



## ORDINANCE NO. 28696

1 AN ORDINANCE approving a six-month extension of the Tideflats Interim  
2 Regulations, as originally approved by Amended Ordinance No. 28470  
and extended by Ordinance Nos. 28542, 28583, 28619, and 28671.

3 WHEREAS, on May 9, 2017, the City Council adopted Amended  
4 Resolution No. 39723, initiating the subarea planning process for the Tideflats  
5 area, and further, requesting that the Planning Commission consider the need for  
6 interim regulations in the Tideflats area while the subarea planning process is  
7 underway, and  
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9 WHEREAS the Planning Commission (“Commission”) determined that  
10 interim regulations were warranted, and on October 4, 2017, the Commission  
11 forwarded its recommendation to the City Council for consideration, and  
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13 WHEREAS, in support of these deliberations, the Commission conducted a  
14 public hearing at which 81 people testified, and reviewed over 200 written  
15 comments, and  
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17 WHEREAS, following its own public hearing and substantial community  
18 input and deliberation, the City Council, on November 21, 2017, passed  
19 Amended Ordinance No. 28470, which included the following elements:

- 20 • Category 1: Expanded public notification of heavy industrial use permits;
- 21 • Category 2: A temporary prohibition of new non-industrial uses in the Port of  
22 Tacoma Manufacturing and Industrial Center;
- 23 • Category 3: A temporary prohibition of new residential development along  
24 Marine View Drive and NE Tacoma slopes; and
- 25 • Category 4: A temporary prohibition on certain types of new heavy industrial  
26 uses,

and



1           WHEREAS, on November 13, 2018, following another public hearing,  
2 substantial community input, and City Council deliberation, the City Council  
3 passed Ordinance No. 28542, extending the Tideflats Interim Regulations for an  
4 additional six-month period, and  
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6           WHEREAS, on May 21, 2019, following another public hearing and  
7 deliberations, the City Council passed Ordinance No. 28583, extending the  
8 Tideflats Interim Regulations for an additional six-month period, and  
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10           WHEREAS, on November 12, 2019, following another public hearing and  
11 deliberations, the City Council passed Ordinance No. 28619, extending the  
12 Tideflats Interim Regulations for an additional six-month period, and  
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14           WHEREAS, on May 19, 2020, following another public hearing,  
15 substantial community input and deliberation, the City Council passed Ordinance  
16 No. 28671, which extended the Tideflats Interim Regulations for another six-  
17 month period, and  
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19           WHEREAS, Ordinance No. 28671 is set to expire on December 2, 2020,  
20 and the Tacoma Municipal Code ("TMC"), consistent with state law, allows the  
21 City Council to consider reauthorization of the interim regulations every six  
22 months subsequent to the initial one-year authorization period, and  
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24           WHEREAS, the City Council has determined that it is necessary to  
25 extend the interim regulations for an additional six-month period; Now,  
26 Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That a six-month extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470, passed November 21, 2017, extended by Ordinance No. 28542, passed on November 13, 2018, extended by Ordinance No. 28583, passed on May 21, 2019, extended by Ordinance No. 28619, passed November 12, 2019, and extended by Ordinance No. 28671, passed on May 19, 2020, is hereby approved.

Section 2. That the Tacoma Planning Commission is hereby directed to review these Interim Regulations, and recommend non-interim regulations to replace them for consideration by the City Council by April of 2021. In undertaking this work, the Commission will consider only those issues and uses initially addressed by Amended Ordinance No. 28470, and will limit the scope of work to those regulatory options reviewed in the public record. The Commission should seek substantive input from the Port of Tacoma, the Puyallup Tribe, and other governments and stakeholders of the Tacoma Tideflats.

Further, the Commission will review and assess approaches to regulate the expansion of existing uses, and consider new findings of fact, including any lessons learned from permitting in the time since the regulations were put into effect, and changes to baseline conditions.



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The Commission's recommendations should provide clarity and predictability for industry and community, particularly given the current COVID-19 crisis and economic impacts.

Passed \_\_\_\_\_

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney