



AGENDA

MEETING: Regular Meeting (virtual)

TIME: Wednesday, January 6, 2021, 5:00 p.m.

Zoom Info: Link: <https://us02web.zoom.us/j/86813504214>

Dial-in: +1 253 215 8782

ID: 868 1350 4214

A. Call to Order and Quorum Call

B. Approval of Agenda, and Minutes of December 16, 2020

C. Public Comments

- Written comments only; e-mailed to planning@cityoftacoma.org by 4:00 p.m., on the meeting day

D. Discussion Items

1. Home In Tacoma Project

- Description: Continue to discuss the key policy issues pursuant to developing a public review draft proposal.
- Action: Comment and Direction
- Staff Contact: Elliott Barnett (ebarnett@cityoftacoma.org)

2. Tideflats and Industrial Land Use Regulations

- Description: Discussion of major issues, such as permit notice, incompatible non-industrial uses, and residential encroachment.
- Action: Comment and Direction
- Staff Contact: Stephen Atkinson (satkinson@cityoftacoma.org)

E. Upcoming Meetings (Tentative Agendas)

- (1) January 13, 2021 (Special Meeting):
 - Tideflats and Industrial Land Use Regulations
- (2) January 20, 2021:
 - Tideflats and Industrial Land Use Regulations
 - Urban Design Studio

F. Communication Items

- (1) Status Reports by Commissioners – TOD Advisory Group, Housing Equity Task Force
- (2) **Applications for 2022 Amendment Accepted** – The Planning Commission will accept private applications for “2022 Amendment”, which refers to Proposed Amendments to the *One Tacoma* Comprehensive Plan and/or the Land Use Regulatory Code to be processed during the annual amendment cycle of 2021-2022 and slated for the City Council’s adoption in June 2022. Applications must be submitted between January 1 and March 31, 2021, and may be subject to an application fee of \$1,400. For more information or to download the application, please visit www.cityoftacoma.org/2022Amendment.



- (3) The Infrastructure, Planning and Sustainability Committee's next meeting (virtual) is scheduled for Wednesday, January 13, 2021, at 4:30 p.m.; agenda (tentative) includes: Board of Building Appeals Interviews; and Landmarks Commission Recommendations for Historic Designation of 201 N Yakima Avenue.

G. Adjournment



MINUTES (DRAFT)

TIME: Wednesday, December 16, 2020, 5:00 p.m.

PRESENT (virtually): Anna Petersen (Chair), Carolyn Edmonds, Ryan Givens, David Horne, Christopher Karnes, Brett Santhuff, Andrew Strobel, Alyssa Torrez

ABSENT: Jeff McInnis (Vice-Chair)

A. CALL TO ORDER AND QUORUM CALL

Chair Petersen called the meeting to order at 5:01 p.m. A quorum was declared.

B. APPROVAL OF AGENDA

The agenda for the meeting was approved.

The minutes for the November 18, 2020, and December 2, 2020 meetings were approved as submitted.

C. PUBLIC COMMENTS

Public comments were not accepted at the meeting. No written comments had been submitted as directed in the agenda notice.

D. DISCUSSION ITEMS

1. Home In Tacoma Project

Elliott Barnett, Planning Services Division, outlined the objectives of his presentation. Based on the Commission's feedback from the workshop at the November 18, 2020 meeting, the proposed guiding principles of the project had been revised. A recap of the feedback received so far from the community survey, developer focus group, and other bodies was presented. So were the preliminary recommendations on Land Use/Zoning standards, housing policy guidance, and administrative/supportive actions.

Commissioner Edmonds had questions regarding the types of housing that could go on a lot depending on its size, setback requirements, corridors missing from Northeast Tacoma, short plats for infill, and parking issues. Commissioner Karnes commented on the impact of increased density in relation to the transit service on the corridors. He asked for modeling of different transitions over multiple blocks as well as supporting data for federal funding. Additionally, Commissioner Santhuff would like to see examples of how triplexes and four-plexes could be integrated into existing neighborhoods, and more analysis of the mixed-use centers and corridors. Chair Petersen's comment was about the correlation between density and transit, as well as parking issues – both on and off-street. The Commission wrapped up their discussion by providing feedback on the direction of the project and proposed policy.

The project was tentatively scheduled to come back to the Commission on January 6, 2021, along with the Tideflats and Industrial Areas Land Use Regulations discussion.

The meeting was recessed at 6:07 p.m. and resumed at 6:15 p.m.

2. Urban Design Studio

Mesa Sherriff, Planning Services Division, began by reviewing the timeline and the proposed key themes of the program. Regarding the Design Standards and Guidelines Manual, the idea of exemptions, previously discussed by the Commission and the Technical Advisory Group, was explained. The Commission was agreeable that industrial, institutional, and hospital facilities could be exempted after a board's review.

Keith Walzak, VIA Architecture, segued the discussion into the Design Guidelines Policy. He described the structure of the Design Guideline Manual. The Built Form, Context and Site, and Public Realm categories were explained in details along with specific examples.

Commissioner Givens commented favorably on the draft manual, but asked for clarification on how it may be applied. Commissioner Santhuff suggested rearranging the order of the design topics.

3. 2020 Year-in-Review and 2021 Outlook

Lihuang Wung, Planning Services Division, expressed appreciation to the Commission for their work in 2020 despite its many challenges. He reviewed the major projects that the Commission had accomplished and been involved in with other bodies. The planned projects for 2021 were also presented, along with the tentative schedule of the first six months.

The Commission shared the sentiment for the accomplishments of such a challenging year. Commissioner Santhuff remarked on the duration of meetings, encouraging careful consideration of the agenda items to avoid excessively long meetings.

E. TOPICS OF THE UPCOMING MEETINGS

- 1) Agenda for January 6, 2021 meeting includes:
 - Home In Tacoma Project (tentative)
 - Tideflats and Industrial Areas Land Use Regulations
- 2) Agenda for January 13, 2021 special meeting includes:
 - Tideflats and Industrial Areas Land Use Regulations
- 3) Agenda for January 20, 2021 meeting includes:
 - Tideflats and Industrial Areas Land Use Regulations
 - Urban Design Studio

F. COMMUNICATION ITEMS

The Commission acknowledged receipt of communication items on the agenda.

G. ADJOURNMENT

The meeting was adjourned at 7:19 p.m.

**These minutes are not a direct transcription of the meeting, but rather a brief capture. For full-length audio recording of the meeting, please visit:*

http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/



To: Planning Commission
From: Elliott Barnett, Planning Services Division
Subject: **Home In Tacoma Project**
Date: December 30, 2020
For the Meeting of: January 6, 2021

Action Requested: Provide direction to identify Low-scale and Medium-scale Residential areas

Discussion

At this meeting, the Commission will continue the discussion of proposed Missing Middle Housing land use changes. The focus for this meeting will be on defining the areas to be proposed for Low-scale and Medium-scale Residential designations. Clarifying how the Commission wishes to define these areas is central to moving forward.

At the December 16th meeting, the Commission reviewed a preliminary concept showing a ¼-mile buffer around Centers and Corridors as Medium-scale residential. Using that logic, there are areas where the majority of neighborhoods would be largely Medium-scale residential, while other neighborhoods have little or no Medium-scale residential areas. This outcome is based on existing patterns of where Centers and Corridors have been designated.

In response to Commission questions, staff have prepared alternative scenarios integrating transit routes, and with different buffer distances. Staff will ask the Commission for guidance on which scenario(s) to include in the public review package now under development.

Meanwhile, the project team is focused on stakeholder engagement and policy development efforts. Prior to the February meeting, Root Policy Research will conduct market feasibility to understand how these proposals will likely play out in terms of cost of construction and affordability of units produced. Staff are reaching out to City departments and housing stakeholders to evaluate feasibility and potential impacts. The housing choice survey is underway to gauge community perspectives on infill.

On February 3, 2020, the Commission will review the outcomes of these analysis and engagement efforts to provide direction on finalizing a public review package. The analysis will also inform an environmental review by the City.

Project Updates

- Housing Equity Taskforce – working toward recommendations at their January meeting
- AHAS Technical Advisory Group – monthly discussions ongoing
- City Commissions and community briefings are underway, including — Landmarks Preservation Commission, Sustainable Tacoma Commission, Transportation Commission, Commission on Disabilities, Mayor’s Youth Commission, Commission on Immigrant and



Refugee Affairs, Homeless Action Coalition, Black Collective, Asia Pacific Cultural Center, and Neighborhood Councils

- Survey is live in English, Spanish, Russian, Khmer and Vietnamese
- Virtual café series continues – The City’s Role In Housing (January 8, 2021 at noon)

Project Overview

As part of the City’s Affordable Housing Action Strategy, we are launching the **Home In Tacoma** project to evaluate diverse housing types and affordable housing incentives options throughout Tacoma. The intent is to increase housing supply, create affordable housing options, and increase the choice of housing types throughout our neighborhoods. For more information, visit www.cityoftacoma.org/homeintacoma.

Prior Commission, Taskforce and Council Actions

- Planning Commission debrief (12/16/20)
- Planning Commission workshop (11/18/20)
- City Council Study Session (11/10/20)
- Housing Equity Taskforce meetings (09/10/20, 10/08/20, 11/05/20, 12/03/20)
- Planning Commission Project Launch (09/02/20)
- Planning Commission Finalize Project Scope of Work (05/06/20)
- Planning Commission Public Hearing (02/19/20)
- Planning Commission authorized release of draft Scope and Assessment Report (01/15/20)
- Planning Commission sets Housing Equity Taskforce scope and participants (12/18/19)
- Planning Commission/Human Rights Commission–Housing Taskforce meeting (12/04/19)
- Human Rights Commission initial discussion of AHAS Planning actions (11/21/19)
- Planning Commission initial discussion of AHAS Planning actions (10/2/19)
- Council adoption of AHAS Housing Element updates (09/24/19)
- City Council acceptance of the AHAS (September 2018)

Next steps

- Planning Commission provides guidance to finalize the draft package for public review (02/03/21)

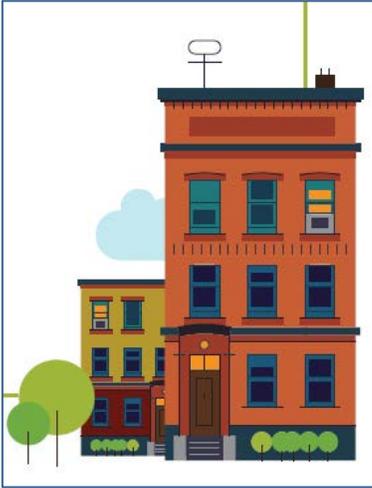
Staff Contact

Elliott Barnett, Senior Planner, (253) 312-4909, ebarnett@cityoftacoma.org

Attachment

1. Updated draft Low-scale and Medium-scale Residential land use maps

c. Peter Huffman, Director



Home in Tacoma Project

PLANNING COMMISSION

Preliminary Recommendations

Discussion Guide

January 6, 2021

The preliminary draft concept from December 16th shows areas designated as Low-scale Residential (Missing Middle infill housing compatible with existing neighborhood scale), and as Medium-scale Residential (moderate urban scale, walkable and transit-served housing serving as transitions from Centers/Corridors) areas.

The concept was based on the following logic:

- Avoid directing growth to sensitive areas (critical areas, Airport Compatibility Overlay District, Shorelines)
- Areas currently designated for Single-family Residential would become Low-scale Residential
- The following areas would be designated for Medium-scale Residential
 - Current Multi-family (Low-Density) Land Use designation areas
 - Residentially designated areas within ¼-mile of designated Centers and Corridors

See Map 1 – Preliminary Concept for Potential Additional Medium-scale Residential Neighborhoods

The Commission generally concurred with the logic, but also raised questions. This concept, unless further refined, would mean that not much Low-scale Residential areas would remain overall, and that some neighborhoods would be predominately Medium-scale Residential, while others would be predominately Low-scale Residential.

In response, staff have prepared the following scenarios showing transit routes as a potential additional category for consideration as Medium-scale Residential. In addition, staff have mapped two new versions of the buffer distance from Centers, Corridors and transit routes—a narrow buffer distance (150 foot from street centerline), and a moderate buffer distance (1/8-mile). This can be compared to the wide buffer distance shown in Map 1 (1/4-mile).

Staff request that the Commission provide guidance on the following questions:

1. Should transit routes be considered in a similar manner to designated Corridors for purposes of designating Medium-scale Residential areas?
2. What buffer distance should be used from Centers, Corridors and transit routes for Medium-scale Residential designation?
3. Are there additional factors that should be considered in delineating low and medium-scale, such as the Equity/Opportunity Index?

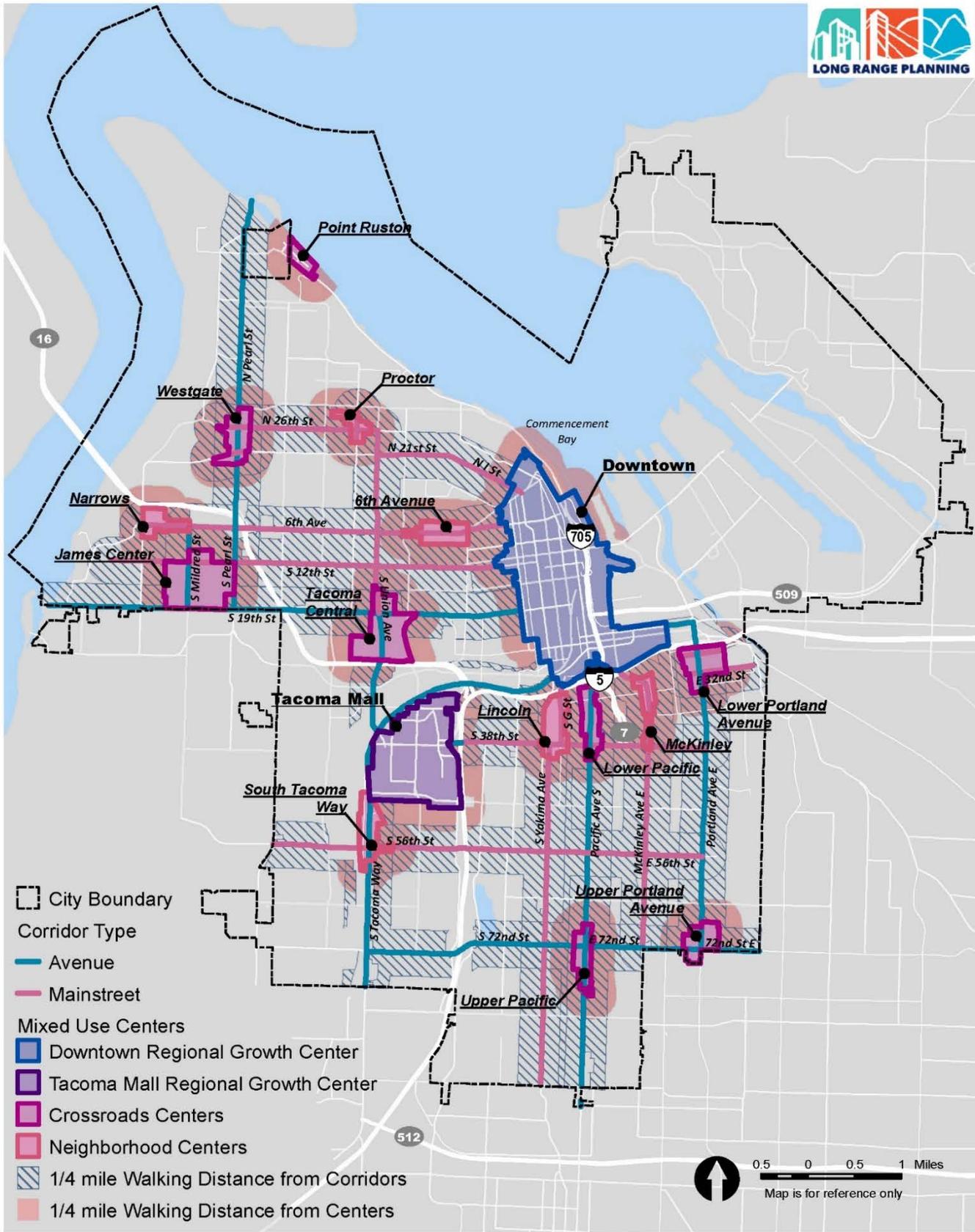
Staff have prepared the following maps to support the discussion.

MAP 1 (Preliminary Concept)

Potential Additional Medium-Scale Residential Neighborhoods

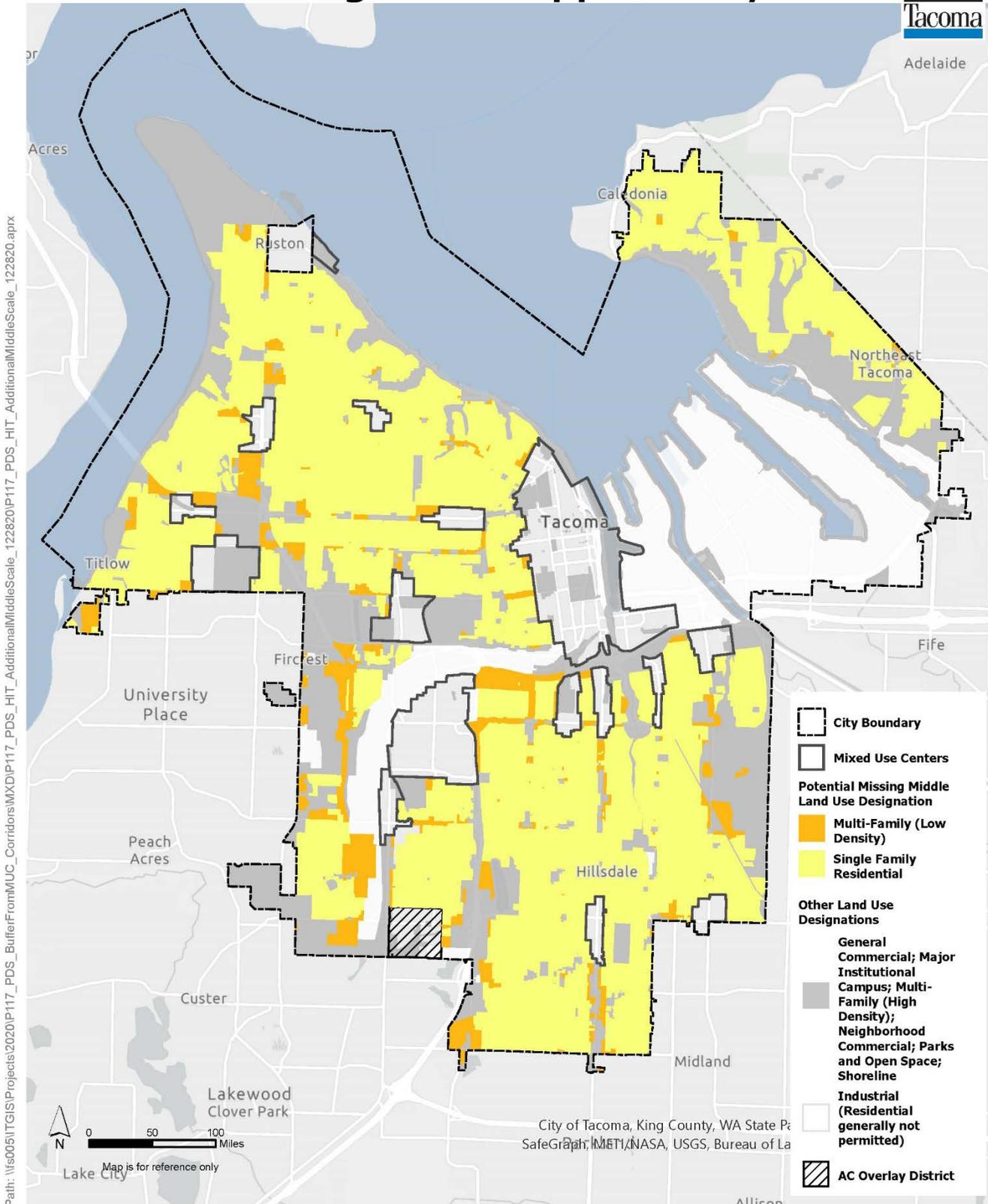


Document Path: Z:\GAD\SR2018\286\WXDP\117_Potential Additional Medium-scale Residential Neighborhoods 8x11 120920.mxd Author Name: aabramovich



