



PRESENTATIONS and HANDOUTS

Regular Meeting on January 6, 2016

- 1. 2016 Annual Amendment – Assessment Report**
(PowerPoint Slides; for Discussion Item D-1)
- 2. Council Resolution No. 39356 Initiating Marijuana Moratorium**
(Handout; for add-on Communication Item)



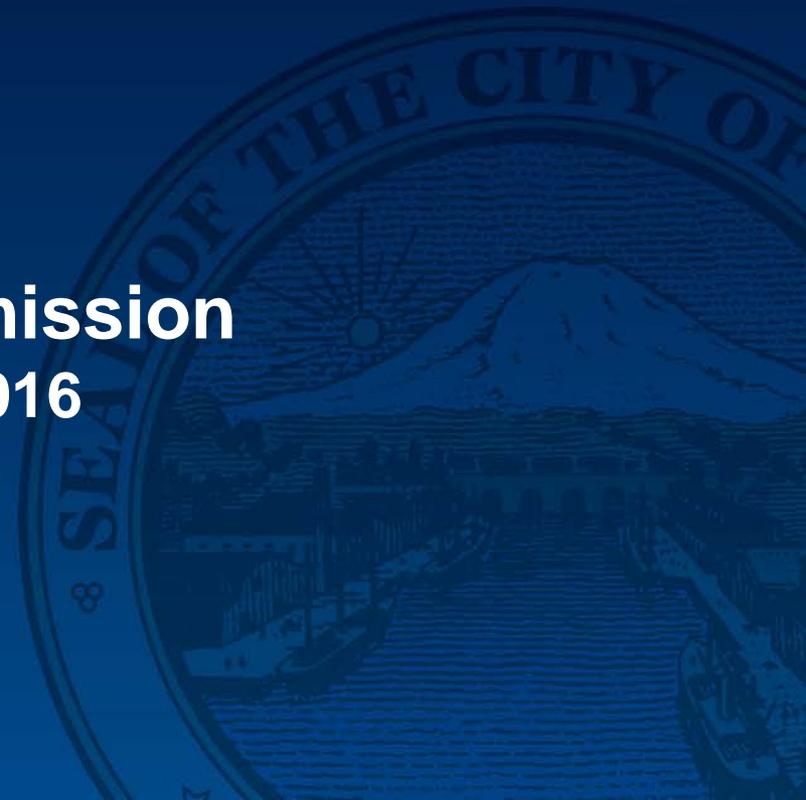
2016 Annual Amendment

City of Tacoma

Planning and Development Services

Planning Commission

January 6, 2016



Broader Work Program

- Administration
- Future Land Use Implementation
- Mixed-use Centers Implementation
- Capital Facilities Programming
- Urban Design Program
- Infill Design Guidelines
- Steep Slopes/Open Space Corridors
- JLUS Code Amendments
- Downtown Tacoma Element
- Transportation Master Plan
- Coordination with other efforts



Prioritized for 2016-17

- Future Land Use Implementation
 - Commercial Pattern Areas
- Mixed-use Centers Implementation
 - Designate Core Commercial Areas
 - Design standards on core pedestrian streets
 - MFTE, Height Bonus
- Steep Slopes/Open Space Corridors
- JLUS Code Amendments

2016 Annual Amendments

1. FLUM Implementation Phase 1
2. Multifamily Zoning District Design Standards
3. Plan and Code Cleanup
4. Wireless Facility Code
5. Short Term Rental and B&B
6. Sign Code

Plan and Code Cleanup

- Cleanups for consistency with new Comp Plan
- Limited shoreline amendments
- Permit notification
- Nonconforming uses
- Signature Trail connections



Wireless Facilities

- Section 6409 of the 2012 Middle Class Tax Relief Act.
- Approval of collocations, replacement or removal of transmission equipment that do not substantially change the physical dimensions of the existing antenna support structure.
- CUP revisions/major modifications

Short Term Rentals/ B&B

- Current standards for B&B are restrictive in single family zones
- Code does not distinguish between short and long term rentals
- Potential concerns:
 - Commercial use in residential areas
 - Tenant behavior
 - Maintaining residential character
- Benefits too
 - Supplemental income, tourism/visitation

Sign Code

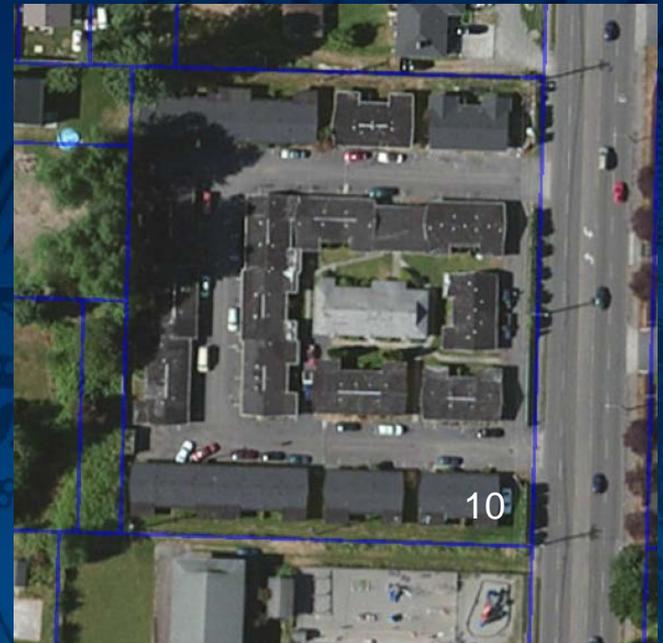
- *Reed v. Town of Gilbert* (U.S. Supreme Court, June 2015)
- Local sign regulations *cannot* apply different standards based on:
 - a sign's content (i.e., what is written or portrayed on the sign)
 - the purpose of the sign
 - who is putting up the sign

Sign Code

- Need to look at
 - Purpose statement for regulating signs
 - All definitions to ensure they are not based on content
 - Make sure severability clause covers sign code if anything is invalid
 - Add a substitution clause
 - Other clean up items – limited in scope

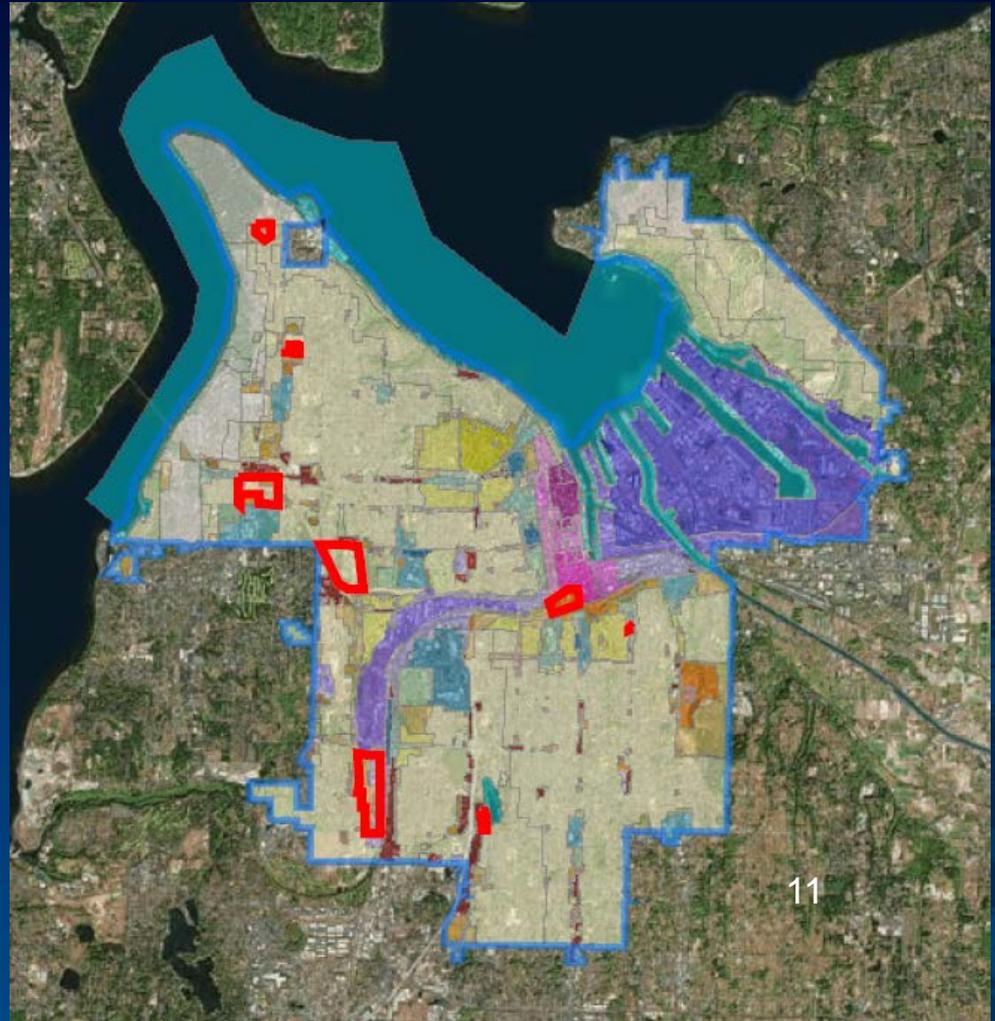
Multifamily Design Standards

- R-3, R-4L, R-4 Districts
- Coordinate with infill design guidelines
- Apply new policies on design with focus on corridors



FLUM Phase 1

- Can be reasonably accomplished in constrained timeframe
- Based on known or ongoing permit issues, development trends
- Not typically key corridor sites
- Generally not commercial properties



Potential Area-wide Rezones: Knob Hill

- Within DRGC
- Current R4 Zoning
- Must be rezoned through area-wide process
- Potential Zones: WR, DR
- Current mix of residential uses, church, vacant land



Potential Area-wide Rezones: North of TCC

- Current R2 single family zoning
- Recent site specific rezones
- Proposed Multifamily High Density
- Hunt Elementary, YMCA, civic uses



Potential Area-wide Rezones: Cheney

- Cheney Stadium/Foss High School/ MPT
- R2 Single family zoning
- Required CUPs
- Combination of Park/Open Space designation and Major Institutional Campus



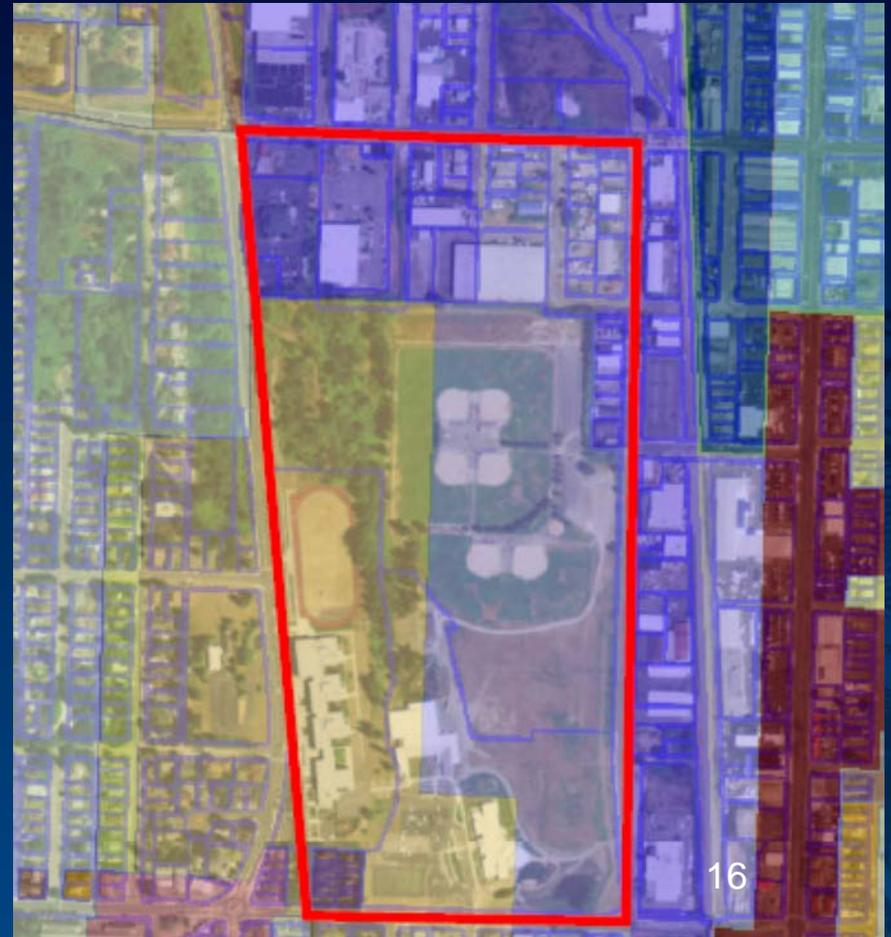
Potential Area-wide Rezones: McKinley Substation

- Within McKinley MUC
- Split zoned parcel



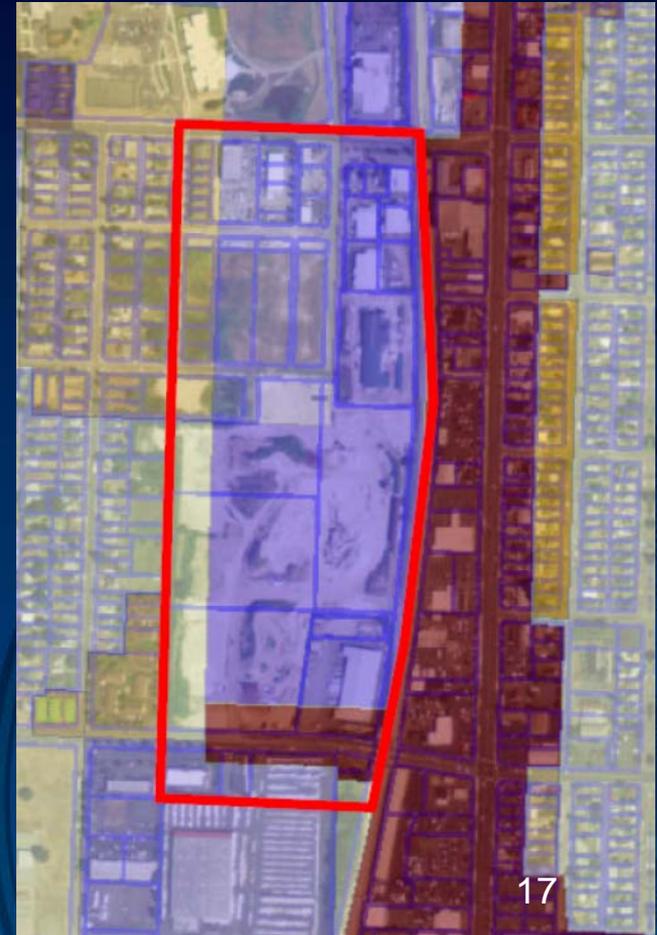
Potential Area-wide Rezones: STAR and SERA

- Historic M-1 zoning
- Split zoned parcels
- Predominantly park, education facilities



Potential Area-wide Rezones: Nielsen Pacific

- Historic M-1 zoning
- Split zoned parcels
- 33 acres vacant



Potential Area-wide Rezones: Pearl and 33rd

- Current R2 zoning
- Bates radio tower/nursery school
- 3 acres vacant



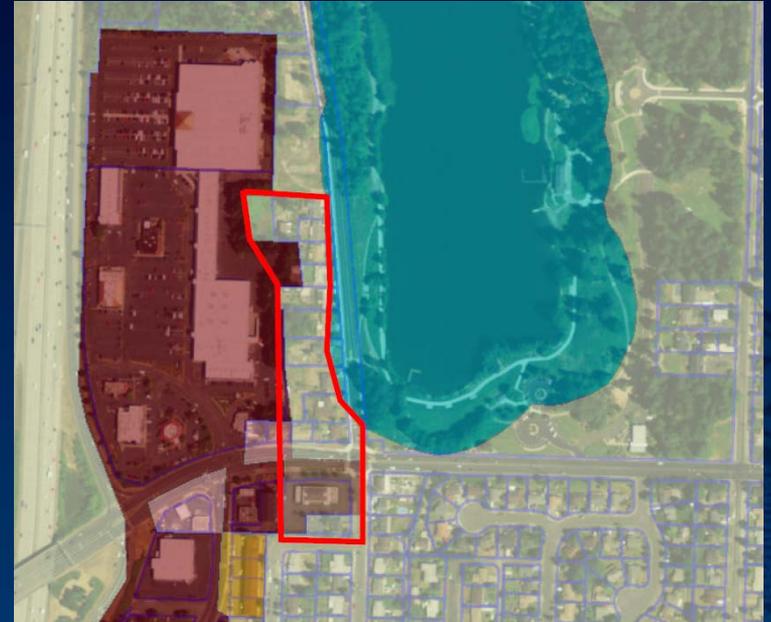
Potential Area-wide Rezones: Franke Tobey Jones

- Holdover from 2015
- Retirement community
- PRD
- Possible site specific rezone coming



Potential Area-Wide Rezones: Wapato Lake

- Single family along Alaska
- Freeway oriented commercial
- Wapato Park recreation
- Patchwork commercial zoning at 72nd

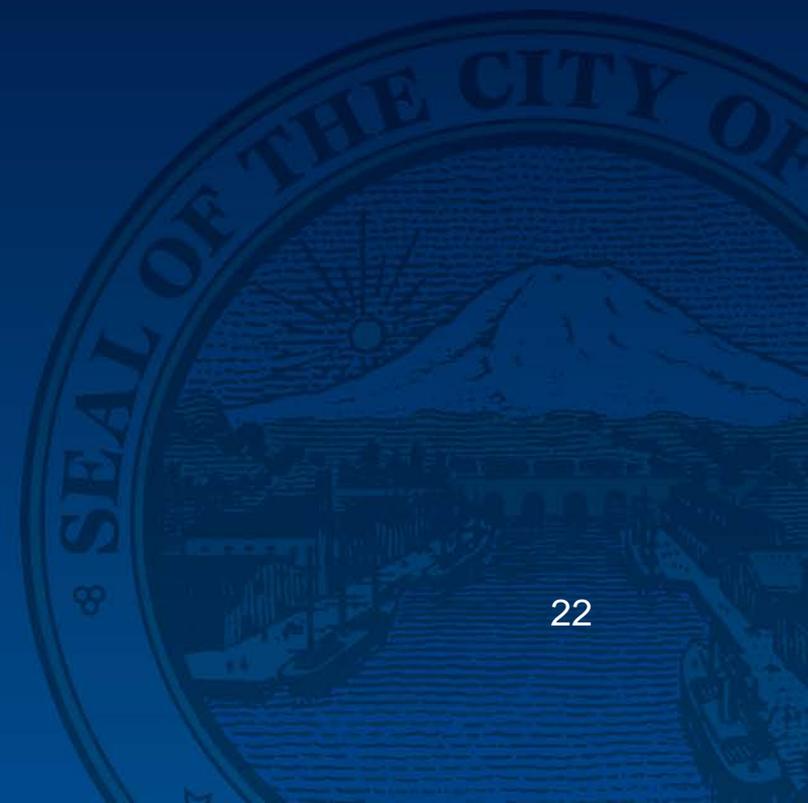


Assessment

- The amendment is legislative and properly subject to Planning Commission review.
- The amount of analysis is reasonably manageable.
- Amendment seek to address Comprehensive Plan implementation, or respond to identified issues.
- While some subjects have been recently reviewed, there is a valid rationale for revisiting the topics.

