

AGENDA

MEETING: Regular Meeting (Virtual)

DATE/TIME: Wednesday, September 7, 2022, 5:00 p.m.

ZOOM INFO: Link: <https://www.zoom.us/j/88403846060>
Dial-in: +1 253 215 8782
ID: 884 0384 6060

A. Call to Order

- Quorum Call
- Land Acknowledgement

B. Approval of Agenda

C. Approval of Minutes

- July 6, 2022, meeting
- July 20, 2022, meeting

D. Public Comments

- Written comments on Discussion Items are accepted via email and must be submitted by 12:00 noon on the meeting day; e-mail to planning@cityoftacoma.org.

E. Disclosure of Contacts

F. Discussion Items

1. Election of Officers

- Description: Election of Chair and Vice-Chair for September 2022 – August 2023.
- Action: Nomination and Election
- Staff Contact: Mary Crabtree (MCrabtree@cityoftacoma.org)

2. College Park Historic Special Review District

- Description: Review public comments received at the public hearing on June 1, 2022, and through the comment deadline of June 3, 2022, and consider modifications, if any, to the proposal.
- Action: Review and Comment
- Staff Contact: Reuben McKnight (RMcknigh@cityoftacoma.org)

3. 2023 Amendment Assessment – Commercial Zoning Update Phase 1

- Description: Review of the scope of work and consider moving the application forward for technical analysis.
- Action: Assessment and Determination
- Staff Contact: Wesley Rhodes (WRhodes@cityoftacoma.org)



4. 2023 Amendment Assessment – Delivery-Only Businesses

- Description: Review of the scope of work and consider moving the application forward for technical analysis.
- Action: Assessment and Determination
- Staff Contact: Adam Nolan (ANolan@cityoftacoma.org)

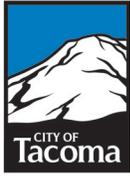
G. Upcoming Meetings (Tentative Agendas)

- (1) September 21, 2022
 - Design Review Program – Workshop
 - Home In Tacoma Phase 2 – Workshop
 - STGPD Moratorium Work Plan
- (2) October 5, 2022 (potentially in hybrid format)
 - College Park Historic Special Review District

H. Communication Items

- (1) **Work Program** – Planning Commission Annual Report 2021-2022 and Work Program 2022-2024 (approved by the Commission on August 3, 2022, and concurred with by the IPS Committee on August 10, 2022) (for Commissioners' File)
(See "Agenda Item H-1")
- (2) **BRT/SSES** – Transit-Oriented Development Advisory Group's Letter of Comments on Bus Rapid Transit and Stream System Expansion Study, August 15, 2022 (Commissioners' copy)
(See "Agenda Item H-2")
- (3) **STGPD Moratorium** – Planning Commission's Letter of Recommendations and Findings of Fact and Recommendations Report concerning Consideration for a Moratorium within STGPD, August 17, 2022 (being submitted to the City Council)
(See "Agenda Item H-3")
- (4) **McKinley Hill Neighborhood Fair** – A Way to Celebrate What Makes McKinley Unique, on Saturday, September 10, 2022, 11 a.m.–2 p.m., Rogers Playfield, 3151 E. 'L' St.
(See "Agenda Item H-4" or visit www.cityoftacoma.org/neighborhoodplanning)
- (5) **Status Reports by Commissioners** – TOD Advisory Group, Housing Equity Taskforce.
- (6) **IPS Agenda** – The Infrastructure, Planning, and Sustainability Committee's next meeting is scheduled for Wednesday, September 14, 2022, at 4:30 p.m.; the agenda (tentatively) includes presentations on Pierce Conservation District and Urban Forest Tree Preservation and Food Tree Ordinances. (Webinar Link: <http://www.zoom.us/j/87829056704>, Passcode: 614650)

I. Adjournment



MINUTES (draft)

MEETING: Regular Meeting (virtual)

DATE/TIME: Wednesday, July 6, 2022, 5:00 p.m.

PRESENT: Christopher Karnes (Vice-Chair), Morgan Dorner, Robb Krehbiel, Brett Marlo, Matthew Martenson, Brett Santhuff, Anthony Steele, Andrew Strobel Alyssa Torrez

ABSENT: N/A

A. Call to Order

Vice-Chair Karnes called the meeting to order at 5:00 p.m. A quorum was declared.

Doris Sorum, City Clerk, swore in newly appointed Commissioners Brett Marlo and Matthew Martenson and reappointed Commissioner Alyssa Torrez.

Vice-Chair Karnes read the Land Acknowledgement.

B. Approval of Agenda

C. Approval of Minutes

- May 4, 2022
- May 18, 2022
- June 1, 2022
- June 15, 2022

Commissioner Strobel moved to approve the agenda and the minutes of the May 4, May 18, June 1, and June 15, 2022, meetings as submitted. Commissioner Santhuff seconded the motion. The motion passed with the following vote:

Ayes: 8 – Dorner, Karnes, Krehbiel, Marlo, Santhuff, Steele, Strobel, Torrez

Abstain: 1 – Martenson

D. Public Comments

Lihuang Wung, Senior Planner, reported that one comment was received regarding the South Tacoma Groundwater Protection District (STGPD).

E. Disclosure of Contacts

Commissioner Krehbiel disclosed that he had discussions with Heidi Stephens regarding the consideration of a moratorium in the STGPD.

F. Discussion Items

1. Election of Chair and Vice-Chair

Mr. Wung provided background information and options to consider regarding the election of officers for the Planning Commission, noting that the Chair position is vacant as of July 1, 2022.

Discussion ensued regarding waiting two months to elect the Chair and Vice-Chair at the designated time specified in the Planning Commission's By-Laws, electing officers now for a 14-month period, and electing a Chair and Vice-Chair for a two-month term and reopening elections in September.

Commissioner Santhuff moved to open elections for Chair and Vice-Chair for a two-month term. Commissioner Krehbiel seconded the nomination. The motion passed with the following vote:

Ayes: 8 – Dorner, Karnes, Krehbiel, Marlo, Martenson, Santhuff, Strobel, Torrez

Nays: 1 – Steele

Commissioner Krehbiel nominated Andrew Strobel for Vice-Chair. There were no other nominations.

Commissioner Santhuff nominated Chris Karnes for Chair. There were no other nominations.

The nominations passed unanimously.

2. Design Review Program

Stephen Antupit, Senior Planner, presented the Design Review Program, including recent Commission contacts, staff work with the Project Advisory Group (PAG) and consultants, outreach activities, and Commissioner participation in the PAG.

Commissioner Santhuff provided comments regarding PAG and encouraged other members of the Commission to participate.

Commissioner Martenson expressed interest in participating in the PAG.

3. Tidelands Subarea Plan

Steve Atkinson, Principal Planner, provided an update on the Environmental Impact Statement (EIS) scoping process, including the study area, collaboration between participating governments, the Tidelands Steering Committee recommendation, alternatives, character areas, range of alternatives, the purpose of the EIS, EIS scoping, considerations for comments, how to provide comments, and next steps for the Commission.

Commissioner Dorner asked about the comment period and if any comments have been received.

Commissioner Krehbiel, who was designated as the lead author of the Planning Commission's comment letter, outlined the draft letter and requested additional feedback from the other Commissioners.

Commissioner Martenson encouraged the individuals developing the plan to consider more innovative solutions like floating wetlands and suggested promoting nonvehicular transportation and coupling that with greater tree canopy and stormwater.

Commissioner Steele requested clarification on the diversity of the Tidelands Steering Committee.

Commissioner Dorner asked if there is a way to make a recommendation letter more effective and suggested adding content that touches on public access, recreation, opening the waterfront, and utilizing and revitalizing neglected areas.

The Planning Commission recessed at 6:18 p.m. and reconvened at 6:23 p.m.

4. South Tacoma Groundwater Protection District – Consideration of a Moratorium

The Planning Commission began the review process for assisting the City Council in determining whether a moratorium would be warranted for the South Tacoma Groundwater Protection District (STGPD), as requested by the City Council, per Amended Substitute Resolution No. 40985, adopted on June 28, 2022.

Mr. Atkinson presented an overview of the STGPD, including the general scope of review; planning context regarding zoning, manufacturing and industrial centers, One Tacoma Plan policies, land use regulations, buildable lands, permit activity, existing uses, and the Equity Index; and the process to consider a moratorium or interim regulation.

Commissioner Krehbiel requested clarification on the scope of review.

Commissioner Martenson asked if a moratorium would affect existing businesses and requested information on compliance and monitoring.

Commissioner Krehbiel noted that themes he heard from public comments were the desire for review into heavy and light industrial, sites of impervious surfaces, and traffic and truck trips in and out of the area. He further noted that public engagement is important and would like to have a broad review.

Commissioner Steele requested information regarding the marijuana processing in this area and what is going into the groundwater.

Commissioner Dörner noted that there are resources available at the state level and stated that according to the “What’s In My Neighborhood” Department of Ecology website, there are a number of contaminants in the area. She further stated it would be valuable to note the contamination presently and historically, spill reports, and maps/data. She requested information on how this area got to where it is, why future land uses are designated industrial in this area, what actions have been taken to create a greener area.

Vice-Chair Strobel requested information to further characterize the existing aquifer, areas that have previously been infiltrated by uses in the past, uses that were initially proposed by Council Members as limiting uses within the area, existing uses of concern from public comments, input from current planners, and the City Council’s decision making during this process.

Commissioner Santhuff requested that immediate risks be defined, noting understanding high-risk uses that are not currently restricted, uses that the community has identified, and information on if there are paths of development that may need to be restricted such as impervious surfaces.

Chair Karnes requested information regarding the quantity and character of existing vested permits, how a moratorium would affect those, and which level of jurisdiction supersedes the other regarding plans and policies.

G. Upcoming Meetings (Tentative Agendas)

(1) Agenda for the July 20, 2022, meeting includes:

- Pierce Transit Bus Rapid Transit Update
- College Park Historic Special Review District – Debriefing of Public Hearing
- 2023 Amendment Docket and 2022-2024 Planning Work Program
- Consideration of “STGPD Moratorium”

(2) Agenda for the August 3, 2022, meeting includes:

- College Park Historic Special Review District – Recommendation
- Home in Tacoma Phase 2
- Design Review Program
- Tidelands Subarea Plan
- Consideration of “STGPD Moratorium”

H. Communication Items

The Commission acknowledged receipt of communication items on the agenda.

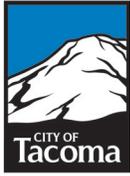
Chair Karnes reported that on June 27, 2022, the Transit-Oriented Development Advisory Group received a presentation from Pierce Transit on the Pacific Avenue Bus Rapid Transit Project (BRT-PacAve) and Stream System Expansion Study (SSES) and a presentation from Sound Transit on the Tacoma Dome Link Extension (TDLE).

Commissioner Torrez reported that the Housing Equity Taskforce has decided to pause meetings while staff works on the Home In Tacoma project scope and taskforce vacancies.

I. Adjournment

The meeting was adjourned at 7:42 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/



MINUTES (draft)

MEETING: Regular Meeting (virtual)

DATE/TIME: Wednesday, July 20, 2022, 5:00 p.m.

PRESENT: Christopher Karnes (Chair), Andrew Strobel (Vice-Chair), Morgan Dorner, Robb Krehbiel, Brett Marlo, Matthew Martenson, Anthony Steele

ABSENT: Brett Santhuff, Alyssa Torrez

A. Call to Order

Chair Karnes called the meeting to order at 5:00 p.m. A quorum was declared.

Chair Karnes read the Land Acknowledgement.

B. Approval of Agenda

Commissioner Steele moved to approve the agenda as submitted. Commissioner Dorner seconded the motion. The motion passed unanimously.

C. Approval of Minutes

- There were no meeting minutes to approve.

D. Public Comments

Lihuang Wung, Senior Planner, reported that three comments were received regarding the South Tacoma Groundwater Protection District (STGPD).

E. Disclosure of Contacts

Commissioners Krehbiel and Martenson and Vice-Chair Strobel spoke with Heidi Stephens regarding the STGPD.

F. Discussion Items

1. South Tacoma Groundwater Protection District – Consideration of a Moratorium

Peter Huffman, Planning and Development Services Director, expressed appreciation for Commissioners and provided introductory remarks regarding the request from the City Council to consider the moratorium.

Mr. Wung presented the STGPD, including the project scope and schedule of actions; an overview of what the STGPD is, where it is, and why it is protected; prohibited land use activity within the district; and agency roles for the STGPD.

Glen George, Senior Principal Engineer, Tacoma Water, presented background on how Tacoma Water uses well water, the South Tacoma wellfield, annual well production over the past 70 years, the location of Tacoma's South Tacoma aquifer, the aquifer system and the recharge of that system, and the recharge area.

Scott Hallenberg, Operations Manager, Tacoma Water, presented an overview of the protection of the STGPD, noting compliance monitoring and sampling.

Esther Beaumier, Waste Management Program Manager, Tacoma-Pierce County Health Department (TPCHD), presented an overview of TPCHD permitted facilities; the focus on pollution prevention, noting STGPD permitting and inspections; hazardous substances storage requirements; and above-ground storage tank (AST) and underground storage tank (UST) requirements.

Merita Trohimovich, Principal Engineer, outlined the City of Tacoma's Stormwater Management Program; the Stormwater Management Manual (SWMM) and Environmental Services Directive ESD17-01; STGPD infiltration facilities; source control best management and best practices; and Environmental Services environmental compliance.

Commissioner Dorner requested clarification on hazardous waste treatment, storage, and disposal facilities; onsite infiltration that was allowed in 2011; and the TPCHD's contaminated sites map.

Vice-Chair Strobel asked if we actively have business information related to what type of facility is being permitted under current regulations; what steps a new business located within the district would need to do assuming they had hazardous materials; how TPCHD handles those businesses and what active monitoring looks like; what happens when noncompliance or monitoring violations occur; and from monitoring of the aquifer in the district, have there been known infiltration of hazardous chemicals from an existing business or site contamination.

Commissioner Steele requested information regarding if the marijuana sites that are currently permitted in the area are for storage or processing; if the TPCHD regulates those sites and if so, what those procedures look like; what happens when elevated contaminants are found during monitoring; and if there are other mechanisms triggered prior to normal testing.

Commissioner Krehbiel asked about the current trend within the contaminated well sites, if agencies view an increase in impervious surfaces as a threat to the quality or quantity of the groundwater, and how impervious surfaces are dealt with under current regulations.

Commissioner Martenson requested information on the age of water being sampled for monitoring.

Vice-Chair Strobel asked how stormwater functions within the district to recharge the aquifer, how contamination interplays with surface water and the recharge of the aquifer, and generally how infiltration works.

Commissioner Steele expressed appreciation for the responses from presenters and asked if origins can be traced when elevated contaminants are found.

The Planning Commission recessed at 6:35 p.m. and reconvened at 6:40 p.m.

2. BRT Stream System Expansion Study (SESS)

Darin Stavish, Pierce Transit, introduced Amber Stanley, Pierce Transit; John McMillan, KPFF Consulting Engineers; and Oren Eshel, Nelson\Nygaard Consulting Associates; and provided an overview of the network of Stream corridors.

Ms. Stanley presented the Stream BRT System Expansion Study overview, the engagement and oversight process, and a map of the four SSES corridors.

Mr. Eshel outlined route options (Routes 2 and 3) for study corridors A and B.

Mr. McMillan reviewed corridor A and its correlation with Sound Transit's T line extension.

Mr. Eshel reviewed the Equity Index, the equity analysis results, SSES evaluation framework, the evaluation process, scoring snapshots, step one results, and step 2 of the evaluation.

Mr. McMillan outlined the next steps and implementation.

Chair Karnes asked if there was an evaluation of the corridors for supportive policies and regulations in jurisdictions that the corridors would be running through.

Commissioner Steele provided comments regarding Pierce Transit and Sound Transit working together to be more in line to benefit ridership.

3. 2023 Amendment – Assessment of “Mor Furniture” Application

Mr. Wung outlined the annual amendment process, timeline, and the 2023 Amendment docket.

Adam Nolan, Associate Planner, presented the assessment of the “Mor Furniture” application; area of applicability; land uses near the subject site; land use designations; land use designation changes, area-wide rezones and site rezones; staff conclusions and assessment of application; and staff’s recommendation.

Vice-Chair Strobel moved to concur with staff’s recommendation, which was to accept the “Mor Furniture” application and move it forward to the technical analysis phase to be processed as part of the 2023 Annual Amendment. Commissioner Steele seconded the motion. The motion passed unanimously.

G. Upcoming Meetings (Tentative Agendas)

(1) Agenda for the August 3, 2022, meeting includes:

- STGPD Moratorium
- Tideflats Subarea Plan and EIS
- Planning Commission Annual Report and Work Program
- Proposed College Park Historic District (Communication Item)

(2) Agenda for the August 17, 2022, meeting includes:

- STGPD Moratorium
- 2023 Amendment – Shipping Containers
- 2023 Amendment – Electric Fences
- 2023 Amendment – Minor Amendments

Mr. Wung reviewed the tentative agendas and noted that the schedule for some projects has shifted due to the need for the Commission to focus on the STGPD moratorium consideration and the need to move forward with the 2023 Annual Amendment in a timely manner.

Vice-Chair Strobel expressed concerns regarding the delay of the Proposed College Park Historic District item and requested that staff identify the agenda date for that item.

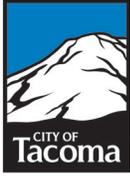
H. Communication Items

The Commission acknowledged receipt of communication items on the agenda.

I. Adjournment

The meeting was adjourned at 7:33 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: Reuben McKnight, Historic Preservation
Subject: **College Park Historic Special Review District Overlay Zone**
Memo Date: August 31, 2022
Meeting Date: September 7, 2022

Action Requested

Feedback and direction regarding potential Commission findings and recommendations regarding the College Park Historic District Overlay Zone.

Introduction

On June 1, 2022, the Planning Commission held a public hearing to hear comment on the proposed College Park Historic Special Review District. On August 3, the review of testimony from this hearing was transmitted to the Planning Commission for review, along with comments and responses from staff to Commissioner requests and questions, as a Communication Item.

At the next meeting on September 7th, staff will present a recap of the public testimony previously sent to the Commission, as well as provide additional responses to Commissioner requests. Regarding the latter, this will include examples of development scenarios that have been reviewed by Landmarks Commission in prior years, as well as a discussion with staff from the Office of Equity and Human Rights (OEHR) regarding OEHR feedback on the proposal as requested by the Commission. Lastly, the Commission will be asked to discuss potential refinements to the proposal and to provide direction to staff for the drafting of potential findings and recommendations.

Project Summary

To recap, this application would establish a new historic special review district overlay zone in the residential neighborhood to the north and east of the University of Puget Sound campus, running roughly from North 21st St to the north, to North Pine Street to the east, along North 8th to the south, along the eastern boundary of the University of Puget Sound Campus along Alder Street to the west, and along the northern boundary of the university campus on North 18th Street to North Union Avenue on the west. The request was submitted by residents of the proposed district in May 2021, along with a nomination form, petition signatures and letters of support. The proposed area includes 582 houses, primarily constructed between 1910 and 1940.

The creation of an historic district consists of three primary steps. The first occurs at the Landmarks Preservation Commission, which is tasked with evaluating the historic merits of the proposal against historic designation criteria listed in Tacoma Municipal Code Chapter 13.07. The Landmarks Commission reviews the nomination, buildings inventory, proposed boundaries and public support, and following a Public Hearing, makes a recommendation to the Planning Commission.

Unlike other zoning amendments, the Planning Commission’s approval is required to establish an historic overlay zone. If the Planning Commission votes to reject the recommendation, residents may appeal the decision to City Council (TMC 13.07.060). If the district is ultimately adopted by City Council, it would create an overlay zone in which exterior alterations to most structures, new



construction, and demolition would require approval by the Landmarks Preservation Commission prior to permit issuance. Similar districts include the North Slope Historic Special Review District and the Wedge Neighborhood Historic Special Review District.

The complete package is available at www.cityoftacoma.org/collegeparkHD.

Key Discussion Questions

Following the overview of public testimony and commission requests, staff will ask the Commission to provide guidance to facilitate concluding the review of the College Park application. Specifically, the following questions should be addressed:

1. Can the Planning Commission support the College Park Historic District Proposal as recommended by the Landmarks Preservation Commission?
2. Are there key issues or additional information the Planning Commission would need to arrive at a decision?
3. Are there amendments to the proposal that would address Planning Commission concerns or improve outcomes?
4. Are there broader policy issues that should be resolved in future Comprehensive Plan and Regulatory Code updates?

Next Steps

Date	Subject
September 7, 2022	Review of testimony, commission requests, discussion and direction
October 5, 2022	Review draft recommendations; potential adoption of recommendations
November 2, 2022	Vote on Findings and Recommendations

Project Information:

Reuben McKnight, Historic Preservation Officer: rmcknigh@cityoftacoma.org

Attachments:

1. Staff Report
 2. Office of Equity and Human Rights response to College Park Proposal
- c. Peter Huffman, Director



Planning Commission

Proposed College Park Historic Special Review District

Agenda Item F2 Attachment 1



STAFF REPORT
September 7, 2022

This staff report, prepared for the Planning Commission’s review at the September 7, 2022 meeting, documents the City’s review process to date for the proposed College Park Historic Special Review District Overlay Zone. The report summarizes public comments received at the Commission’s public hearing on June 1, 2022, and provides staff’s observations of major issues and suggestions for resolution of certain issues. The report is intended to facilitate the Commission’s compilation of its Findings of Fact and Recommendations Report at upcoming meetings in October – November 2022.

1. BACKGROUND

About the Proposal

On May 3, 2021, a resident of the “College Park” Neighborhood near the campus of the University of Puget Sound submitted a written request for consideration of the neighborhood as a historic special review district overlay zone. This would create a new Tacoma Register Historic District. The proposed area covers approximately 122 acres extending roughly from North 21st St to the north, to North Pine Street to the east, along North 8th to the south, along the eastern boundary of the University of Puget Sound Campus along Alder Street to the west, and along the northern boundary of the university campus on North 18th Street to North Union Avenue on the west.



The current underlying zoning is presently R2-SRD in the core area of the district, with a small area of R3 south of North 9th Street and R2 north of N 18th Street.

The area included within the proposed local historic district is already listed on the National Register of Historic Places and the Washington State Heritage Register as the College Park Historic District, added in 2017. The nomination for the local register proposes to use the same boundaries as the National Register District.

The College Park National Register Historic District is located in the North End, forming an inverted L shape that borders the University of Puget Sound campus to the north and east. It is south of the Proctor Business District and north of Sixth Avenue commercial corridor. The district is nominated as an example of a cohesive neighborhood that reflects the broad patterns and history of Tacoma as well as for the distinctive characteristics of its structures, which embody early twentieth century architecture.

The period of significance in the district begins in 1890, the year of the oldest structures in the district and shortly after the streetcar lines were extended along Sixth Avenue to Glendale, the establishment of the Point Defiance Line along N 21st turning north on Alder Street and the end of the N K Street line at N. 12th and Pine St. The period of significance ends in 1960, at which point 94% of primary structures were completed, with only a few infill structures built on undeveloped lots over the last sixty years.

The district consists of approximately 582 structures, 509 of which are classified as “contributing” in the preliminary building inventory submitted with the nomination package (for the local historic register, accessory structures are not inventoried, and this number reflects only the primary structures on the lot). The district consists primarily of detached residences built prior to World War II, with most constructed between 1910 and 1940 with an average construction date of 1924.

About Historic Districts

Tacoma has nine designated historic districts, including those that are listed on one or more historic registers, including the National Register of Historic Places, the Washington State Heritage Register, and the Tacoma Register of Historic Places.

District	Register Listing
Wedge Neighborhood Historic District	Tacoma Register of Historic Places, 2011 Washington Heritage Register and National Register of Historic Places, 2016
North Slope Historic District	Tacoma Register 1994 (expanded 1996, 1998) Washington Heritage Register and National Register, 2000
Old City Hall Historic District	Tacoma Register, 1978 Washington Heritage Register and National Register, 1977
Union Depot/Warehouse Historic District	Tacoma Register, 1983 Washington Heritage Register and National Register, 1980
Stadium Seminary Historic District	Washington Heritage Register and National Register, 1977
Salmon Beach Historic District	Washington Heritage Register, 1976
South J Street Historic District	Washington Heritage Register and National Register, 1986
Buckley’s Addition Historic District	Washington Heritage Register and National Register, 2016
College Park Historic District	Washington Heritage Register and National Register, 2017 *proposed for Tacoma Register of Historic Places

In general, the City only administers “local” historic districts, or those that have been created by the Tacoma City Council following a review process and recommendations from the Landmarks Preservation Commission and Planning Commission. Additions to the Washington Heritage Register and the National Register of Historic Places are administrative processes managed by the Washington State Department of Archaeology and Historic Preservation and the National Park Service.

Tacoma currently has four locally listed historic districts, including two residential districts (the Wedge Neighborhood and the North Slope Historic Districts) and two downtown commercial districts (Old City Hall and Union Depot/Warehouse Historic Districts).

Design Review

Local historic districts are created as design review overlay zones, for the purpose of preserving a concentration of historically or architecturally significant structures through design review for alterations of existing buildings and new construction, and protections against demolition. The historic overlay zone exists “on top of” the base zoning and does not regulate allowable uses. Design review is conducted by the Landmarks Preservation Commission according to land use permitting procedures outlined in TMC 13.05.040. The Commission uses design guidelines that are created for each historic district based upon existing architectural context, historic standards and community objectives.

In general, new construction and projects affecting the exteriors of existing historic homes within the boundaries of a local Historic Special Review District require the review and approval of the Landmarks Preservation Commission prior to the issuance of permits. In addition, demolition of historic properties is highly discouraged.

Historic districts do not require review of interior work, minor maintenance, landscaping, or work exempt from building permits (such as painting, fences under 7’ high, and most residential roof replacements). Design review is also exempted for alterations to non-contributing buildings. However, demolition of non-contributing properties requires Landmarks Commission review, to affirm that the building is not historically contributing to the district and to address the design of the replacement structure. Demolition review does not include accessory structures such as garages, which are reviewed under the normal permit review process.

The fee schedule for design review is shown below. These fees are in addition to building permit or other development permit fees.

Estimated project cost (determined by applicant)	Application fee
\$0-5000	\$175
Each additional \$1000 in value	\$25
Maximum fee per application	\$500

In certain cases, substantial remodeling projects that are historically compatible with the character of the building may qualify for property tax incentives.

Incentives

The primary local historic preservation incentive is the Special Tax Valuation (STV) program, which is a local property tax program enabled by state law and implemented by local historic preservation programs in partnership with county assessors. The program allows owners of historically designated buildings to apply for a reduced property tax incentive based on the amount invested in historic rehabilitation projects. Once approved for STV, the total property tax assessment is reduced by the amount invested for 10 years. The property returns to its full taxable value following the 10 year incentive period. The minimum threshold for entering the program is 25% of the assessed value of the

improvements at the start of the project (assessed property value is divided between the assessed value of the land, and the assessed value of the improvements or structures on that land), and there is a 24 consecutive month period in which expenses may be included.

Since 1986, the Landmarks Commission has approved 144 historic rehabilitation projects under the Special Tax Valuation Program (STV), totaling nearly \$253 million dollars in capital investment (not including expenses that are ineligible). Of those, 50 have been single family residential projects, totaling slightly over \$8.3 million, with an average project value of \$167,000.

Review Process to Date

Creation of a local historic district consists of three primary steps, requiring review by the Landmarks Preservation Commission, the Planning Commission, and City Council.

Landmarks Commission

The full Landmarks Commission review and recommendation is available at www.cityoftacoma.org/collegeparkHD or in the Planning Commission packet for June 1, 2022.

Generally speaking, the Landmarks Preservation Commission is tasked with applying the criteria for historic significance to a proposed district, and making a determination that the area meets those criteria, is a cohesive area with a shared developmental and architectural history, and that the boundaries are appropriate.

Evaluating Historic Significance. The Tacoma Municipal Code 13.07.040 provides the criteria by which a proposed historic district should be evaluated. The basic historic designation criteria are listed below:

- a. Is associated with events that have made a significant contribution to the broad patterns of our history; or
- b. Is associated with the lives of persons significant in our past; or
- c. Embodies the distinctive characteristics of a type, period, or method of construction, or
- d. Represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- e. Has yielded or may be likely to yield, information important in prehistory or history; or
- f. Abuts a property that is already listed on the Tacoma Register of Historic Places and was constructed within the period of significance of the adjacent structure; or
- g. Is already individually listed on the National Register of Historic Places; or
- h. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

In addition, the code provides specific criteria for historic districts, as follows:

- a. It is associated with events or trends that have made a significant contribution to the broad patterns of our history; and
- b. It is an area that represents a significant and distinguishable entity but some of whose individual components may lack distinction;
- c. It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Evaluation of Boundaries. The guidance in TMC 13.07 is that boundaries should be based upon a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects or by documented differences in patterns of historic development or associations. Although recommended boundaries may be affected by other concerns, including underlying zoning, political or jurisdictional boundaries and property owner sentiment, to the extent feasible, the boundaries should be based upon a shared historical or architectural relationship among the properties constituting the district.

According to the National Register nomination, the College Park Historic District proposed boundary:

...uses the accepted neighborhood boundary recognized by the residents and community. The boundary follows arterial streets and established boundary lines between neighborhood districts; boundary lines between dissimilar land use zones and the property owned by the University of Puget Sound. To the south of the district is the Sixth Avenue Business District, the boundary line was selected at a natural transition between the newer commercial district and the residential district. The western boundary runs along North Alder Street an arterial street, which is also the principal boundary for the University. A portion of the southern boundary also runs along the boundary of the University at North 18th Street. Both Union Avenue to the west and 21st Street to the north are higher traffic arterial streets. To the east the boundary represents the recognized boundary for Buckley Addition.

The Landmarks Preservation Commission held a Public Hearing on February 9, 2022 and adopted its Findings and Recommendations to the Planning Commission on April 13, 2022.

Planning Commission Review

Because local historic districts are created overlay zones in Tacoma, the Planning Commission must review and approve the zoning proposal, prior to sending its recommendation to City Council. Unlike other zoning amendments, the Planning Commission's approval is required to establish an historic overlay zone. If the Planning Commission votes to reject the recommendation, residents may appeal the decision to City Council (TMC 13.07.060).

The following outlines the Planning Commission review process:

- "Each proposal for a new Historic Special Review District or Conservation District and the respective Landmarks Preservation Commission recommendation shall then be considered by the Planning Commission of the City pursuant to the procedures for area-wide zoning in TMC 13.05.030.B." (TMC 13.07.060.C.1);
- "In making a recommendation to the City Council, the Planning Commission shall consider the conformance or lack of conformance of the proposed designation with the Comprehensive Plan of the City. The Planning Commission may recommend approval of, or approval of with modifications, or deny outright the proposal, and shall promptly notify the Landmarks Preservation Commission of the action taken." (TMC 13.07.060.C.3);
- "[The Planning Commission shall] review and make recommendations on matters concerning land use and development, including area-wide zoning reclassifications, moratoria, and interim zoning." (TMC 13.02.040.E);

- “[The Planning Commission shall] work with the Landmarks Preservation Commission, pursuant to TMC 13.07, to designate historic special review districts and conservation districts within the City and to make recommendations to the City Council for establishment of such districts.” (TMC 13.02.040.J);
- “The Planning Commission shall conduct a public hearing to consider an area-wide zoning reclassification and to determine the consistency of the reclassification with the Comprehensive Plan and its elements and RCW 36.70A.” (TMC 13.05.030.B.9.e); and
- “Upon completion of the public comment period and review of the public testimony, the Planning Commission will prepare a recommendation and supportive findings to forward to the City Council for consideration.” (TMC 13.05.030.B.10)

On June 1, 2022, the Planning Commission held a Public Hearing and on August 3, 2022 received the comment record.

The overall review process is summarized below:

Date	Activity
Phase 1 - Landmarks Preservation Commission Review	
6/23/21	Introduction of nomination request; discussion of review schedule
7/21/21	Adoption of review schedule; approve public notice of nomination
8/11/21	Review district significance, first public information session
8/25/21	Review proposed boundaries, buildings inventory, design guidelines
9/8/21	Second public information session
10/13/21	Recap of previous discussions; discussion of opinion survey; revise review schedule
10/20/21	Release opinion survey
11/3/21	Survey response deadline
11/10/21	Discuss results of survey; discussion of preliminary recommendations
12/8/21	Discussion of preliminary recommendations
1/12/22	Adopt preliminary recommendations; set hearing date
2/9/22	Public Hearing
2/23/22	Review of hearing testimony; discussion of issues and observations
3/9/22	Discuss findings and recommendations
4/13/22	Adopt Findings and Recommendations
Phase 2 - Planning Commission Review	
5/4/22	Planning Commission review Landmarks Commission recommendation; set hearing date
6/1/22	Planning Commission Public Hearing
8/3/22	Post hearing testimony recap (communication item)
9/7/22	Review and Discussion
10/22 – 11/22 (TBD)	Adopt findings and recommendations to City Council
Phase 3 - City Council Review and Adoption	
11/22 (TBD)	City Council review

2. PUBLIC OUTREACH AND COMMENTS

Summary of Public Outreach – Phase 1

There has been extensive public outreach regarding the College Park Proposal, which has involved significant advocacy by the nominators, postcard surveys, email distribution lists, a dedicated website and public information sessions, in addition to a public hearing.

Outreach by Supporters

Outreach leading up to the nomination was substantial and included in-person visits to every property in the proposed local historic district. Postcards were mailed to every house, and there has been a Facebook page and website posted for over five years. There have also been three articles written in The News Tribune and Tacoma Weekly. The original submittal contained a petition and a postcard survey, completed by the nominator. The total of public response in the submittal was 283 individuals in support, 28 opposed. Outreach efforts by supporters continues.

Outreach by the City

Upon receipt of the nomination, the Landmarks Commission established a dedicated website (www.cityoftacoma.org/collegeparkHD) and mailed a postcard to all occupants and taxpayers of record within a 400' radius of the district boundaries, announcing two Public Information Sessions and directing interested parties to the website. The Commission also established a College Park Historic District email distribution list that includes 143 recipients. Between June and December 2021, the Commission received over 60 written comments on the College Park proposal.

The Landmarks Commission held 14 meetings to discuss College Park. In addition to its normal meeting schedule, the Commission held 2 public information sessions dedicated to College Park, on August 11 and September 8, 2021.

On October 10, 2021, the Commission released an opinion survey online and in post card format. The survey was sent to the email distribution list, posted online, and mailed to over 1300 addresses, representing taxpayers of record and occupants of addresses within a 400' radius of the proposed district. By the November 3 deadline, 340 responses had been received.

Public Hearing – Phase 1

On February 9, 2022, the Landmarks Commission held a public hearing and received 60 comments. Notice was mailed to taxpayers of record and occupants within 400' of the proposed district boundaries, sent via email distribution list, posted online and in social media, and published in The News Tribune on February 2, 2022.

Following the hearing, the Landmarks Commission voted 5-1 to adopt its Findings and Recommendations and forward these to the Planning Commission.

Summary of Public Comments – Phase 2

On June 1, 2022, the Planning Commission held a Public Hearing on receive public comment on the Landmarks Commission recommendation. Staff also conducted a virtual Public Information Q&A session on May 26, 2022 ahead of the hearing.

Per the Planning Commission’s requirements, the following notices were sent:

1. **Public Notices** – The notice for the public hearing and the informational meeting was mailed during the week of May 9, 2022, to approximately 7,000 individuals and entities within 2,500 feet of the proposed district boundaries. The notice was also e-mailed to more than 100 individuals on the Landmarks Preservation Commission’s College Park distribution list and to more than 900 individuals on the Planning Commission’s distribution list.
2. **News/Social Media** – The City of Tacoma issued a News Release on May 24, 2022. An online advertisement was placed on The News Tribune on May 20, 2022. A legal notice concerning the DNS, the public hearing and the informational meeting was placed on the Tacoma Daily Index on May 20, 2022. An event page for each of the public hearing and the informational meeting was posted on the City’s Facebook, starting the week of May 24.
3. **Public Signs** – Three signs were installed (per TMC 13.05.070.J.4) on May 23, 2022 at the following locations within the subject area: N. Union Ave. at N. 18th St., N. 21st St. at N. Lawrence St., and N. Alder St. at N. 8th St.
4. **60-Day Notice** – A notice was sent to the Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on May 18, 2022, asking for comments within 60 days of receipt of the notice.
5. **Tribal Consultation** – A letter was sent to the chairman of the Puyallup Tribe of Indians on May 18, 2022 to formally invite the Tribe’s consultation.
6. **Takings Review** – A request was sent to the City Attorney’s Office, seeking legal opinions on whether the proposed College Park Historic District might result in an unconstitutional taking of private property (pursuant to RCW 36.70A.370). Upon review conducted in accordance with the standards recommended by the Washington State Attorney General, the City Attorney’s Office concluded, on May 19, 2022, that the proposal would not constitute a taking.

The Planning Commission was provided with the full Comment Record and staff responses on in the meeting packet from the August 3 Planning Commission meeting. The comments can also be viewed at www.cityoftacoma.org/collegetparkHD.

There were a total of 107 comments received during the hearing and comment period, including 17 oral comments and 90 written comments. As previously noted, approximately 69% of comments received were in support of the district, whereas approximately 31% of the comments were in opposition.

This is consistent with the Public Hearing conducted by the Landmarks Commission on February 9, 2022, in which approximately 67% of the comments favored the creation of the historic district.

Among supportive comments, the most common broad themes included:

- The proposed district is historically significant

- It is important to protect the look/feel/charm of the neighborhood
- The creation of historic districts is supported by the Comprehensive Plan
- It is possible to create historic districts and achieve density/housing goals, and that the proposal is compatible with Home In Tacoma.

Among opposing comments, the most common themes included:

- It will have negative effects on future development, including housing supply and cost
- It is inconsistent with policy goals of equity and inclusion
- It will have negative impacts on property rights and result in increased costs to homeowners

Issues and Observations

Comment/Issue	Response	Recommendation
<ul style="list-style-type: none"> • There is an inequity in the distribution of historic districts citywide • Historic district nomination process is reactive • City should devote additional resources in historic preservation to underserved areas of the City, including Lincoln and McKinley Districts. 	<p>This is included in the Landmarks Commission’s recommendations, which recommend that the City identify and commit additional resources for proactive historic preservation work in underserved areas of the City. Presently the Historic Preservation Office is conducting an historic survey in Lincoln, and recently completed a survey in McKinley. The data from the McKinley Survey is one input for the McKinley Neighborhood Plan under development by the Neighborhood Planning Program.</p> <p>The process for the creation of historic districts has relied on neighborhood activism and advocacy. In the past this has been viewed as essential to gaining neighborhood support and buy-in; however, this has also resulted in residential historic districts being created in areas where there is capacity among residents and support among property owners for creating districts. This is a systemic issue in preservation and one in Tacoma that can be remedied by a planning approach to collecting data and prioritizing work in specific areas that appear to possess historic significance.</p>	<p>Please see LPC recommendations regarding increasing equitable distribution of historic preservation services citywide. 3c.</p>

	<p>Efforts to create historic districts in certain neighborhoods, such as Whitman, have not been successful for a variety of factors, including public interest and concerns with associated costs.</p>	
<ul style="list-style-type: none"> The design review requirements of the historic district should be limited to the front/street side elevations, and/or exempt solar infrastructure. 	<p>The topic of reducing burdens on district residents and homeowners was a significant factor in the Landmarks Commission discussion during its review of the College Park proposal.</p>	<p>This discussion is partly reflected in the Landmarks recommendation to limit design review to visible elevations, to relax window replacement standards for secondary elevations, and to review impacts from development and remodel projects from a district-wide perspective as opposed to focusing on the individual structures.</p>
<ul style="list-style-type: none"> Design review fees should be eliminated so there is no additional cost for obtaining permits. 	<p>It is true that there are additional fees from design review and that these may present economic barriers. The fees associated with Landmarks Commission review are set by the General Fee Schedule adopted by City Council. The Landmarks Commission, in an effort to reduce barriers and costs, has been actively delegating minor reviews to administrative (staff) approvals, which is more efficient and less costly than formal design review by the full commission.</p>	<p>Continue to encourage administrative review of minor or typical projects (please see Landmarks Commission recommendation).</p>
<ul style="list-style-type: none"> The district is not compatible with Home In Tacoma. Will reduce the availability/amount of housing in the neighborhood. 	<p>The current Home In Tacoma midscale map intersects only with the edges of the district as currently proposed. Historic districts do not directly affect use, or how many units can be within a building; nor does it prohibit additions to historic buildings or construction of accessory dwelling units.</p>	<p>The district design guidelines should encourage architecturally compatible infill construction on vacant lots and on properties with noncontributing structures, as well as</p>

	<p>Because demolition of historic buildings is strongly discouraged by the municipal code, it is likely that there would be projects that would not occur within the historic district boundaries. However, as noted in the communication item sent on August 3, there are 68 non-contributing buildings and 9 vacant parcels within the proposed district, which would be available for new construction without demolition of an existing historic building.</p>	<p>encouraging DADU and ADU construction. Moreover, language encouraging historically appropriate conversions of existing housing to multifamily units could be included (for example, guidance for secondary entrances and exits, egress windows, etc).</p>
<ul style="list-style-type: none"> Will raise housing costs by increasing permit review requirements 	<p>Costs for property owners and residents in the district could increase for remodeling projects and new construction, due to the added step of design review.</p>	<p>The Landmarks Commission recognizes this in their recommendations, which include:</p> <ul style="list-style-type: none"> Projects that do not meet the threshold for permits should also be exempt from historic review Alterations to non-visible elevations should be exempt from review. Guidelines for window replacement on secondary elevations should be flexible <p>Guidelines should be applied with the view of district-level historic design compatibility with less focus on individual structures.</p>
<ul style="list-style-type: none"> The section on “redlining” is inadequate. 	<p>The original nomination did not address redlining, and this section was added at the request of the Landmarks and Planning Commissions. In addition, National Register nominations for</p>	<ul style="list-style-type: none"> Revise redlining section in consultation with OEHR.

	<p>historic neighborhoods do not presently require this.</p>	<ul style="list-style-type: none"> Staff has requested the state to require redlining histories where relevant in future National Register nomination documents under their review.
<ul style="list-style-type: none"> There is no tribal history in the historical narrative 	<p>Acknowledged. The National Register nomination form did not include this narrative.</p>	<ul style="list-style-type: none"> Revise narrative in consultation with the Puyallup Tribe to include tribal/indigenous history.
<ul style="list-style-type: none"> District will be exclusive. Lack of diversity within district; district creation could make this worse 	<p>A local historic district is a design review district. While there may be institutional barriers that are created by added steps for permitting, a district does not control or regulate land use, density, or number of units.</p> <p>According to census data for Tacoma and Pierce County, racial and ethnic diversity is increasing in the North End; however, these neighborhoods possess less diversity than the city has a whole.</p> <p>There is an historical legacy from institutional racism such as discriminatory lending practices (“redlining”) that affects the present-day demographic profiles of neighborhoods across the city, that is likely reinforced by factors such as the present-day housing market. However, it is difficult to parse those factors from the effects of a historic district overlay, or other zoning regulations.</p>	<p>Within the scope of the College Park proposal, some of these issues are challenging to address. However, some steps may be taken to reduce barriers, burden and to increase the service delivery across the city, as previously mentioned (these are also part of the Landmarks Commission recommendation package):</p> <ul style="list-style-type: none"> Identify resources for preservation work in underserved areas of the city Continue survey and documentation work already underway in McKinley, Lincoln, and South Tacoma and identify additional survey areas

		<ul style="list-style-type: none">• Shift focus of design guidelines to “district level” preservation as opposed to primary focus on individual homes and relax certain guidelines for windows and other related elements• Include guidance for infill and DADUs• Continue to identify means to reduce permit review burdens
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3. PLANNING COMMISSION REQUESTS

Prior Requests

In the August 3, 2022 Planning Commission packet, staff provided a communication item summarizing public comment following the June 1 hearing, as well as census data from within the College Park area and related areas of Tacoma, information on demolition review, tax incentives and available land.

Additional Requests

Below are two additional items requested by the Commission that were not addressed in the August 3 communication item.

Office of Equity and Human Rights (OEHR) Review

At the request of Commissioner Krehbiel, OEHR staff was invited to review and comment on the College Park Historic District Proposal. The staff response is included in this packet (Attachment 2) and OEHR staff will be present to provide additional insight and to answer questions.

Some key points from the OEHR analysis of the proposal include:

- Addressing equity issues on a case-by-case basis is not adequate to address accumulated impacts from decades of disinvestment/discrimination
- The Landmarks Commission recommendation acknowledges disparity and inequitable outcomes but does not offer specific and concrete remedies to those issues; the Commission’s general recommendations regarding closing equity gaps is too abstract and should offer concrete, specific recommendations.

- It is the opinion of OEHR that the creation of this district will increase disparities in service to marginalized communities.
- The nomination document focuses on professions of historical residents but does not address racial or other barriers in the neighborhood history.
- OEHR consultation should occur at the beginning of consideration of proposals such as this.
- Outreach should provide opportunities for input from historically marginalized communities.
- A companion proposal of equal scope centered on a historically marginalized community should be considered alongside the College Park proposal.

Staff Comments

Staff agrees generally with the observation that as long as the City is reactive in its consideration of proposals that are generated by neighborhoods and residents, that equity will continue to be an issue (please see “Issues” table above). Current practice is shaped by resources available; with the exception of the West Slope Conservation District proposal, the Historic Preservation Office has not typically been funded for historic district study or analysis and therefore must conduct any such effort in addition to existing commitments.

The Landmarks Commission itself is tasked specifically by TMC 13.07 with reviewing and making recommendations based on specific criteria in the code; the role of the Commission general terms is to evaluate the proposal against the criteria for historic significance and to then make a recommendation regarding that significance to the Planning Commission. While the Commission may make accompanying recommendations for study of related issues, it does not possess authority to direct resources or staff, although the Commission may request review of certain neighborhoods or properties for review of potential historic designation.

In the past, it has been viewed as critical for neighborhoods to lead the process for creation of an historic district. One significant liability for historic district zoning is the perception that the City is attempting to control development or take away property rights, and thus it is very important that there is significant resident investment and involvement.

Regarding companion efforts, the Landmarks recommendation is focused on the merits of the College Park proposal and thus does not summarize or address the efforts that are or have been initiated in other areas of the City, including historic survey work in Fern Hill, McKinley, Lincoln and Whitman, and South Tacoma, nor the work conducted in the Whitman neighborhood regarding the potential for a local or National Register Historic District. However, it is likely beyond the scope of the Landmarks review process as it is defined under current regulations to tie a proposal such as College Park with another proposal, though it would be appropriate to make a recommendation to identify and fund study of a specific area.

Lastly, the comments regarding early consultation and increased stakeholder outreach are appreciated and staff concurs there is need for improvement. In addition, many of the observed issues with this review are most properly addressed through a policy and code review, which is planned and is contained within the Landmarks Commission recommendation.

Examples of Development Scenarios Within Historic Districts

A request was made to provide information on types of development projects typically reviewed by the Commission. A large percentage of historic reviews in districts are smaller projects, including window and door replacement, installation of heat pumps, small decks, and similar projects. The Commission maintains guidance for staff to encourage administrative review of many of these projects in order to reduce costs and time in permitting.

However, the Commission has also reviewed many larger scale projects such as new construction and accessory dwelling units.

Included in this packet are some examples of the following scenarios/projects approved by the Commission:

- Residential restoration
- New infill construction
- Solar Panel installation
- DADUs

Residential Restoration	
	
Before	After
1415 N 5 th St. This house and the adjacent house had been converted to medical offices in the 1960s, but were vacant at the time of construction. Both houses were restored to residential use.	

Residential Restoration	
	
Before	After
506 N L St. This house, which was converted to apartment units, was vacant and derelict at the time of rehabilitation c. 2020, and had been condemned by the City. It retains its use as apartment units.	
Residential Restoration	
	
Before	After
512N L St. This house, was vacant and derelict at the time of rehabilitation c. 2020.	

Residential Restoration	
	
Before	After
502 S Sheridan. This house has been restored over a period of time by the owners back to its original appearance, including restoration of windows and the porch.	

Infill Construction	
	
1221 N Steele. This SF house was approved by the Landmarks Commission in 2010.	

Infill Construction



1407 N 5th. This SF house was approved by the Landmarks Commission in 2012. Also on the NW Kinetics site, this infill house was built on a large lot that was subdivided.

Infill Construction



321-323 N L St. This townhouse design, intended to reference surrounding houses with its hipped roof and dormers, was approved by the Commission in 2009.

<p>NORTHWEST FACADE</p>	<p>NORTHWEST FACADE</p>
<p>Before</p>	<p>After</p>
<p>1007 N Sheridan. This existing garage was converted to a DADU in 2020. The Commission approved the exterior design changes; the use is allowed by zoning.</p>	

<p>DADU</p>	
<p>NORTH & EAST FACADE</p> <p>NORTH & WEST FACADE</p> <p>SOUTH FACADE - NOT IN SCOPE</p>	<p>EXTERIOR ELEVATION - EAST</p> <p>EXTERIOR ELEVATION - WEST</p>
<p>Before</p>	<p>After</p>
<p>1009 N L. This existing garage was converted to a DADU in 2021. The Commission approved the exterior design changes; the use is allowed by zoning.</p>	

<p>DADU</p>	
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4. NEXT STEPS (TENTATIVE)

Staff’s objective is to receive guidance from the Planning Commission that will provide a baseline to begin drafting findings and recommendations, based upon the Landmarks recommendation, criteria in the municipal code and public input.

Date	Subject
9/7/22	Discuss issues and recommendations, provide guidance
10/5/22	Discussion of draft recommendations
11/2/22	Adopt Findings and Recommendations

**Proposed College Park Historic Special Review District Overlay Zone
Comments and Recommendations
Office of Equity and Human Rights**

August 2022

Thank you for the opportunity to review the College Park Landmark and Preservation Recommendation. The Office of Equity has taken the opportunity to review the report and supporting documents and offers the following comments and recommendations.

COMMENTS

I. OEHR'S ALLIANCE WITH THE MISSION OF THE LANDMARK AND PRESERVATION COMMISSION

1. Every neighborhood and every community deserves the attention, investment, protections and support to preserve its history, architecture, and extraordinary stories that make these communities unique and deserving of elevated attention. We applaud the Landmarks and Preservation Commission in all its efforts to preserve the history and stock of the unique city of Tacoma.
2. We believe setting a baseline target to ensure that every community in Tacoma enjoys the investment and protections afforded by the mission of preservation is critical to any work moving forward and that fielding requests on a case by case basis ignores the accumulated impacts of institutional disinvestment over many decades in our city.

II MERITS OF THE PROPOSAL

3. The initiative offers additional attention and protections to the housing stock and unique buildings within the College Park community which functions as additional investment and preservation to benefit this community.
4. The recommendation recognizes the benefits to the College Park area and also affirms the status of this community as deserving of specific enhanced protections to preserve the stock of the community with special attention to the external elements of the architecture.

III. EQUITY AND APPLIED ANTI-RACISM PRACTICES CONCERNS

5. These same modes of investment have been denied to **approximately 2/3 of the geographic boundaries of the city of Tacoma for over 80** years through legal acts of exclusion by finance institutions including banks and insurers. In effect approximately one third of the geographic area Tacoma received at least an 80 year head start over the remaining communities when it came to investment. These communities have, in effect, gotten 80 turns at the opportunity board before the remaining communities have ever had the chance to participate
6. Implicit in our recommendations is this question which drives our response: namely, ***How can Landmarks and Preservation work redress this in the immediate and what are the characteristics of longer term root solutions as expressions of community investment?***

IV. NAMING THE EXISTENCE REDLINING PRACTICE AND OTHER DISPARATE IMPACTS DOES NOT SUBSTITUTE FOR OFFERING SPECIFIC POLICIES, REMEDIES AND ACTIONS

7. The recommendation names the practice of redlining and offers a very preliminary assessment of the equity impacts. Unfortunately this is where the report begins and ends. To name the existence of systemic discrimination is not the same as offering specific and concrete remedies to begin **closing the disparities** that have grown conservatively, for 80 years in our city. This is where in our opinion the recommendation falls short.
8. As a result, we in OEHR feel this disproportionately will increase the disparities between communities rather than redress and further widens the gaps of equity in our service to historically marginalized communities.
9. Many communities and sections of our city rightly expect these decades of disparity to be addressed in specific and observable ways. The recommendation speaks abstractly to a need for equity remedies but does not take those recommendations further.
10. The recommendation did touch upon the impact on housing values and on unintentional exclusionary impacts that the college district might have on future residents but we did not see how those impacts might be addressed other than the fact that they were named.
11. The initial document discuss the diversity of the community that is up for consideration and focused primarily on the professions represented in that community such as shipbuilders and doctors. While this is a valid look at one aspect of diversity, one that looks at class and professionalism as a single determinant, it does not address the racial barriers that kept this community white and homogenous for so long, and other expressions of diversity including the needs of disabled people.
12. We believe the work of equity and anti-racism requires more than the inference of future commitments. Rather, this work should **be built directly into the existing recommendations** in such a way as to not consolidate deeper disparities that will grow the distance between the communities that have and the communities that have not.

RECOMMENDATIONS

V. CONSULT OEHR AT THE INCEPTION OF A PROPOSAL NOT IN THE END STAGES

13. We strongly urge a change in common practice in which communities in the city partner toward a recommendation that moves far along, builds momentum and an expectation and only then reaches our office when the recommendation is all but a foregone conclusion. With proposals of this scale equity should be brought into the conversation at the nascence of the project so that we can help inform the direction and ensure that voices are at the table that have been historically left out.

VI. BROADEN THE VOICES THAT OFFER INPUT BEYOND THE BOUNDARIES OF THE PROJECT. BRING ATTENTION TO COMMUNITIES THAT HAVE HISTORICALLY BEEN LEFT OUT OF PRESERVATION DISCUSSIONS AND PROJECTS

14. The sentiments that appeared to have driven the recommendation have been centered in the perspective the community members living directly into the proposed area of enhanced preservation are the stakeholders who are meant to give input and we understand that perspective. But in our view the numerous communities that have not been the beneficiaries of the added layer of investment, attention and protection, also have a place at the table to provide perspective and to assess how we can begin to build a more universal approach to the overall uplift of our city. It does not appear that that broader perspective was given a platform or a voice during the input process.

VII. OEHR RECOMMENDATIONS FOR THIS PROPOSAL AND OTHERS TO FOLLOW MOVING FORWARD AS COMMON PRACTICE

15. We believe this proposal should have a **companion proposal of equal scope and impact** that is centered on a community or set of neighborhoods that lived under the shadow of redlining for over 80 years and is defined as a lower opportunity within the city. We believe that the recommendation needs to be specific about how another community that has suffered this disparity will receive equivalent protections and investment so as to elevate that community and offer it a chance to also experience the benefits of special attention and focus. This may not come under the heading of historic preservation alone only because we must be mindful of the impacts of housing costs and livability when it comes to neighborhood investment. However the community should be involved in that conversation so that they can help define what progress looks like for them on their terms.
16. We ask that the Landmarks and Preservation Commission work in tandem with council members that represent previously redlined and lower opportunity communities in Tacoma in building a companion to this recommendation that ensures the gap closes between those communities that have enjoyed significant advantages and those that have been systemically neglected for many decades. Further, we ask that the commission work with other commissions in considering how other missions might intersect.

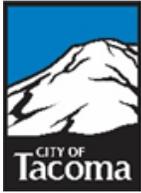
17. We believe that the current participation based budget model offers promise to inform this process and that efforts to drive a similar process centered in the Landmark and Preservation mission is one avenue that could inform companion proposals including one that could be affiliated with the College Park recommendation. These groups have already been through a collaborative process to determine projects that benefit these neighborhoods and could be ideal consultation partners for historic preservation planning.

Review Team Members:

Lucas Smiraldo, Senior Policy Analyst

Raeshawna Ware, Senior Policy Analyst

Mia Navarro, Deputy Chief Equity Officer



To: Planning Commission
From: Wesley Rhodes, Planning Services Division
Subject: **2023 Amendment – Assessment of “City-wide Commercial Zoning Code Update” Application**
Memo Date: September 1, 2022
Meeting Date: September 7, 2022

Action Requested:
Comment and Determination.

Discussion:

At the next meeting on September 7, 2022, the Planning Commission will conduct an assessment of the staff-initiated application “City-wide Commercial Zoning Code Update” for the 2023 Annual Amendment to the [One Tacoma Comprehensive Plan](#) and [Land Use Regulatory Code](#) (“[2023 Amendment](#)”).

The Commission will review this application and determine, in accordance with the requirements of the [Tacoma Municipal Code](#) (TMC), Section 13.02.070.E, whether the application will be accepted onto the 2023 Annual Amendment package and moved forward for technical analysis.

Attached to facilitate the Commission’s assessment and determination is the Assessment Report for the “City-wide Commercial Zoning Code Update.”

Project Summary:

The Comprehensive Plan and its elements, as well as development regulations and regulatory procedures that implement the Comprehensive Plan, shall be adopted and amended by ordinance of the City Council following the procedures identified in TMC 13.02.070. Proposed amendments may be considered annually, for which the amendment process shall begin in July of any given year and be completed, with appropriate actions taken by the City Council by the end of June of the following year. The process for the [2023 Amendment](#) began with accepting applications during January-March 2022 and is slated for completion in June 2023.

