



TO: Elizabeth A. Pauli
FROM: Stephen Atkinson, Principal Planner, Planning and Development Services
Peter Huffman, Director, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Ordinance - Extension of the Tideflats Interim Regulations - May 18, 2021
DATE: May 12, 2021

SUMMARY AND PURPOSE:

An ordinance approving an extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470 and extended by Ordinance Nos. 28542, 28583, 28619, and 28671, and Amended Ordinance No. 28696, for up to six months, and referring proposed permanent regulations to the Infrastructure, Planning, and Sustainability Committee for review and recommendation to the full City Council no later than August 31, 2021.

BACKGROUND:

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

October 4, 2017, the Commission forwarded its recommendation to the City Council for consideration. In support of these deliberations the Commission conducted a public hearing, at which 81 people testified, and over 200 written comments were reviewed.

Following its own public hearing, and substantial community input and deliberation, the City Council, on November 21, 2017, adopted Amended Ordinance No. 28470, which includes the following elements:

- Category 1: Expanded public notification for heavy industrial use permits;
- Category 2: Temporary prohibition of new non-industrial uses in the Port of Tacoma Manufacturing and Industrial Center;
- Category 3: Temporary prohibition of new residential development along Marine View Drive and NE Tacoma slopes; and
- Category 4: Temporary prohibition on certain potentially high risk/high impact industrial uses.

Following the initial approval, the Interim Regulations have been extended by Ordinance Nos. 28542, 28583, 28619, 28671 and Amended Ordinance No. 28696.

COMMUNITY ENGAGEMENT:

The Tideflats Interim Regulations were adopted through a legislative process that included broad community input. The public notice and engagement was documented in the Planning Commission’s Findings and Recommendations Report, available online at www.cityoftacoma.org/tideflatsinterim. Subsequently the ordinance has been re-authorized through a public process on five prior occasions.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

This ordinance is a temporary pause on certain uses and development activity for such time as the City and partner governments can conduct the Tideflats Subarea Planning Process. The Subarea Plan will include a rigorous



environmental review, include equitable community engagement, identify probable impacts of development in the Tideflats and whom will be predominantly impacted. Upon the completion of that analysis, the process will identify alternatives for Council consideration as to how to mitigate those impacts.

Economy/Workforce: *Equity Index Score:* Moderate Opportunity

Increase the number of diverse livable wage jobs.

Increase positive public perception related to the Tacoma economy.

Livability: *Equity Index Score:* Very Low Opportunity

Improve health outcomes and reduce disparities, in alignment with the community health needs assessment and CHIP, for all Tacoma residents.

Increase positive public perception of safety and overall quality of life.

Explain how your legislation will affect the selected indicator(s).

The Tideflats Interim Regulations are a temporary pause on certain types of new uses and development activities. The regulations limit the conversion of industrial lands to non-industrial uses and prevent additional residential encroachment on existing industrial areas. The Findings of Fact supporting the interim regulations recognize the critical importance of maintaining industrial lands for employment growth that is accessible to Tacomans. In addition, the Subarea Plan will provide a high opportunity for community engagement in planning for the long-term future of the tideflats. The Subarea Plan will be inclusive of underrepresented communities in the planning process and provide an open and transparent legislative process in partnership with the Port of Tacoma, Puyallup Tribe of Indians, City of Fife, and Pierce County. The process is intended to increase trust between the five governments as well as increase trust and confidence in planning processes among Tacoma's business and residential communities.

ALTERNATIVES:

The City Council may consider amendments to the ordinance. However, there are no alternatives under consideration at this time.

EVALUATION AND FOLLOW UP:

The Tideflats Interim Regulations are reviewed on a six-month basis until such time as non-interim regulations are approved. The Tideflats Subarea Plan will include an area-wide Environmental Impact Statement as well as other supportive studies that will provide the City Council with additional evaluation of the City's industrial zoning districts and uses.

STAFF RECOMMENDATION:

Staff recommends conducting the final reading on May 18, 2021, to extend the Tideflats Interim Regulations for up to six months, and referring proposed permanent regulations to the Infrastructure, Planning, and Sustainability Committee for review and recommendation to the full City Council no later than August 31, 2021.

FISCAL IMPACT:

The proposed amendments to public notification requirements will primarily impact the Planning and Development Services' Enterprise Fund. Each expanded notice costs about \$3,100 (\$1,700 for printing and \$1,400 for postage). Permits generate two mailings, so each discretionary permit costs about \$6,200 just in mailings.



City of Tacoma

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Costs are offset by an additional \$2,070 application fee. The type and number of annual permits that would require these mailings is expected to be limited. Impacts to the General Fund are expected to be limited.

What Funding is being used to support the expense?

Enterprise Fund and General Fund

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

YES

The Tideflats Interim Regulations have been in effect since 2017 and have been intended to remain in effect until the Tideflats Subarea Plan is completed or other non-interim regulations are approved by the City Council.

Are there financial costs or other impacts of not implementing the legislation?

NO

Will the legislation have an ongoing/recurring fiscal impact?

YES

Will the legislation change the City's FTE/personnel counts?

NO