Recommendation

- Staff recommends Commission accept all applications





RESOLUTION NO. 39356

1 A RESOLUTION relating to land use regulations; initiating the process to
2 consider enacting a temporary moratorium on new marijuana retail uses;
3 setting Tuesday, January 12, 2016, as the date for a public hearing on
4 the proposed temporary moratorium; and requesting the Planning
5 Commission to develop findings of fact and a recommendation.

6 WHEREAS State Initiative 502 ("I-502"), approved by Washington voters
7 in November 2012, provides a framework for licensing and regulating the
8 production, processing, and retail sale of recreational marijuana, and

9 WHEREAS, in February 2015, the City adopted pertinent land use
10 regulations in order to provide policy and regulatory guidance and facilitate the
11 review of recreational marijuana license applications within City limits, and

12 WHEREAS the State Legislature enacted the Cannabis Patient Protection
13 Act in 2015, establishing regulations for the formerly unregulated medical
14 marijuana system and aligning it with the existing recreational system, and

15 WHEREAS, in response to changes in state law adopted in the last
16 legislative session, the State Liquor and Cannabis Board has been working
17 through its rulemaking process to establish the administrative procedures and
18 standards for integration of medical marijuana into the existing recreational
19 marijuana marketplace, and, as part of that process, the state is looking to
20 expand the existing cap on retail marijuana stores in Tacoma and other potential
21 rule changes, and includes the establishment of a new class of use, the
22 marijuana cooperative, and

23 WHEREAS the City's existing regulations were adopted in response to
24 I-502 and associated state rules regarding the recreational marijuana
25
26



marketplace, and were not necessarily designed to address the subsequent
1 changes made by the state regarding medical marijuana, including a potential
2 significant increase in the number of stores allowed and the potential
3 incorporation of new uses, and
4

5 WHEREAS the state is again processing applications for retail marijuana
6 uses potentially in excess of the number previously approved, and there are
7 concerns regarding the potential issuance of additional applications under the
8 City's existing regulations, and
9

10 WHEREAS, in order to preserve the City's regulatory authority and the
11 validity of its legislative process, it is necessary to put a temporary hold on the
12 establishment of new marijuana retail uses until the currently in process
13 reevaluation has completed, and
14

15 WHEREAS the City Council and Planning Commission have begun the
16 process of developing appropriate revisions to the Land Use Regulatory and
17 Nuisance Codes, and the Planning Commission is expected to forward its
18 recommendations to the City Council in March 2016, with final Council
19 consideration to occur in April or May of 2016, and
20

21 WHEREAS the City Council intends to enact a temporary moratorium on
22 new marijuana retail uses in order to allow adequate time for local policy
23 discussion at the Planning Commission and City Council levels, and
24

25 WHEREAS the proposed moratorium, if enacted, would expire within
26 six months or upon completion of the regulatory amendment process currently
going through the Planning Commission, and



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS Tacoma Municipal Code 13.02.055 requires that, upon initiating a moratorium, the City Council shall conduct a public hearing to receive public comments on the proposed action and refer to the Planning Commission for findings of fact and a recommendation to justify the proposed action, and

WHEREAS the City Council’s tentative schedule for enacting a temporary moratorium on new marijuana retail uses is as follows: initiating the process on January 5, 2016; conducting a public hearing on January 12, 2016; considering first and final readings of the ordinance under consideration on, respectively, January 12 and 26, 2016; and requesting the Planning Commission to develop findings of fact and a recommendation by January 20, 2016, regarding the proposed temporary moratorium; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That a public hearing on a proposed temporary moratorium on new marijuana retail uses shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, January 12, 2016, at approximately 5:30 p.m. or as soon thereafter as the same may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Section 3. That, pursuant to Section 13.02.055 of the Tacoma Municipal Code, the City Council hereby refers the moratorium to the Planning Commission



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

to develop findings of fact and recommendations, including the need for and duration of the proposed temporary moratorium, by January 20, 2016.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney