Non-Interim
Industrial Land Use Regulations

Planning Commission
Public Scoping Hearing
12.02.2020

STEPHEN ATKINSON
PRINCIPAL PLANNER
MEETING PURPOSE

• Conduct a Public Scoping Hearing to receive community input on the proposed scope of work for the Non-Interim Industrial Land Use Regulations.
• Consider amendments to the Scope of Work and finalize.
BACKGROUND

Legislative Background:
• May, 2017: Council Resolution initiating Subarea Plan, consolidating amendment applications, and requesting that the Commission consider interim regulations;
• Planning Commission determined that interim regulations were warranted;
• November 21, 2017, City Council adopted the Tideflats Interim Regulations by Amended Ordinance No. 28470;
• Five subsequent extensions;
• October 20, 2020: City Council initiates non-interim process.
ISSUE 1: PUBLIC AWARENESS OF PERMITS

Interim Ordinance:

• Expand public notice to 2500’ of Manufacturing/Industrial Center boundary
ISSUE 1: PUBLIC AWARENESS OF PERMITS

Potential Amendments:

• Amend to include occupants as well as taxpayers for direct notice
ISSUE 2: CONVERSION OF INDUSTRIAL LANDS

Interim Ordinance Prohibits:
• Agriculture
• Airports
• Hospital
• Educational Facilities
• Cultural Facilities
• Care Facilities
ISSUE 2: CONVERSION OF INDUSTRIAL LANDS

Potential Amendments:

• Apply to expansion of existing uses
  • Nonconforming use procedures

• Modify area of applicability to protect Core Area while allowing some additional use in the Industrial/Commercial Buffer Area.

• Consider conditional use permit and criteria
ISSUE 3: RESIDENTIAL ENCROACHMENT

Interim Ordinance:

• Prohibits new platting and subdivision of land along Marine View Drive/NE Tacoma hillside

• Prohibits new residential in Shoreline

• Requires notice on title
**ISSUE 3: RESIDENTIAL ENCROACHMENT**

**Potential Amendments:**

• Consider an approach based on minimum lot size
• Consider amendment to area of applicability
• Conduct takings review
I SSUE 4: S ITING OF P OTENTIALL Y H IGH-RISK/H IGH-IMPACT I NDUSTRIAL U SES

Interim Ordinance:
Temporarily prohibits new
a) oil and liquefied fossil fuel storage, processing, refining;
b) coal terminals and storage;
c) chemical manufacturing;
d) smelting;
e) mining and quarrying.

Non-Interim Industrial Regulations  
Stephen Atkinson, Principal Planner  
10
ISSUE 4: SITING OF POTENTIALLY HIGH-RISK/HIGH-IMPACT INDUSTRIAL USES

Potential Amendments:
• Consider applicability to existing uses
  • Determine appropriate measure (storage capacity, throughput)
  • Consider cumulative cap on expansion
  • Permit types
• Definitions
• Exemptions for clean fuels and energy production, R&D
• Exemptions for supply to Joint-Base Lewis-McChord
• Conditional Use permits and criteria
• Consider buffering/location criteria for new uses
SUPPLEMENTAL INFORMATION

• Fossil Fuel Study
  • Permit activity during the interim period
  • Baseline crude oil movement, storage
  • Inventory of facilities
  • Economic and fiscal impact of facilities
  • Fossil fuel/energy sector outlook

• SEPA Review
• Policy review
• Benchmarking report
• Climate Emergency Resolution
OUTREACH AND ENGAGEMENT

- Public Hearings (3) including a joint hearing with Department of Ecology
- Informational Meetings
- Boards and Commissions
- Manufacturing and Industrial Council
- Direct engagement with partner governments re: Subarea Plan
- Direct engagement with affected businesses
- Direct engagement with other interest groups
- Other: Listening sessions + comment map + survey
**Schedule for Review**

- November to March: Planning Commission
- April – May: City Council
- Current Ordinance expires on June 2, 2021
- State/regional approvals following Council adoption
FOLLOWING SLIDES FOR DISCUSSION FOLLOWING PUBLIC HEARING
DISCUSSION – PUBLIC COMMENTS

• Fossil fuel uses are focal point of comments:
  • Urgency of climate crisis, near term actions needed for long term resilience
  • Air pollution impacts, including GHG
  • Support renewable energy and transition to cleaner fuels
  • Expansion of existing uses
  • Climate emergency resolution
  • Relation to national security
  • Types of businesses – local/regional serving uses
  • Predictable standards and certainty for business
  • Concern duplicative process and concurrent subarea planning process
  • Disparate impacts
**DISCUSSION – SCOPE OF WORK**

**Confirm:**

- Scope will evaluate options for regulating expansion of existing uses.
- Scope will include South Tacoma and Heavy Industrial Districts Citywide, but not the full extent of the Groundwater Protection District.
- Scope will not include area-wide rezones or modifications to the MIC boundary.
- No additional use types to be included in review.
- Address national security, alternative energy and fuels.
- Consider definitions and clear standards.
- Distinguish locally/regionally serving businesses.
- Will consider boundary adjustments to residential areas in NE Tacoma.
DISCUSSION – SCOPE OF WORK

Potential Modifications:
• Conduct a land use/zoning comparison for adjacent land in City of Fife
• Evaluate HUD Acceptable Separation Distance for housing
• Add clarification: Review incompatible land uses for consistency with Container Port policies
• Identify related projects/ongoing efforts – sea level rise, etc.
• Identify potential amendments to TMC 13.12 Environment.
DISCUSSION – PUBLIC OUTREACH AND SCHEDULE

• Confirm Engagement Methods:
  • Public Comment Map
  • Listening Sessions
    • Environment and Public Health
    • North East Tacoma Residents and residential property owners
    • Business, industry representatives
  • Survey*
<table>
<thead>
<tr>
<th>Date</th>
<th>Preferred Option – With Special Meetings</th>
<th>Alternative – Regular Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 6</td>
<td>Discussion: Permit notice; Incompatible non-industrial uses; Residential Encroachment</td>
<td>Discussion: Permit notice; Incompatible non-industrial uses; Residential Encroachment</td>
</tr>
<tr>
<td>January 13</td>
<td>Special Meeting: Listening Sessions</td>
<td>No meeting</td>
</tr>
<tr>
<td>January 20</td>
<td>Discussion: Heavy Industrial Uses, including initial fossil fuel data, trends, and permit activity.</td>
<td>Discussion: Heavy Industrial Uses, including initial fossil fuel data, trends, and permit activity.</td>
</tr>
<tr>
<td>February 3</td>
<td>Set Public Hearing and release staff report and exhibits for public comment</td>
<td>Set Public Hearing and release staff report and exhibits for public comment</td>
</tr>
<tr>
<td>February 17</td>
<td></td>
<td>Listening Session</td>
</tr>
<tr>
<td>March 3</td>
<td>Conduct Public Hearing + Initial debrief</td>
<td>Conduct Public Hearing + Initial debrief</td>
</tr>
<tr>
<td>March 17</td>
<td>Discussion: Public Comments + Fossil Fuel Study Findings + provide direction on potential amendments</td>
<td>Complete Findings of Fact and Recommendations.</td>
</tr>
<tr>
<td>March 31</td>
<td>Special Meeting: Complete Findings of Fact and Recommendations</td>
<td>No Meeting.</td>
</tr>
</tbody>
</table>
ACTION:
REQUEST TO APPROVE THE SCOPE OF WORK (OR AS MODIFIED)

SET A SPECIAL MEETING FOR JANUARY 13, 2021 FOR A LISTENING SESSION