



## **MINUTES** (approved on 11-6-13)

**Meeting:** Regular Meeting  
**Time:** Wednesday, October 16, 2013, 4:00 p.m.  
**Location:** Room 16, Tacoma Municipal Building North, 733 Market Street  
**Present:** Sean Gaffney (Chair), Donald Erickson, Tina Lee, Alexandria Teague, Erle Thompson, Stephen Wamback  
**Absent:** Benjamin Fields, Scott Winship

### **CALL TO ORDER**

Chair Gaffney called the meeting to order at 4:05 p.m. and declared a quorum present.

### **APPROVAL OF MINUTES**

The minutes of the regular meeting/public hearing on September 18, 2013 were approved as submitted.

### **DISCUSSION ITEMS**

#### **1. Point Ruston Mixed-Use Center (Annual Amendment Application #2014-01)**

Elliott Barnett, Planning Services Division, presented staff's preliminary analysis, and J.J. McCament, McCament & Rogers, provided an overview of Point Ruston's development plans. Mr. Barnett indicated the proposal is to designate 29 acres of Point Ruston (the portion within the City of Tacoma) as a Mixed-Use Center (MUC), and that this proposal would not alter the scope or scale of development already approved through permits for Point Ruston, but could support and accelerate the buildout.

Discussion ensued. There was general support for the development of Point Ruston and recognition that it provides multiple benefits to Tacoma, but there were questions regarding the proposed MUC designation. Chair Gaffney stated support for the proposal and pointed out that Point Ruston is one case where there was up-front planning and privately funded infrastructure investment – features cited as appropriate for MUCs in previous Planning Commission discussions. He requested staff look into scheduling a site visit or Commission meeting at Point Ruston. Questions from Commissioners included how this action fits into the MUC review also taking place this year; how well Point Ruston matches with MUC policy intent; and the public and private benefits of the proposed MUC. Commissioners also requested information on affordable housing at Point Ruston, on the Multifamily Tax Incentive Program, and on strategies to provide transit service. Commissioner Erickson requested that the staff report provide a narrative analysis that is readable and understandable to the general public, rather than a list of Comprehensive Plan policies. The Commission directed staff to continue analysis and outreach on the project.

#### **2. Point Defiance Park Development Regulation Agreement Policy (Annual Amendment Application #2014-02)**

Elliott Barnett, Planning Services Division, presented staff's preliminary analysis of the Point Defiance Park Development Regulation Agreement Policy, and Curtis Hancock, Metro Parks Tacoma (MPT), provided an overview of MPT's Destination Point Defiance program and the extensive public involvement process used to develop it. As expected, the public process identified that preservation of the park's 125-

year character is paramount. Mr. Barnett stated that the proposal is a preliminary step to address Point Defiance planning objectives in the Comprehensive Plan and prepare for MPT to submit a Development Regulation Agreement (DRA) application to the City next year. Ian Munce, Planning Services Division, provided background on the purpose and process for DRAs. Specifically, the DRA approach is designed to address large, complex projects by directly applying Comprehensive Plan policies and using a public outreach process that culminates in a public hearing before the City Council.

The Commission then had a dialogue about the proposal. There was general support for MPT's Destination Point Defiance plan, but Commissioners Erickson and Wamback questioned the utilization of DRAs, a process that does not involve the Planning Commission. Staff pointed out that the DRA process is already established in the Tacoma Municipal Code and was put in place to address projects just like the one currently under consideration. Further, this application presents the opportunity for the Commission to provide input into the DRA process. The Commission asked that the staff report provide a narrative analysis of the policy issues that is readable and understandable to the general public, rather than a list of Comprehensive Plan policies. The Commission directed staff to continue analysis and outreach on the project.

### **3. Container Port Element (Annual Amendment Application #2014-07)**

Ian Munce, Planning Services Division, explained that the Container Port Element will create a new element in the Comprehensive Plan that specifically addresses and provides goals and policies relative to the 'Port Industrial Area'. The Container Port Element will establish a policy framework that will ensure that local land use decisions consider the needs of container ports and ensure that container ports and freight corridors continue to function effectively alongside vibrant city waterfronts and adjacent areas.

By adding a new Container Port Element to the Comprehensive Plan, the City seeks to: (1) define and protect the core areas of port and port-related industrial uses within the city; (2) provide reasonably efficient access to the core area through freight corridors within the city limits; and, (3) 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. This work is mandated by a 2009 addition to the Growth Management Act relating to land use and transportation planning for marine ports in Seattle and Tacoma, and is being accomplished in collaboration with the Port of Tacoma.

After discussion, the Planning Commission agreed that it was appropriate to take the Draft Container Port Element out for informal public review. Commissioner Wamback asked that the reference to "sprawl" be clarified; Commissioner Lee asked that the issue of transit and complete streets should be further developed; and Commissioner Erickson pointed out that there should be a section devoted to completing SR 167.

### **4. South Downtown Subarea Plan and Final Environmental Impact Statement (FEIS)**

Ian Munce, Planning Services Division, reviewed the draft Findings and Recommendation Report for the South Downtown Subarea Plan, the associated amendments to the Tacoma Municipal Code addressing feather signs and Downtown fencing standards, and the project's timeline. The Plan will supplement current policies and regulations governing transportation, land use, affordable housing, open space, brownfields, capital facilities, and utilities and will fulfill Growth Management Act and Vision 2040 requirements. The Plan is anticipated to be adopted by the City Council in December, Mr. Munce indicated. Commissioners Wamback, Lee and Erickson questioned the decision to include fencing standards which would apply to the whole of downtown, while the Plan area encompasses only the southern portion of downtown. However, there was consensus among the Commissioners that clarification on the feather sign regulations should be provided at the next meeting for further discussion. In addition, Chair Gaffney and Commissioner Erickson had questions about the maximum buildout target of 30 million square feet that is mentioned in the Plan and FEIS and would prefer a smaller target of approximately 20 million square feet.

## **5. Draft Marijuana Interim Regulations**

Brian Boudet, Manager, Planning Services Division, provided an update on the consideration of interim land use regulations for recreational marijuana, in response to the voter-approved Initiative 502 and the associated Washington State Liquor Control Board (WSLCB) rule-making process. The City Council initiated the process for interim regulations with the adoption of Resolution No. 38743 on October 1, 2013. In accordance with City regulations, the Planning Commission needs to review the draft regulations and provide a recommendation back to the Council addressing, at a minimum, the scope of the regulations and the appropriate duration for them. Mr. Boudet outlined the draft interim regulations as well as the draft recommendation letter and findings and recommendation report that was provided in the Commission's packet. Staff also provided and discussed a handout that included three staff-recommended changes, one to correct a reference in the draft findings, one to clarify the restrictions on outside and off-site sales, and one to add a standard addressing product visibility.

The Commission discussed the interim regulations, the review process, the Commission's role, community concerns that have been voiced, the preliminary mapping done to illustrate potential areas available for recreational marijuana uses, potential legal issues and the associated federal guidance, and the staff recommended modifications. The Commission expressed substantial concern about the standard 6-month duration for this issue, particularly in light of the uncertain timeline for full licensing and implementation of this new industry, and the pending state-level discussions about the relationship between recreational marijuana and medical marijuana. Additionally, Commissioner Thompson expressed a general concern about allowing marijuana production anywhere in Tacoma.

A motion was made by Commissioner Erickson to forward the Commission's findings and recommendations, as drafted but with four modifications:

- Recommending the duration of the interim regulations be for 1-year instead of 6-months;
- Correcting the code reference in Finding #11;
- Clarifying the code restriction on outdoor and off-site sales; and
- Adding a restriction regarding product visibility.

The Commission approved the motion, by a vote of 5-1 (with Commissioner Thompson voting against, and Commissioners Fields and Winship absent).

## **COMMUNICATION ITEMS AND OTHER BUSINESS**

- (a) Mr. Boudet reported that the City's Shoreline Master Program (SMP) has been approved by the State Department of Ecology on October 1 and adopted by the City Council on October 15, 2013, and that the Council appreciates all the hard work of the Planning Commission over the past several years on the SMP update which is a milestone accomplishment of the City.
- (b) The agenda for the Infrastructure, Planning and Sustainability Committee's meeting on October 23 may include: Schuster Corridor Shared Use Trail, 2015 Comprehensive Plan Update, and Interview of Applicants for Planning Commission.
- (c) The agenda for the Planning Commission's meeting on November 6 may include: Temporary Homeless Camps, North Downtown Subarea Plan and EIS, Hilltop Subarea Plan and EIS, Affordable Housing Regulations, Urban Forestry/Landscaping Code Update, and Sustainability Code Amendment.

## **ADJOURNMENT**

The meeting was adjourned at 6:40 p.m.