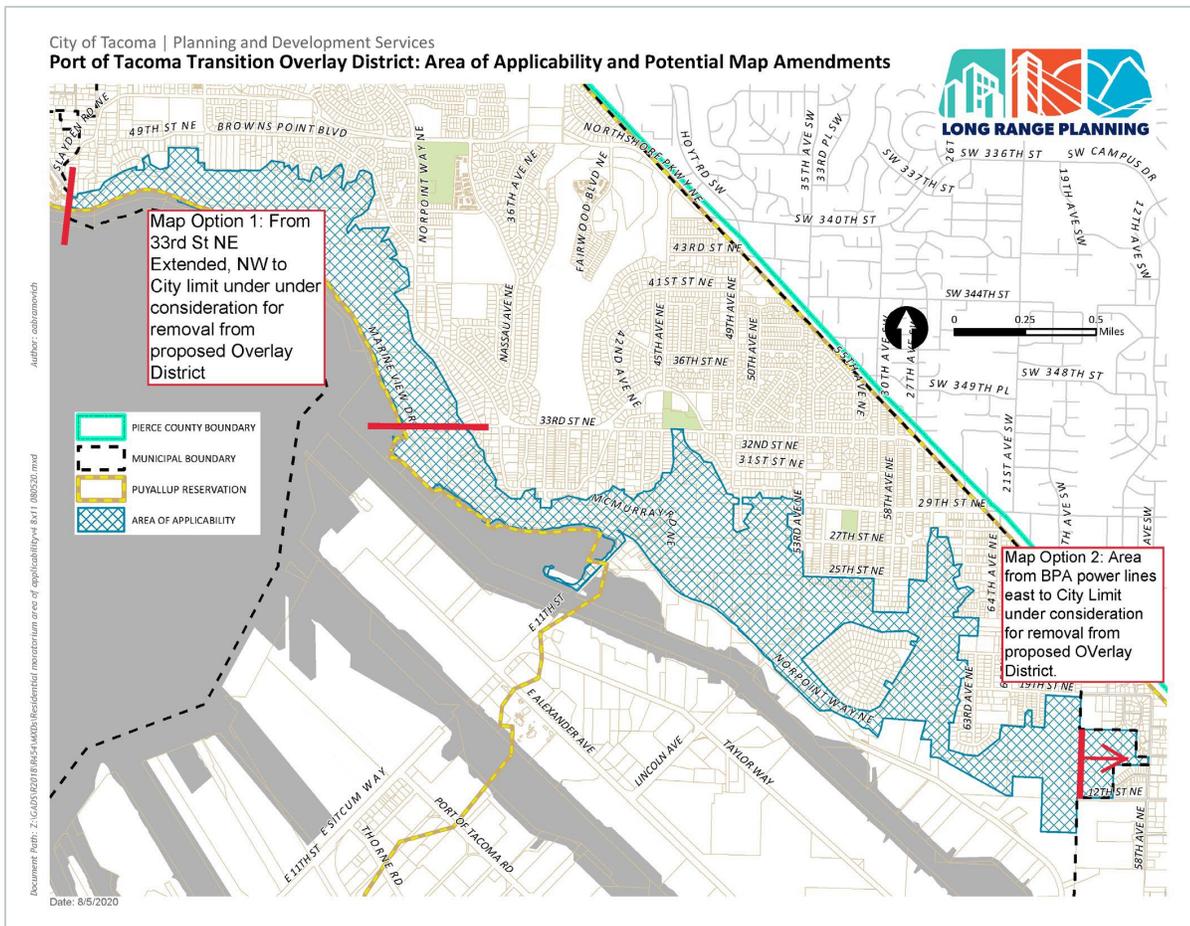
In 2014, the City adopted a Container Port Element in the Comprehensive Plan, consistent with Growth Management Act requirements. The policies in the Container Port Element called for buffers to limit encroachment of incompatible land uses on the Port of Tacoma Manufacturing and Industrial, specifically identifying slopes and other topographical features as natural buffers to be maintained. However, zoning and land use regulations for this area in northeast Tacoma, were not amended to fully implement the adopted policies. Instead, the area remained zoned primarily for single family residential dwellings, with a 5,000 square foot minimum lot size.