MAP 2

Potential Missing Middle Applicability Area

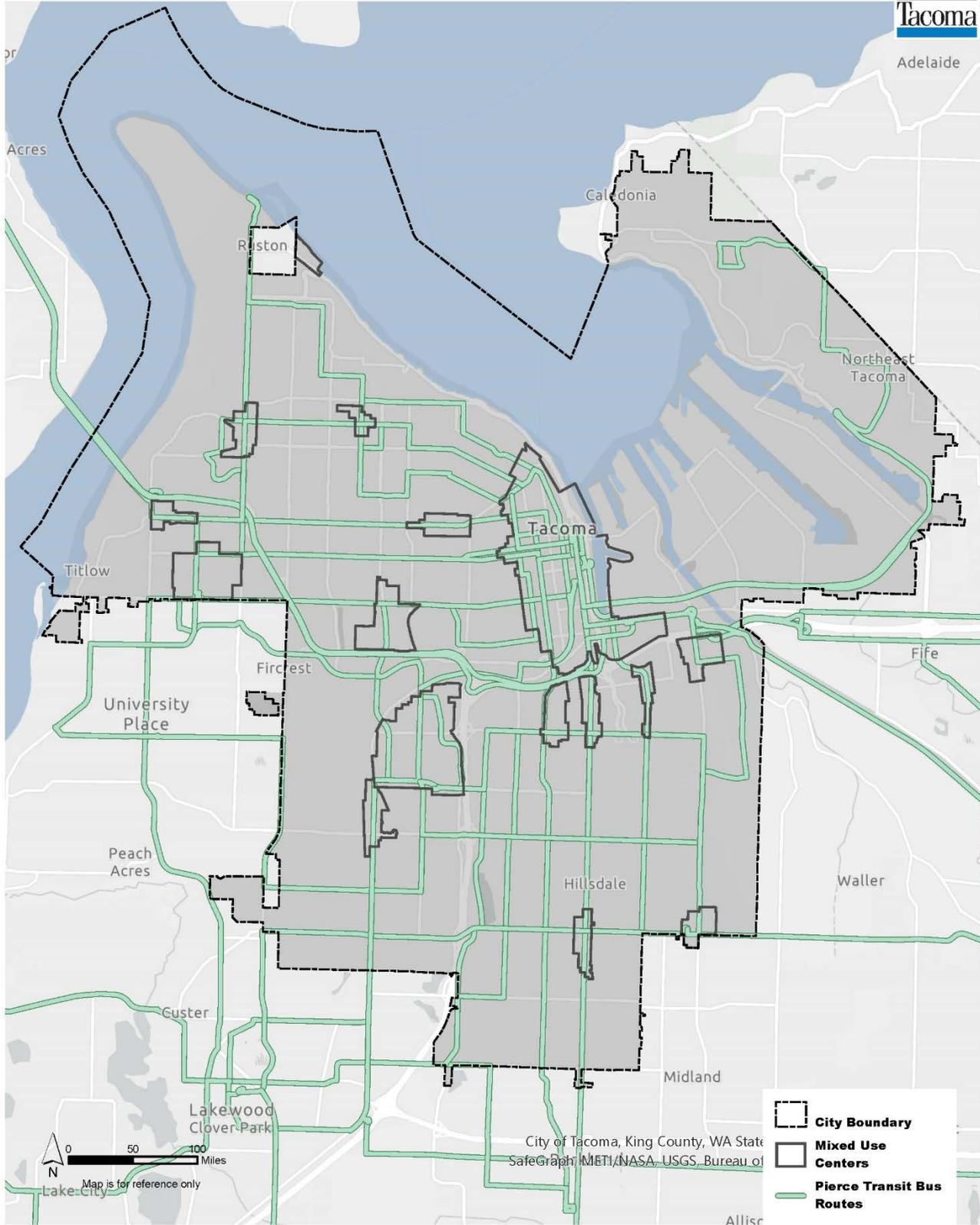


MAP 3

Bus Routes



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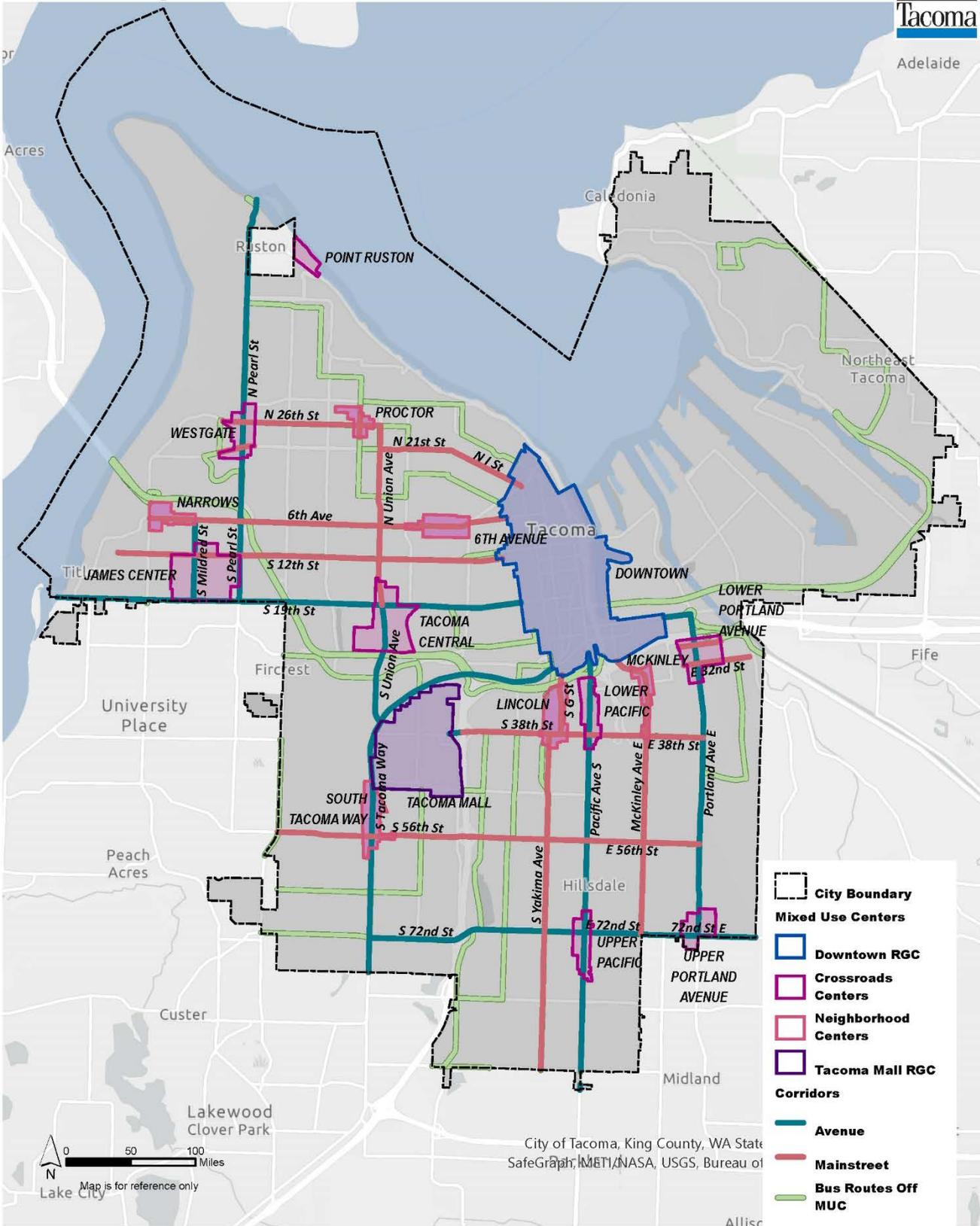


MAP 4



Centers, Corridors & Bus Routes

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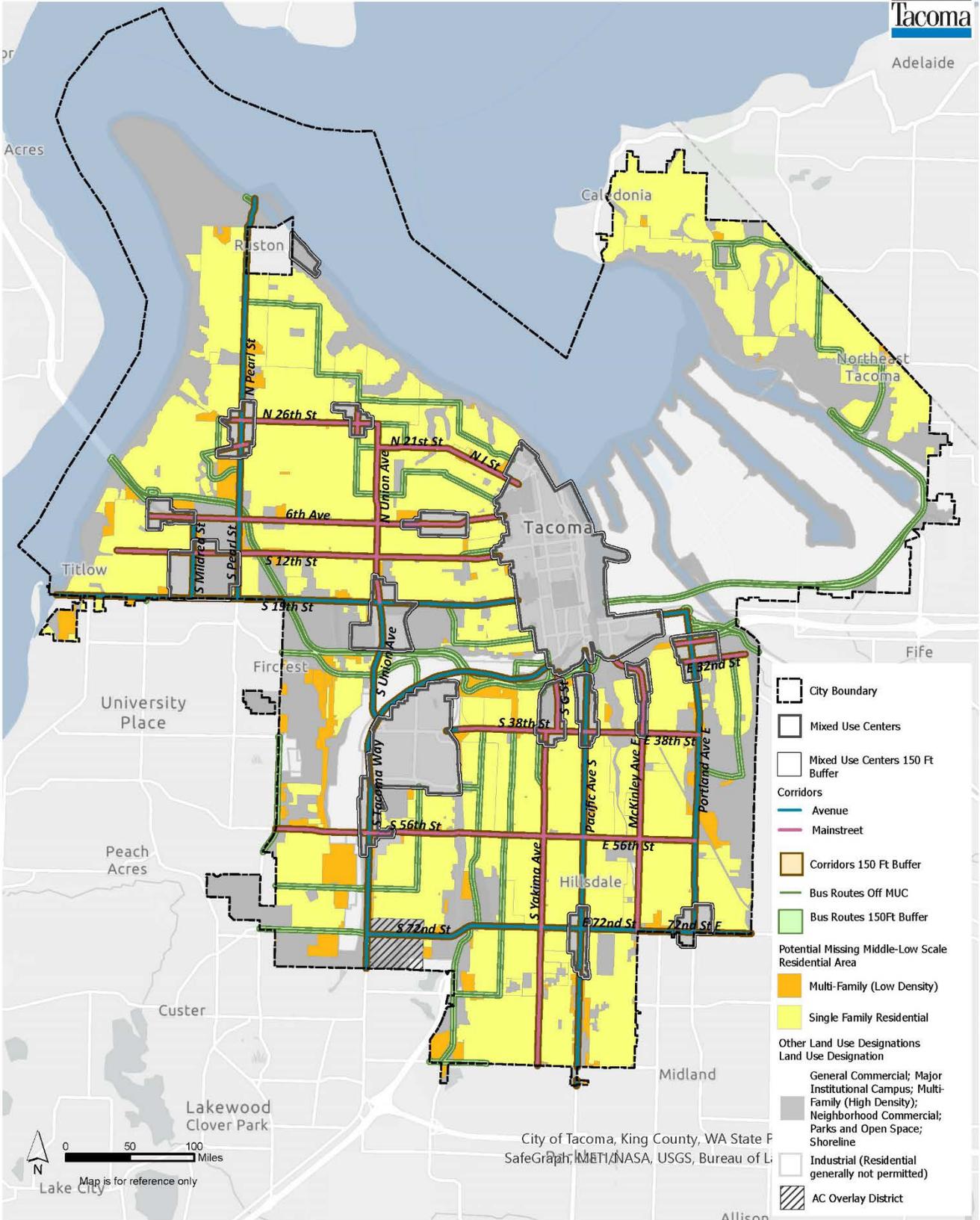
MAP 5