Staff Contact:

- Wesley Rhodes, wrhodes@cityoftacoma.org

Attachment:

1. Assessment Report – “City-wide Commercial Zoning Code Update”

c. Peter Huffman, Director





2023 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Application: City-wide Commercial Zoning Code Update

Assessment Report
September 1, 2022

The “City-wide Commercial Zoning Code Update” proposes to update the City of Tacoma’s commercial zoning code classifications (C-1, C-2, T, PDB) to better conform with Future Land Use Map (FLUM) designations and the goals and policies contained within the *One Tacoma* Comprehensive Plan. This generally refers to the commercially zoned areas of the City found outside of the designated Centers (see *Section A.1 Area of Applicability*). This project is primarily aimed to address the following issues:

1. Inconsistencies between the recognized commercial pattern area typologies and the associated land use and zoning designations
 - a. The Comprehensive Plan has three identified commercial typologies (Convenience Corners, Neighborhood Commercial, and General Commercial) but only has two land use designations and two primary commercial zoning classifications (Neighborhood Commercial and General Commercial).
2. Inconsistencies between the Future Land Use Map (FLUM) and Zoning Map
3. Inconsistencies between Comprehensive Plan goals and policies and zoning standards and guidelines

A framework for resolving issues two and three cannot be created without first addressing issue one. Issue one will require a comprehensive review and development of appropriate commercial pattern area typologies (either existing or desired) for the City of Tacoma. Therefore, the work is proposed to occur in two phases.

Phase I, to be conducted as part of the 2023 Comprehensive Plan amendment cycle, will include the development of a typology for commercial pattern areas (outside of Centers) throughout the City. This will serve as a common set of references and geographies against which an assessment in relation to the goals and policies contained in the Comprehensive Plan can be made. Phase I will also include a framework for decision-making regarding the implementation options to increase conformance of commercial areas with the Comprehensive Plan. This may include recommended updates to Title 13 (specifically, Section 13.06.030) of the Tacoma Municipal Code and the *One Tacoma* Comprehensive Plan. This phase may also include a review of, and potential updates to, design standards for commercial areas outside of Centers where the Multi-Family Tax Exemption may be applicable as a result of *City Ordinance No. 28798*.



Phase II, to be conducted as part of the 2024 Periodic Comprehensive Plan update, will include the development and refinement of the recommended implementation methodologies, including creation of specific language for code changes to the Land Use Regulatory Code and updated goals, policies, and design guidelines for potential adoption into the Comprehensive Plan, to achieve Tacoma’s desired future commercial land use.

The project will result in updated zoning standards and the analysis could include elimination and/or consolidation of existing zoning classifications, and potential creation of new zoning classifications, resulting in reclassification of some existing commercially zoned areas and updates to the Zoning Map.

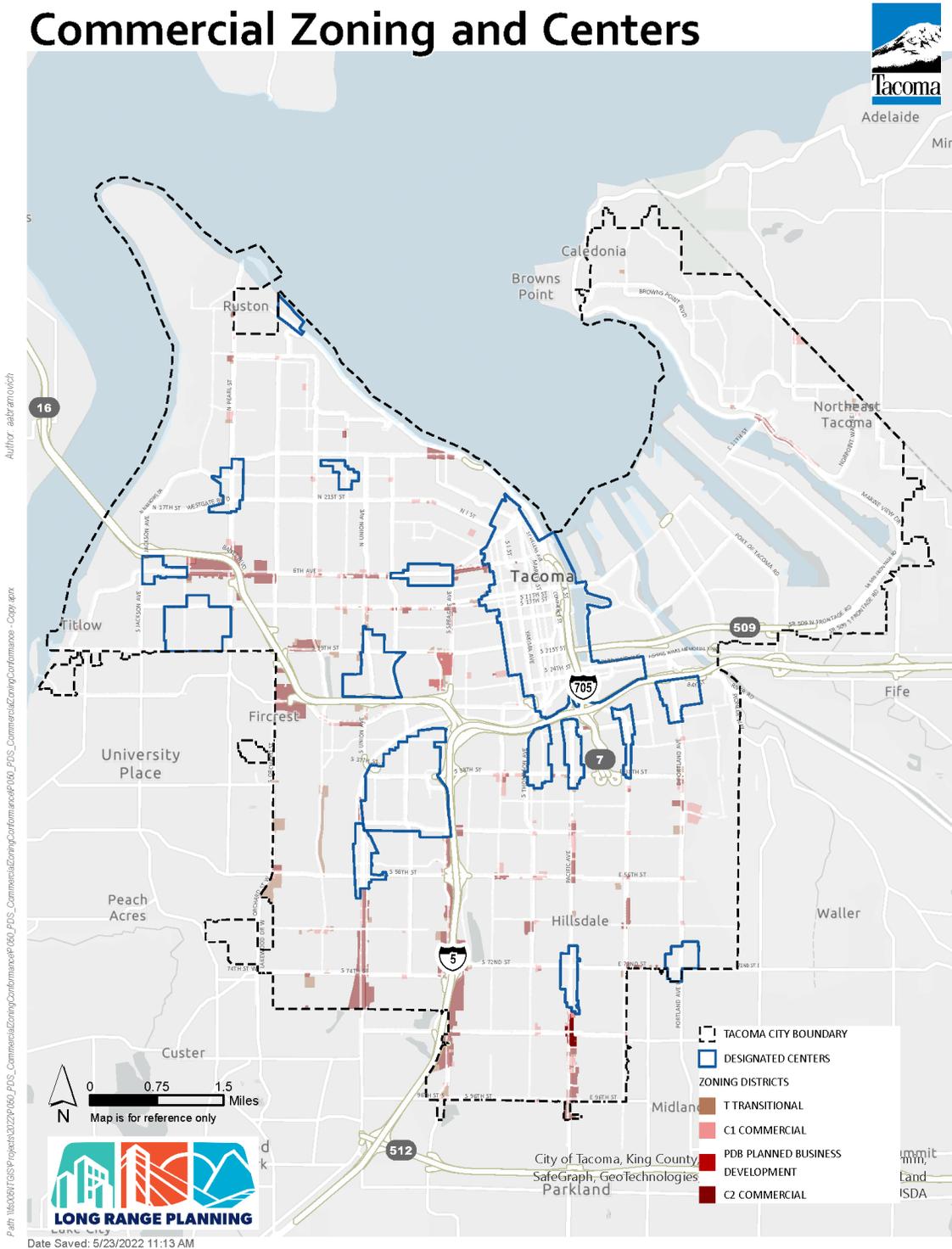
Project Summary	
Application ID:	City-wide Commercial Zoning Code Update
Applicant:	Planning and Development Services
Location and Size of Area:	Citywide
Current Land Use and Zoning:	All commercial zones outside of Mixed-Use Centers. This includes C-1 (neighborhood commercial), C-2 (General Commercial), PDB (Planned Development Business), and T (Transitional).
Neighborhood Council Area:	Citywide
Proposal Summary:	The project proposes to update the City’s commercial zoning code classifications (C-1, C-2, T, PDB) to better conform with goals and policies contained within the <i>One Tacoma</i> Comprehensive Plan. The update will address inconsistencies between the Comprehensive Plan goals and policies with existing zoning standards, such as issues that arise with implementing a more pedestrian-oriented design approach as well as areas where more intensive development abuts lower density residential areas. See Section “A” for the Proposed Scope of Work.

Section A. Proposed Scope of Work

1. Area of Applicability

Citywide in commercial zones (C-1, C-2, PDB, and T). Not applicable to commercial uses within designated Mixed-Use Centers.

Commercial Zoning and Centers



2. Background

2014 – Major update to the Land Use Designations in the Comprehensive Plan – Established the Neighborhood and General Commercial Land Use Designations that were applied to the Future Land Use Map (FLUM). The updated FLUM began implementation in 2015 but the FLUM and the underlying zoning have never been consistent. This has historically been addressed through individual site rezones; however, this often puts the onus on the site developer. The last major update of the commercial zoning code was likely in the early 2000s.

2015 – The Tacoma Mixed-Use Centers report provided critical analysis and recommendations for commercial areas within the City’s Mixed-Use Centers to align these commercial areas more closely with the stated goals and policies within the *One Tacoma* Comprehensive Plan. Namely, it provided guidance on how to create more pedestrian-oriented commercial typologies. Recommendations were incorporated into the Comprehensive Plan as part of the Periodic Update. However, this document did not provide the same analysis for the City’s commercial zoned areas outside of Mixed-Use Centers, a gap that this project seeks to rectify.

2017 – Annual Amendment Applications and Interim Regulations – Following the 2015 Comprehensive Plan update, City staff initiated a series of zoning reviews to bring zoning into compliance with the updated Future Land Use Map. In 2017, staff initiated an application as part of the Annual Amendment process to consider the Commercial Zoning Update. However, a series of subsequent interim ordinances impacted the work program and the Commercial Zoning update was postponed.

2018 – University of Washington Livable City Year – Student-led projects which included design concepts for some small nodes of commercial development.

2019 _ Future Land Use Map Implementation – In 2019 City staff initiated a zoning review to rectify inconsistencies between multi-family zoning districts and the related FLUM Land Use Designations. The scope was limited to residential areas and envisioned the Commercial Zoning Update as a subsequent action.

2021 – Tacoma TOD Toolkit – Provided guidance on best-practices and principles for pedestrian-oriented commercial uses, including station area placemaking, along transit corridors.

2021 – Ordinance 28798 updating the applicability of MFTE – City council passed an ordinance to expand the geographic scope of the Multi-Family Tax Exemption (MFTE) credit outside of Centers to include “...Neighborhood Commercial Nodes along transit and existing mid-scale residential on corridors...” Stipulations included that it “...shall not become available in the neighborhood commercial nodes until a comprehensive review and update of the design standards for projects which include residential development in those commercial areas is completed.”

3. Policy Framework

Growth Management Act

The City’s Comprehensive Plan, including the Future Land Use Map (FLUM), was developed in accordance with both the procedures and the substantive requirements of the Growth Management Act (GMA). In addition to guiding the development of local Comprehensive Plans, the GMA also requires that development regulations conform to and implement the locally adopted Plans. RCW 36.70A.040 states that “...the county and each city located within the county shall adopt a comprehensive plan under this chapter and development regulations that are consistent with and implement the comprehensive plan...”.

In addition, the GMA requires that local jurisdictions “...ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including the accommodation of, as appropriate, the medical, governmental, educational, institutional, commercial, and industrial facilities related to such growth, as adopted in the applicable countywide planning policies and consistent with the twenty-year population forecast from the office of financial management (RCW 36.70A.115).”

One Tacoma Plan

The *One Tacoma* Comprehensive Plan, at the broadest level, is guided by **GOAL UF-1** to “guide development, growth, and infrastructure investments to support positive outcomes for all Tacomans.” One of the challenges for implementing the commercial FLUM and associate goals and policies of the Comprehensive Plan is that it currently identifies three key commercial typologies but only employs two commercial FLUM designations with corresponding zoning.

Commercial Districts are directly identified in the Urban Form chapter under the Employment Areas Section and are classified into three general typologies:

- **Convenience Corners** – small commercial nodes distributed throughout Tacoma’s neighborhoods, often along historic streetcar routes
- **Neighborhood Commercial** – districts characterized by small-scale neighborhood businesses with some residential and institutional uses
- **General Commercial** - districts which encompass medium to high intensity commercial uses which serves a large community base with a broad range or larger scale uses

The FLUM designations and corresponding zoning classifications table (Table 3 in the Comprehensive Plan, a portion of which is shown below) provides a purpose statement for each FLUM designation and by extension the corresponding zoning classifications they encompass.

The **Neighborhood Commercial** FLUM category contains C-1 and T commercial zoning and are characterized primarily by small-scale neighborhood business with some residential and institutional uses. Uses are generally characterized by smaller buildings and sites, less signage, and low to moderate traffic generation. There is an emphasis on small businesses and development compatible with nearby residential areas.

The **General Commercial** FLUM category contains PDB and C-2 commercial zones and are characterized by medium to high intensity commercial uses which serve a large community base with a broad scale of uses. These areas also allow for a wide variety of non-commercial uses, such as residential development, institutional uses, community facilities, and some limited production and storage uses. These areas are generally located along major corridors and may have more direct access to highways. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS	CORRESPONDING ZONING
<p>Neighborhood Commercial</p> <p>This designation is characterized primarily by small-scale neighborhood businesses with some residential and institutional uses. Uses within these areas have low to moderate traffic generation, shorter operating hours, smaller buildings and sites, and less signage than general commercial or mixed-use areas. There is a greater emphasis on small businesses and development that is compatible with nearby, lower intensity residential areas.</p> <p><i>Target Development Density: 14–36 dwelling units/net acre</i></p>	<p>C-1 General Neighborhood Commercial District</p> <p>T Transitional District</p>
<p>General Commercial</p> <p>This designation encompasses areas for medium to high intensity commercial uses which serves a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, often with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.</p> <p><i>Target Development Density: 45–75 dwelling units/net acre</i></p>	<p>PDB Planned Development Business District</p> <p>HM Hospital Medical District</p> <p>C-2 General Community Commercial District</p>

From Table 3 in the Urban Form chapter *One Tacoma* Comprehensive Plan – FLUM designations and corresponding zoning

Additionally, the last major update to the commercial zoning standards and guidelines occurred in the early 2000s. Since that time there have been many updates to the goals and policies found within the Comprehensive Plan that need to be integrated into the commercial zoning code. While this project will include a comprehensive review of goals and policies within the plan, it is primarily concerned with those goals and policies that speak to the need for pedestrian-oriented (non-auto-centric) commercial typologies, as well as the relationship between more intensive development where it abuts lower-scale residential areas.

Policies related to **pedestrian-oriented** (non-auto-centric) design + development standards:

- **Policy DD–1.3** Design buildings and streetscape of a human scale to create a more inviting atmosphere for pedestrians.
- **Policy DD–1.8** Enhance the pedestrian experience throughout Tacoma, through public and private development that creates accessible and attractive places for all those who walk and/or use wheelchairs or other mobility devices.
- **Policy DD–1.9** Encourage development, building and site design that promote active living.
- **Policy DD–1.14** Encourage the continued use of alleys for parking access and expand their use as the location of accessory dwelling units and as multi-purpose community space.
- All policies within **Goal DD-2** which ensures “that parking area design and management balances the needs of all users, supports modal priorities, and is responsive to site context.”
- The important intersection and overlap between commercial and residential development, particularly as found within some of the policies within **GOAL DD-4**.
- **Policy DD–5.2** Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

- **Policy DD–5.3** Promote building and site designs that enhance the pedestrian experience in centers and corridors, with windows, entrances, pathways, and other features that provide connections to the street environment.
- **Policy DD–5.6** Site and design new developments with safe, convenient, connected and attractive pedestrian access....
- **Policy DD–5.15** Strengthen the continuity of development and streetscape by using architectural features, street furniture, and other elements that unify and connect individual areas.
- **Policy DD–5.16** Within core commercial areas, encourage uses at street level that generate pedestrian activity and support transit ridership.

Policies related to the design + development standards where more **intensive development abuts lower-scale residential** areas:

- **Policy DD–9.1** Create transitions in building scale in locations where higher-density and intensity development is adjacent to lower scale and intensity zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and strive to protect light and privacy for adjacent residents.
- **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–9.4** Minimize the impacts of auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential areas.

4. Objectives

Address inconsistencies or errors in the Comprehensive Plan or development regulations

Historically, the City of Tacoma has had embedded inconsistencies between the Comprehensive Plan and Zoning District boundaries. These inconsistencies were studied and discussed as part of the Comprehensive Plan update in 2015. One of the high priority actions identified in the *One Tacoma* Plan was to begin a multi-phase effort to rectify these inconsistencies between the land use designations in the Plan and the implementing zoning code. Both state law, through the Growth Management Act, and local ordinances require that the City bring the zoning designations into conformance with the Plan or amend the Plan to be consistent with the zoning designations. Ultimately, the Plan and Code must be internally consistent.

This project is aimed at rectifying three primary types of inconsistencies:

1. Inconsistencies between the recognized commercial pattern area typologies and the associated land use and zoning designations
 - a. The Comprehensive Plan has three identified commercial typologies (Convenience Corners, Neighborhood Commercial, and General Commercial) but only has two land use designations and two primary commercial zoning classifications (Neighborhood Commercial and General Commercial).
2. Inconsistencies between the Future Land Use Map (FLUM) and Zoning Map
3. Inconsistencies between Comprehensive Plan goals and policies and zoning standards and guidelines

Over the next 20 years, the number of people and jobs will grow significantly in Tacoma. The City’s comprehensive plan, while focusing growth within designated centers, anticipates additional infill residential and commercial development in

neighborhood nodes and along designated corridors. The City’s commercial zones were created when auto-oriented and low-intensity commercial uses were more common and more actively promoted. The update will address issues that arise with implementing a more pedestrian-oriented design approach as well as areas where more intensive development abuts lower density residential areas.

As such, additional refinement to the number, type, and geographic applicability of the City’s commercial zones are necessary to ensure that growth and development can be accommodated in a context sensitive manner that is consistent with the *One Tacoma* Comprehensive Plan. This could include updates to massing and articulation, transitions and step-downs, ground floor uses, parking requirements, and setbacks, among others. This project may involve the creation of new, or consolidation of existing, commercial zoning districts

Currently, there are a significant number of areas where the FLUM designation is Neighborhood Commercial, but the underlying zoning is General Commercial. If strictly applied, the FLUM would direct significant city-wide downzones of commercial properties from C-2 to C-1. Instead, staff is proposing this project as a means of evaluating the City’s current policies, land use designations, and commercial zoning classifications to determine the best methodology for creating conformance and implementing the goals and policies within the *One Tacoma* Plan.

Furthermore, it is evident that there are broad differences in the typology of urban form of areas within a single commercial zoning classification. For example, C-2 General Commercial zoning produces commercial development patterns as varied as the Bass Pro Shops on S. Hosmer Street and the commercial area in Old Town on N. 30th Street.



Example of large-scale auto-oriented commercial development found within C-2 (general commercial) zoning



Example of a neighborhood-scale pedestrian-oriented commercial area (with residential) found within C-2 (general commercial) zoning

Updating code within a single zoning designation to address the desired design standards between these varied contexts is challenging. Furthermore, under the current guidelines, areas serving as desirable pedestrian-friendly commercial areas (many with historic building stock) could be redeveloped, without any zoning change, into auto-oriented or (in some cases) even completely residential uses. A thorough review of the City’s commercial zoning standards could produce a code that is streamlined and targeted, thus implementing the FLUM, goals, and policies within the *One Tacoma Plan*.

Mixed-Use (X) districts within Centers are one way the City has been responding to changing circumstances, such as growth and development. Because these zoning classifications have generally been created and/or updated since the more traditional commercial (C) districts, an analysis of the relationship between these districts is merited. Such an analysis could help understand the relationship in terms of the uses and design each is producing. Scale (especially height) is still a defining feature but it’s possible that the merits of having a separate “C” district is losing some value over time. For example, both districts are inherently mixed-use by nature with the ability to have developments that are entirely residential within “C” districts. Other traditional differences, such as the applicability of MFTE, are also lessening as *Ordinance 28798* seeks to expand MFTE outside of traditional centers to include commercial neighborhood nodes along transit corridors, among other areas.

5. Options Analysis

Creation of criteria to conduct an options analysis will be a next step as part of Phase I. Phase I includes the creation of an implementation framework. To develop a framework, we will need to evaluate some early options relating to zoning code amendments (including updates to existing classifications and/or creation of new classifications), amendments to the goals and policies within the Comprehensive Plan, and amendments to the Zoning Map. Impacts assessment will largely be conducted as part of Phase II.

6. Proposed Outreach

Outreach for this project will be citywide. Current codes require notification of all taxpayers within 2500’ of a proposed rezone or FLUM amendment. This proposal will affect both residential and commercial property owners and

tenants. In addition, there is the potential for great interest among the business community and stakeholders, as well as certain neighborhood groups. Potential outreach will include Neighborhood Councils, Business Districts, Master Builders Association of Pierce County, the Chamber of Commerce and community groups such as Historic Tacoma.

Given the citywide scope of work, community engagement will be targeted towards citywide or broader neighborhood interest groups, associations and organizations. Staff resources will be limited in capacity to conduct community outreach at a parcel-by-parcel scale. Outreach efforts will need to be equitable and seek to engage a variety of communities and community interests in Tacoma, particularly those areas that have been historically under-represented in zoning and land use processes.

In order to help facilitate early public comment, staff is proposing the creation of a “Potential Commercial Rezones” map that would enable public comment on the potential rezone map. A similar approach has been taken with other City-wide rezone efforts such as updates to the FLUM (<https://wspdsmap.cityoftacoma.org/website/FLUM/>). Staff proposes to utilize this web-based comment tool during the distinct phases of the project to enable more place-based comments.

Other methods of notification and engagement may include preferential surveys and outreach at Farmers Markets and other community events. The utility of online engagement platforms, such as Social Pinpoint, will also be explored.

Lastly, since many of these potential rezones would apply within the Puyallup Tribe Reservation, early consultation with Tribal staff will be essential to identifying Tribal concerns early in the process and to identify options to respond to those concerns.

7. Impacts Assessment

Typically, Plan amendments and area-wide rezones are evaluated under a SEPA non-project action. Additional project-level review is conducted as part of an application for land use or building permits and mitigation for project impacts may be required at the time of permit issuance. Phase I will focus on establishing a consistent policy and typology framework for commercial zoning and then applies those through zoning and development standard amendments in phase II. As a result, impact review will be limited in phase I but will include recommendations for impact analysis to be conducted as part of phase II. In general, impacts are expected to be limited as the area of applicability is generally targeted toward existing commercial areas and modifying zoning and development standards to achieve greater consistency with *One Tacoma* Plan goals and policies.

Section B. Assessment

The applications were reviewed against the following assessment criteria pursuant to TMC 13.02.045:

- If the amendment request is legislative and properly subject to Planning Commission review, or quasi-judicial and not properly subject to Commission review.

Staff Assessment: The amendment is legislative and properly subject to Planning Commission review.

- If there have been recent studies of the same area or issue, which may be cause for the Commission to decline further review, or if there are active or planned projects that the amendment request can be incorporated into.

Staff Assessment: This is a continuation of a multi-year effort to bring the Plan and Zoning into conformity. Several iterations of this project have been proposed and started over the years but were ultimately postponed and recommended for continued deliberation. In some cases, the City Council may have approved recent site rezones of areas under review within this scope of work; these sites will be identified as part of the evaluation. At this time there are limited or no other active or planned projects that this amendment can be incorporated into. However, the project may have overlap and/or compelling reasons to coordinate with the Urban Design Review program.

- If the amount of analysis necessary is reasonably manageable given the workloads and resources of the Department and the Commission, or if a large-scale study is required, the amendment request may be scaled down, studied in phases, delayed until a future amendment cycle, or declined.

Staff Assessment: To help facilitate this review, staff proposes to analyze specific types of issues and approaches to these issues, rather than conducting site by site analysis. Staff is recommending a phased approach to conduct the Commercial Zoning Update (to include commercial typologies and an implementation framework) in 2023 and the Commercial Rezones and Comprehensive Plan updates in 2024.

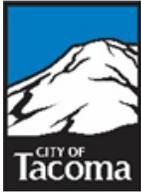
Section C. Recommendation

Per TMC 13.02.070.E.3, the Planning Commission will review this assessment and make its decision as to:

- Whether or not the application is complete, and if not, what information is needed to make it complete;
- Whether or not the scope of the application should be modified, and if so, what alternatives should be considered; and
- Whether or not the application will be considered, and if so, in which amendment cycle. The Planning Commission shall make determinations concerning proposed amendments.

Staff Recommendation:

- Staff concludes that the application is complete and includes the information necessary to move forward into the technical analysis phase of the amendment process.
- Staff recommends that the scope of the application focus on the policy elements and establishing a commercial typology framework that can be implemented through the zoning code in phase II.
- Based on the review of the proposal against the assessment criteria, staff concludes that this application is ready for technical analysis. Staff recommends that the Planning Commission accept the application as part of the 2023 Annual Amendment docket.



To: Planning Commission
From: Adam Nolan, Planning Services Division
Subject: **2023 Amendment – Assessment of “Regulating Delivery-Only Businesses of Food and Other Consumables” Application**
Memo Date: August 31, 2022
Meeting Date: September 7, 2022

Action Requested:
Comment and Determination.

Discussion:

At the next meeting on September 7, 2022, the Planning Commission will conduct an assessment of the staff-initiated application “Regulating Delivery-Only Businesses of Food and Other Consumables” (“delivery-owned” business) for the 2023 Annual Amendment to the [One Tacoma Comprehensive Plan](#) and [Land Use Regulatory Code](#) (“2023 Amendment”).

For identification purposes, the application is referenced as “Delivery-Only Businesses.” The Commission will review this application and determine, in accordance with the requirements of the [Tacoma Municipal Code](#) (TMC), Section 13.02.070.E, whether the application will be accepted onto the 2023 Annual Amendment package and moved forward for technical analysis.

Attached to facilitate the Commission’s assessment and determination is the Assessment Report for “Delivery-Only Businesses.”

Project Summary:

The Comprehensive Plan and its elements, as well as development regulations and regulatory procedures that implement the Comprehensive Plan, shall be adopted and amended by ordinance of the City Council following the procedures identified in TMC 13.02.070. Proposed amendments may be considered annually, for which the amendment process shall begin in July of any given year and be completed, with appropriate actions taken by the City Council by the end of June of the following year. The process for the [2023 Amendment](#) began with accepting applications during January-March 2022 and is slated for completion in June 2023.

Staff Contacts:

- Adam Nolan, anolan@cityoftacoma.org
- Lihuang Wung, lwung@cityoftacoma.org

Attachment:

1. Assessment Report – “Delivery-Only Businesses”
- c. Peter Huffman, Director





2023 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Application:
Code Amendments Regulating Delivery-only Businesses
of Food and Other Consumables

Assessment Report
September 7, 2022

This application, “Code Amendments Regulating Delivery-only Businesses of Food and Other Consumables” (delivery-only businesses) is being considered as a part of the 2023 Annual Amendment to the *One Tacoma* Comprehensive Plan and Land Use Regulatory Code (“2023 Amendment”). The intent of this application is to seek appropriate amendments to the Tacoma Municipal Code, Title 13 to include definitions and development/performance standards specific to delivery-only business uses. This assessment report is compiled for review by the Tacoma Planning Commission to determine acceptance as part of the 2023 Amendment work program.

Project Summary	
Application ID:	Code Amendments Delivery-only Businesses of Food and Other Consumables
Applicant:	Planning and Development Services
Staff Contact:	Adam Nolan, Associate Planner, anolan@cityoftacoma.org
Location and Size of Area:	Citywide
Current Land Use and Zoning:	Various
Neighborhood Council Area:	Citywide
Project Proposal:	This staff-initiated amendment is in response to the increasing interest from the community in establishing and operating delivery-only businesses of food and other consumables. The Tacoma Municipal Code (TMC), Title 13 does not have a clear category for delivery-only businesses. The proposal is to amend the TMC Title 13 to provide appropriate definitions and development/performance standards specific to delivery-only businesses.



Section A. Proposed Scope of Work

1. Area of Applicability

Citywide and applicable to zoning districts that allow Commercial uses.

2. Background

The City of Tacoma has received recent requests to locate “delivery-only” businesses within the City and the Tacoma Municipal Code does not have a clear category for “delivery-only” businesses, also commonly referred to as “ghost”, “cloud”, or “virtual” kitchens. An example of “delivery-only” businesses could be a small grocery or convenience market that does not allow public entry and exclusively serves delivery services (such as Door Dash or Uber Eats). The physical location may include one or more separate business entities preparing materials for delivery. Due to their unique operations, “delivery-only” businesses do not adequately fit into uses currently defined in Tacoma Municipal Code (TMC), Title 13.

“Delivery-only” business has grown significantly in recent years on account of the rise of mobile-based applications that allows consumers to easily order food and have it delivered to their location. The public health measures and restrictions associated with the global COVID-19 pandemic further fueled the demand for “delivery-only” food and products. While some COVID-19 restrictions have been lifted on restaurants and businesses, the demand for products and services provided by “delivery-only” businesses is likely to continue and grow. These changing circumstances necessitate an evaluation of location and regulatory standards for “delivery-only” businesses.

3. Policy Framework

According to TMC 13.02.070.D.5.c, the applicant must address the following criteria:

- Identify and cite any applicable policies of the Comprehensive Plan that provide support for the proposed amendment

The proposed code amendments would define “delivery-only” businesses and provide regulatory components guidance for these uses, including for location, parking, loading zones, and design and development standards. The following table outlines policy support for these regulatory components as well as general standards that apply to additional City policies (land use planning, employment, economic development, etc.).

<i>One Tacoma Plan Chapter</i>	TABLE 1: Relevant Goals and Policies	Relevant Regulatory Framework
URBAN FORM Chapter	GOAL UF–1 Guide development, growth, and infrastructure investment to support positive outcomes for all Tacomans.	GENERAL
	Policy UF-1.5 Strive for a built environment designed to provide a safe, healthful, and attractive environment for people of all ages and abilities.	DESIGN
	Policy UF–1.6 Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.	GENERAL, DESIGN, LOCATION

	<p>Policy UF–1.11 Evaluate the impacts of land use decisions on the physical characteristics of neighborhoods and current residents, particularly underserved and under-represented communities.</p> <p>a. Avoid or reduce negative development impacts, especially where those impacts inequitably burden communities of color underserved and under-represented communities, and other vulnerable populations.</p> <p>b. Make needed investments in areas that are deficient in infrastructure and services to reduce disparities and increase equity and where growth and change are anticipated.</p>	GENERAL, DESIGN, LOCATION
	GOAL UF–8 Ensure the continued growth and vitality of Tacoma’s employment centers.	GENERAL
	Policy UF–8.4 Consider the land development and transportation needs of Tacoma’s employment geographies when creating and amending land use plans and making infrastructure investments.	GENERAL, LOCATION, PARKING/LOADING
DESIGN + DEVELOPMENT Chapter	GOAL DD–2 Ensure that parking area design and management balances the needs of all users, supports modal priorities, and is responsive to site context.	GENERAL, DESIGN, LOCATION, PARKING/LOADING
	Policy DD–2.1 Promote site design that minimizes the impacts of vehicular access and parking lots on pedestrian safety and the visual environment.	GENERAL, DESIGN, LOCATION, PARKING/LOADING
	Policy DD–2.5 Develop parking management plans for centers and commercial areas that address pricing, enforcement, parking duration and turnover, strategies for preventing spillover into surrounding residential areas (such as Residential Parking Zones), revenue and cost sharing options, and that identify SEPA mitigation opportunities.	GENERAL, DESIGN, LOCATION, PARKING/LOADING
	GOAL DD–9 Support development patterns that result in compatible and graceful transitions between differing densities, intensities, and activities.	DESIGN, LOCATION
	Policy DD–9.3 Use land use and other regulations to limit and mitigate impacts, such as odor, noise, glare, air pollutants, and vibration that the use or development of a site may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas.	GENERAL, DESIGN, LOCATION
	Policy DD–9.4 Minimize the impacts of auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential areas.	GENERAL, DESIGN, PARKING/LOADING
	GOAL DD–10 Ensure that all citizens have nearby, convenient, and equitable access to healthy foods.	GENERAL, DESIGN, LOCATION
ECONOMIC DEVELOPMENT Chapter	GOAL EC–1 Diversify and expand Tacoma’s economic base to create a robust economy that offers Tacomans a wide range of employment opportunities, goods, and services.	GENERAL
	Policy EC–1.8 Encourage the establishment and expansion of commercial businesses that produce goods locally, increase local spending and provide needed goods and services to local residents and businesses in Tacoma.	GENERAL

	GOAL EC–3 Cultivate a business culture that allows existing establishments to grow in place, draws new firms to Tacoma and encourages more homegrown enterprises.	GENERAL
	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.	GENERAL
	Policy EC–3.6 Support development of flexible workspaces where people with shared interests can meet, collaborate, and develop their business ideas and products.	GENERAL

Table 1. Applicable policy from One Tacoma Comprehensive Plan related to “Delivery-only” Businesses

4. Objectives

As outlined in TMC Section 13.02.070.D.5.d, the application must adequately respond to the following objectives to be considered in the Annual Amendment docket:

- Address inconsistencies or errors in the Comprehensive Plan or development regulations;
Staff Response: The application seeks to address inconsistencies and provide clarity to City policy and development regulations by defining and regulating “delivery-only” business.
- Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City’s capacity to provide adequate services;
Staff Response: City of Tacoma staff have received requests to locate “delivery-only” businesses within the City. The City lacked a clear categorical definition and development/performance standards for “delivery-only” businesses.
- Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or
Staff Response: It is noted that “delivery-only” business use does not meet compatibility standards of similar commercial land uses. The proposal intends to address this by providing a definition and development/performance standards for “delivery-only” business.
- Enhance the quality of the neighborhood.
Staff Response: As “delivery-only” businesses are citywide and applicable to zoning districts that allow Commercial uses, assessment of how uses enhance quality of neighborhoods is not applicable in this case. Nonetheless, “delivery-only” business uses may enhance goals around food access, employment opportunities, and other goals.

5. Impacts Assessment

“Delivery-only” businesses could have a number of impacts that merit additional analysis. If the amendment moves to technical analysis, staff will assess, at minimum, the anticipated impacts outlined in TMC 13.02.070.F.2.d.

Data from the Tacoma Equity Index will be thoroughly evaluated to determine potential impacts of these uses as they pertain to the city’s equity goals, especially in prioritizing structurally under-resourced and environmentally vulnerable neighborhoods in the city. This analysis will need to consider impacts to health, sustainability, and equity.

6. Proposed Outreach

From TMC Section 13.02.070.D.5.e.1, the applicant is required to provide a description of any community outreach and response related to the proposed amendment:

Staff Response: Outreach will include meetings with the Neighborhood Councils, City Departments and Commissions, and stakeholders. Consultation with the Puyallup Tribe will be conducted. The public will be informed throughout the process as outlined in TMC 13.02.070.G. In addition to standard public notification and outreach, staff will conduct outreach to neighborhood business districts to identify level of concerns about delivery-owned businesses. Staff will consult with Media and Communications for communications and outreach strategies. Staff will collaborate with City staff and stakeholders to determine the scope of technical analysis and impacts analysis needed.

Section B. Assessment

Per TMC 13.02.070.E.2, the application was reviewed against the following assessment criteria:

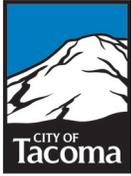
- If the amendment request is legislative and properly subject to Planning Commission review, or quasi-judicial and not properly subject to Commission review.
Staff Response: The proposed amendment to the *One Tacoma Plan* and the Tacoma Municipal Code, primarily Title 13 – Land Use Regulatory Code, are legislative and properly subject to the Commission’s review.
- If there have been recent studies of the same area or issue, which may be cause for the Commission to decline further review, or if there are active or planned projects that the amendment request can be incorporated into.
Staff Response: There are currently no other projects or commercial zoning that address “delivery-only” business uses. While separate from the commercial zoning update, staff would coordinate “delivery-only” business uses work with the commercial zoning review.
- If the amount of analysis necessary is reasonably manageable given the workloads and resources of the Department and the Commission, or if a large-scale study is required, the amendment request may be scaled down, studied in phases, delayed until a future amendment cycle, or declined.
Staff Response: Staff believes that this code amendment request could be accomplished within a year’s time, but this is dependent upon the docketing process and accumulative departmental workload.

Section C. Recommendation

Per TMC 13.02.070.E.3, the Planning Commission will review this assessment and make its decision as to:

- Whether or not the application is complete, and if not, what information is needed to make it complete;
- Whether or not the scope of the application should be modified, and if so, what alternatives should be considered; and
- Whether or not the application will be considered, and if so, in which amendment cycle. The Planning Commission shall make determinations concerning proposed amendments.

Staff Recommendation: Based on the review of the proposals against the assessment criteria, staff concludes that this application is complete and ready for technical analysis. Staff recommends that the Planning Commission accept the application as submitted and move it forward to the technical analysis stage.



Planning Commission Annual Report 2021-2022 and Work Program 2022-2024

*(Approved by the Planning Commission, August 3, 2022;
Concurred by the Infrastructure, Planning and Sustainability Committee, August 10, 2022)*

This report, prepared pursuant to the Tacoma Municipal Code, Section 13.02.040.L, highlights the Planning Commission's accomplishments between July 2021 and June 2022 and outlines the Commission's work program for the general timeline of July 2022 through December 2024.

Part I. Accomplishments 2021-2022

A. Major Projects Reviewed:

1. 2022 Annual Amendment to the Comprehensive Plan and the Land Use Regulatory Code ("2022 Amendment") (www.cityoftacoma.org/2022Amendment)

The Commission reviewed various applications included in the package during May 2021 through May 2022, conducted a public hearing in April 2022, and made a recommendation for adoption to the City Council on May 4, 2022. The Council adopted the package on June 28, 2022, based largely on the Commission's recommendations. The package included the following applications:

- (1) **"NewCold"** – Land use designation change at a 3-acre site owned by NewCold near Orchard and S. 46th to allow for expansion of an existing cold storage facility.
- (2) **"South Sound Christian Schools"** – Land use designation changes on several parcels owned by the South Sound Christian Schools and the CenterPoint Christian Fellowship near Tacoma Mall Boulevard and S. 64th to allow for multi-family and commercial uses on some of the parcels.
- (3) **"South Tacoma Groundwater Protection District (STGPD)"** – Work plan for code amendments to improve STGPD regulations to be more effective in addressing environmental and health risks.
- (4) **Minor Plan and Code Amendments** – A list of 17 non-policy and technical changes to the Comprehensive Plan and the Land Use Regulatory Code to correct errors, address inconsistencies, update information, improve clarity, and clarify policy/regulatory intent.

2. South Tacoma Groundwater Protection District (STGPD) – Potential Moratorium

On June 28, 2022, the City Council adopted Amended Substitute Resolution No. 40985, approving the Work Plan for STGPD Code Amendments, as part of the 2022 Amendment. The Council also requested that "the Planning Commission will conduct a public process to develop findings of fact and recommendations as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the South Tacoma Groundwater Protection District is warranted, and if so, to recommend the scope, applicability, and duration for City Council consideration within 60 days of the effective date of this resolution." The Commission has begun the review process for this urgent request, which is expected to affect the scheduling and progress of some other projects included in the Commission's Work Program for 2022-2024. (www.cityoftacoma.org/MoratoriumSTGPD)

3. Tidelands Area Land Use Regulations (Interim and Non-Interim)

On November 16, 2021, the City Council adopted Amended Ordinance No. 28786, replacing the Tidelands Interim Regulations that were initially enacted in November 2017 and extended several times. Prior to adopting said Non-Interim Regulations, the Council had requested the Commission, in October 2020, to develop findings of fact and recommendations, which the Commission accomplished in April 2021. The Council subsequently amended its legislative process to move the Commission's recommendations to the Infrastructure, Planning, and Sustainability (IPS) Committee for further review

and possible amendment. Recognizing the nature of some of the amendments being deliberated by the IPS Committee, the Commission submitted a letter of supplemental comments on August 18, 2021. (www.cityoftacoma.org/TideflatsInterim)

4. Tideflats Subarea Plan and EIS

In recognition of the regional significance of the Tideflats, the City of Tacoma, Port of Tacoma, Puyallup Tribe of Indians, City of Fife, and Pierce County have partnered to develop a Tideflats Subarea Plan and EIS that would establish a shared, long-term vision and a coordinated approach to addressing development, environmental review, land use, economy, public services and facilities, and transportation in the area. The Commission has received periodic updates since 2019, and during this reporting period in August 2021 and March and May 2022, and will continue its review through 2023. (www.cityoftacoma.org/TideflatsPlan)

5. Home in Tacoma Project – Phase 2

Home in Tacoma Phase 1, which was recommended by the Commission in May 2021 and adopted by the City Council in December 2021, sets the stage for changes to Tacoma’s housing growth strategy, policies and programs to increase housing supply, affordability and choice for current and future residents. The subsequent Home in Tacoma Phase 2 was launched in July 2021, intended to include development of zoning, standards, infrastructure actions and other implementation programs. The Commission has been reviewing Phase 2 since August 2021, conducted a public scoping hearing in April 2022, and will continue its review through 2023. (www.cityoftacoma.org/homeintacoma)

6. Housing Equity and Anti-racism Policy Development

The Planning Commission and the Human Rights Commission established the joint Housing Equity Taskforce (HET) in early 2020 to provide focused input on equity and social justice considerations associated with housing. The HET has been meeting on a monthly basis since September 2020 and reviewed and provided input to the Home in Tacoma Project, the Rental Code Update, the Anti-racism and Anti-displacement Strategy, and the Public Engagement Strategy. (www.cityoftacoma.org/homeintacoma)

7. Design Review Program

In early 2019, the City launched an effort to develop a comprehensive Design Review Program to enhance the quality of the built environment throughout the City. The work was put on hold in early 2021 due to staffing changes. New staff were hired in late 2021 and assigned to complete the design guidance documents, develop administrative procedures, prepare land use code amendments, and potentially establish a Design Review Board. The Commission reviewed the project in March, April and May 2022 and will continue its review through 2023. (www.cityoftacoma.org/UrbanDesign)

8. Neighborhood Planning Program

In response to a desire for more equitable delivery of services and to provide a grassroots response to neighborhoods’ concerns, the City Council provided funding in 2021 for a pilot Neighborhood Planning Program (NPP). The goal of the NPP is to support neighborhood identity and vitality. The Council also identified McKinley Hill and Proctor as the pilot neighborhoods representing different locations on the spectrum of neighborhood development between growth creation and growth management. The planning effort kicked off in early 2022. The Commission has begun reviewing the progress of the NPP since October 2021. (www.cityoftacoma.org/NeighborhoodPlanning)

9. Pacific Avenue Corridor Subarea Plan and EIS (“Picture Pac Ave”)

In recognition of the significance of Pacific Avenue as Pierce County’s first Bus Rapid Transit (BRT) line, the City of Tacoma, Pierce Transit, and the State Department of Commerce have partnered to fund and develop a subarea plan and programmatic EIS for the 4.5-mile-long portion of Pacific Avenue between I-5 and S. 96th Street. The “Picture Pac Ave” subarea planning process will create a shared long-term vision and a more coordinated approach to development, environmental review, and strategic capital investments along the corridor. The Commission began to review the project in June 2022 and will continue its review through 2023. (www.cityoftacoma.org/PicturePacAve)

10. College Park Historic Special Review District

The City received a petition in May 2021 to create a new local historic overlay zone in the "College Park" neighborhood that forms an inverted L shape bordering the north and east edges of the University of Puget Sound campus. The proposed area is already listed on the National Register of Historic Places as the College Park Historic District, designated in 2017. After a year-long review, the Landmarks Preservation Commission forwarded its recommendation to establish the College Park Historic Special Review District to the Planning Commission on April 13, 2022. The Planning Commission conducted a public hearing on June 1, 2022, and is scheduled to complete its review in September-October 2022 before making a recommendation to the City Council. If the district is ultimately adopted by the Council, it would create an overlay zone in which exterior alterations to most structures, new construction, and demolition would require approval by the Landmarks Preservation Commission prior to permit issuance. Similar districts include the North Slope Historic Special Review District and the Wedge Neighborhood Historic Special Review District. (www.cityoftacoma.org/CollegeParkHD)

11. Shipping Containers and Electric Fences

The City Council directed the Commission to incorporate in the 2022 Amendment process the review of shipping containers for storage (per Resolution No. 40794, June 2021) and the review of expanded allowances for the use of electric fences (per Resolution No. 40881, November 2021). Upon initial review of the Council's requests in January 2022, the Commission suggested that, due to the complexity and significant impacts of both issues and the extensive community engagement that would be needed, it would be more feasible to address these issues through the 2023 Amendment process. Chair and Vice-Chair of the Commission presented the Commission's recommendation to the Council's Infrastructure, Planning and Sustainability (IPS) Committee in February 2022. Based on the IPS Committee's deliberations and recommendations, the Council adopted Substitute Resolution No. 40955 on May 10, 2022, amending the previous resolutions, concurring with the Commission's recommendation, and providing additional guidance for the Commission's consideration. The Commission will be reviewing these issues during the 2023 Amendment cycle. (www.cityoftacoma.org/2023Amendment)

12. Impact Fees Program

The Public Work Department has been developing a potential impact fee framework that identifies the types of projects that could be funded per State law, how an impact fee program should be structured, and key steps needed to develop such a program in Tacoma. The Commission reviewed the development of the framework in December 2020 and February, May and August 2021.

(https://www.cityoftacoma.org/government/city_departments/public_works/engineering/transportation_planning_and_engineering/impact_fees)

13. Capital Facilities Program (CFP)

The Commission received a briefing from the Office of Management and Budget in November 2021 on the proposed update to the 2021-2026 CFP to increase the funding allocations for selected projects and programs in the existing CFP. The update required no action from the Commission, since it was solely budgetary in nature and did not affect alignment with the Comprehensive Plan. The Commission also reviewed the proposed updated to the 2023-2028 CFP in May 2022 and conducted a public hearing in June and made a recommendation to the City Council. The Commission also requested staff to improve project mapping and update the project prioritization criteria for future CFPs.

(https://www.cityoftacoma.org/government/city_departments/office_of_management_and_budget/2023-2024_biennial_budget_development)

14. Climate Action Plan

The Commission received a briefing from the Office of Environmental Policy and Sustainability on October 20, 2021 on the draft Climate Action Plan (CAP) that was being prepared in response to the City Council's Climate Emergency Resolution (Resolution No. 40509, December 10, 2019). The Commission provided a letter of comments, seeking to ensure that the CAP addresses such important issues as no further expanded emissions, Tacoma's growth projections, the 20-minute neighborhood concept, reinforcing density in areas with access to transit services, sustainable transportation funding, local energy code, and non-automobile-centric implementation strategies. The Council adopted the 2030 Climate Action Plan in November 2021. (www.cityoftacoma.org/climate)

15. Transit-Oriented Development Advisory Group (TODAG)

The TODAG is a broad-based advisory group established by the City Council in April 2019 (per Resolution No. 40303) to review and make recommendations on the various projects impacting regional and local public transportation facilities in neighborhoods and business districts where there are significant TOD opportunities. The TODAG is currently tasked to review Sound Transit's Tacoma Dome Link Extension (TDLE), Pierce Transit's Bus Rapid Transit (BRT), and the City's Puyallup Avenue Design Project. Commissioners Karnes and Givens have been actively participating in the TODAG, representing the Commission's interest. Commissioner Strobel also serves on the group, but as a representative from the Puyallup Tribe of Indians. (www.cityoftacoma.org/TODAdvisoryGroup)

16. Bus Rapid Transit (BRT)

The Planning Commission held a joint session with the Transportation Commission on February 16, 2022 to review Pierce Transit's BRT project, focusing on the Stream System Expansion Study (SSES). The Planning Commission subsequently provided a letter of comments to Pierce Transit on June 8, 2022, suggesting (1) focus on the rider experience; (2) prioritize trees and green stormwater infrastructure in streetscape design throughout the system; (3) special consideration be given to BRT station design, location, and integration in downtown Tacoma; and (4) prioritize BRT route alignments that link Mixed-Use Centers to each other, to downtown Tacoma, to other modes of transportation, and to significant destinations in neighboring communities. (www.piercetransit.org/BRT)

B. Meetings, Credits and Acknowledgements, and Membership Status:

1. Commission Meetings (all virtual):

The Commission held 19 regular meetings and canceled 5 meetings between July 2021 and June 2022. The regular meeting on February 16, 2022 included a joint session with the Transportation Commission to review Pierce Transit's Bus Rapid Transit Project. The Commission also participated in a 6-Commission joint special meeting on October 11, 2021 for the "Pilot Equity Training for Commissioners." The Commission also conducted the following public hearings:

- 04/06/22 – 2022 Annual Amendment Package
- 04/20/22 – Home In Tacoma Phase 2 scope of work
- 06/01/22 – Proposed College Park Historic District
- 06/15/22 – 2023-2028 Capital Facilities Program

2. Community Meetings:

Individual Commissioners have been actively involved in various community groups, meetings, open houses, and events, including but not limited to the following:

- Sound Transit's Tacoma Dome Link Extension Project and South Tacoma & Lakewood Station Access Improvements Project Online Open Houses
- Pierce Transit Bus Rapid Transit (BRT) Project virtual open house
- Transit-Oriented Development Advisory Group (TODAG) meetings (various dates)
- Design Review Project Advisory Group meetings (various dates)
- Housing Equity Taskforce meetings (jointly with the Human Rights Commission)
- Home In Tacoma Project Informational Meeting
- Tideflats Subarea Planning Project Community Meeting
- Historic Preservation Office's 2021 Broadening Horizons Heritage Café Series – The 70s Turn 50 Event (August 19, 2021)
- Plan-A-Thon on Zoom to kick off the McKinley Hill Neighborhood Plan (February 3, 2022)
- Puget Sound Regional Council's 2022-2050 Regional Transportation Plan online open house and webinars (February 2022)
- 2022 Annual Amendment Informational Meeting (March 30, 2022)
- Proposed College Park Historic District Informational Meeting (May 2022)
- Historic Preservation Month 2022 – Many Voices; Many Stories (May 2022)
- McKinley Hill Neighborhood Planning Program Event – Walk + Talk: Neighborhood Mapping and Walkability in McKinley (May 9, 2022)

C. Credits and Acknowledgements:

Special recognition of individual Commissioners participating in various workgroups, projects or activities and making additional contributions:

Commissioners	Workgroups / Projects / Activities
Petersen, Givens, Karnes, Torrez, Steele	Housing Equity Joint Taskforce with the Human Rights Commission (Karnes past Co-Chair, Torrez current Co-Chair)
Karnes, Givens	Transit-Oriented Development Advisory Group (TODAG)
Givens, Santhuff, Martenson, Steele	Design Review Project Advisory Group (Givens, Santhuff since Feb. 2022; Martenson, Steele since July 2022)
Torrez	Consultant Selection Advisory Committee for "Picture Pac Ave"
Torrez	McKinley Neighborhood Plan process
Givens	RFP writing for the Neighborhood Planning consultant
Santhuff	Lead Author, letter of comments on Bus Rapid Transit (6/8/22)
Petersen, Karnes	Lead Authors and Presenters, letter of comments to the IPS on Shipping Containers and Electric Fences issues (2/23/22)
Karnes	Lead Author, letter of comments on Climate Action Plan (10/20/21)
Petersen, Givens, Strobel	"Pilot Equity Training for Commissioners" (10/11/21)

D. Membership Status (July 2021 through June-July 2022):

Council District / Expertise Area	Commissioner	Notes
District No. 1	Andrew Strobel	Reappointed in November 2020; Elected Vice-Chair in July 2022
District No. 2	Carolyn Edmonds / Morgan Dorner	Edmonds served through December 2021; Dorner appointed and sworn in in January 2022
District No. 3	Brett Santhuff	Reappointed in January 2022
District No. 4	Alyssa Torrez	Reappointed in May 2022
District No. 5	David Horne / Robb Krehbiel	Horne served through August 2021; Krehbiel appointed and sworn in in January 2022
Development Community	Jeff McInnis / Anthony Steele	McInnis served through September 2021; Steele appointed and sworn in in January 2022
Environmental Community	Anna Petersen / Brett Marlo	Petersen served through June 2022; Marlo appointed in May 2022 and sworn in in July 2022
Public Transportation	Christopher Karnes	Appointed in September 2019; Elected Vice-Chair in October 2021; Elected Chair in July 2022
Architecture, Historic Preservation, and/or Urban Design	Ryan Givens / Matthew Martenson	Givens served through June 2022; Martenson appointed in May 2022 and sworn in in July 2022

Part II. Planning Commission Work Program for 2022-2024 (Attached)

Attached is the "Planning Commission Work Program for 2022-2024", incorporated into the Planning Commission's Annual Report for 2021-2022. The Work Program contains projects and planning activities slated for completion or substantial progress during the general timeframe of July 2022 through December 2024. These projects and activities are primarily mandated by legislation or initiated by the City Council and are within the Commission's review and recommendation authority. The Work Program is subject to adjustments in response to legislative requirements, community requests, Council priorities, budget and staffing constraints, or other emerging situations.



Planning Commission Work Program (2022-2024)

(Approved by the Planning Commission, August 3, 2022;
 Concurred by the Infrastructure, Planning and Sustainability Committee, August 10, 2022)

Expected Completion in 2022

- **South Tacoma Groundwater Protection District – Consideration of a Moratorium** *Expected Council Action September/October 2022*
- **Tideflats Non-Interim Regulations – Shoreline Amendment** *Expected Council Action August 2022*
- **Proposed College Park Historic District** *Expected Recommendation October 2022*
- **2023-2028 Capital Facilities Program (CFP)** *Expected Council Action November 2022*
- **Design Review Program – Startup/Creation** *Expected Recommendation December 2022*
- **McKinley Neighborhood Plan** *Expected Recommendation December 2022*
- **South Tacoma Economic Green Zone – Scoping**
- **2023 Annual Amendment Package – Scoping:**
 - Mor Furniture Land Use Designation and Rezone (private application)
 - South Tacoma Groundwater Protection District Code Update – Phase 1B
 - Shipping Containers for Storage (Sub Res #40955, 5/10/22)
 - Electric Fences – Expanded Allowances (Sub Res #40955, 5/10/22)
 - Delivery-Only Businesses
 - Commercial Zoning Update – Phase 1 (includes items in Ord #28798, 12/14/21)
 - Minor Plan and Code Amendments
- **GMA 2024 Comprehensive Plan Periodic Update – Preliminary Scoping (key issues):**
 - **Plan Updates:**
 - Coordination/integration with Tacoma 2025 Strategic Plan update (CMO)
 - Growth Targets and Consistency with VISION 2050
 - Transportation Master Plan Update
 - Tribal Lands Coordination and Compatibility
 - 20 Minute Neighborhoods and Performance Measures
 - Transportation Master Plan Update (PW)
 - Economic Development Element (CEDD)
 - Mixed-use Centers Policy Updates
 - Climate Action Plan Integration – GHG Targets and Implementation Actions
 - Watershed Plan Elements (ES)
 - Historic Preservation Plan Update and Integration
 - Level of Service Standards and Priority Project Lists (multiple)
 - **Code Updates:**
 - Critical Areas Preservation Ordinance Update
 - Institutional Zoning
 - Mixed-Use Centers Code Updates

Expected Work Program for 2023 *(preliminary)*

- **2023 Annual Amendment Package – Recommendations to Council for Adoption**
- **2024 Annual Amendment Package – Scoping and Assessment**
- **GMA 2024 Periodic Update – Analysis**
- **Home In Tacoma Project – Phase 2:** zoning, standards, affordability, anti-displacement, infrastructure, and programmatic components (includes zoning-related items from ADU Accelerator discussion)
- **Housing Equity and Anti-racism Policy Development** (Housing Equity Taskforce, jointly with Human Rights Commission)
- **Tideflats Subarea Plan and EIS**
- **Pacific Avenue Corridor Subarea Plan and EIS (“Picture Pac Ave”)**
- **South Tacoma Economic Green Zone – Subarea Plan** (pending budget consideration)
- **Design Review Program** (program launch)
- **Neighborhood Planning Program – Proctor Neighborhood Plan**
- **Neighborhood Planning Program – Additional Neighborhood Plans** (depending on resources)
- **Cushman/Adams Substation Reuse Study**
- **Public Notice and Engagement – Comprehensive Review**

Expected Work Program for 2024 *(very preliminary)*

- **GMA 2024 Periodic Update – Recommendations for Council Adoption**
- **2024 Annual Amendment Package – Recommendations for Council Adoption**
- **Tideflats Subarea Plan and EIS – Potential Adoption**
- **Pacific Avenue Corridor Subarea Plan and EIS (“Picture Pac Ave”) – Potential Adoption**
- **South Tacoma Economic Green Zone – Subarea Plan** (pending budget consideration)
- **Home in Tacoma Project – Implementation and Refinement**
- **Design Review Program – Implementation and Refinement**
- **Neighborhood Planning Program – Implementation and New Planning Efforts** (pending budget consideration)
- **2025-2030 Capital Facilities Program (CFP)**

On-going Planning Issues

- Six-Year Comprehensive Transportation Program
- Joint Meetings of the Planning Commission with appropriate groups (e.g., the Landmarks Preservation Commission, Transportation Commission, and Community Council)

- Transportation Master Plan Implementation, in coordination with the Transportation Commission (e.g., impact fees study, transportation network planning, streetscape design guidance, signature trails development, etc.)
- Light Rail Expansion projects (including the Hilltop Links to Opportunity Program, ST3 Tacoma Dome Link Extension, Tacoma-TCC Link Extension, Sounder Station Access Improvements, etc.)
- Pierce Transit Long-Range Plan, Stream System Expansion Study (SSES) and Pacific Avenue BRT Project
- Historic Preservation, in coordination with the Landmarks Preservation Commission (e.g., Historic TDR, Home In Tacoma Project, integration of Historic Preservation Plan with *One Tacoma* Comprehensive Plan, preservation incentive tools, educational programs, etc.)
- Subarea Plan Implementation – North Downtown, South Downtown, Hilltop and Tacoma Mall Neighborhood
- Residential Infill Pilot Program – Implementation and project reviews
- Accessory Dwelling Units (ADUs) Council Reporting
- Citizen Participation and Public Outreach Enhancements
- Proactive Equity/Social Justice/Anti-Racism integration in policies and programs
- Schuster Corridor Trail
- Fossil Fuel Tracking and Council Reporting

Regional and Cross-Jurisdictional Issues

- Regional Transportation Issues, in coordination with the Transportation Commission (e.g., Tacoma LINK and Central LINK Light Rail Expansions, Pierce Transit Long-Range Plan and BRT Project)
- PSRC Regional Centers Framework Update, Vision 2050 implementation, GMA review
- PCRC County-Wide Planning Policies, County-level Centers Update, Population Allocations, Buildable Lands, Annexations and Pre-Annexation Planning

Emerging and Deferred Issues

- Corridor Plans, focused on TOD corridor planning (such as 19th Street)
- Mixed-Use Centers Implementation Programming (Action Strategies/Master Plans)
- Mixed-Use Centers Core/Pedestrian Street Review
- Parking Update (RPA, refinements along light rail, Mixed-Use Centers, design, etc.)
- Potential Local Historic Districts – coordinated with LPC (e.g., Stadium)
- Urban Forestry Implementation (landscaping, tree-preservation, open space, etc.)
(*coordinated with Environmental Services*)
- Street Typology and Designation System Review
- Post-Pandemic Emerging Land Use Trends/Shifts
- Form-based Residential Standards (lot coverage, FAR, etc.) (*possibly with Home In Tacoma*)
- Tribal Planning Coordination
- Sign Code Update
- Pre-Annexation Planning (Browns Point/Dash Point, Parkland/Spanaway)
- Station-Area Planning (such as Portland Avenue/I-5 area and Four Corners)
- Self-Storage Code Amendments (zoning and standards)
- View Sensitive District – comprehensive review



August 15, 2022

Tina Lee, Pierce Transit Planning Manager
Darin Stavish, Pierce Transit Planner
Pierce Transit
3701 96th St. SW
Lakewood, WA 98499

RE: Bus Rapid Transit and Stream System Expansion Study

Dear Ms. Lee & Mr. Stavish:

The City of Tacoma's Transit-Oriented Development Advisory Group (TODAG) is composed of a diverse range of individuals and interests from the City's Commissions and neighborhoods. TODAG has been monitoring the development of transit, transportation, and land use projects that may affect transit ridership and accessibility to transit. TODAG received a presentation from you on the Stream System Expansion Study (SSES) on June 27, 2022. We would like to thank you for the update, and would like to provide additional comments.

Pierce Transit is to be commended for engaging the public in a process to develop potential corridors for Bus Rapid Transit (BRT). The Pierce County community is generally underserved in regard to frequent, convenient, high capacity transit, so the SSES is a welcome step forward. This initiative has the full confidence of the TODAG to help identify what the most promising investments for potential BRT service should be further studied to potentially serve the community. Pierce Transit considered relevant data and issues such as access to jobs, land use, socioeconomic equity, ridership, and multimodal connectivity. These criteria sync well with the Puget Sound Region's Vision 2050 plan, as well as the City of Tacoma's development priorities and policy goals as TODAG interprets them.

Through the presentation, TODAG learned that corridor B2 scored the highest against these unweighted evaluation criteria. The B2 corridor would connect Lakewood Town Center, the Tacoma Mall and Downtown Tacoma Regional Growth Centers and travel principally along 108th Street SW, South Tacoma Way, S. 48th Street and Pacific Avenue.

Corridor B2 should be moved forward for future development of a preferred transit alternative to succeed BRT Corridor 1 on Pacific Avenue. Pierce Transit should partner with the City of Tacoma to develop a subarea plan and EIS to enhance the neighborhoods and growth centers in the area of the proposed corridor, similar to the "Picture Pac Avenue" corridor plan and EIS currently underway.

Moreover, future BRT or high capacity transit corridors should generally have a subarea plan in place *prior* to transit project development in order to ensure that the community has adequate buy-in for transit-supportive land use, design standards, and transit quality standards that will set the stage for successful grant applications and a successful BRT project. It is important to note that BRT Corridor 1 on Pacific Avenue proceeded with project development without a



subarea plan in the City of Tacoma. With the right plans in place, TODAG believes that transit can be a catalytic and transformational public investment in livability, climate resiliency, equity, housing security, and economic development.

TODAG also recommends consideration of the Tacoma Dome Station as a potential northern terminus for Corridor B2 in future study. Tacoma Mall to Tacoma Dome is an important transportation connection whose demand will likely grow over time. TODAG also encourages future study of permutations of the B2 corridor that serve the Lincoln District Mixed Use Center, Lower Pacific Avenue Mixed Use Center, and McKinley Mixed Use Centers, in order to maximize future development potential along the second Pierce County BRT corridor.

Finally, TODAG wishes to highlight the need for future bus rapid transit projects to emphasize the safety of all roadway users – especially that of pedestrians, cyclists and transit riders when crossing arterial streets. We encourage Pierce Transit to explore corridor options that can accommodate traffic calming measures and robust physical barriers to protect vulnerable users from collisions with high speed traffic. Pierce Transit's clear recognition of the importance of safety will help to encourage ridership and build community support for future bus rapid transit projects.

Thank you for the opportunity to comment on the SSES, which is a critical step in setting the stage for the expansion of the BRT system.

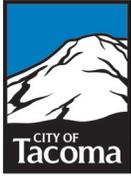
Sincerely,



Imad H. Bahbah, AIA
Chair of TODAG

(Chris Karnes, Lead Author, Member of TODAG and Chair of Planning Commission)

- c. Mayor Victoria Woodards and Tacoma City Council
Tacoma Transportation Commission
Tacoma Planning Commission
Brian Boudet, Planning Manager, Planning and Development Services Department



City of Tacoma
Planning Commission

PC Meeting
9/7/22
Agenda Item
H-3

Christopher Karnes, Chair
Andrew Strobel, Vice-Chair
Morgan Dörner
Robb Krehbiel
Brett Marlo
Matthew Martenson
Brett Santhuff
Anthony Steele
Alyssa Torrez

August 17, 2022

The Honorable Mayor and City Council
City of Tacoma
747 Market Street, Suite 1200
Tacoma, WA 98402

RE: South Tacoma Groundwater Protection District – Consideration for a Moratorium

Honorable Mayor Woodards and Members of the City Council,

The City Council adopted Amended Substitute Resolution No. 40985 on June 28, 2022, requesting the Planning Commission to develop recommendations, within 60 days (i.e., by August 27, 2022), as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the South Tacoma Groundwater Protection District (STGPD) is warranted.

Upon completing review and deliberations through a public process, and based on public comments received, the Commission reached the following conclusion and recommendation:

“That the City Council should consider enacting a moratorium on permits for new and expansion of metal recycling, auto wrecking, vehicle service and repair, vehicle service and repair – industrial, as well as new underground storage tanks, within the South Tacoma Groundwater Protection District, for a duration of one year, to prevent the vesting of new land uses that may pose a risk to groundwater resources until the Groundwater Code Update can be complete in 2023.”

Enclosed please find the *“Planning Commission’s Findings of Fact and Recommendations Report on Consideration for a Moratorium within the South Tacoma Groundwater Protection District, August 17, 2022”* that provides pertinent background information about the City Council’s request and summarizes the Commission’s public review and community engagement process, findings of fact, deliberations, and formulation of recommendations.

Along with the above recommendation, the Commission also wishes to highlight some of the key issues, concerns and suggestions that were identified, and deliberated to various extents, during our review process:

- 1. Focused, Targeted and Limited Moratorium** – Based on our review of information provided and our understating of the need for groundwater protection and aquifer recharge, we believe that a moratorium is warranted. However, a broad moratorium could result in detrimental, inequitable and/or disproportionate impacts to diverse businesses and uses that are of various types, purposes, characteristics, operations and maintenance needs, and risks to the environment. We suggest that taking a cautious approach would be more appropriate and pragmatic, hence the recommendation for a focused, targeted and limited moratorium.
- 2. Work Plan for One-Year Moratorium** – According to the Tacoma Municipal Code (TMC), Section 13.05.030.E.3, “Moratoria or interim zoning may be effective for up to one year if a work plan is developed for related studies requiring such longer period.” We suggest that the “Work Plan for STGPD Code Amendments” adopted by Resolution No. 40985 as part of the 2022 Annual Amendment can be referenced as the base for such a work plan for the one-year moratorium, with its scope and implementation schedule properly adjusted according to the need of the moratorium.

3. **Community Engagement and Outreach** – We acknowledge staff’s efforts to reach out to the community and stakeholders, including broadcasting the Commission’s meetings and conducting a community meeting (on July 27, 2022) during the need assessment stage for the moratorium. However, while we have heard overwhelmingly supportive comments from residents for the moratorium, we have not heard enough opposing viewpoints, nor have we heard anything from the business community. We hope to see enhanced community engagement, with targeted outreach to those businesses that would potentially be affected by the moratorium, if enacted.
4. **Subject Matter Experts (SMEs)** – While we acknowledge and appreciate the expertise and support from our partnering agencies, including the Tacoma-Pierce County Health Department, the Tacoma Water, the Environmental Services Department, the Fire Department, and the Planning and Development Services Department, we have not heard from other stakeholder agencies, such as the State’s Department of Ecology, and the City’s Economic Development Department. There is a need to engage with more subject matter experts (SMEs), to the extent of retaining consultant services, as some citizens have suggested.
5. **Economic Green Zone** – Given the short time limit of 60 days set by Resolution No. 40985 for the Commission to develop our recommendations, we have not been able to review all identified issues to the extent needed. Those issues include, but are not limited to, infiltration, impervious surface, legacy contamination, cleanup of contaminated sites, air quality, tree canopy, use compatibility, and buffers and transition areas. We suggest these issues, and any additional issues that may be identified, be properly addressed in the Economic Green Zone/South Tacoma Manufacturing-Industrial Center Subarea Plan and Environmental Impact Statement effort, which is the “STGPD Phase 2” plan as approved by the City Council, per Resolution No 40985. This is a critical effort to re-evaluate the future of industrial use and activity in South Tacoma and to consider how we increase employment opportunities while ensuring a healthy, safe, and sustainable environment for South Tacomans. We recommend that the City Council fully fund and staff this important endeavor and in a timeframe that dovetails with the STGPD Work Plan.

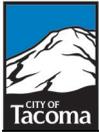
We acknowledge the uniqueness of the STGPD area, the legacy contamination issues in the area, and the importance of the continued and strengthened protection of the groundwater and aquifer recharge area. We respectfully request that the City Council consider enacting a focused, targeted and limited moratorium for the STGPD area and take into account our other recommendations as presented. If the moratorium is enacted, we hope issues are resolved in relatively short order, and not to see residents, businesses, economic development activity or growth of the urban neighborhoods unduly impacted by the moratorium or any unexpected consequences.

Sincerely,



CHRISTOPHER KARNES, Chair
Tacoma Planning Commission

Enclosure



**SOUTH TACOMA GROUNDWATER PROTECTION DISTRICT
CONSIDERATION FOR A MORATOIRUM**

**TACOMA PLANNING COMMISSION
FINDINGS OF FACT AND RECOMMENDATIONS**

AUGUST 17, 2022

A. SUBJECT:

South Tacoma Groundwater Protection District – Consideration for a Moratorium.

B. PROJECT INITIATION:

On June 28, 2022, the City Council adopted Amended Substitute Resolution No. 40985 approving the “Work Plan for South Tacoma Groundwater Protection District (STGPD) Code Amendments”, one of the applications for the 2022 Annual Amendment to the *One Tacoma* Comprehensive Plan and Land Use Regulatory Code 2022 (“[2022 Amendment](#)”).

The resolution also initiated consideration of a moratorium for the STGPD, and provided the following direction to guide the Planning Commission’s deliberations:

“Immediately following the adoption of the South Tacoma Groundwater Protection District Work Plan, as part of the first phase of that Work Plan, the Planning Commission will conduct a public process to develop findings of fact and recommendations as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the South Tacoma Groundwater Protection District is warranted, and if so, to recommend the scope, applicability, and duration for City Council consideration within 60 days of the effective date of this resolution.”

The Council’s request was made based primarily on public comments received and the Commission’s recommendation that the Council consider the merits of a moratorium on future development projects. The 60-day timeframe set forth in the resolution implies that the intended deadline for the Commission’s recommendations is August 27, 2022.

C. FINDINGS OF FACT: BACKGROUND

1. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2015 by Ordinance No. 28335, is Tacoma’s comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City’s official statement concerning future growth and development, the *One Tacoma Plan* sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma’s residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that implements and supports the Comprehensive Plan.

2. Annual Amendments

The *One Tacoma Plan* and the implementing regulations are subject to continuous review, evaluation and modifications in order to remain effective, relevant, and responsive to changing circumstances. According to the GMA, local comprehensive plans cannot be amended more than once a year. During such annual amendment processes, all proposed amendments to the Comprehensive Plan and development regulations must be reviewed

concurrently, where appropriate, so to address the cumulative effect of the revisions and to maintain internal consistency among the various plan components and external consistency with regional, countywide, and adjacent jurisdictional plans.

Annual amendments shall be adopted by ordinance of the City Council following the procedures identified in TMC 13.02.070. The City is currently utilizing an alternate-cycle approach for Comprehensive Plan amendments, with City-initiated amendments generally processed in odd-year adoption cycles and private-initiated amendments processed in even-year adoption cycles. The recently completed 2022 Annual Amendment process started in January 2021 when the Planning Commission began to accept applications and ended in June 2022 when the City Council adopted the amendment package based primarily on the Commission's recommendations. (www.cityoftacoma.org/2022Amendment)

3. South Tacoma Neighborhood Council Application

The South Tacoma Neighborhood Council (STNC) submitted an application to the Planning Commission in March 2021 for consideration during the 2022 Annual Amendment process. The application sought to (a) update the *One Tacoma Plan* and the TMC applicable to the South Tacoma Groundwater Protection District (STGPD) and the aquifer recharge areas to address environmental and health risks and further prioritize protection of the STGPD; and (b) transform the South Tacoma Manufacturing/Industrial Center into an Economic Green Zone that fosters environmentally sustainable industry specifically within South Tacoma, above and near this water source.

4. Phased Approach

The Planning Commission conducted an assessment of the STNC's application, pursuant to TMC 13.02.070.E, and considered public comments received through a public scoping hearing in June 2021, and made a determination in July 2021 to move the application forward for technical analysis following a two-phased approach:

- **Phase 1: STGPD Code Amendments** – Update TMC 13.06.070.D pertaining to STGPD, to be done in the future 2023 Amendment Cycle, with creation of a work plan to occur during the 2022 Amendment cycle, developed in collaboration with the City of Tacoma Environmental Services Department, Tacoma Public Utilities – Tacoma Water, and the Tacoma-Pierce County Health Department. The work plan may include review of allowed land uses, review of the One Tacoma Comprehensive Plan, refinement of allowed uses and boundaries, and periodic update of the STGPD to ensure the regulations fulfill the intent of protecting the district.
- **Phase 2: Creation of an Economic Green Zone** – Evaluate the establishment of an Economic Green Zone (EGZ) to attract green industry to the City's manufacturing/industrial centers, taking into account the recently adopted 2030 Climate Action Plan and Climate Adaptation Strategy (Resolution No. 40878, November 30, 2021).

5. Planning Commission Recommendation – Work Plan for STGPD Code Amendments and Consideration of a Moratorium

Upon completing technical analyses and factoring in public comments, the Planning Commission forwarded its recommendations on the 2022 Amendment Package to the City Council in May 2022. With respect to the STNC's application, the Commission recommended that the City Council:

- (a) Approve the Work Plan for STGPD Code Amendments;

- (b) Acknowledge that the Work Plan represents the “Phase 1A Response” to the STNC’s application and that the implementation of the Work Plan to be carried out in the 2023 Amendment cycle represents the “Phase 1B Response”;
- (c) Acknowledge the perspectives, expectations and comments concerning the implementation of the Work Plan as provided by the partnering agencies, including the Environmental Services Department, Tacoma Water, and the Tacoma-Pierce County Health Department;
- (d) Acknowledge that the review process for the potential Economic Green Zone (EGZ) designation represents the “Phase 2 Response” to the STNC’s application; that the scope of work is anticipated to be comprehensive and comparable to the scale of a subarea plan, requiring the consideration for multifaceted aspects, such as land use designation changes, area-wide rezones, transportation and capital facilities improvements, environmental reviews, sustainability strategies, “green economy” strategies and incentives, groundwater and aquifer monitoring programs, and extensive community engagement; that the work is expected to be carried out during the general timeline of 2022-2024, potentially starting with a scoping process in late 2022 to define and refine the scope of work; and that additional staffing and budgetary resources may be needed to accomplish the work in a timely and effective manner; and
- (e) Consider the merits of a moratorium on future development projects, given that significant permit activity and development during the phased process could pre-empt the broader planning efforts.

6. City Council Review and Direction

The City Council and its Infrastructure, Planning and Sustainability Committee conducted reviews of the 2022 Amendment Package in May-June 2022, including holding a public hearing on June 7, 2022, and adopted the package on June 28, 2022 with four legislations. The Work Plan for STGPD Code Amendments was approved with Amended Substitute Resolution No. 40985, which also initiated the consideration of a moratorium for the STGPD. (See **Section B. Project Initiation** above.)

7. Interim Zoning and Moratoria

Interim Zoning and Moratoria are temporary mechanisms the City Council can enact to allow, or more commonly to prevent, new development under existing rules while a process is undertaken to evaluate and update the existing zoning and/or development regulations. The process for enacting Interim Zoning and Moratoria are the same, and are governed by State law and City code (RCW 36.70A.390 and TMC 13.05.030.E).

a. What is Interim Zoning?

Interim Zoning is an immediate change to existing zoning classifications or regulations where new classifications or regulations are temporarily imposed. Such temporary controls are designed to regulate specific types of development so that when new plans and/or zoning are adopted they will not have been rendered moot by intervening development.

b. What is a Moratorium?

A moratorium is the suspension of accepting or processing new applications for building, zoning, subdivision, or other types of development permits in order to preclude new development from occurring for a specified period of time while new or revised policies, zoning or regulations are considered. A moratorium may be imposed on all development types or all permit applications, or just on specific types of development or permit

applications and is generally applied to a specific geographic area or, if citywide, fairly specific circumstances.

c. When should Interim Zoning or a Moratorium be used?

There are two reasons to enact a moratorium or interim regulations – in response to an emergency situation or when a temporary protective measure is necessary:

- Emergency situation. An emergency situation is defined as when human health and safety is jeopardized and/or public or private property is imminently endangered.
- Temporary protective measure. A temporary protective measure is needed to protect the status quo or prevent harm from the vesting of rights to develop under existing regulations.

d. What is the Adoption Process?

The City Council has the sole authority to enact a moratorium or interim regulations, but the Council or Planning Commission can initiate the consideration of one.

e. Initiation

To initiate consideration of a moratorium or interim regulations, the City Council or Planning Commission makes a determination at a public meeting that a moratorium or interim zoning may be warranted. If the Council initiates, that determination is then forwarded to the Planning Commission for findings of fact and a recommendation.

f. Initial Planning Commission Review

If the Planning Commission has not already done so, the Commission is tasked with providing findings of fact and a recommendation to the Council. The Commission's recommendation should include:

- Whether the action is warranted
- The appropriate scope and duration for the moratorium or interim regulations
- The work plan and timeline for crafting the new or revised policies, zoning or regulations needed

g. Council Enactment

After receiving findings of fact and a recommendation from the Planning Commission, the Council holds a public hearing before deciding whether to adopt the moratorium or interim regulations, with appropriate findings justifying its action.

h. Duration and Renewals

Moratoria and Interim Zoning can be in place for up to six-months but can be initially enacted for up to one-year if a work plan for related studies is developed requiring the longer period. A moratorium or interim zoning can be renewed for additional six-month intervals provided the Council holds another public hearing and findings of fact are made to support each renewal.

i. If an emergency exists:

If an emergency exists, the City Council can immediately enact a moratorium or interim regulations (with or without a prior Planning Commission recommendation) and notice can be only the appearance of the item on the agenda. As part of the emergency adoption, the Council must refer the ordinance to the Planning Commission for findings of fact and a recommendation. The Council shall hold a public hearing within 60-days of adoption and after receiving a recommendation and findings from the Planning Commission. Following its public hearing, the Council shall decide whether to retain,

modify or terminate the moratorium or interim regulations, and adopt findings supporting its action.

D. FINDINGS OF FACT: SCOPE OF REVIEW

As directed by the City Council and referenced in Section B above, the scope of review includes heavy industrial uses and hazardous materials storage within the South Tacoma Groundwater Protection District.

1. Area of Applicability – South Tacoma Groundwater Protection District

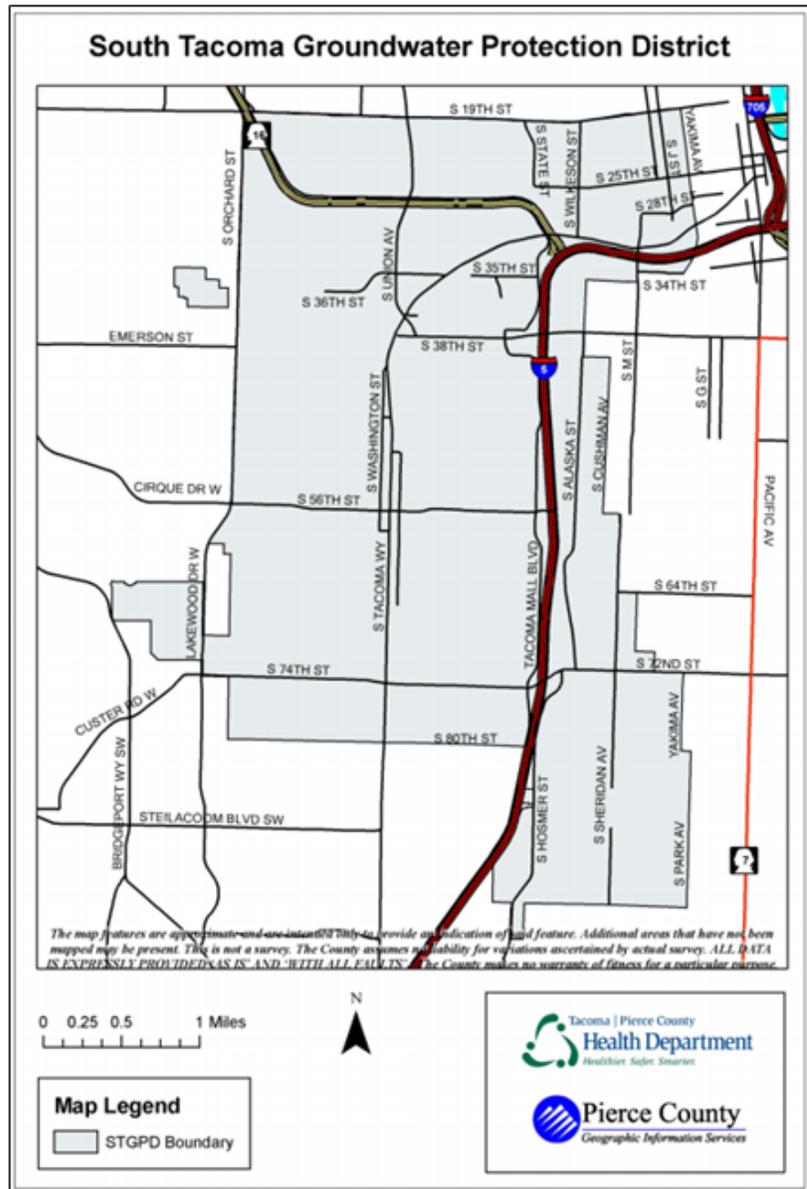
The South Tacoma Groundwater Protection District (STGPD) was created in 1988 as an overlay zone in Title 13 of the TMC. It encompasses the South Tacoma aquifer recharge area. The STGPD was created to protect aquifer drinking water from contamination. The boundaries were expanded east past I-5 in 2006. The regulations were updated in 2011 to allow stormwater infiltration.

2. Heavy Industrial Uses:

Heavy Industrial Uses, per the Tacoma Municipal Code, are defined as follows: “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.”

3. Hazardous Materials Storage:

Title 13 Land Use Regulatory Code defines “Hazardous substances” as “any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless



of quantity which may pose a present or potential hazard to human health or to the quality of the drinking water supply in the South Tacoma aquifer system when improperly used, stored, transported, or disposed of or otherwise mismanaged.”

E. FINDINGS OF FACT: POLICY CONTEXT

1. Environment and Watershed Health

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

Policy EN–3.23 Encourage infiltration of stormwater to promote aquifer recharge and assure continuous and adequate groundwater supply.

Policy EN–3.26 Prevent groundwater contamination through performance criteria and guidelines for siting, design, construction and operation of commercial and industrial structures and activities.

Policy EN–3.27 Support an ongoing effort to monitor groundwater quality in order to determine the effectiveness of the groundwater program over time.

Policy EN–3.28 Protect the quality of groundwater used for public water supplies to ensure adequate sources of potable water for Tacoma and the region.

2. Economic Development

Policy EC–1.1 Strive to capture 46% of urban Pierce County’s employment growth by 2040.

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

Policy EC–2.2 Encourage investment in, and alignment of, public efforts to reduce racial, gender, ethnic and disability-related disparities in income and employment opportunity.

Policy EC–4.2 Promote a culture throughout the City organization that continuously improves the quality, predictability, timeliness and cost of the development process.

Policy EC–6.20 Strictly limit Comprehensive Plan Map amendments that convert industrial land and consider the potential for amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

Policy EC–6.22 Maintain properties currently developed with industrial users and strive to offset the reduction of development capacity with the addition of prime industrial capacity that includes consideration of comparable site characteristics.

3. 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–9.3 Use land use and other regulations to limit and mitigate impacts, such as odor, noise, glare, air pollutants, and vibration that the use or development of a site may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas.

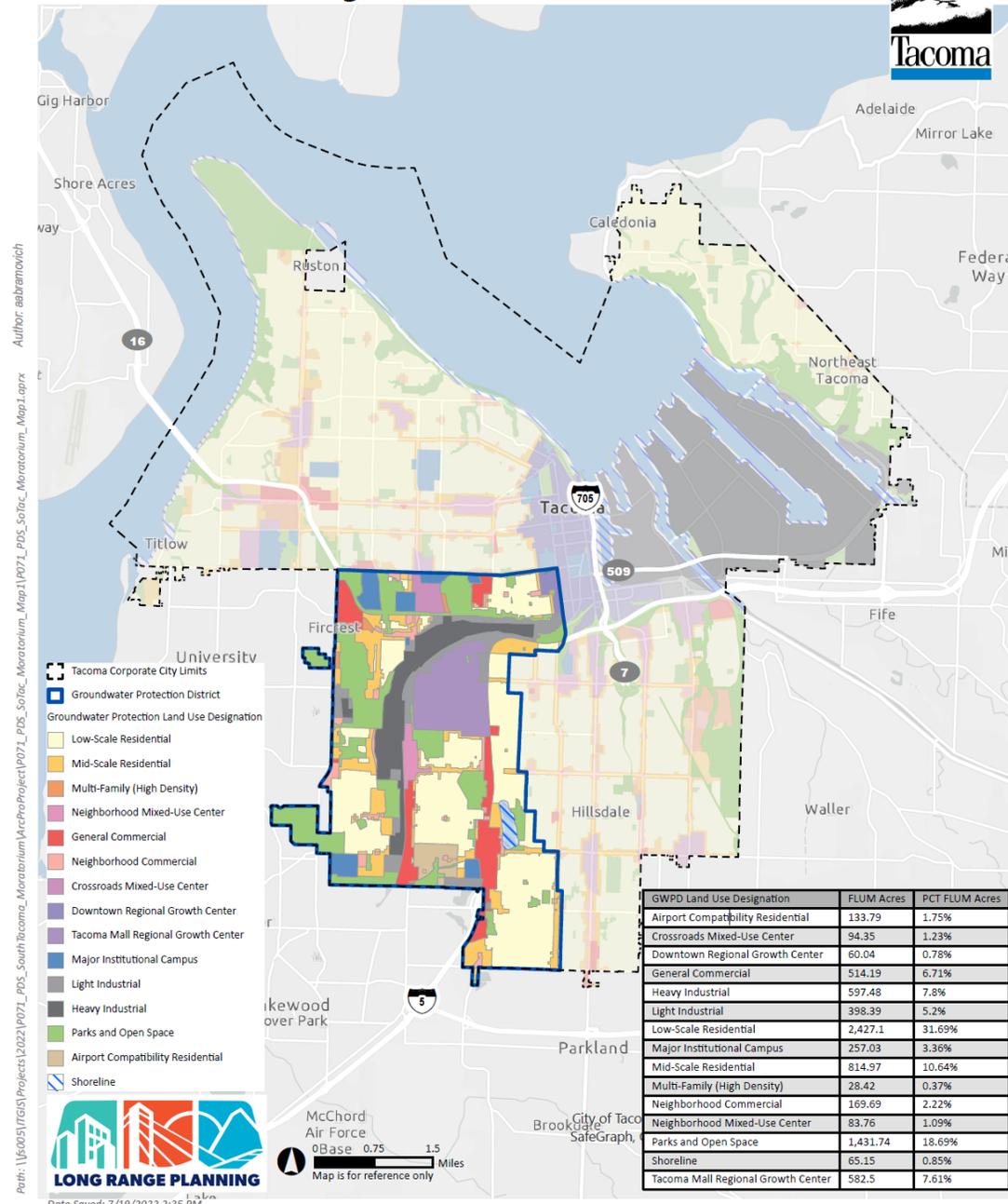
Policy DD–9.5 Protect non-industrial zoned parcels from the adverse impacts of activities on industrial zoned parcels.

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

F. FINDINGS OF FACT: PLANNING CONTEXT – FUTURE LAND USES AND ZONING

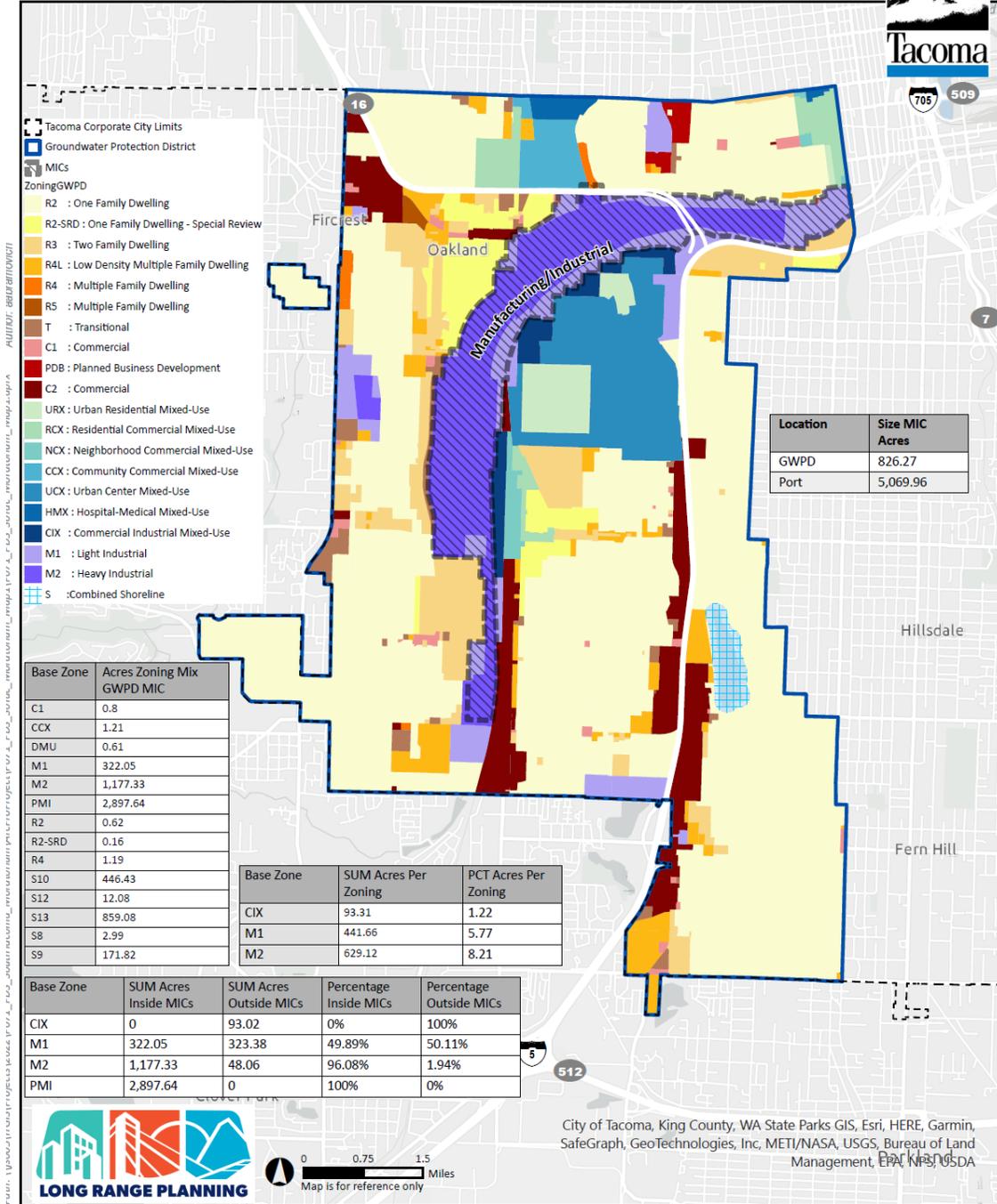
1. Future Land Use Designations in the South Tacoma Groundwater Protection District

**South Tacoma Groundwater Protection District
Future Land Use Designations**



2. Manufacturing and Industrial Center and Zoning within the South Tacoma Groundwater Protection District

South Tacoma Groundwater Protection District Manufacturing and Industrial Center + Zoning



3. Heavy Industrial Land Use Designation

This designation is characterized by higher levels of noise and odors, large-scale production, large buildings and sites, extended operating hours, and heavy truck traffic. This designation requires access to major transportation corridors, often including heavy haul truck routes and rail facilities. Commercial and institutional uses are limited and residential uses are generally prohibited.

4. South Tacoma Manufacturing and Industrial Center – Purpose

To provide additional protection to industrial and manufacturing uses within the designated boundary of the South Tacoma M/IC by placing further restrictions on incompatible uses within this defined area. The additional requirements imposed through the South Tacoma M/IC Overlay District are intended to preserve this area for long term urban industrial and manufacturing use consistent with policy direction in the Comprehensive Plan.

5. M-2 Heavy Industrial Zoning District – Purpose

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

6. South Tacoma Groundwater Protection District – Overlay Zone – Purpose

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

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

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

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

G. FINDINGS OF FACT: PLANNING CONTEXT – PROHIBITED INDUSTRIAL LAND USES

1. Groundwater Protection District – Overlay Zone

The following “High impact” uses are prohibited based on incompatibility with groundwater protection:

- Chemical manufacture and reprocessing
- Creosote/asphalt manufacture or treatment
- Electroplating activities
- Manufacture of Class 1A or 1B flammable liquids defined in Fire Code
- Petroleum and petroleum products refinery, reprocessing
- Wood products preserving
- Hazardous waste treatment, storage, disposal facilities

2. M-2 Heavy Industrial Zoning District

The following uses/activities are prohibited in the M-2 Zoning District citywide:

- Mining and quarrying
- Smelting
- Coal facilities
- Explosives manufacturing
- Fertilizer manufacturing
- Petrochemical manufacturing
- Animal slaughter
- Fat rendering
- Acid manufacturing
- Blast furnaces

H. FINDINGS OF FACT: PLANNING CONTEXT – SOUTH TACOMA MIC EDGES AND PROXIMITY TO RESIDENTIAL AREAS

1. MIC Edges and Transitions

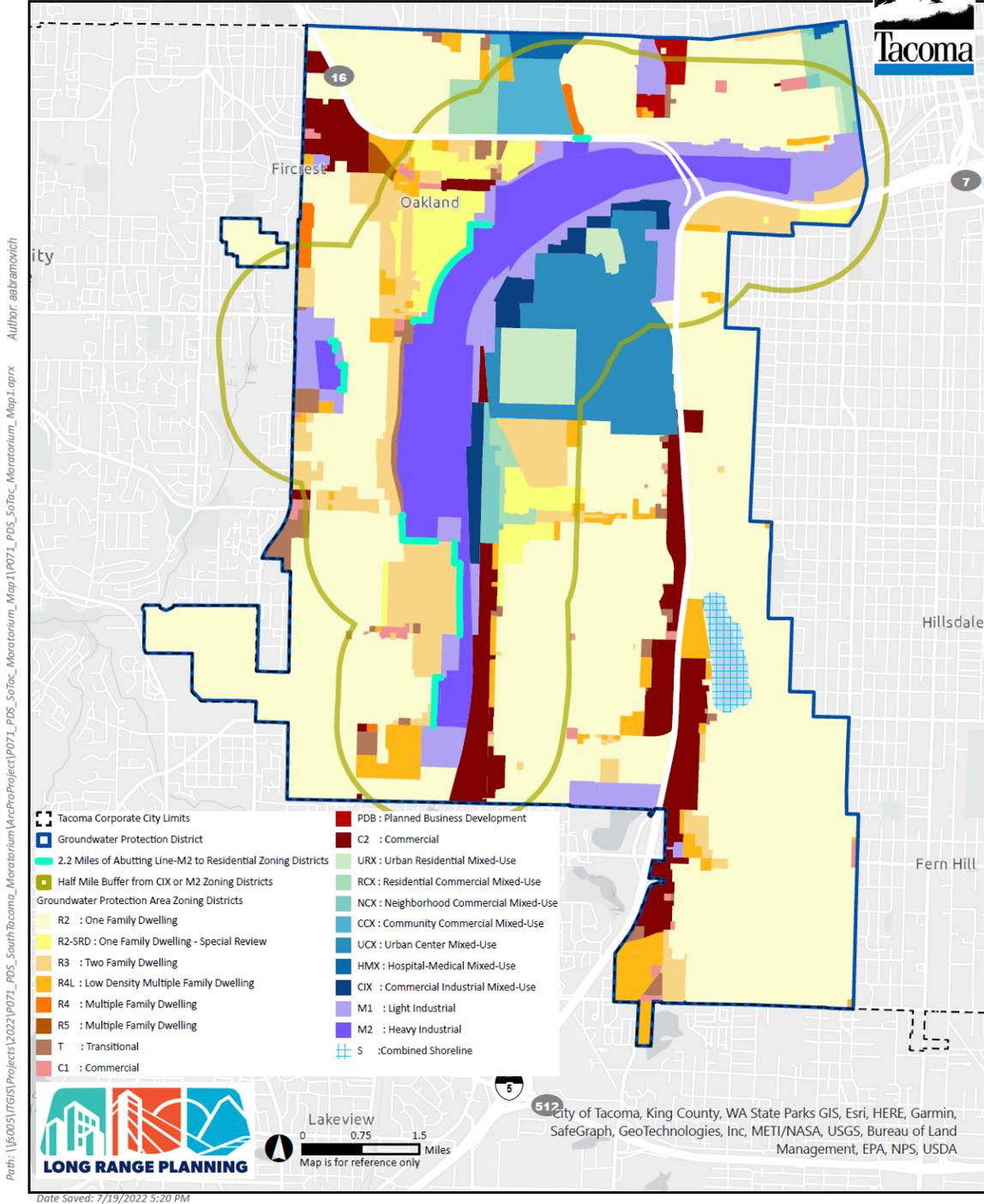
a. The northeast portion of the MIC abuts the Downtown Regional Growth Center at the intersection of Center Street and S Yakima Ave. Moving West, the MIC has a small open space/slope transition along the northern boundary until bifurcated by HWY 16, which creates an additional separation between the MIC and residential areas. To the South, the MIC is buffered by I-5 until it abuts the Tacoma Mall Regional Growth Center as it begins to turn south.

b. The central portion of the MIC has residential neighborhoods to the west, including the Oakland-Madrona business district and the Oakland High School. A significant portion of this area, bounded between South Madison and the railroad tracks and generally from S 37th Street to S 48th street includes largely vacant industrial areas, comprised of a superfund site from a former railyard and municipal airport.

c. The southern portion of the MIC is bounded by residential neighborhoods to the west and the South Tacoma Mixed Use Center to the east. South of 56th Street, the MIC immediately abuts the South End Recreation Area, including the STAR Center, Gray Middle School, and the South Tacoma Sounder Station. Finally, the MIC ends at S 74th Street, with general commercial areas to the immediate east and residential neighborhoods directly to the west without any zoning transitions.

2. Heavy Industrial Zoning Edges and Transitions

South Tacoma Groundwater Protection District Proximity of Non-industrial areas to Industrial Areas



3. Communities within ½ mile of Heavy Industrial Zoning

Half Mile from Heavy Industrial Zoning (2022 Data)	
Population	28,532
Median Household Income	64,086
Race/Ethnicity	
White	48%
Black	17%
American Indian	2%
Asian	9%
Pacific Islander	3%
Some Other Race	7%
Two or More Races	15%
Hispanic Origin	15%
Educational Attainment	
No HS Diploma	10%
HS Diploma	29%
Some College	35%
Bachelor/Graduate/Prof Degree	25%

Source: Data provided by Esri, Esri-Data Axle. The vintage of the data is 2022. Data accessed July 19, 2022. Esri forecasts for 2022. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

I. FINDINGS OF FACT: EXISTING LAND USES

1. Industrial Uses

There are approximately 85 businesses currently located in the South Tacoma Groundwater Protection District that are identified as industrial under the NAICS classification system. These are summarized below.

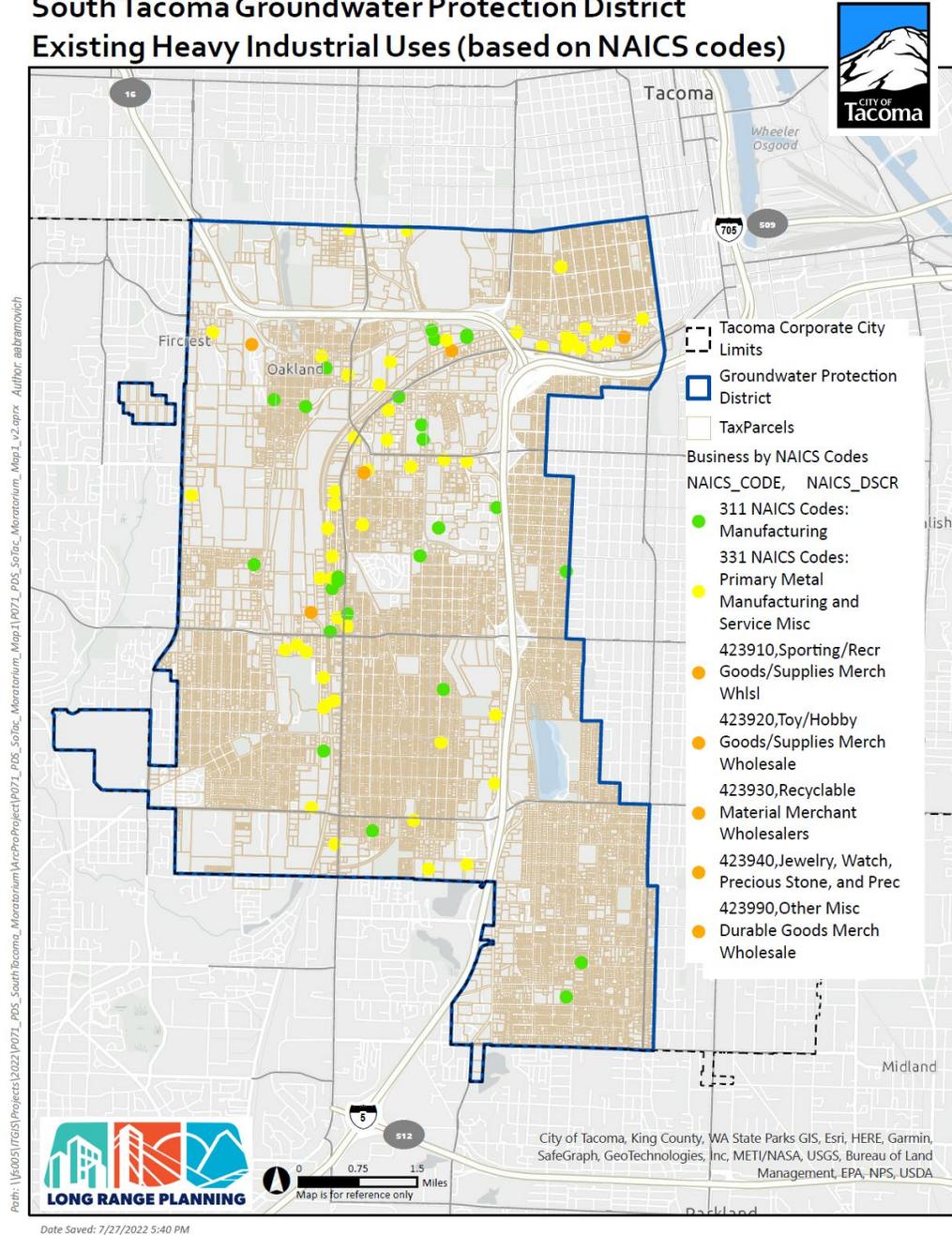
NAICS CODE/DESCRIPTION	KINDS OF USES	NUMBER OF BUSINESSES
311 Food Manufacturing	Other Animal Food Manufacturing	13
	Nonchocolate Confectionery Manufacturing	
	Fruit and Vegetable Canning	
	Retail Bakeries	
	Commercial Bakeries	
	Mayonnaise, Dressing, and Other Prepared Manufacturing	
	Spice and Extract Manufacturing	
	Perishable Prepared Food Manufacturing	
	All Other Miscellaneous Food Manufacturing	
312 Beverage and Tobacco Product Manufacturing	Soft Drink Manufacturing	4
	Breweries	
	Wineries	

314 Textile Product Mills	All Other Miscellaneous Textile Product	2
315 Apparel Manufacturing	Cut and Sew Apparel Contractors	5
	Other Cut and Sew Apparel Manufacturing	
	Apparel Accessories and Other Apparel Manufacturing	
316 Leather and Allied Product Manufacturing	Other Leather and Allied Product Manufacturing	1
331 Primary Metal Manufacturing	Iron and Steel Mills and Ferroalloy Manufacturing	2
	Aluminum Sheet, Plate, and Foil Manufacturing	
332 Fabricated Metal Product Manufacturing	Metal Window and Door Manufacturing	8
	Sheet Metal Work Manufacturing	
	Ornamental and Architectural Metal Work Manufacturing	
	Machine Shops	
	Precision Turned Product Manufacturing	
	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	
333 Machinery Manufacturing	Food Product Machinery Manufacturing	8
	Sawmill, Woodworking, and Paper Machinery Manufacturing	
	Other Industrial Machinery Manufacturing	
	Other Commercial and Service Industry Manufacturing	
	Industrial Mold Manufacturing	
	Cutting Tool and Machine Tool Accessory Manufacturing	
	Rolling Mill and Other Metalworking Machinery Manufacturing	
335 Electrical Equipment, Appliance, and Component Manufacturing	Small Electrical Appliance Manufacturing	1
336 Transportation Equipment Manufacturing	Travel Trailer and Camper Manufacturing	3
	Boat Building	
337 Furniture and Related Product Manufacturing	Wood Kitchen Cabinet and Countertop Manufacturing	11
	Non-upholstered Wood Household Furniture	
	Institutional Furniture Manufacturing	
339 Miscellaneous Manufacturing	Surgical Appliance and Supplies Manufacturing	20
	Ophthalmic Goods Manufacturing	
	Dental Laboratories	
	Jewelry and Silverware Manufacturing	
	Sign Manufacturing	
	Musical Instrument Manufacturing	
	Fastener, Button, Needle, and Pin Manufacturing	
All Other Miscellaneous Manufacturing		

423 Merchant Wholesalers, Durable Goods	Sporting/Recreational Goods/Supplies Merchant Wholesalers	7
	Toy/Hobby Goods/Supplies Merchant Wholesale	
	Recyclable Material Merchant Wholesalers	
	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers	
	Other Miscellaneous Durable Goods Merchant Wholesalers	

2. Map of Use Locations

South Tacoma Groundwater Protection District Existing Heavy Industrial Uses (based on NAICS codes)

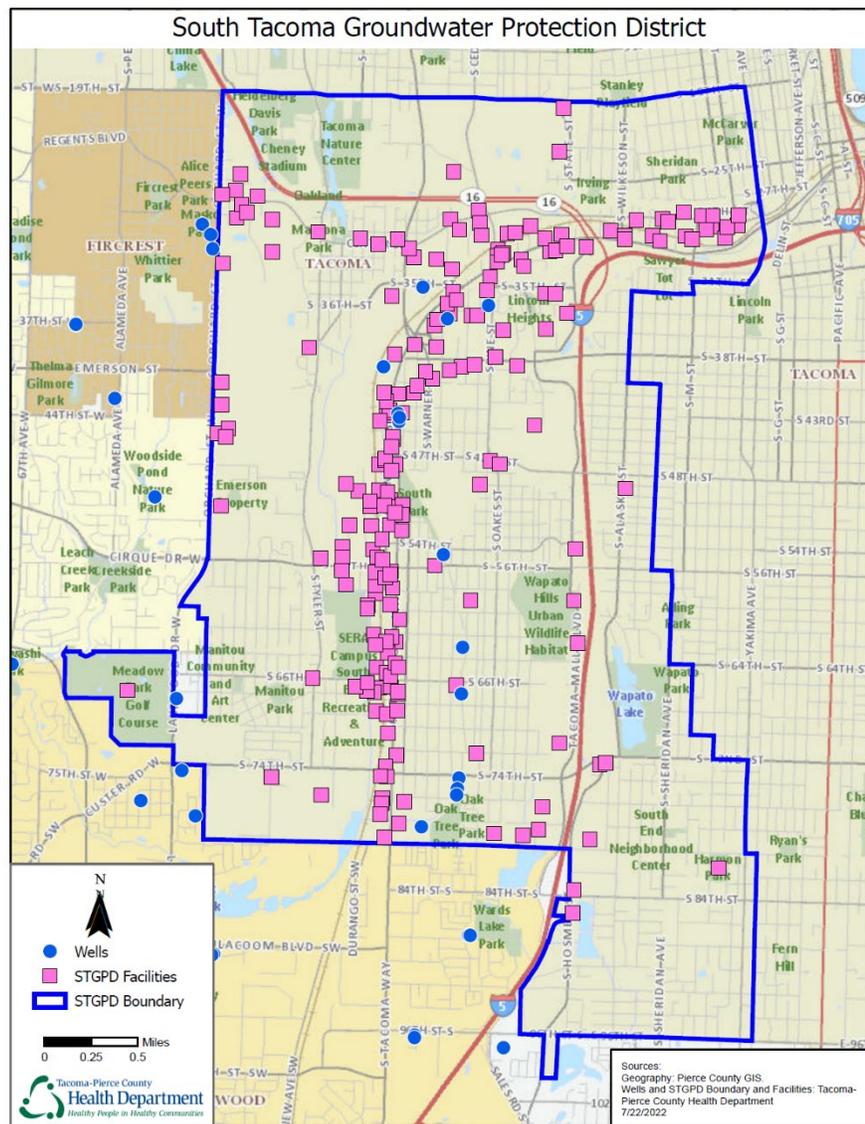


3. Hazardous Material Storage – Permitted Uses

Hazardous substances in the STGPD are defined as: any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity which may pose a present or potential hazard to human health or to the quality of the drinking water supply in the South Tacoma aquifer system when improperly used, stored, transported, or disposed of or otherwise mismanaged, including without exception:

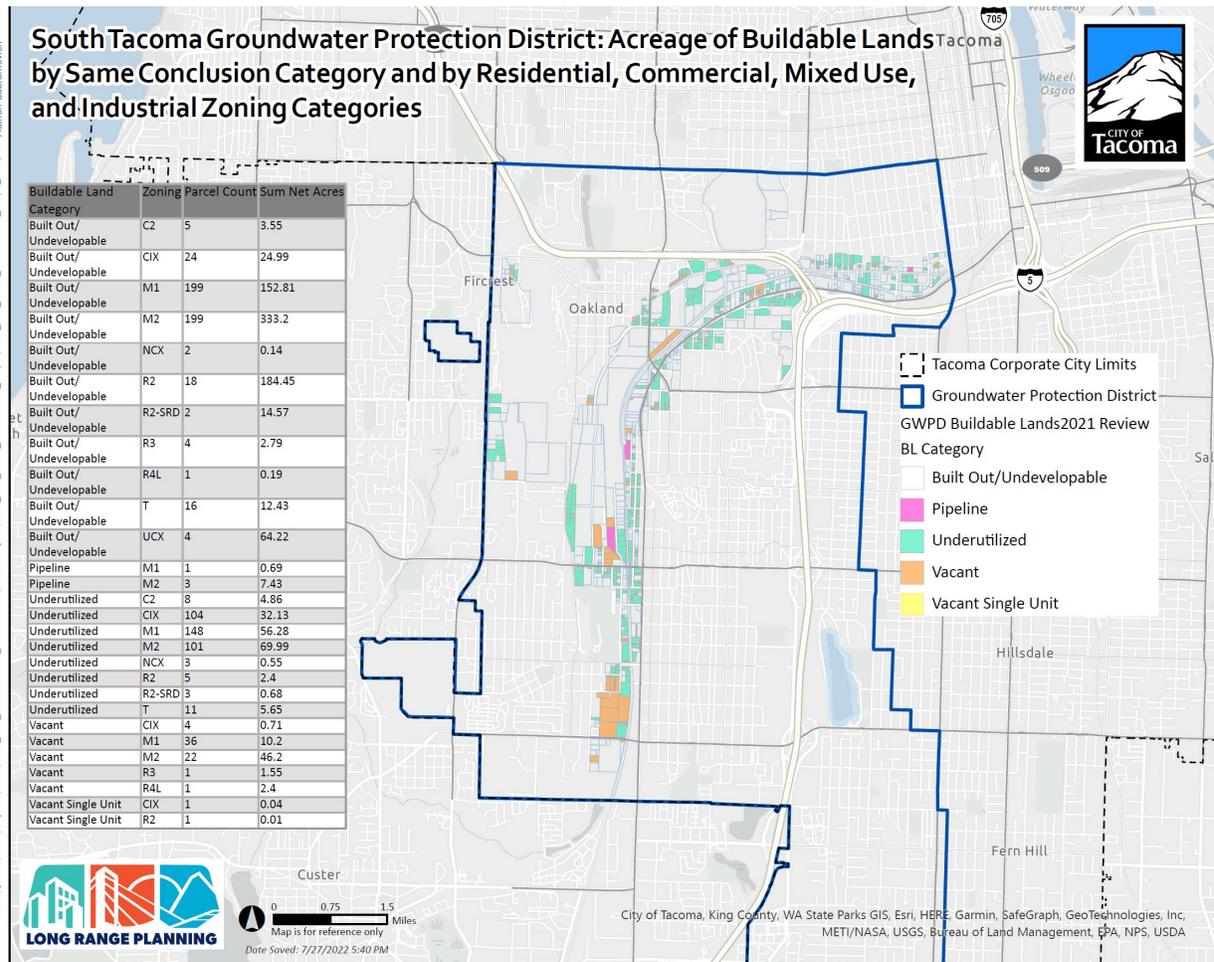
1. Those materials that exhibit any of the physical, chemical or biological properties described in Department of Ecology’s 173-303-082 WAC, 173-303-090 WAC, or 173-303-100 WAC as may be amended from time to time; and
2. Those materials set forth in the General Guidance and Performance Standards hereinafter referred to;
3. Petroleum products and by-products, including crude oil or any faction thereof such as gasoline, diesel, and waste oil which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute); and
4. Any substance or category of substances meeting the definition of a hazardous substance under Chapter 173-340 WAC as may be amended from time to time.

Businesses with more than 220 pounds of hazardous substances and business activities that are not prohibited are regulated by the Health Department. The map below depicts the location of these businesses. These businesses include a broad range of uses such as auto dealerships repair and painting, educational and governmental facilities, woodworking, paint supply, landscaping, wholesale, surgical supply, boat works, breweries, and gas stations. Uses that are permitted are not limited to heavy industrial uses but include other light industrial, commercial and institutional.



J. FINDINGS OF FACT: INDUSTRIAL LAND SUPPLY

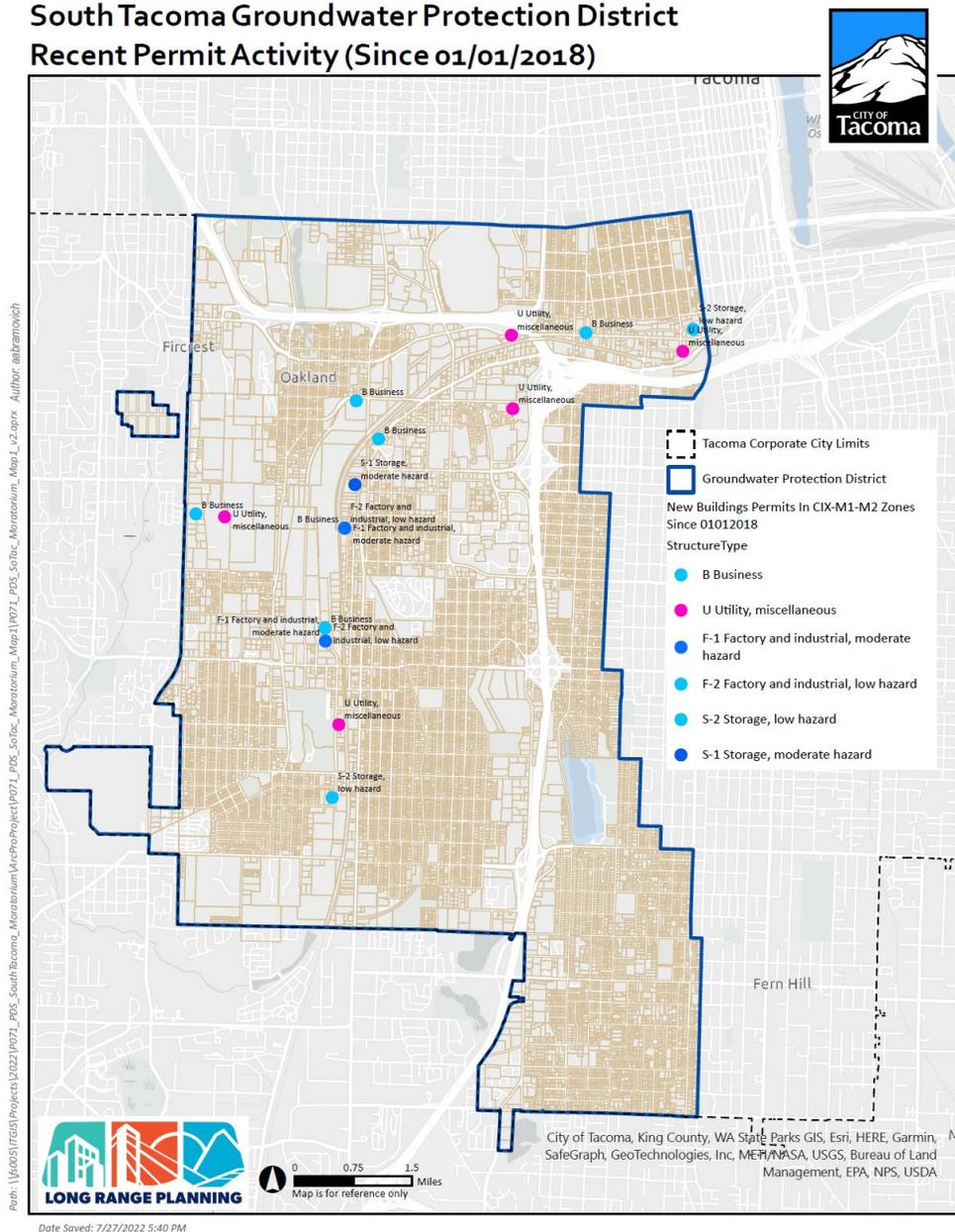
1. The Buildable Lands Program is an ongoing review and monitoring system required by the Growth Management Act. The most recent report is from 2021 and is available at: <https://www.piercecountywa.gov/923/Buildable-Lands>.
2. Based on staff review of the Buildable Lands Data, and including recent vested permits, approximately 75% of the M-2 Heavy Industrial Zoning in the South Tacoma MIC is considered built out or in the process for development. Only 7% of the M-2 area is vacant and an additional 11% is underutilized, meaning it is currently developed but redevelopment may be expected over the 20-year plan horizon.
3. The following map shows the parcels identified within the 2021 Buildable Lands Report.



K. FINDINGS OF FACT: PLANNING CONTEXT – INDUSTRIAL PERMIT TRENDS

1. Map of Permit Activity Since 2018

South Tacoma Groundwater Protection District Recent Permit Activity (Since 01/01/2018)



2. Types of Uses

Based on Staff review of the permit dashboard, recent permitted activity and potential permit applications are grouped in the following land use categories:

- Marijuana Production and Processing
- Wireless Facilities
- Warehousing
- Storage Facilities
- Metal Recycling

L. FINDINGS OF FACT: ROLES AND RESPONSIBILITIES OF AGENCIES IN GROUNDWATER PROTECTION

Agency	Roles and Responsibilities
Tacoma Water	<ul style="list-style-type: none"> • Maintains wells that access the south Tacoma aquifer. • Conducts water quality testing and compliance.
Tacoma-Pierce County Health Department	<ul style="list-style-type: none"> • Regulates/inspects businesses with hazardous substances on site and infiltration systems meeting certain criteria.
City of Tacoma – Environmental Services	<ul style="list-style-type: none"> • Administers Stormwater Management Program. • Inspects businesses for source control, pollution prevention, stormwater infiltration and environmental compliance.
City of Tacoma – Planning and Development Services	<ul style="list-style-type: none"> • Permit authority for land use, building code, site development, critical areas • Maintains the STGPD regulations. • SEPA Lead Agency
City of Tacoma – Fire Department	<ul style="list-style-type: none"> • Administers Fire Code pertaining to hazardous materials; emergency response.

M. FINDINGS OF FACT: SUMMARY OF REGULATORY STRUCTURE THAT APPLIES TO DEVELOPMENT WITHIN THE GROUNDWATER PROTECTION DISTRICT.

Regulatory Code	Summary
SEPA	<p>Purpose: The SEPA process is a Washington State requirement intended to ensure that state and local agencies consider the likely environmental consequences of a proposal before acting on the proposal. SEPA fills gaps in current regulations to protect the public health, welfare, and safety, but is not a replacement for other environmental protection standards.</p> <p>Applicability: SEPA applies when specific use and development triggers are met, such as proposed square footage of construction or demolition, fill or excavation of more than 500 yards, construction of a parking lot for more than 40 vehicles, work occurring within critical areas, as well as land use rezones, and more.</p> <p>Applicability to Groundwater: SEPA authority can be used to modify, condition, or deny a proposal when impacts to groundwater resources are identified.</p> <p>Monitoring and Enforcement: SEPA Conditions are applied to land use or development permits and are enforced as such.</p> <p>Statutory Authority: State Environmental Policy Act (SEPA) is part of the State Code RCW 43.21c and has implementing rules located in the WAC 197-11.</p>

	<p>Last Amendment to the Regulatory Code: (when and for what purpose) 2020, to incorporate Traffic and Historic Review into the process for projects located in the subarea.</p> <p>Frequency and Basis of Updates: Tacoma Municipal Code, Title 13.12; updated to coincide with any relevant change to state law, for example, if review thresholds change.</p>
<p>Zoning</p>	<p>Purpose: The broad purposes of the zoning provisions of the Tacoma Municipal Code are to protect and promote the public health, safety, and general welfare, and to implement the policies of the Comprehensive Plan of the City of Tacoma. More specifically, the zoning code is intended to:</p> <ul style="list-style-type: none"> a. Provide a guide for the physical development of the City in order to: <ul style="list-style-type: none"> (1) Preserve the character and quality of residential neighborhoods; (2) Foster convenient, harmonious, and workable relationships among land uses; and (3) Achieve the arrangement of land uses described in the Comprehensive Plan. b. Promote the economic stability of existing land uses that are consistent with the Comprehensive Plan and protect them from intrusions by inharmonious or harmful land uses. c. Promote intensification of land use at appropriate locations, consistent with the Comprehensive Plan, and ensure the provision of adequate open space for light, air, and fire safety. d. Foster development patterns that offer alternatives to automobile use by establishing densities and intensities that help make frequent transit service feasible, and encourage walking and bicycling. This emphasis on alternative transportation will also have air quality benefits and will conserve energy. e. Establish review procedures to ensure that new development is consistent with the provisions of this chapter and all other requirements of this code. <p>Applicability: The regulations of TMC 13.06 Zoning are applicable in all zoning districts. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay. Standards typically apply to new use and development activity and alterations and expansions of existing uses.</p> <p>Applicability to Groundwater: The South Tacoma Groundwater Protection District, and regulations and permit procedures therein, are established via the South Tacoma Groundwater Protection Overlay District. Aquifer recharge areas are classified as a critical area under Tacoma Municipal Code 13.11.</p> <p>Monitoring and Enforcement: See monitoring and enforcement below under the STGDP summary.</p>

	<p>Statutory Authority: RCW 36.70A Growth Management Act, RCW 36.70B Local Project Review, RCW 90.58 Shoreline Management Act</p> <p>Last Amendment to the Regulatory Code: The Land Use Regulatory Code was amended in 2022.</p> <p>Frequency and Basis of Updates: The Land Use Regulatory Code is amended on an annual basis with specific amendments based on the following considerations: Council and community priorities, new information or changing conditions, case law, statutory amendments,</p>
<p>Critical Areas Regulations</p>	<p>Purpose: The City of Tacoma Critical Area Code, Ch. 13.11 Critical Areas Preservation, and the Shoreline Master Program, TMC Title 19, were created in order to implement specific environmental protection goals of the Growth Management Act (GMA) and Shoreline Management Act (SMA).</p> <p>These criteria and standards will secure the public health, safety, and welfare by:</p> <ol style="list-style-type: none"> 1. Protecting members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, volcanic eruptions, flooding or similar events; 2. Maintaining healthy, functioning ecosystems through the protection of ground and surface waters, wetlands, and fish and wildlife and their habitats, and to conserve biodiversity of plant and animal species; 3. Preventing cumulative adverse impacts to Critical Areas including the prevention of net loss of wetlands. 4. Providing open space and aesthetic value; 5. Providing migratory pathways for fish and wildlife; 6. Giving special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries; 7. Providing unique urban wilds that serve as natural laboratories for schools and the general public; 8. Avoiding public expenditures to correct damaged or degraded critical ecosystems; 9. Alerting appraisers, assessors, owners, potential buyers, or lessees to the potential presence of a critical ecosystem and possible development limitations; and 10. Providing City officials with information, direction, and authority to protect ecosystems when evaluating development <p>Applicability: Critical areas include wetlands, streams, and fish and wildlife habitat conservation areas, as well as flood hazards, geologically hazardous areas, and aquifer recharge areas. Regulations apply citywide to:</p> <ol style="list-style-type: none"> 1. Building permits; 2. Clearing and grading permits;

	<p>3. Forest practices permits;</p> <p>4. Land Use permits;</p> <p>5. Subdivision and short subdivisions;</p> <p>6. Binding site plans;</p> <p>7. Zoning amendments;</p> <p>8. Creation of tax parcels.</p> <p>Applicability to Groundwater: Aquifer recharge areas are a classified critical area under TMC 13.11. Protections are implemented through the South Tacoma Groundwater Protection District.</p> <p>Monitoring and Enforcement:</p> <p>Statutory Authority:</p> <p>Last Amendment to the Regulatory Code: 2019 to address geohazards and biodiversity corridors.</p> <p>Frequency and Basis of Updates: Critical Area Regulation updates are considered at a minimum as part of the state-mandated periodic review of the Comprehensive Plan and Shoreline Master Program, but have also been considered on an as-needed basis as part of the annual amendment process. The City is required to base critical area regulations on the best available science. The next update will be through the 2024 Comprehensive Plan update.</p>
Fire Code	<p>Purpose: To establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of fire safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.</p> <p>Applicability: Materials posing physical and health hazards. Varying requirements based on types and quantities of materials.</p> <p>Applicability to Groundwater: Construction and operational requirements to mitigate risk of spills occurring and risk of spills leaving designed containment areas.</p> <p>Monitoring and Enforcement: Review and inspection concurrent with building permits. All commercial sites receive annual inspections through Business Inspection Program. Sites exceeding permit quantities receive two inspections annually. Additional inspections are complaint based.</p> <p>Statutory Authority: WAC51-54A, TMC Title 3</p> <p>Last Amendment to the Regulatory Code: January 2021</p> <p>Frequency and Basis of Updates: 3-year cycle to align with state and national changes. Additional updates based on need.</p>
Building Code	<p>Purpose: To establish the minimum requirements to provide a reasonable level of safety, public health, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and</p>

	<p>ventilation, energy conservation, and safety to life and property protection from fire, explosion, and other hazards, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.</p> <p>Applicability: Buildings and structures including those containing hazardous materials such as tanks.</p> <p>Pertain to groundwater: Seismic design to reduce risk of spills. Increased design standards for highly toxic materials.</p> <p>Monitoring and Enforcement: Review and inspection through the building permit process. Additional inspections are complaint based.</p> <p>Statutory Authority: WAC 51-50, TMC Title 2.</p> <p>Last Amendment to the Regulatory Code: January 2021.</p> <p>Frequency and Basis of Updates: 3-year cycle to align with state and national changes. Additional updates based on need.</p>
<p>Tacoma Water – Wellhead Protection Plan and Water System Plan</p>	<p>Purpose: To establish a uniform process for Tacoma Water to demonstrate system capacity as defined in WAC 246-290-010; demonstrate how the system will address present and future needs in a manner consistent with other relevant plans and local, state, and federal laws, including applicable land use plans; Establish and maintain source water protection areas and programs to prevent contamination.</p> <p>Applicability: All Group A public water systems except those systems meeting all of the following conditions:</p> <ul style="list-style-type: none"> (a) Consists only of distribution and/or storage facilities and does not have any source or treatment facilities; (b) Obtains all water from, but is not owned by, a public water system where the rules of this chapter apply; (c) Does not sell water directly to any person; and (d) Is not a passenger-conveying carrier in interstate commerce. <p>Applicability to Groundwater: Policies and programs are applicable to all drinking water supplies, including groundwater.</p> <p>Monitoring and Enforcement: State of Washington Department of Health, Division of Drinking Water under Primacy implements federal provisions of the SDWA in addition to the requirements of the WAC. DOH conducts regular sanitary surveys of the Tacoma Water system.</p> <p>Statutory Authority: US EPA Safe Drinking Water Act (SDWA), WAC 246-290-100, WAC 246-290-135</p> <p>Last Amendment to the Regulatory Code: 2018</p> <p>Frequency and Basis of Updates: Water System Plan and full Wellhead Protection Plan updated every 10 years, Potential Contaminant Inventory every 2 years.</p>

<p>Tacoma-Pierce County Health Department</p>	<p>Purpose: The Health Department works with Tacoma Water and Tacoma Environmental Services to implement, regulate and enforce the South Tacoma Groundwater Protection District (STGPD) code. The STGPD code establishes minimum requirements businesses must meet for the storage and management of hazardous substances and maintenance of infiltration systems designated as medium and high intensity.</p> <p>Applicability: Businesses within STGPD require a Health Department permit if they have 220 lb. of hazardous substances (products or wastes) or infiltrating stormwater on a medium or high intensity site.</p> <p>Applicability to Groundwater: This regulation establishes business requirements for activities that have the highest risk of contaminating groundwater. Requirements are intended to reduce the threat of hazardous substance discharge to the environment.</p> <p>Monitoring and Enforcement: Businesses with more than 220 pounds (approximately 35 gallons) of hazardous substances on site are required to obtain an STGPD permit from the Health Department. These businesses are subject to inspections and required to follow the standards set by the code. Additionally, sites within the STGPD that are designated as medium and high intensity by the SWMM are required to obtain approval and a permit from the Health Department. Permitted businesses are inspected on a bi-annual basis. Additional inspections are complaint based, or as needed to resolve violations. Businesses that don't follow the requirements can be subject to enforcement including civil monetary penalties, their water supply shut off or revocation of their City of Tacoma business license.</p> <p>Statutory Authority: TMC 13.06.070.D</p> <p>Last Amendment to the Regulatory Code: When code moved to 13.06.070.D (Jan. 2020)</p> <p>Frequency and Basis of Updates: Updates are on an as needed basis. Updates and changes are based on best available science.</p>
<p>Groundwater Protection District Overlay Zone</p>	<p>Purpose: The Health Department works with Tacoma Water and Environmental Services to implement, regulate and enforce the STGPD code. The STGPD code is intended to establish requirements of businesses within the district that meet thresholds for the on-site use and storage of hazardous substances within STGPD and infiltration systems designated as medium and high intensity.</p> <p>Applicability: Businesses within STGPD that meet the threshold for requiring a permit (<220 lb. of hazardous substances or infiltrating stormwater on a medium or high intensity site).</p> <p>Applicability to Groundwater: Establish requirements of businesses with activities that have the highest risk of contaminating groundwater. Requirements are intended to reduce the threat of discharge of hazardous substances to the environment.</p> <p>Monitoring and Enforcement: Businesses that have more than 220 pounds (approximately 35 gallons) of hazardous substances on site are required to obtain a separate STGPD permit from the Health Department. These</p>

businesses are subject to inspections and required to adhere to the standards set forth by the code. Additionally, sites within STGPD that are designated as medium and high intensity by the SWMM are required to obtain approval and a permit from TPCHD. Permitted businesses are inspected on a bi-annual basis. Additional inspections are complaint based. Businesses that don't adhere to the standards are subject to enforcement including monetary penalties and up to water shut off and revocation of City of Tacoma business license.

Statutory Authority: TMC 13.06.070.D

Last Amendment to the Regulatory Code: When code moved to 13.06.070.D (please fill in date)

Frequency and Basis of Updates: Currently, the updates take place on an as needed basis. Updates and changes are based on best available science.

TMC 12.08.A and D

Purpose: TMC 12.08D.010 Purpose and Application

A. This chapter sets forth uniform requirements for, and shall apply to all persons, discharging stormwater or pollutants to the municipal stormwater system and receiving waters within the City, and requires compliance with all applicable state and federal laws, local ordinances, and this chapter. The purpose of this chapter includes but is not limited to the following:

1. To control the quantity and quality of the stormwater discharged directly and indirectly into the receiving waters within the City and/or the municipal stormwater system;
2. To promote compliance with the City's municipal stormwater permit, its stormwater management program, and applicable federal and state laws and regulations, local ordinances, and this chapter;
3. To protect receiving waters by mitigating the impacts of increased stormwater due to urbanization; to correct or mitigate existing water quality impacts related to stormwater; and to help restore and maintain the chemical, physical, and biological integrity of the City's waters for the protection of beneficial uses, including salmon;
4. To manage stormwater to protect life, property, and the environment from loss, injury, and damage by pollution; to minimize flooding, erosion, and contact with pollutants; and to manage stormwater from developed properties and construction sites;
5. To encourage the use of low impact development as the preferred and commonly-used approach for stormwater management;
6. To require persons regulated by this chapter to pay appropriate rates and fees to reasonably distribute the cost to construct, operate, maintain and improve the municipal stormwater system; and
7. To provide for and promote the health, safety, and welfare of the general public.

Applicability: Shall apply to all persons, discharging stormwater or pollutants to the municipal stormwater system and receiving waters within the City,"

	<p>Applicability to Groundwater: Groundwater is a receiving water and so the provisions of 12.08D are applicable</p> <p>Monitoring and Enforcement: Enforcement authority in the code to ensure that persons comply with 12.08D.400, .410 and 420</p> <p>Statutory Authority: The code is based on the City’s stormwater permit, which is derived from Clean Water Act.</p>
Stormwater Management Manual	<p>Purpose and Applicability: Tacoma’s Stormwater Management Manual (SWMM) contains the information needed to regulate stormwater management associated with new development, redevelopment and construction sites in Tacoma. It also contains source control Best Management Practices (BMPs) for existing sites.</p> <p>Applicability to Groundwater: The SWMM contains information for design and sizing of stormwater facilities that infiltrate. It also has operational Best Management Practices to keep stormwater runoff clean, which helps to ensure contaminants are not transmitted to groundwater. See ESD17-01 summary below.</p> <p>Monitoring and Enforcement: Per TMC 12.08D</p> <p>Statutory Authority: Codified per TMC 12.08D (12.08D.150)</p> <p>Frequency and Basis of Updates: Updated as required by the City’s NPDES Phase I Municipal Stormwater Permit or as needed. Typically, every 5 years. Last updated in 2021.</p>
ESD17-01	<p>Purpose: To clarify the requirements stormwater infiltration within the South Tacoma Groundwater Protection District.</p> <p>Applicability: Projects / sites that propose infiltration of pollution generating surfaces in the South Tacoma Groundwater Protection District.</p> <p>Applicability to Groundwater: Outlines requirements for infiltration of stormwater.</p> <p>Monitoring and Enforcement: Through project permit approval for development projects. Monitoring of some systems is required per Table 1 of the Directive.</p> <p>Statutory Authority: This is an Environmental Services Directive and has the authority of TMC 12.08D. The policy is also referenced in TMC 13.</p> <p>Last Amendment to Directive: 2017</p> <p>Frequency and Basis of Updates: As needed</p>

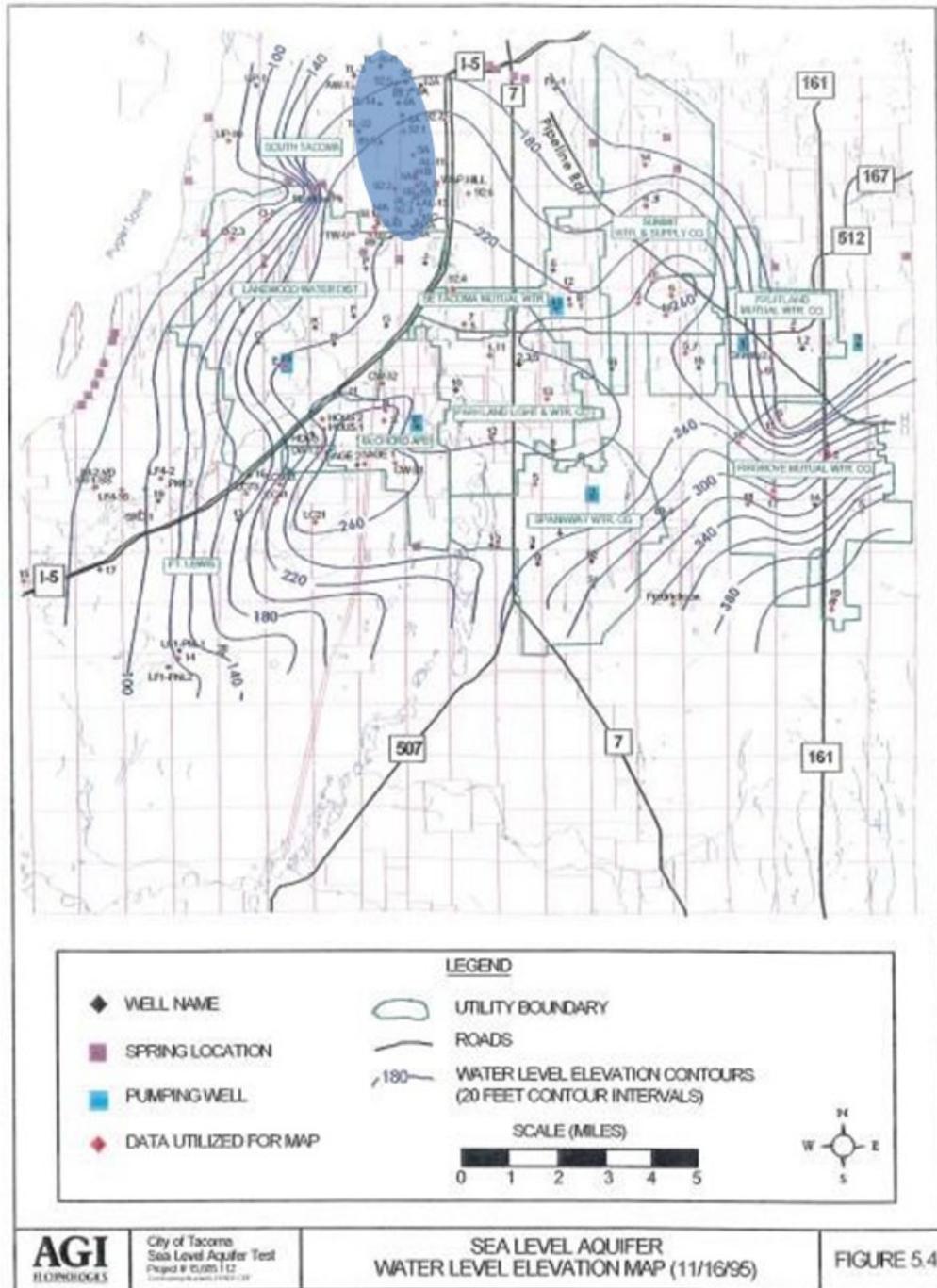
N. FINDINGS OF FACT: SOUTH TACOMA AQUIFER AND RECHARGE

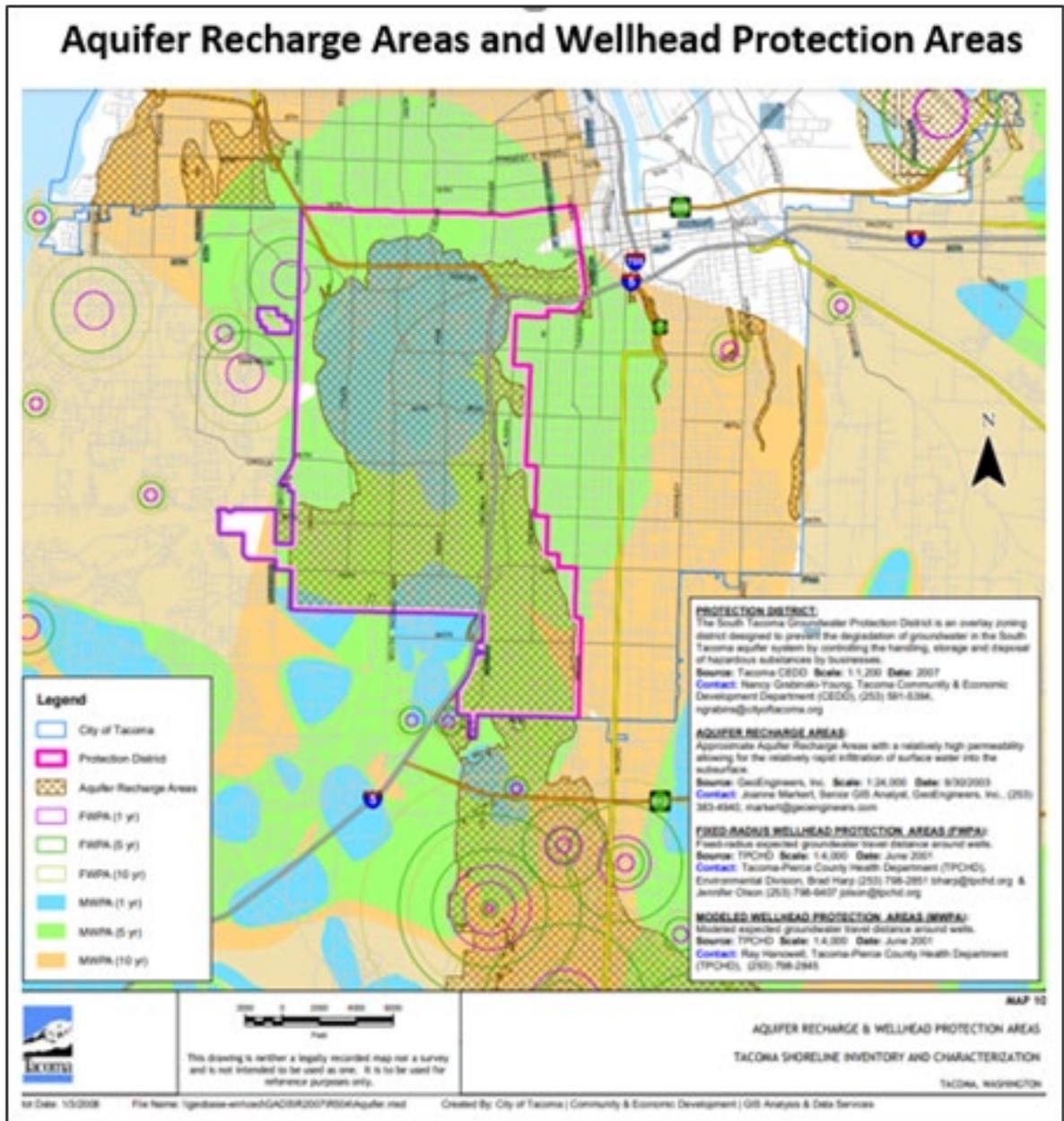
1. South Tacoma Aquifer System.

The South Tacoma Aquifer System is generally composed of three aquifers: The Shallow Aquifer, the Sea Level Aquifer and the Deep Aquifer:

- The recharge area for the shallow aquifer is estimated to be approximately 180 square miles in area (encompassing upland areas including South Tacoma, the Roy 'Y', and Fredrickson).
- To some extent, the Shallow Aquifer ground water recharges the Sea Level Aquifer, which then recharges the Deep Aquifer.
- In general, ground water moves from the southern part of the greater upland area northward in each aquifer to discharge along the margins of Puget Sound and the lower Puyallup Valley.

2. Recharge Area Maps





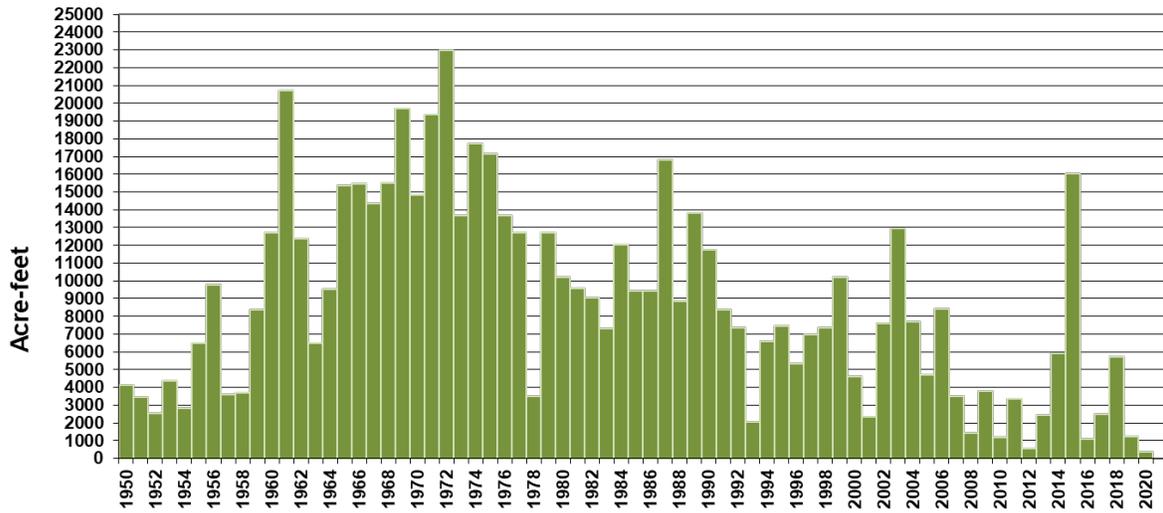
3. Groundwater Capacity

Tacoma has a total of over 55 MGD of in-town groundwater Capacity. We have the ability to pump at least 40 MGD at any given time. a Majority of this capacity is located in aquifers under South Tacoma:

- 13 wells along South Tacoma Way – highly productive
- Wells range in capacity from 0.6 MGD to 10.5 MGD
- Wells discharge to the Wells Pipeline
- The Wells Pipeline carries the water to two Treatment Facilities
- South Tacoma wells Can Produce over 33 MGD, Also Have several other wells that produce an additional 7 MGD

4. Annual Well Production

The aquifers could deliver over 27000 Acre-feet each year (Additional Pumps would be needed to produce this amount).

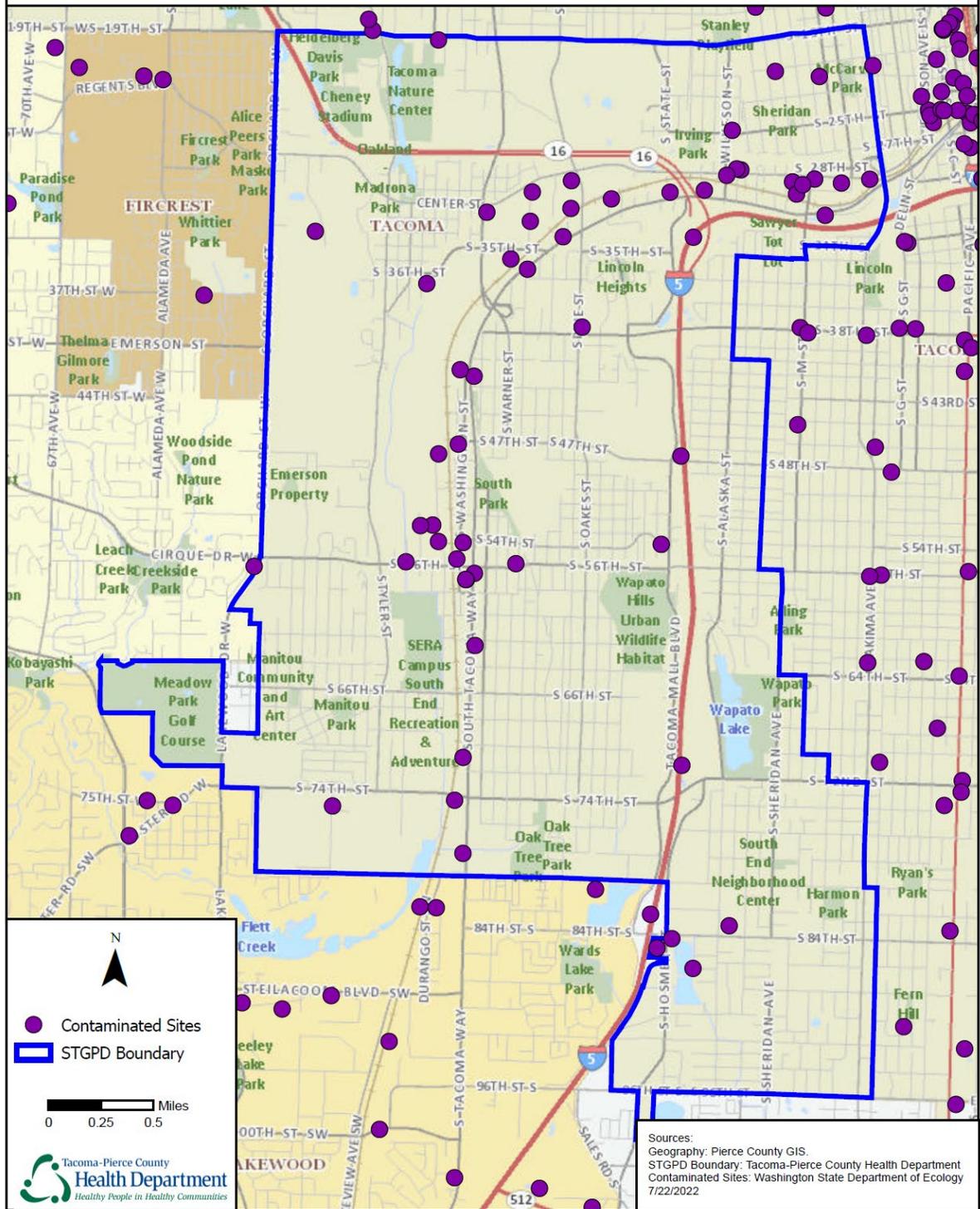


O. FINDINGS OF FACT: CONTAMINATED SITES AND CLEANUP

1. Known Contaminated Sites, from Department of Ecology

Roughly half of all known contaminated sites in Washington State are UST sites. Petroleum is the most commonly released hazardous material. Sites on this map vary in type of contamination (i.e. contamination from other sources than USTs) and range in degree of cleanup required.

Department of Ecology - Known Contaminated Sites



2. South Tacoma Field Site, EPA



PROPERTIES SUBJECT TO ENVIRONMENTAL COVENANTS, SOUTH TACOMA FIELD OPERABLE UNIT, COMMENCEMENT BAY - SOUTH TACOMA CHANNEL SUPERFUND SITE

P. FINDINGS OF FACT: UNDERGROUND STORAGE TANKS

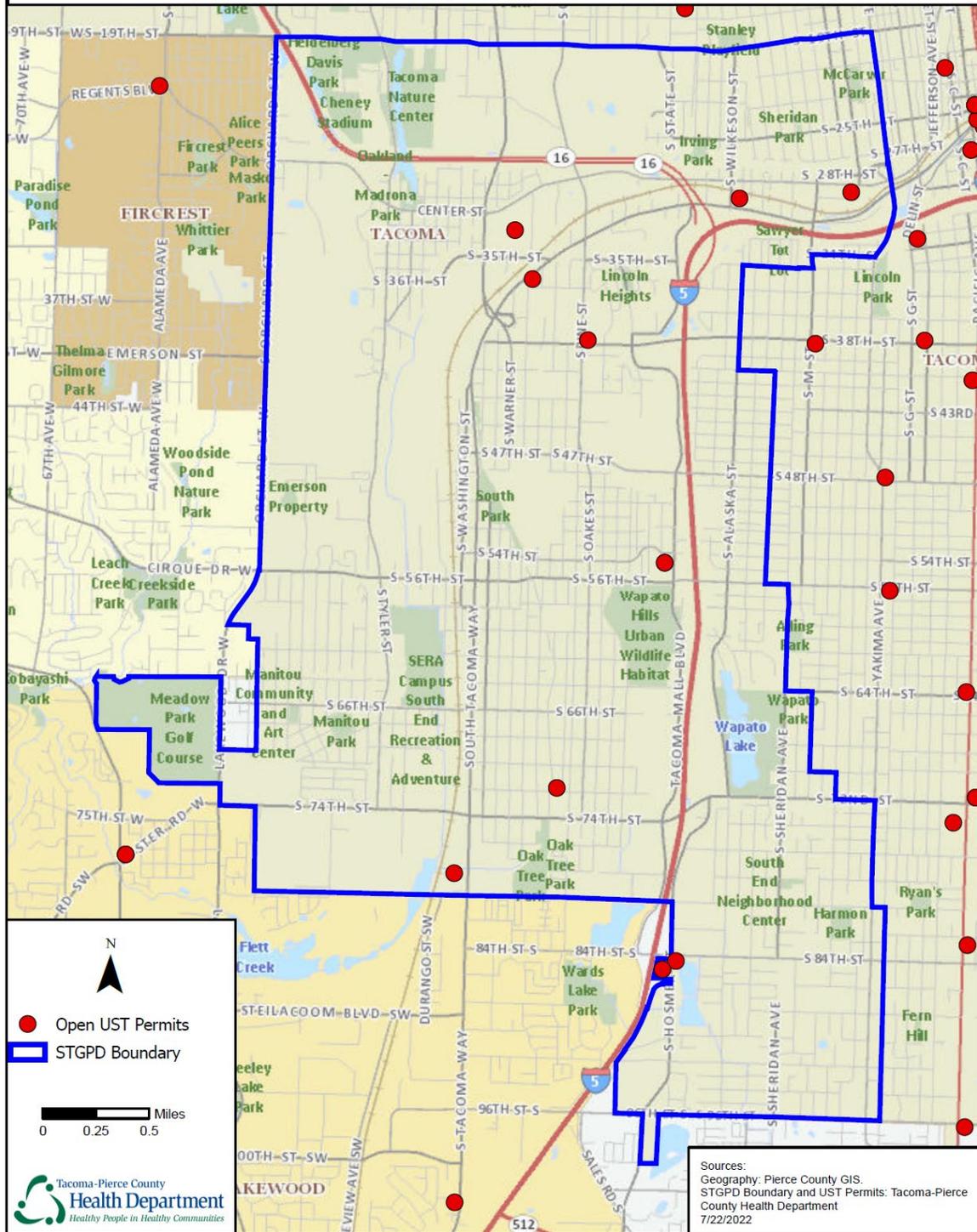
1. Open Underground Storage Tank Permits

The locations shown on the Open UST Map are sites that have not met Tacoma-Pierce County's Health Department's cleanup standards through the [Contaminated Property Cleanup Program](#). These sites are under active regulatory oversight to complete cleanup.

In Pierce County, cleanup of UST contaminated sites is required and not voluntary per [Environmental Health Code, Chapter Four](#).

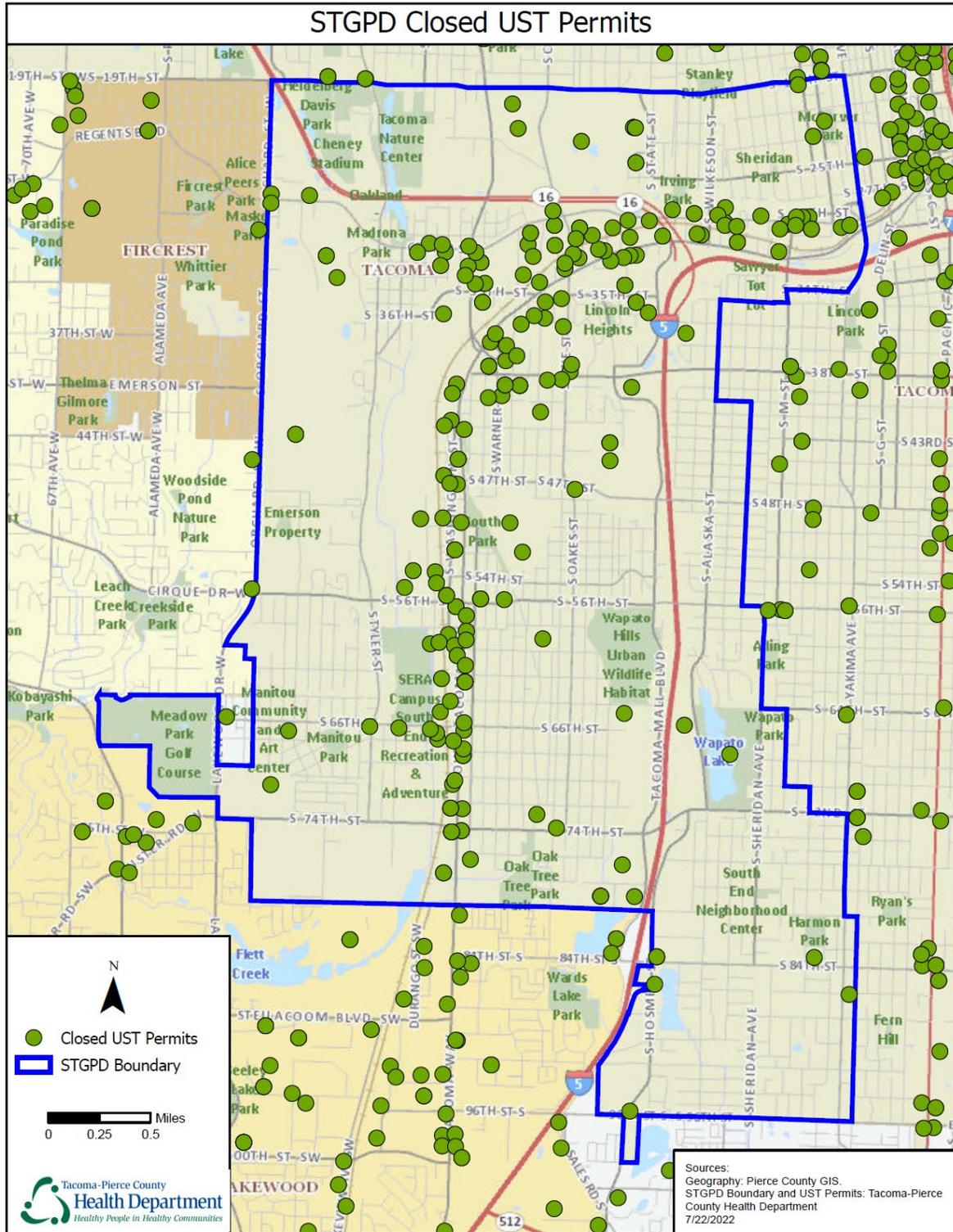
We work with property owners to bring contaminated sites into compliance.

STGPD Open UST Permits



2. Closed Underground Storage Tank Permits

The locations on the Closed UST Map show sites that have completed cleanup required by [Environmental Health Code, Chapter Four](#).



Q. FINDINGS OF FACT: PLANNING COMMISSION’S REVIEW PROCESS

Amended Substitute Resolution No. 40985 directs the Planning Commission to conduct a public process to develop findings of fact and recommendations within 60 days as to whether a moratorium is warranted. The Commission conducted reviews of the subject at its regular meetings on July 6, July 20, August 3 and August 17, 2022. All meetings were open to the public. Notices of these meetings were disseminated to those on the Commission’s e-mail distribution list. The Commission was not required, nor would there have been sufficient time, to conduct a public hearing as part of the “public process.” Instead, Planning staff conducted a Community Informational Meeting on July 27, 2022 to inform participants of the project and solicit feedback. Notice of the community meeting was disseminated to those on the Commission’s e-mail distribution list, as well as posted on Tacoma News Release and social media. The Commission’s review process can be summarized in the schedule below:

Date	Actions
June 28, 2022	Council adoption of Amd. Sub. Res. #40985
July 6, 2022	PC review – Scope, Process, and Planning Context
July 20, 2022	PC review – Agency Perspectives
July 27, 2022	Community Informational Meeting (virtual), 5:00 p.m.
August 3, 2022	PC review – public comments, land use, permitting, fire PC deliberation of Findings of Fact and Recommendations
August 17, 2022	PC completes Findings of Fact and Recommendations
August 27, 2022	Deadline for PC per Res #40985
September 20, 2022	Council review of PC’s recommendations
October 2022	Council actions

Planning Commission agendas, minutes, handouts, presentations, and meeting recordings are available on the Commission’s website, under the subpage of “Agendas and Minutes”, at: http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/

The recording and presentation for the community informational meeting are posted, along with pertinent information about this consideration for a moratorium, on the project website at www.cityoftacoma.org/MoratoriumSTGPD.

R. FINDINGS OF FACT: PUBLIC COMMENTS

Public comments reviewed and considered by the Planning Commission include those received at/through the following events:

- The meetings of the City Council and its IPS Committee in May-June 2022 when the 2022 Amendment was on the agendas, including the public hearing on June 7, 2022
- The meetings of the Planning Commission in April-May 2022 when the 2022 Amendment was on the agendas, including the public hearing on April 6, 2022, and in July-August 2022 when the STGPD Moratorium Consideration was on the agendas
- The staff-sponsored Community Informational Meeting on July 27, 2022

With respect to the consideration for a moratorium in STGPD, some of the more significant, recurring comments include:

- Support a moratorium and pause all permitting within STGPD until outdated code is updated based on best available science
- Support objective/independent study done by experts for the infiltration recharge of the aquifer
- Strengthen monitoring of hazardous materials and chemicals
- Being outside of compliance with state and federal standards could jeopardize funding
- Factor in climate change
- Need proper infiltration recharge to keep aquifer at healthy level; infiltration recharge needs to be part of the review

S. CONCLUSIONS:

1. General

- a. The Commission's findings of fact are based on the information presented by staff from the City of Tacoma, Tacoma Water, and Tacoma-Pierce County Health Department across four meetings from July 6 to August 17, 2022, as well as information provided through public comment.
- b. Given the 60 day-time limit for the Commission's recommendations, these findings and recommendations, as well as the information considered in their development, are limited in their scope and subject to change as the Commission proceeds with the full review of the Groundwater Protection District development standards.
- c. While the Commission is comfortable that the current regulatory regime in place to protect groundwater and aquifer recharge is rigorous and comprehensive, including proactive monitoring to ensure compliance and provide early identification of any contaminants, the Commission recognizes ongoing concerns from community members regarding specific types of uses within the area, and shares in the concerns regarding the compatibility of specific types of uses within the Groundwater Protection District.
- d. As a result, the Commission concludes that a cautious approach is appropriate until additional information can be reviewed to ensure that allowed uses are compatible with the area and do not present a significant risk to groundwater resources.
- e. Therefore, the Commission concludes that a moratorium is warranted within the South Tacoma Groundwater Protection District until the conclusion of the Groundwater Protection Code update can be completed in 2023.

2. Groundwater Protection and Aquifer Recharge

- a. Based on information from Tacoma Water, the South Tacoma Aquifer has seen no reduction in water supply despite the growth and development that has occurred in Tacoma and Pierce County over the past few decades.
- b. The South Tacoma groundwater aquifer is used to supply 40% of drinking water during drier parts of the year and will become more critical to the well-being of residents over time as the City grows by 127,000 residents by 2040.

- c. Climate forecasts as represented by the [2014 National Climate Assessment](#) indicate that the Pacific Northwest will likely incur drier summers with less rainfall, putting greater strain on freshwater supplies during peak usage periods. This growing stress to the freshwater supply is one effect of climate change that is referenced in the City Council's declaration of a Climate Emergency in Resolution 40509.
- d. These scientific findings and Council's emergency declaration supports the Commission's findings that additional actions to protect the South Tacoma groundwater aquifer and its recharge area from industrial and commercial chemical contamination may be warranted and justifiable.

3. Heavy Industrial Uses

- a. Heavy Industrial uses are currently allowed in two zoning districts within the South Tacoma Groundwater Protection District, including the M-2 Heavy Industrial Zoning District and the Commercial Industrial Mixed-Use District within the Tacoma Mall Regional Growth Center.
- b. These zoning districts currently comprise 720 acres of land area within the STGPD and approximately 9% of the total land area.
- c. Recent permit trends indicate that the predominant uses locating in the area are light industrial uses, such as storage and warehousing, though a metal recycling facility was recently permitted as a heavy industrial use within the area.
- d. With the recent permit application for warehousing to be located at the South Tacoma Field site, the vacant land within the area is in limited supply with most buildable lands identified as "underutilized" properties with existing uses and a lower likelihood of near-term redevelopment.
- e. Based on existing regulations, including the recently adopted Tideflats Non-Interim Regulations, heavy industrial uses are significantly limited within the area.
- f. As a result, the Commission concludes that there is a low probability of new heavy industrial uses becoming vested, with the exception of metal recycling, during the planning horizon for the groundwater code update and Economic Green Zone planning processes, and that uses that would constitute a "worst case" scenario for groundwater protection are already prohibited.
- g. Further, the Commission concludes that a broad moratorium on heavy industrial uses could detrimentally impact uses that are considered heavy industrial, but do not constitute a significant risk to groundwater protection.
- h. Finally, while the Commission broadly shares concerns with community members regarding the compatibility of heavy industrial uses within close proximity to dense, urban neighborhoods, and the potential off-site impacts associated with such uses, the Commission concludes that these concerns expand beyond the nexus with groundwater protection and are more appropriately considered within the Economic Green Zone planning effort.

4. Hazardous Material Storage

- a. The Groundwater Protection District currently prohibits primary uses that involve hazardous material storage and processing that are determined to be incompatible with groundwater protection.
- b. Based on information from the Tacoma Fire Department and Tacoma-Pierce County Health Department, a broad range of both industrial and non-industrial uses involve some degree of small-scale hazardous substance storage and processing as part of their operations.

- c. Uses with a minimum of 220 pounds or 35 gallons of hazardous substances are required to get permits from the Tacoma-Pierce County Health Department.
- d. These uses include automotive uses, manufacturing, and gas stations, as well as, schools, paint supply and big box retail, breweries and other utility and governmental uses.
- e. These uses are subject to bi-annual inspection at a minimum and monitoring by the Tacoma-Pierce County Health Department as well as the Tacoma Fire Department.
- f. Many of these uses have not been identified as uses of concern by community members who have provided comments through this process.
- g. The Planning Commission therefore concludes that a broad moratorium on hazardous materials storage could have a detrimental impact on uses currently allowed within this area who are subject to permits for small scale hazardous material storage, resulting in unintended consequences.
- h. Further, the Planning Commission concludes that the risks associated with these small-scale storage sites are generally limited and appropriately minimized through current regulations.
- i. A broad moratorium could also result in equity impacts, by limiting common commercial and educational uses and other services commonly enjoyed in other neighborhoods.
- j. While the Commission concludes that a broad moratorium is not warranted, the Commission does conclude that a moratorium is warranted for specific uses within the district that have been commonly associated with more significant volumes of hazardous material storage and with historic sources of contamination.

5. Economic Green Zone

- a. The public comments the Commission has received reinforce the importance of appropriately funding and resourcing the Economic Green Zone Subarea Plan for South Tacoma.
- b. Many of these expressed concerns, specifically pertaining to air quality impacts from new industrial activity and increase in truck traffic, fall outside the scope of this moratorium discussion, as directed by the City Council, and likewise are not issues limited to South Tacoma, but potentially impacting other communities within Tacoma.
- c. Based on the Tacoma Equity Index, much of the South Tacoma neighborhood is evaluated as low opportunity, disproportionately impacting people of color.
- d. The Commission concludes that the Economic Green Zone Plan is a critical need to redress environmental harms and support an environmentally just and sustainable future for South Tacomans.

6. Underground Storage Tanks (including gas stations)

- a. Sites with active USTs currently used for fueling (gas stations) are subject to inspections from Department of Ecology (every three years) and Tacoma-Pierce County Health Department (bi-annual). During these inspections, [similar items](#) are checked to ensure the tanks are properly functioning.
- b. The Planning Commission concludes that a broad moratorium on USTs could have a detrimental impact on existing businesses who are required to replace tanks as part of their scheduled maintenance and operations. Replacing aging UST tanks will improve groundwater protection and compel cleanup if any leaks or contamination is found during the tank removal process.

- c. While the Commission concludes that a broad moratorium is not warranted, the Commission does conclude that a moratorium is warranted for new USTs, not associated with replacement of an existing UST located within the STGPD

7. Metal Recycling and Auto Wrecking

- a. Metal recycling and auto wrecking facilities were identified as a specific use of community concern in the South Tacoma Neighborhood Council application to review the groundwater code and to establish an Economic Green Zone in South Tacoma.
- b. Metal recycling and auto wrecking present a risk of contamination from petroleum products commonly associated with combustible engines and vehicles.
- c. As such, these facilities are currently subject to the development standards and permit requirements of the South Tacoma Groundwater Protection District.
- d. While the Groundwater Protection District standards are intended to minimize and contain the risk of a spill and new contamination that could potentially affect groundwater resources, the Commission concludes that the specific risk associated with these uses warrants further evaluation and consideration to determine if current codes are sufficient to adequately address the potential impacts of these uses or if these uses are incompatible with groundwater protection.

T. RECOMMENDATIONS:

1. Based on these findings of fact and conclusions, the Planning Commission recommends that a moratorium within the South Tacoma Groundwater Protection District is warranted. However, a broad moratorium could result in detrimental, inequitable and/or disproportionate impacts to diverse businesses and uses that are of various types, purposes, characteristics, operations and maintenance needs, and risks to the environment. The Commission suggests that taking a cautious approach would be more appropriate and pragmatic.
2. The Commission recommends that the City Council consider enacting a targeted and specific moratorium on the establishment of new metal recycling/auto wrecking facilities, vehicle service and repair, vehicle service and repair – industrial, and underground storage tanks. The moratorium should additionally limit the expansion of existing facilities but allow for normal maintenance, repair, and replacement activities of existing uses.
3. The duration of the moratorium should apply initially for a period of one year, to be resolved through the South Tacoma Groundwater Code update as part of the 2023 Amendment to the Comprehensive Plan and Land Use Regulatory Code which is scheduled to be forwarded to the City Council for consideration in May/June of 2023.
4. According to the Tacoma Municipal Code, Section 13.05.030.E.3, “Moratoria or interim zoning may be effective for up to one year if a work plan is developed for related studies requiring such longer period.” The Commission recommends that the “Work Plan for STGPD Code Amendments” adopted by Amended Substitute Resolution No. 40985 on June 28, 2022, as part of the 2022 Annual Amendment, be referenced as the base for such a work plan for the one-year moratorium, with its scope and implementation schedule properly adjusted according to the need of the moratorium.
5. The Commission recommends that the City Council pursue broad-based community engagement and outreach before and after enacting the moratorium to ensure both

supportive and opposing viewpoints are heard and those businesses that may be affected by the moratorium are properly involved in the process.

6. The Commission acknowledges and appreciates the expertise and support from our partnering agencies, including the Tacoma-Pierce County Health Department, the Tacoma Water, the Environmental Services Department, the Fire Department, and the Planning and Development Services Department. As the consideration for a moratorium moves forward, the Commission recommends that there is a need to engage with additional subject matter experts (SMEs), such as those from the State's Department of Ecology and the City's Economic Development Department. To the extent feasible, consultant services may be retained, as some citizens have suggested.
7. The Commission further recommends that the City of Tacoma and Tacoma-Pierce County Health Department, as part of the Groundwater Code update, evaluate funding barriers and opportunities to accelerate the cleanup and remediation of contaminated sites within the South Tacoma Groundwater Protection District.
8. While the findings of fact support that despite decades of development within Tacoma and Pierce County aquifer levels and the availability of drinking water have not declined, the management of these resources must take into account the future impacts of climate change. The Commission recommends that the City Council and/or Tacoma Public Utility consider funding an independent study of how forecast climate change may specifically impact these resources in the future.
9. Based on the information provided by Tacoma Water, the Commission recognizes that aquifer recharge and the sustainability of this source of drinking water extends beyond the jurisdiction of the City of Tacoma. As such, the Commission recommends that City staff engage the other countywide jurisdictions to jointly review development practices that may impact aquifer recharge and to recommend and coordinate improvements to Comprehensive Plan policies and development regulations.
10. Finally, the Commission recommends that the City Council fully fund and staff the Economic Green Zone/South Tacoma MIC Subarea Plan and Environmental Impact Statement. This is a critical effort to re-evaluate the future of industrial use and activity in South Tacoma and to consider how we increase employment opportunities while ensuring a healthy, safe, and sustainable environment for South Tacomans. While the Commission is aware of the potential budget reductions being considered as part of the upcoming biennial budget, this project should be considered a high priority for funding.

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MCKINLEY HILL
NEIGHBORHOOD

FAIR

Saturday, September 10
11am-2pm

Rogers Playfield, 3151 East L St



Join us for the McKinley Neighborhood Fair: A way to celebrate what makes McKinley unique!

Meet your neighbors, get connected with neighborhood organizations and resources, and share your feedback on the McKinley Neighborhood Plan.

Can't make the event?

Share your feedback on the McKinley Neighborhood Plan through September 19:
<https://engagepiercecounty.mysocialpinpoint.com/mckinleynp>

During the event:

- Free refreshments from Rucá's Mexican Food Truck and Rez Boyz Frybread (while supplies last)
- Bring your child's bike or scooter for a bike rodeo
- Listen to Tacomarama Community Street Band
- Watch a live chalk mural by a local artist
- Participate in storm drain stenciling with designs by local artists
- And join in other fun games and activities for kids!

About the Neighborhood Planning Program

This event is part of the City of Tacoma's pilot Neighborhood Planning Program. Throughout 2022, we are working with you and your neighbors to implement your vision for the future of McKinley.

This event is brought to you in partnership with
DOMETOP NEIGHBORS & EASTSIDE
NEIGHBORHOOD COUNCIL

Learn more at:

<https://cityoftacoma.org/neighborhoodplanning>,
or email us at neighborhoodplanning@cityoftacoma.org to be added to our email list.