The proposed amendments would establish a new Overlay District to limit residential encroachment on the Port of Tacoma Manufacturing and Industrial Center (Port M/IC). The proposal would apply the overlay to the hillside in NE Tacoma as depicted in the map below. In addition:

- The proposal includes an initial map based on the current Interim Regulations, but identifies two areas under consideration for removal from the proposed Overlay.
- The Overlay District would establish minimum lot sizes that would reduce development capacity to a density of 1 unit per acre.
- The Overlay District would require Notice on Title for any new residential unit construction identifying the proximity to an established industrial area.
- Existing critical area regulations for wetlands, fish and wildlife habitat, and steep slopes would continue to apply to this area.

Different boundaries are proposed for the overlay district; see Exhibit 4. Proposed amendments are summarized in Exhibit 5.

## Exhibit 4. Overlay District and Map Options



Source: City of Tacoma, 2021.

## Exhibit 5. Encroachment of Residential Developments on Industrial Lands

Element	Option A: Proposal	Option B: No Action/ Pre-Interim	Option C: Current Interim Regulations
Base Zone/Other Overlays	<ul style="list-style-type: none"> <li>R-2 primarily; some R-1, R-3, R-5</li> <li>View Sensitive 25</li> </ul>	<ul style="list-style-type: none"> <li>Same as Option A</li> </ul>	<ul style="list-style-type: none"> <li>Same as Option A</li> </ul>
Transition Overlay District Area	<ul style="list-style-type: none"> <li>Full Proposal:</li> <li>Option A-1 Reduction: Remove area from 33rd NE north from overlay.</li> <li>Option A-2 Reduction: From BPA to eastern city limits, remove from overlay.</li> </ul>	<ul style="list-style-type: none"> <li>No new overlay.</li> </ul>	<ul style="list-style-type: none"> <li>Similar to Option A Full Proposal.</li> </ul>

Element	Option A: Proposal	Option B: No Action/ Pre-Interim	Option C: Current Interim Regulations
Limitations	<ul style="list-style-type: none"> <li>▪ Limiting Density 1 DU/1 Acre, no multifamily.</li> <li>▪ Adding Title Notice.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No added limitations.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Limiting Density 1 DU/ 1 Acre.</li> <li>▪ Adding Title Notice.</li> </ul>

## High Risk/High Impact Heavy Industrial Uses

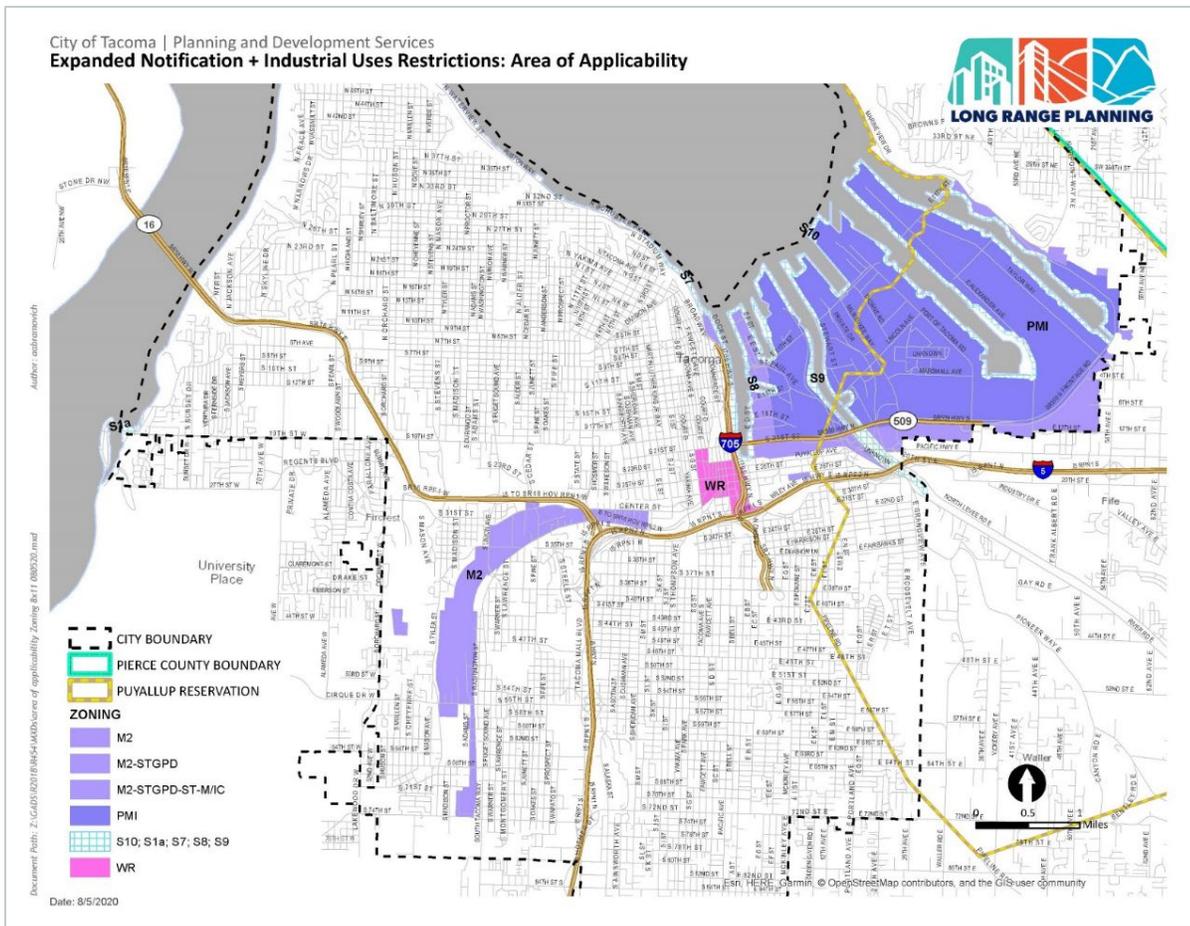
The City is evaluating the siting of specific potentially high risk/high impact heavy industrial uses. Current zoning and land use regulations consolidate a broad spectrum of industrial use and activity within a single heavy industrial use category despite a diverse differentiation of potential impacts and risks associated with such uses. In addition, current regulations permit heavy industrial use outright within the M-2 Heavy Industrial District and PMI Port Maritime Industrial District without special use standards tailored to address the disparate potential impacts of use and activity that fall under this category.

The City's proposal addresses five general use categories, all of which are allowed in different zoning districts throughout the City:

- Mining and Quarrying
- Smelting
- Coal Storage and Export
- Chemical Manufacturing
- Oil and Liquefied and Gaseous Fossil Fuel

Exhibit 6 indicates zoning districts that primarily allow heavy industrial uses.

## Exhibit 6. Zones and Industrial Use Restrictions – Area of Applicability



Source: City of Tacoma

For the five land uses, changes would either limit or prohibit their location or expansion. See Exhibit 7.

## Exhibit 7. Siting of Potentially High Risk/High Impact Heavy Industrial Uses

Element	Option A: Proposal		Option B: No Action/ Pre-Interim		Option C: Current Interim Regulations	
	Zoning	SMP	Zoning	SMP	Zoning	SMP
Mining and Quarrying / Surface Mining	Define Mining and Quarrying. Existing mines permitted, all others prohibited.	Define Mining and Quarrying. Mining prohibited in all shoreline environments.	Surface Mining: conditional use (CU) in all zones except NRX where prohibited.	Mining prohibited in all shoreline environments.	Mining and Quarrying defined and restricted. Existing mines permitted and may expand, all others prohibited.	Mining prohibited in all shoreline environments.

Element	Option A: Proposal		Option B: No Action/ Pre-Interim		Option C: Current Interim Regulations	
	Zoning	SMP	Zoning	SMP	Zoning	SMP
Smelting	Define smelting. All Districts: Prohibited.	Define Smelting. Limited per zoning.	Smelters allowed in PMI District Only.	Not defined. Could be part of Industrial uses which is broadly defined.	Smelting defined and restricted. Existing permitted and may expand, all others prohibited.	Not defined. Limited per zoning.
Coal Storage and Export	Define coal facilities. All Districts: Prohibited.	Define coal facilities. Limited per zoning.	Not specified/ defined; PMI intent includes "storage of cargo." Industry, Heavy allowed and Port, terminal and industrial allowed.	Not defined. Could be part of Industrial uses which is broadly defined.	Coal terminals defined and restricted. Existing permitted and may expand, all others prohibited.	Not defined. Limited per zoning.
Chemical Manufacturing	Defined. Added CU criteria. Prohibited (P) in residential, commercial, and mixed use districts. PMI: P, except CU where haz. mat. license required. M-2: CU except certain manuf. is prohibited: petrochemical, explosives, fertilizer.	Amend SMP use table to list "Chemical Manufacturing, Processing, and Wholesale Distribution," S-10 Port Industrial and S-13 Marine Waters: primary uses prohibited, supportive allowed with CU. SMP requires handling to meet water quality laws.	Not specified. Industry, Heavy allowed	SMP requires handling to meet water quality laws	Defined and restricted. Existing uses permitted and allowed to expand, all others prohibited.	Limited per zoning. SMP requires handling to meet water quality laws.

Element	Option A: Proposal		Option B: No Action/ Pre-Interim		Option C: Current Interim Regulations	
	Zoning	SMP	Zoning	SMP	Zoning	SMP
Chemical Manufacturing: High Impact Use	Defined: manufacturing, processing, storage, transshipment, or disposal of hazardous materials. CU criteria added. All districts: CU where the primary use is otherwise allowed.	Defined similar to zoning. All districts: CU where the primary use is otherwise allowed. Solid waste disposal and haz mat handling criteria retained.	Storage and treatment of hazardous wastes allowed under Warehouse/ Storage in M-1, M-2, and PMI.	Solid Waste Disposal prohibited except CU in S-10 Port Industrial. Solid waste disposal regs. SMP requires hazardous materials handling to meet water quality laws.	High Impact Uses not specifically defined – considered as part of “Chemical Manufacturing” category above.	High Impact Use not defined. Limited per zoning. Solid waste disposal and haz mat handling criteria retained.
Oil and other Liquefied and Gaseous Fossil Fuels	Terms defined. CU and Special Use Criteria for Major Fossil Fuel Facilities and Renewable Fuel Facilities. New Major Fossil Fuel Facilities are prohibited. Existing facilities permitted but can’t expand capacity. Repair and maintenance allowed. Change to Renewable Fuel Production Facility allowed with CU. Renewable Fuel Production Facility allowed with CU. Small Fossil or Renewable Fuel Storage and Distribution not part of definitions of Major ones. Small Fossil Fuel or Renewable Fuel Storage and Distribution	Same definitions as Zoning. Same CU criteria and Special Use Criteria for Major Fossil Fuel Facilities and Renewable Fuel Facilities. Same GHG emission impact and mitigation offsets standard.	Port, terminal, and industrial; water-dependent or water-related Permitted (P) in PMI zone per SMP.	Port/Industrial Development allowed in several shoreline districts as P or CU, particularly if water dependent or water related or if cargo terminal or lay berthing.	Oil and other Liquefied and Gaseous Fossil Fuels terminals, storage, manufacturing production, processing, etc.: new uses are prohibited. Existing uses allowed and expansion permitted. Renewable Fuel facilities not specified. Unlisted uses would be prohibited.	Port, terminal, and industrial; water-dependent or water-related Permitted (P) in PMI zone per SMP.

Element	Option A: Proposal		Option B: No Action/ Pre-Interim		Option C: Current Interim Regulations	
	Zoning	SMP	Zoning	SMP	Zoning	SMP
	would be permitted under the “High Impact” use category. New or expansion of Major Fossil Fuel Facilities and Renewable Fuel Facilities subject to GHG emission impact analysis and mitigation offsets, as well as annual reporting.					
General Amendments for Internal Consistency	Add to Industrial District purpose statements. Amend M-1, M-2, and PMI district intents. Uses not prohibited by City Charter and not prohibited in chapter – PMI Zone = CU.	Not applicable.	Current purpose and district intent statements. Uses not prohibited by City Charter and not prohibited in chapter – PMI Zone = N.	Not applicable.	Current purpose and district intent statements. Uses not prohibited by City Charter and not prohibited in chapter – PMI Zone = P.	Not applicable.