Narrower Transition



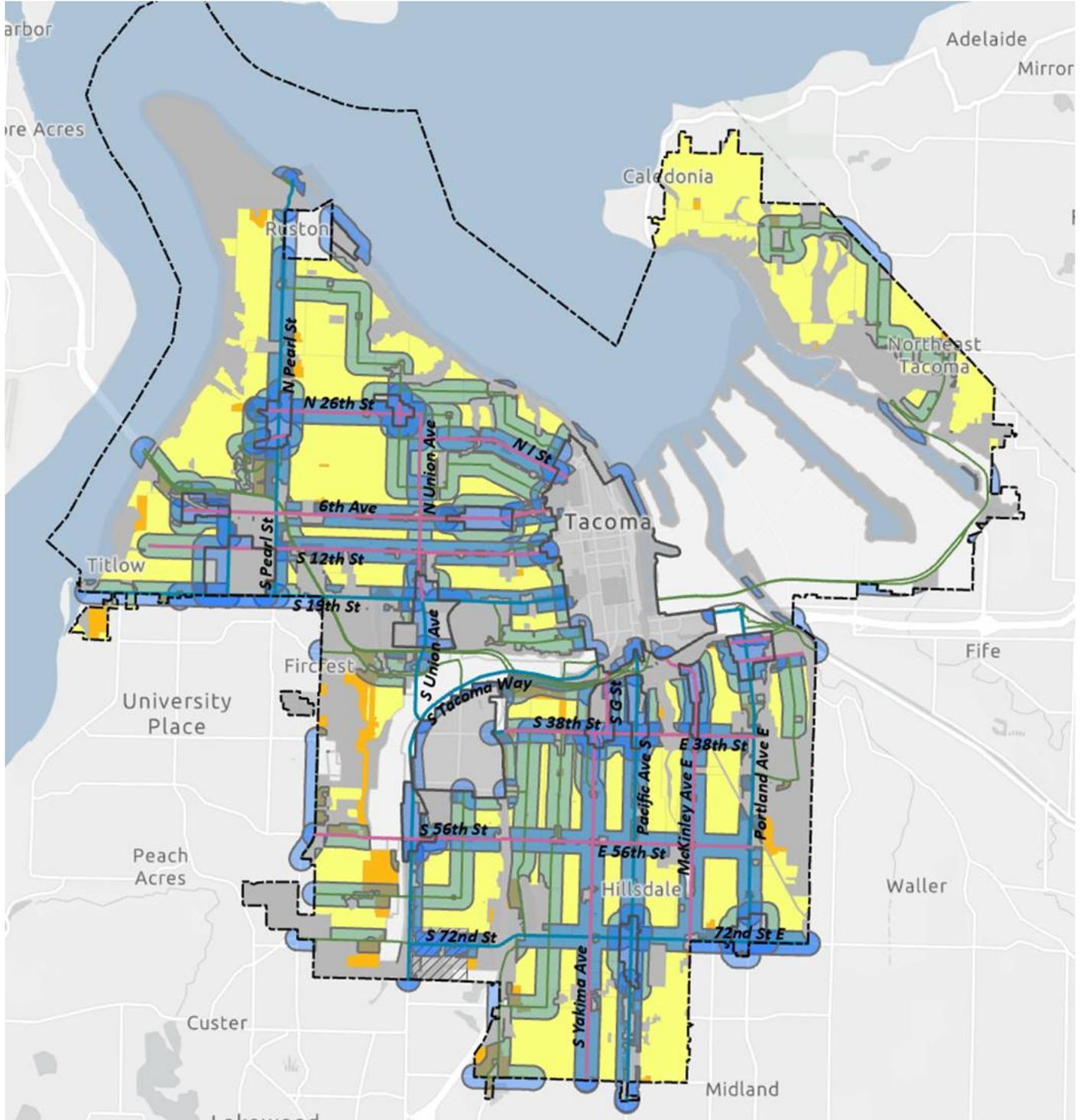
Adelaide

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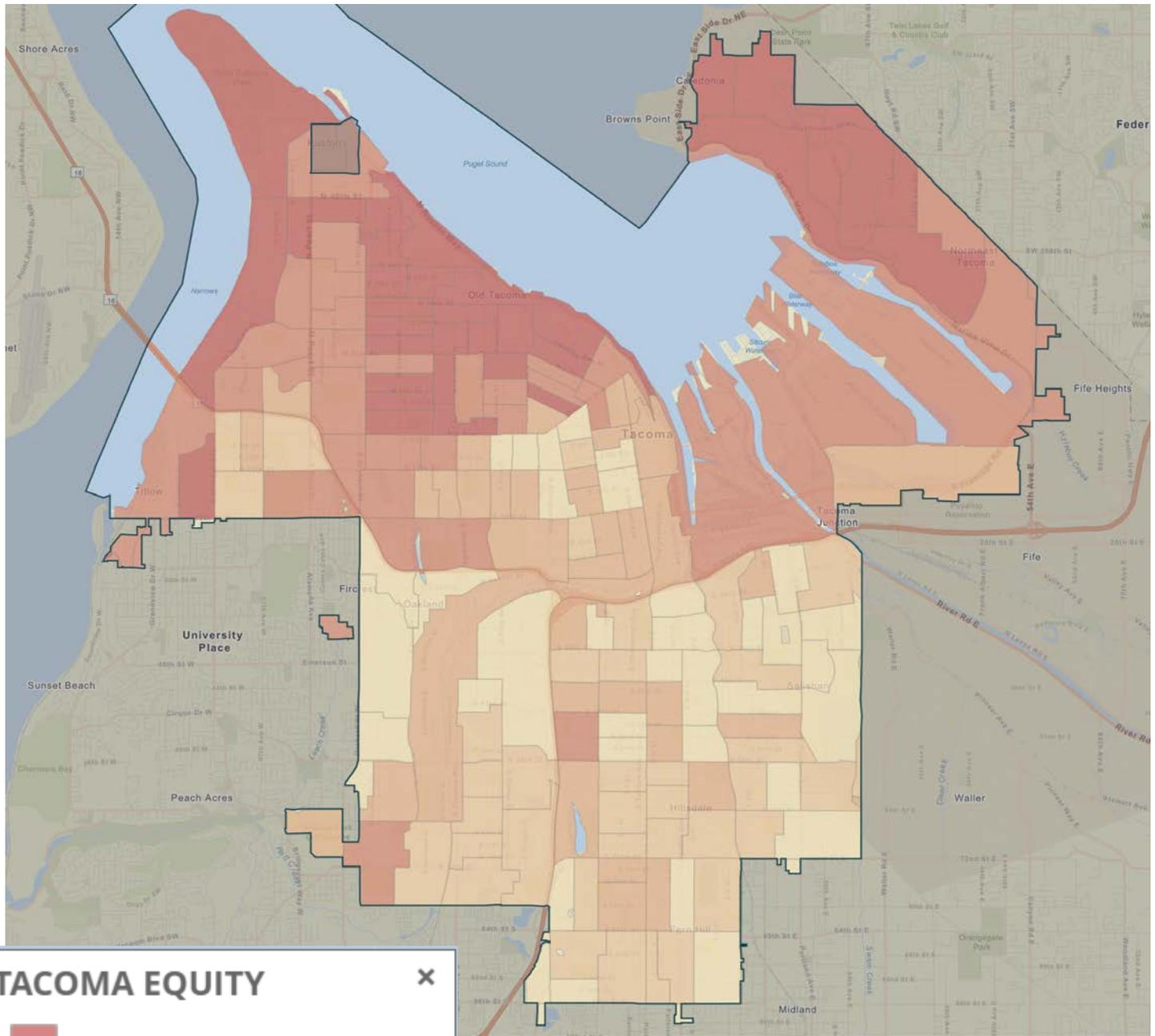


MAP 6

Moderate Transition (1/8-mile buffer distance)



MAP 7 – Tacoma’s Equity/Opportunity Index (2020 update)



TACOMA EQUITY ✕

	Higher Opportunity
	Lower Opportunity

The [Equity Index](#) contains multiple data points organized into the following categories:

- Livability
- Accessibility
- Economy
- Education
- Equity Overview

PROJECT STATUS:

Inputs utilized to develop preliminary recommendations

- Comprehensive Plan, Affordable Housing Action Strategy, Council policy direction (see Scoping Report)
- Planning Commission Scoping Process
- Planning Commission Workshop (November 18, 2020)
- Planning Commission debrief (December 16, 2020)
- Consultation with the Housing Equity Taskforce, AHAS Technical Advisory Group and City Commissions (Sustainable Tacoma Commission, Commission on Disabilities, Transportation Commission, Commission on Immigrant and Refugee Affairs) to date
- Developer Focus Group input (November 12, 2020)
- Draft Housing Needs Assessment

Next steps

- Market analysis to estimate change to housing production by housing type and price points
- Consultation with additional City Commissions and stakeholder groups
- Housing Equity Taskforce recommendations coming in January
- Departmental and environmental review
- Housing Choice Survey results
- Develop near-term code changes

The Commission will review these inputs along with a preliminary draft package at its February 3, 2021 meeting. At that meeting, staff will ask for direction to finalize the public review draft package later in February.

What will be in the public review package?

Housing Action Plan: The analysis and full list of housing growth strategy actions to be implemented over time

One Tacoma Comprehensive Plan: Housing Element and Urban Form Element changes to reflect policy direction

Near-term code changes: Changes to address known code issues, for consistency with state law, and to update the Affordable Housing Incentives Administrative Code

SEPA determination: City review of potential environmental impacts and mitigation actions as warranted

What comes after June 2021?

The City Council has directed staff and the Commission to provide zoning and development standards updates to implement the adopted policy direction by December of 2021. This package will include:

1. Zoning changes to implement adopted housing growth strategy changes
2. Standards updates to implement adopted housing growth strategy changes
3. Incentive bonus program changes
4. Actions to support implementation or address impacts
5. Administrative/process/educational actions



To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: **Tideflats and Industrial Land Use Regulations**
Meeting Date: January 6, 2021
Memo Date: December 30, 2020

Action Requested:

Select a regulatory option for code development for the following topics as outlined in the approved scope of work: 1. Permit Notification, 2. Conversion of Industrial Lands in the Port of Tacoma Manufacturing and Industrial Center, and 3. Residential Encroachment.

Discussion:

At the Planning Commission's meeting on January 6, 2021, staff will present a summary report on the following topics: 1. Permit Notification, 2. Conversion of Industrial Lands in the Port of Tacoma Manufacturing and Industrial Center, and 3. Residential Encroachment. For each topic, staff will provide an overview of three primary code options:

- A. Alternative Code Option: This option will represent an alternative to both the baseline code and interim ordinance. The Alternative Option is intended to balance multiple policy orientations in the One Tacoma Comprehensive Plan.
- B. Baseline Code Option: This code option represents the use regulations that were in place prior to the interim ordinance.
- C. Current Interim Code Option: This code option represents the current interim ordinance as approved by the City Council in November of 2017.

The draft options reports (attached) provide an overview of the issue, the policy framework to guide recommendations and consistency with the One Tacoma Comprehensive Plan, as well as supplemental information, including prior findings of fact (2017), benchmarking, definitions, and additional maps or data that will support the Commission's review.

Staff is seeking Planning Commission direction on a preferred code option to develop for release for public review and comment. Upon Commission direction, staff will begin to develop the code exhibits and will present the exhibits to the Planning Commission at an additional meeting to review and request the formal release for public review and comment.

Project Summary:

On October 20, 2020 the City Council approved Amended Ordinance No. 28696, which approved a 6-month extension of the Tideflats Interim Regulations and also directed the Planning Commission and staff to begin a process to develop new recommendations for a non-interim ordinance to replace the interim regulations.



This project will review 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;
- Siting of potentially high risk/high impact heavy industrial uses.

The process will result, at a minimum, in proposed amendments to the Tacoma Municipal Code, Title 19 Shoreline Master Program and Title 13 Land Use Regulatory Code, and will be conducted in accordance with the procedural requirements of the State Shoreline Management Act, Growth Management Act, State Environmental Policy Act, and Tacoma Municipal Code.

Prior Actions:

On December 2, 2020, the Planning Commission conducted a public scoping hearing and accepted written comments on the draft scope of work. Following the hearing, the Commission discussed the public testimony and approved modifications to the scope of work.

On November 18, the Planning Commission reviewed Amended Ordinance No. 28696 and a Draft Scope of Work for the Non-interim Industrial Land Use Regulations and set a public scoping hearing for December 2, 2020. The Commission modified the scope of work to include additional potential engagement opportunities.

On May 9, 2017, the City Council adopted Resolution No. 39723 initiating a subarea planning process for the Port/Tideflats area. In addition, the resolution requested the Planning Commission consider the need for interim regulations in the Tideflats area while the subarea planning process is under way.

The Planning Commission determined that interim regulations were warranted and on October 4, 2017 forwarded its recommendation to the City Council for consideration. In support of these deliberations the Commission conducted a public hearing, at which 81 people testified, and reviewed over 200 written comments. Attached is the Commission's Findings and Recommendations Report, dated October 4, 2017.

Staff Contacts:

- Stephen Atkinson, satkinson@cityoftacoma.org
- Larry Harala, lharala@cityoftacoma.org

Attachments:

A. Draft Options Report:

- Section A: Permit Notification
- Section B: Conversion of Industrial Lands
- Section C: Residential Encroachment

c. Peter Huffman, Director

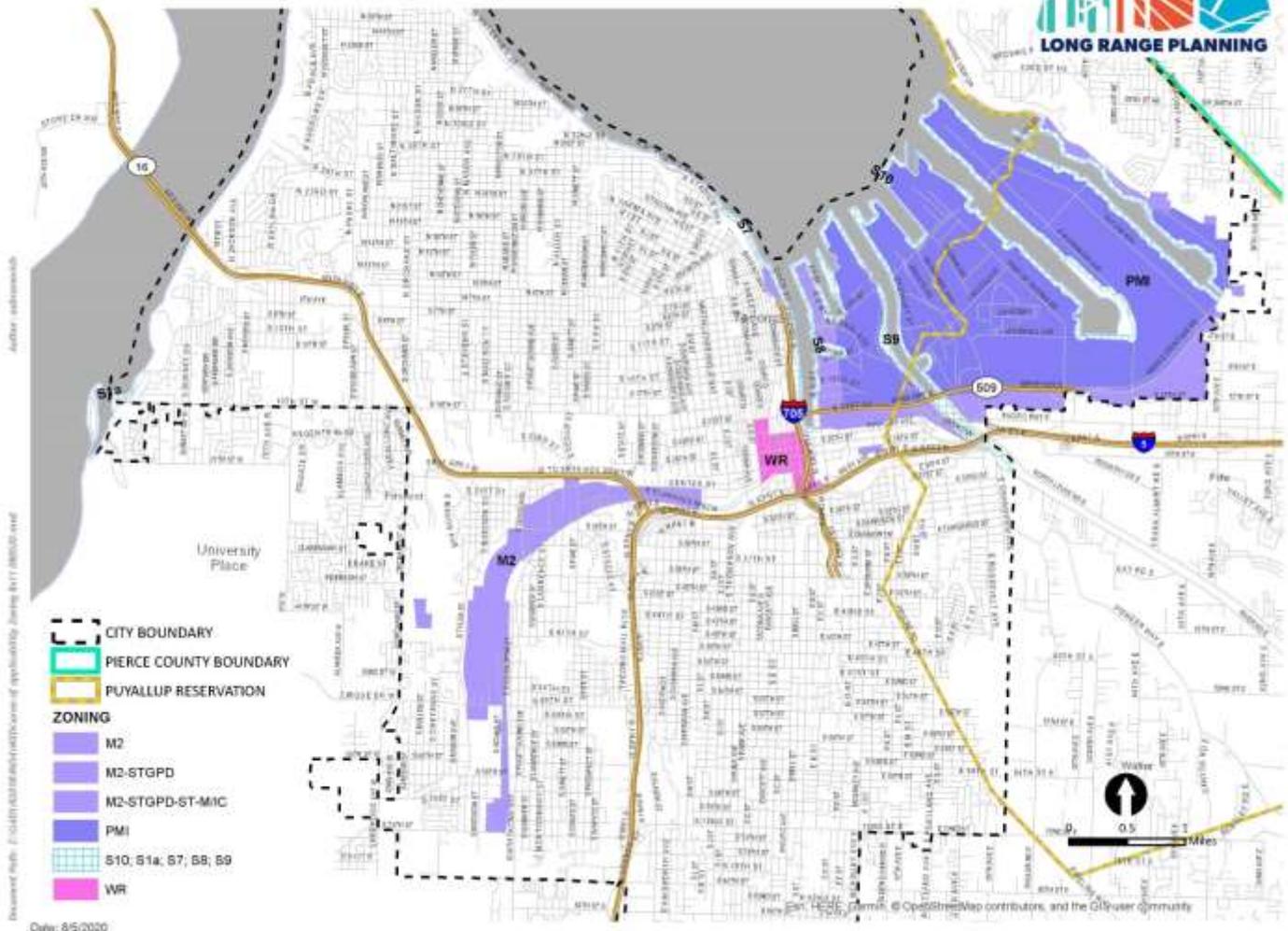
Section A. Permit and Land Use Notifications

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.

2. Interim Area of Applicability

City of Tacoma | Planning and Development Services
Expanded Notification + Industrial Uses Restrictions: Area of Applicability



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. Code Options

The staff recommended modification to the Current Interim Ordinance is to expand direct mailings to include occupants as well as taxpayers.

	Option A: Alternative Ordinance	Option B: Baseline Ordinance	Option C: Current Interim Ordinance
Types of Use	Same as Option B	Heavy Industrial Uses	Heavy Industrial Uses
Types of Permits/Action	Same as Option B	<ul style="list-style-type: none"> • EIS • SEPA Determination • Shoreline Permits • Conditional Use Permits • Variances 	<ul style="list-style-type: none"> • EIS • SEPA Determination • Shoreline Permits • Conditional Use Permits • Variances
Notification Distance	Same as Option B	2,500’ from MIC boundary, or from project site not located in an MIC	<ul style="list-style-type: none"> • EIS – 1000’ • SEPA Determination – same as case type • Shoreline Permits – 400’ • Conditional Use Permits – 400’/1000’

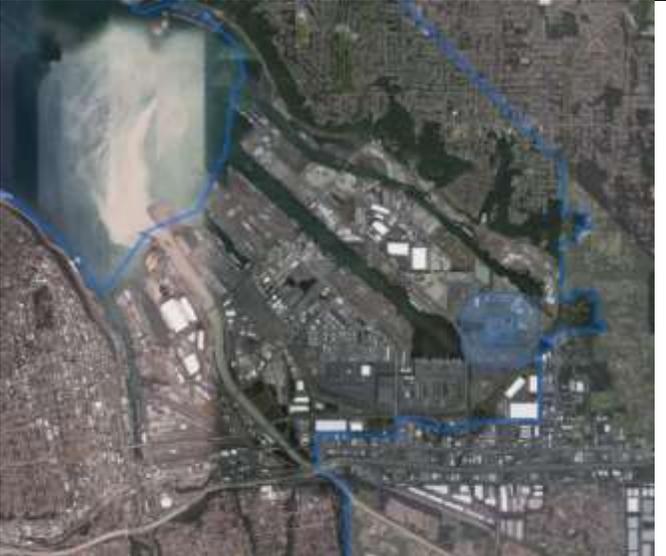
			<ul style="list-style-type: none"> • Variances – 400’ Distances measured from project site.
Recipient	Taxpayers and Occupants	Taxpayers	Taxpayers
Public Meeting	Same as Option B	Yes	None

Secondly, this direct notification approach would be integrated into TMC 13.05. to apply to Comprehensive Plan Future Land Use Map Amendments and Area-wide Rezones that apply within the Port of Tacoma Manufacturing Center or other heavy industrial zoning districts City-wide.

Supplemental Information

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.

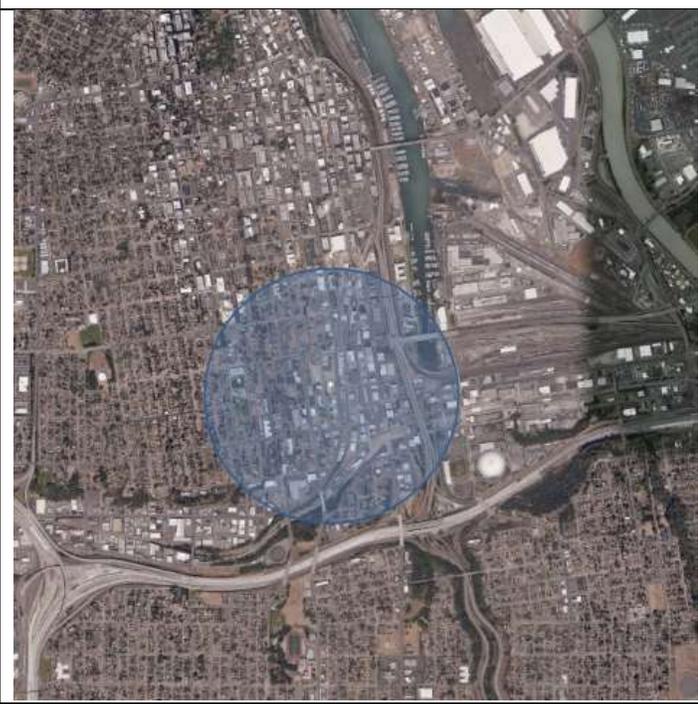
	
7,144 taxpayers notified + 6,248 occupants	33 taxpayers within 1000'



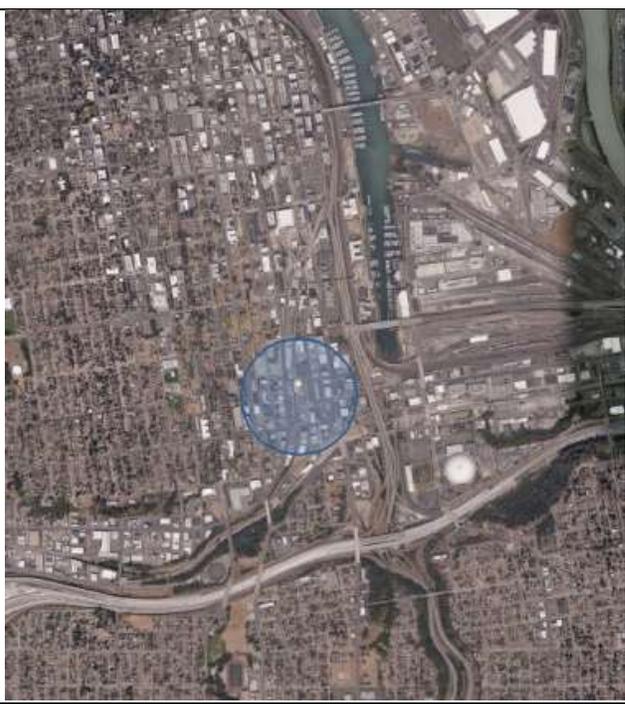
7,744 taxpayer notices + 9,000 Occupants



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.

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 ³
Binding site plan	Required	No	No	No	No	Director	No	No	5 years ³
Environmental SEPA DNS* (see TMC 13.05.020.I)	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.I)	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 ¹	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 ²	Hearing Examiner	Yes	Final Plat	5 years ⁶
Rezones	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA ²	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance* (see TMC 13.05.020.I)	Required	400 feet	No	Yes	30 days ⁵	Director	No ¹	No	2 years/ maximum ⁶
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years ³
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No ¹	No	5 years ⁶
Site approval	Required	400 feet	No	Yes	30 days ⁵	Director	No	No	5 years
Conditional use* (see TMC 13.05.020.I)	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days ⁵	Director	No	No	5 years ⁴

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Conditional use, correctional facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, detention facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days ²	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 ⁵	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 ⁷	No	No	14 days	Director	No ¹	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No ¹	No	5 years
Wetland/Stream/FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years*
Wetland/Stream/FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years*
Wetland/Stream/FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years

D. Benchmarking

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

			<ul style="list-style-type: none"> • 3 Signs on property placed conspicuously 	
Pierce County	<ul style="list-style-type: none"> • 300 ft *exterior boundaries 	<ul style="list-style-type: none"> • "Property Owners" • Relevant Reviewing Agencies 	<ul style="list-style-type: none"> • Local Newspaper • Sign • Pierce County Notification Board 	<ul style="list-style-type: none"> • 18.80.040
Lakewood	<ul style="list-style-type: none"> • 150 ft 	<ul style="list-style-type: none"> • "Property Owners" • "SEPA mailing list"(unless exempt) • Neighborhood leader mailing list 	<ul style="list-style-type: none"> • 2 Signs (at least 2' X 3') 	<ul style="list-style-type: none"> • 15.24.080 • 15.24.090
Bellevue	<ul style="list-style-type: none"> • 300 ft 	<ul style="list-style-type: none"> • "Property Owner" 	<ul style="list-style-type: none"> • City Clerk physical Postings(3) 	<ul style="list-style-type: none"> • 14.35.050
Spokane	<ul style="list-style-type: none"> • 400 ft *from any portion of the boundary 	<ul style="list-style-type: none"> • "Owners/ Taxpayers" • Interested Parties list • Applicable Neighborhood Council • Relevant Public Agency/Jurisdiction 	<ul style="list-style-type: none"> • City Hall • Library • Any other public building/notice board 	<ul style="list-style-type: none"> • 17G.060.120
Sumner	<ul style="list-style-type: none"> • 500 ft of boundaries 	<ul style="list-style-type: none"> • "Property Owners" 	<ul style="list-style-type: none"> • On-site • Public Locations(City Hall and other designated) • Publication using 2 electronic methods 	<ul style="list-style-type: none"> • 18.56.070
Puyallup	<ul style="list-style-type: none"> • 300 ft 	<ul style="list-style-type: none"> • "Property Owners" 	<ul style="list-style-type: none"> • Meeting Location sign(2'X2') • Public information sign 	<ul style="list-style-type: none"> • 20.11.012
Auburn	<ul style="list-style-type: none"> • 300 ft 	<ul style="list-style-type: none"> • "Property Owners" • Interested parties 	<ul style="list-style-type: none"> • Sign at property • Local Newspaper 	<ul style="list-style-type: none"> • 10.06.090 • 14.07.040
Renton	<ul style="list-style-type: none"> • 300 ft 	<ul style="list-style-type: none"> • "Property Owners" 	<ul style="list-style-type: none"> • Local Newspaper • City's webpage • Sign at approx.. midpoint of property frontage 	<ul style="list-style-type: none"> • 4.8.090

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.

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 Tideflats 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.

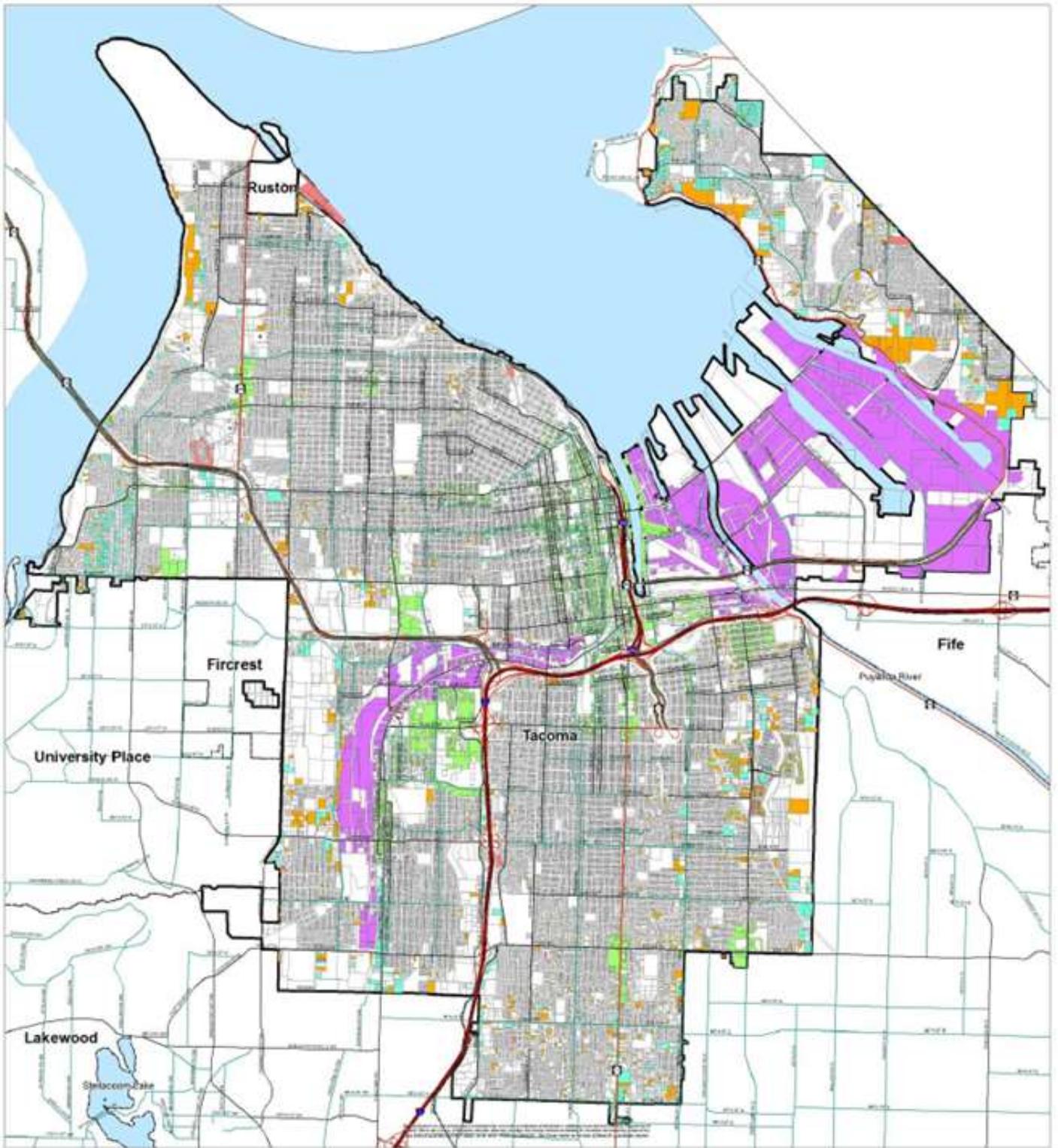
Policy EC–6.19 Provide industrial land and encourage investment in necessary services that support industrial business retention, growth and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing and a widely accessible base of living wage jobs,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

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.



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. Options Comparison

Option A: Alternative Ordinance

Use Category	Buffer Area		Core Area	Notes
	M-1	M-2	PMI	
Agriculture	CU <u>N</u>	CU <u>N</u>	<u>N</u> CU	(Urban Horticulture is permitted in all districts) For all Conditional Uses, see CUP Criteria below
Airport	<u>N</u> CU	<u>N</u> CU	<u>N</u> CU	
Commercial Recreation and Entertainment	<u>CU</u> ** P	<u>CU</u> * P	N	* Indoor ** Indoor and Outdoor
Cultural Institution	<u>CU</u> P	<u>CU</u> P	N	
Dwellings	<u>CU</u> P	N	N	Except for caretaker quarters/ M-1 residential allowed as part of mixed use industrial development
Golf Course	<u>N</u> P	<u>N</u> P	N	
Hospital	<u>CU</u> P	<u>N</u> P	N	
Juvenile Community Facility	<u>CU</u> P	<u>N</u> P	<u>N</u> P	
Marijuana Retailer	<u>P</u> * P	<u>CU</u> * P	<u>N</u> P	With size limitations – See below
Office	<u>P</u> *	<u>P</u> *	<u>CU</u> *	* With size limitations – See below
Parks, Recreation and Open Space – High Intensity/Destination Facilities	<u>CU</u> ** P	<u>CU</u> * P	<u>N</u> P	* Indoor ** Indoor and Outdoor
Retail	<u>P</u> *	<u>CU</u> * P	<u>N</u> P	*With size limitations – See below
School, Public or Private	<u>CU</u> P	<u>N</u> P	<u>N</u> P	General K-12 only
Work Release Center	CU	<u>N</u> CU	<u>N</u> P	

- 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.

Specific Criteria for Non-Industrial Uses in the Port MIC

- 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.
- Will include notice on Title regarding facility location within a Port/Industrial District.

Conditional Use Permit Process:

- Consult with Puyallup Tribe and Port of Tacoma regarding potential off site impacts and compatibility of proposed use

Existing Uses:

- Prohibited uses subject to nonconforming use standards

Option B: Baseline Ordinance

Use Category	Buffer Area		Core Area	Notes
	M-1	M-2	PMI	
Agriculture	CU	CU	CU	See CUP Criteria below*
Airport	CU	CU	CU	
Commercial Recreation and Entertainment	P	P	N	
Cultural Institution	P	P	N	
Dwellings	P	N	N	Except for caretaker quarters/ M-1 residential allowed as part of mixed use industrial development
Golf Course	P	P	N	
Hospital	P	P	N	
Juvenile Community Facility	P	P	P	
Marijuana Retailer	P	P	P	With size limitations in PMI
Office	P	P	P	
Parks, Recreation and Open Space – High Intensity/Destination Facilities	P	P	P	
Retail	P	P	P	With size limitations in PMI
School, Public or Private	P	P	P	
Work Release Center	CU	CU	P	

Option C: Current Interim Ordinance

The current interim ordinance uses a blanket approach to this issue, prohibiting the uses in the S-10, PMI, and M-2 districts. The ordinance does not currently apply to the M-1 District. Secondly, existing uses are allowed to expand without specific limitation or consideration for potential use conflicts resulting from that expansion.

Use Category	Buffer Area		Core Area	Notes
	M-1 ¹	M-2	PMI	
Agriculture	CU	N CU	N CU	
Airport	CU	N CU	N CU	
Commercial Recreation and Entertainment	P	CU * P	N	*With a size limitation
Cultural Institution	P	N P	N	
Dwellings	P	N	N	Except for caretaker quarters/ M-1 residential allowed as part of mixed use industrial development
Golf Course	P	N P	N	
Hospital	P	N P	N	
Juvenile Community Facility	P	N P	N P	
Marijuana Retailer	P	P*	N P	*With size limitations in PMI
Office	P	P	P	
Parks, Recreation and Open Space – High Intensity/Destination Facilities	P	N P	N P	
Retail	P	P	P	With size limitations in PMI
School, Public or Private	P	N P	N P	
Work Release Center	CU	N CU	N P	

¹ Current Ordinance does not apply to M-1.

5. Supplemental Information

Use Category	Definition
Agriculture	<p>13.01.060.A</p> <p>“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.</p>
Airport	<p>13.01.060.A</p> <p>“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.</p>
Commercial Recreation and Entertainment	<p>13.01.060.C</p> <p>“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 machines. This use does not include public or quasi-public parks, recreation or open space, theaters or golf courses.</p>
Cultural Institution	<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>
Dwellings	<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>
Golf Course	<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>

Hospital	13.01.060.H “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.
Industry, light	13.01.060.I “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.
Industry, heavy	13.01.060.I “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.
Juvenile Community Facility	13.01.060.J “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 a community care facility for youth, a residential care facility for youth, or a staffed residential home as defined herein.
Marijuana Retailer	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.
Office	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.

Parks, Recreation and Open Space – High Intensity/Destination Facilities	<p>13.01.060.P</p> <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.</p>
Retail	<p>13.01.060.R</p> <p>“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).</p>
School, Public or Private	<p>13.01.060.S</p> <p>“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.</p>
Work Release Center	<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>

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

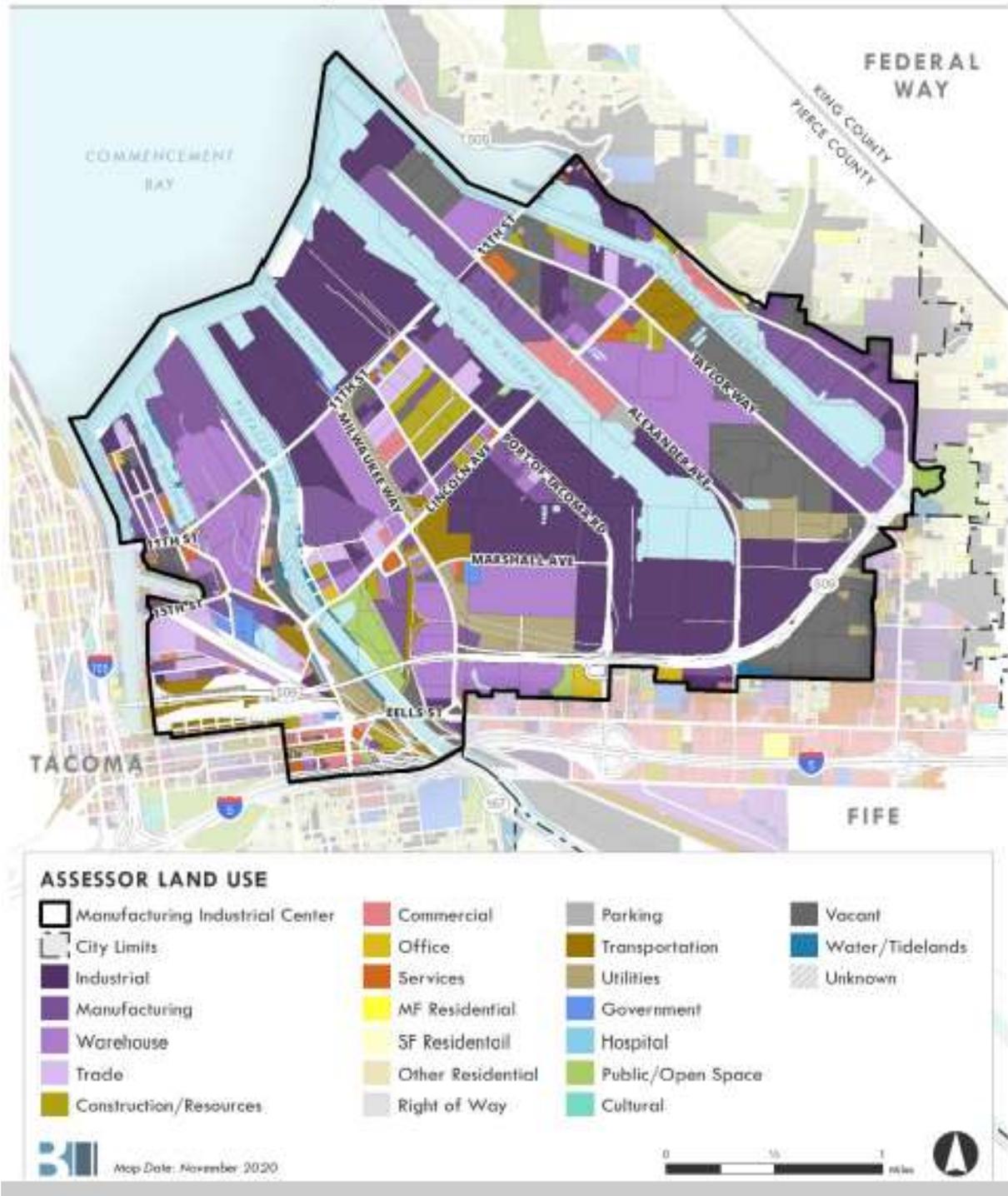
The study area includes 3,963 acres (parcel acres) spread across 752 parcels with a diverse range of uses. The majority (34%) of uses are industrial activities. Manufacturing (16%), warehousing (15%) and transportation (4%) are also significant proportions of the overall land use acreage in the study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

City of Fife Fife Municipal Code	City of Sumner Sumner Municipal Code	City of Seattle Seattle Municipal Code	Pierce County Pierce County Code
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
PERMITTED non-industrial uses: <ul style="list-style-type: none"> • existing dwelling unit; • Professional offices; • Agricultural use, including plant nursery, feed and seed store, livestock (see Chapter 19.68 FMC) and roadside stand for the sale of agricultural goods; • Retail sales or service use (with some limitations on type); • Commercial parking lots and park and ride lots; • Printing establishment, 	PERMITTED non-industrial uses: <ul style="list-style-type: none"> • Agriculture • Indoor commercial recreation • Existing residences • Restaurants with no bar • Taverns • Churches • General Commercial, limited to 10,000 sq ft, in M-1 area only • Breweries (M-2) CONDITIONAL uses: <ul style="list-style-type: none"> • Daycare (in M-1) • Outside commercial recreation • Breweries (M-1) • Cemeteries • Hospitals • Parks 	PERMITTED non-industrial uses: <ul style="list-style-type: none"> • Community Garden, • urban farm, • eating and drinking establishment • indoor/outdoor sports and recreation; • Food processing and craft work; • Medical services • Offices • Sales and Services • Child care centers • Community centers and family support centers • Religious facilities CONDITIONAL uses: <ul style="list-style-type: none"> • Artist dwellings/studios 	PERMITTED non-industrial uses: <ul style="list-style-type: none"> • Administrative and professional offices • Health Services • Postal Services • Public Park Facilities • Agritourism • Crop Production • Mobile and manufactured home sales • Business Services

<ul style="list-style-type: none"> • Public and quasi public uses, such as museums, governmental offices, police station, pool, community center, court, school <p>CONDITIONAL uses:</p> <ul style="list-style-type: none"> • Restaurant, • Retail services, • Religious institutions • Go-kart 	<ul style="list-style-type: none"> • Public Facilities 	<ul style="list-style-type: none"> • Residential Use in a landmark structure or district 	
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3. Policy Review

The policies cited in Section 2 of this report are also pertinent to this topic. In addition to the policies cited in that section, the following policies from VISION 2040 and the Container Port Element of the One Tacoma Plan provide additional and more specific guidance.

VISION 2040

MPP-DP-53: Protect industrial lands from encroachment by incompatible uses and development on adjacent land.

MPP-Ec-19: Maximize the use of existing designated manufacturing and industrial centers by focusing appropriate types and amounts of employment growth in these areas and by protecting them from incompatible adjacent uses.

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.

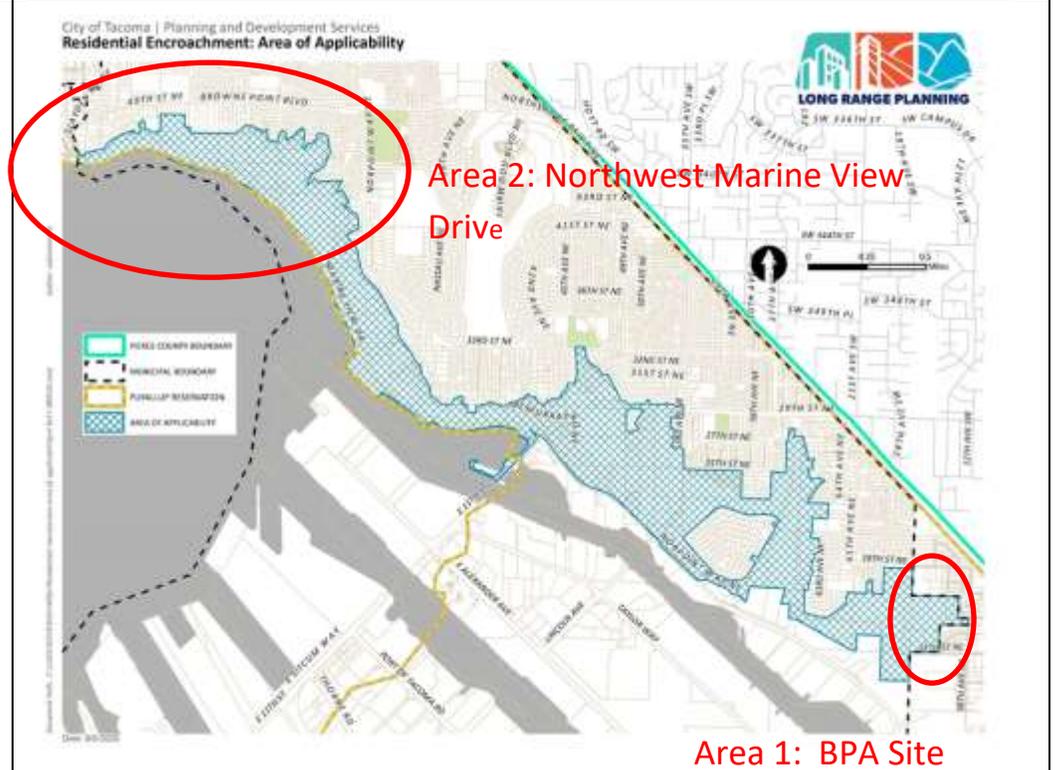
Staff Findings:

- 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. Options Comparison

Option A: Alternative Ordinance

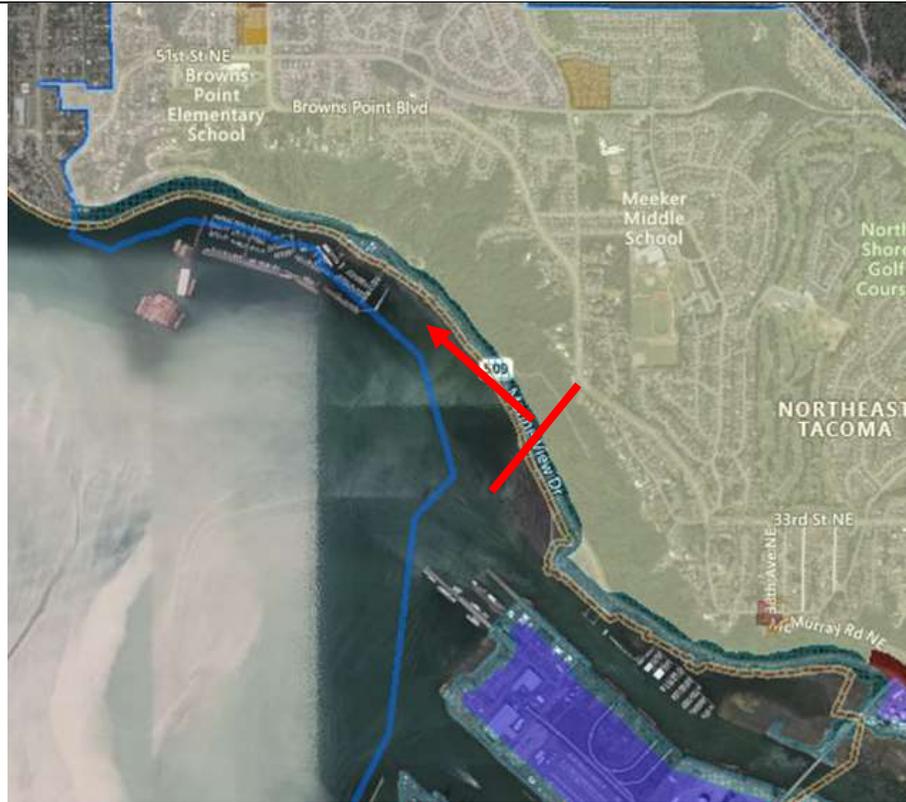
Map Alternative:



Area 1: Comprised of three parcels. Western edge remains forested. BPA power lines cross western edge of site from north to south and there are use restrictions that limit development. This area is generally cleared, with some low intensity existing development.



Area 2: This area enjoys a greater separation from the Port Industrial area than other areas along McMurray Rd south. The area has sight lines back towards the Port, but at a greater distance, likely reducing light, odor, and noise impacts. The forested slopes have a longer horizontal setback from shoreline uses. The area is predominantly forested, but some development activity has occurred. Updated biodiversity corridor standards and steep slope standards currently apply.



Code Alternative:

1. Since the Interim Regulations were adopted, the City has updated Critical Area Standards (TMC 13.11) for steep slopes and fish and wildlife habitat conservation areas. These standards reduce overall development activity in these areas and have established a new baseline for the area than what was previously permitted.
2. Taking this new baseline into account, and the assumption that these new baseline standards significantly reduce the developable area, the alternative standards would apply as follows:
 - Minimum lot size: 1 unit per acre
 - Prohibit siting of residential units at the toe of the slope
 - Allow for accessory dwelling units
 - Allow subdivision of land
 - Continue to allow for TDR and Current Use Assessment in these areas to support incentives for conservation.

Option C: Current Ordinance

1. Prohibits Subdivision
2. Allows one lot per established legal lot
3. Notice on Title
4. Prohibits residential in shoreline districts
5. Allows non-residential conditional uses per TMC 13.06, such as religious facilities, parks and recreation, daycare, and educational facilities.

Applies generally to full extent of slope. Initial mapping sought to include all vacant or undeveloped areas and those areas remaining in a vegetated state. Mapping generally excluded established residential developments.

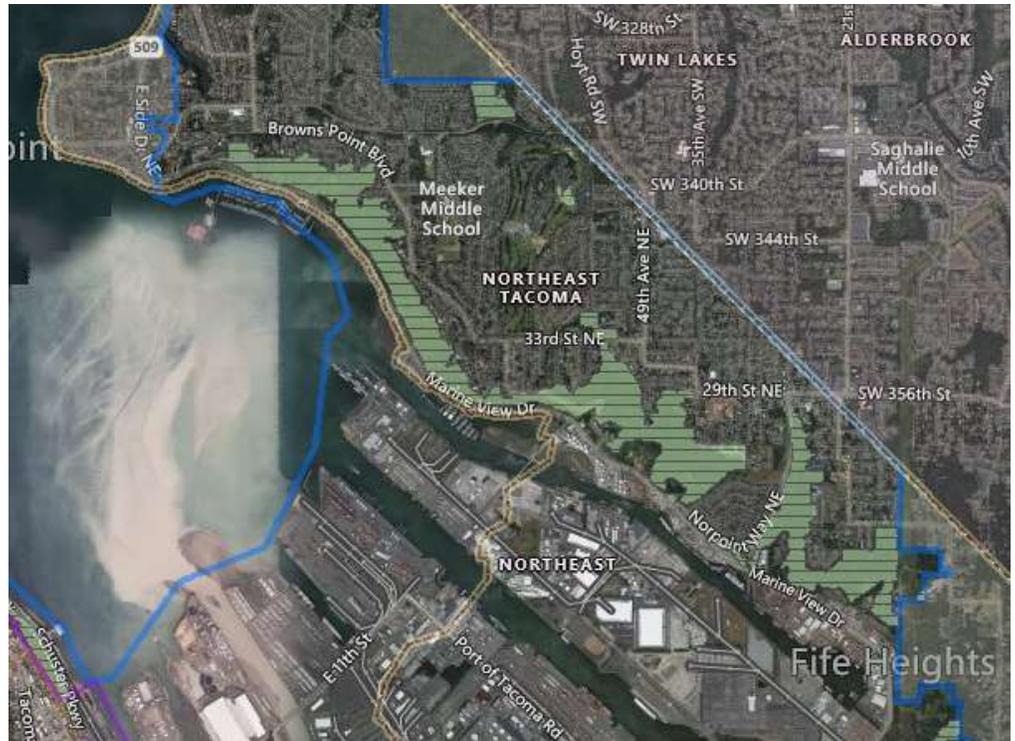


B. Applicable Critical Areas and Development Capacity

i. Biodiversity Corridors

Purpose: Preserve fish and wildlife habitat

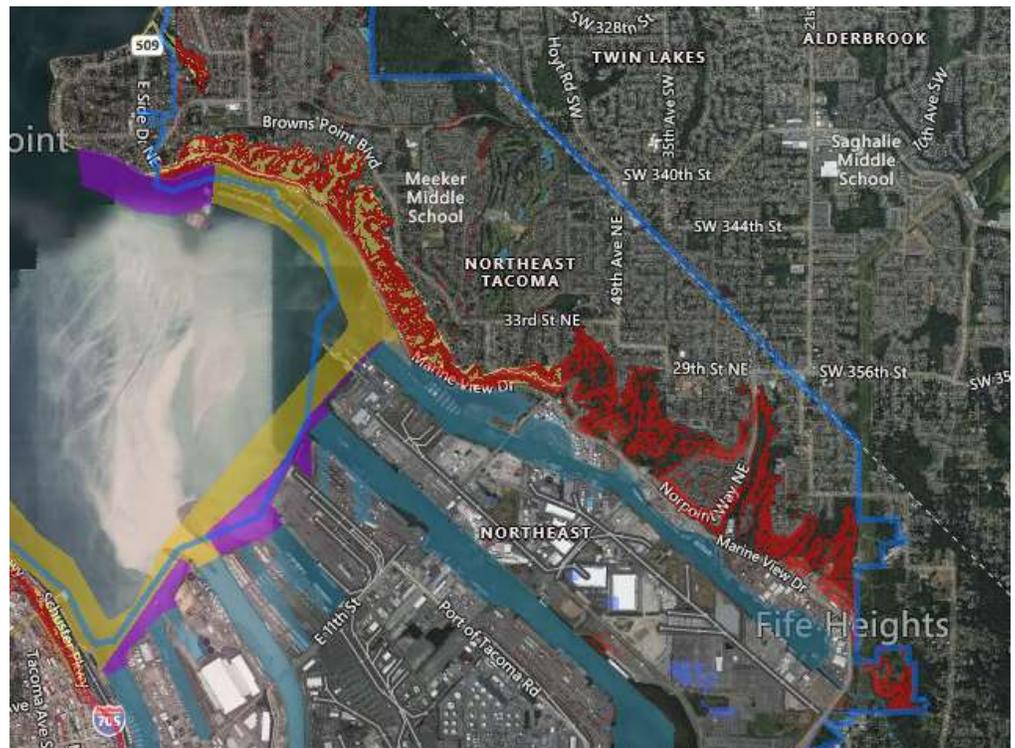
- Limits overall clearing and grading activity to no more than 35% of site
- Clusters development in the least sensitive portion of the site



ii. Steep Slopes and Landslide Hazards

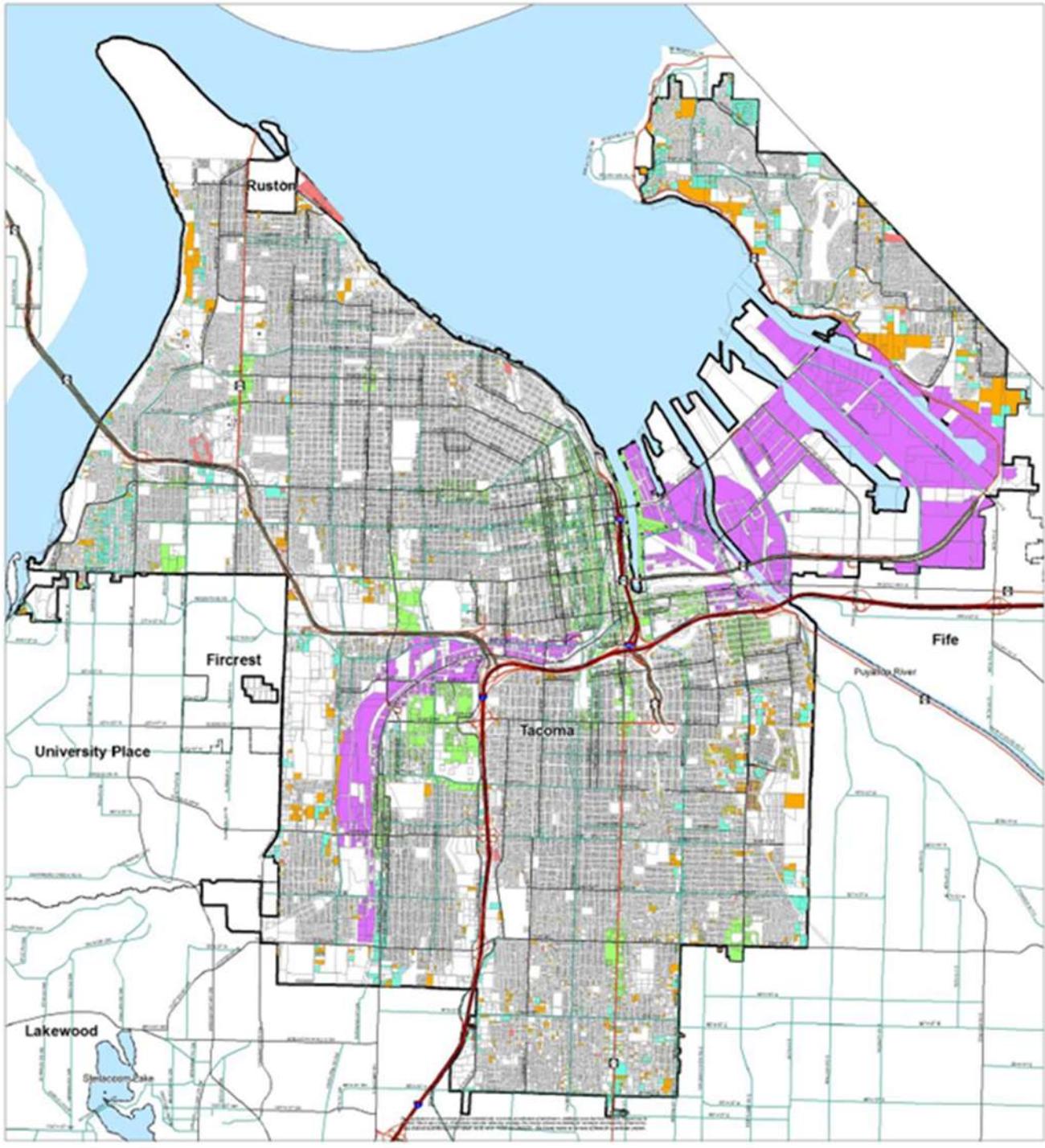
Purpose: Protect life and safety

- 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. For example, the highlighted text below from RCW 36.70A.085 specifically calls out the use of buffers and transition zones.

(6) In developing port elements under subsections (1) and (2) of this section, a city may utilize one or more of the following approaches:

- (a) Creation of a port overlay district that protects container port uses;
- (b) Use of industrial land banks;
- (c) Use of buffers and transition zones between incompatible uses;**
- (d) Use of joint transportation funding agreements;
- (e) Use of policies to encourage the retention of valuable warehouse and storage facilities;
- (f) Use of limitations on the location or size, or both, of nonindustrial uses in the core area and surrounding areas; and
- (g) Use of other approaches by agreement between the city and the port.