



TO: Elizabeth Pauli, City Manager
FROM: Stephen Atkinson, Senior Planner, Planning and Development Services
Peter Huffman, Director, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: **Ordinance – Adopting the Tideflats Interim Regulations**
Requested City Council Date: November 14, 2017
DATE: November 1, 2017

SUMMARY:

Adopting the Tideflats Interim Regulations as recommended by the Planning Commission on October 4, 2017, and amending the Tacoma Municipal Code accordingly.

STRATEGIC POLICY PRIORITY:

This action is most closely associated with the strategic policy priority to “Assure outstanding stewardship of the natural and built environment.”

BACKGROUND:

On May 9, 2017, the City Council adopted Amended Resolution No. 39723, to initiate the subarea planning process for the Tideflats area, allocate resources necessary to move forward with the plan, and request the Planning Commission to immediately begin discussions regarding the need for interim regulations related to the Container Port Element while the subarea planning process is underway.

The Planning Commission commenced deliberations on June 21 and concluded on October 4, 2017. The Planning Commission conducted a public hearing on September 13, 2017 to broadly engage the community and stakeholders in the development of the proposed interim regulations.

The Planning Commission concluded that interim regulations were appropriate and balanced to address multiple community concerns during the development of the subarea plan. The Commission’s recommendations include:

Exhibit A: Expanded Notification for Heavy Industrial Uses

- Expand notification of heavy industrial use permits to taxpayers and interested parties.
- The notification distances are expanded to 2500’ from the subject parcel. For projects located within a designated manufacturing and industrial center, the 2500’ notification distance is measured from the boundary of the applicable M/IC boundary.
- This expanded notification applies to all heavy industrial projects city-wide that require a discretionary permit or SEPA determination.

Exhibit B: Non-industrial Uses in the Port of Tacoma M/IC

- These amendments would pause certain new non-industrial uses within the Port of Tacoma M/IC. The amendments would apply to the M-2 Heavy Industrial and PMI Port Maritime Industrial zoning districts within the M/IC.
- The specific uses identified include, but are not limited to:
 - Destination/high intensity parks and recreation,
 - Agriculture,
 - Residential uses,
 - Hospitals,

- Airports,
- Schools (K-12),
- Retail,
- Cultural institutions, and
- Care facilities.
- Existing non-industrial uses subject to the pause would be considered allowed uses subject to limitations on expansion per TMC 13.06.630 Nonconforming uses.

Exhibit C: Marine View Drive Residential Development Restrictions

- These amendments would pause all new residential platting and subdivision of land along Marine View Drive.
- Residential development within the S-11 Shoreline District and applicable commercial districts would be paused for the interim period.
- Property owners in the R-1 and R-2 single family zoning districts would be allowed to build a residential unit on existing legal lots under current zoning and development standards.

Exhibit D: Heavy Industrial Special Use Restrictions

- These interim regulations would pause the establishment of the following heavy industrial uses:
 - Coal terminals and bulk storage facilities
 - Oil or other liquefied fossil fuel terminals, bulk storage, manufacturing, production, processing or refining
 - Bulk chemical storage, production or processing, including acid manufacture
 - Mining and quarrying
- Existing uses as noted above would be considered allowed with limited expansion of 10% storage, production, or distribution capacity during the interim period, subject to a conditional use permit.
- Unlisted uses would be prohibited and subject to TMC 13.05.030 Director Decision Making Authority.

ISSUE:

The Tideflats Subarea Plan is expected to commence at the beginning of 2018 and take up to two years to complete. The central issue of the Tideflats Interim Regulations is whether, in order to maintain the integrity of the subarea planning process, certain uses and developments should be “paused” until the City and stakeholders can develop a long-term plan for the Port/Tideflats. The public testimony Council has received is representative of the broad differences in opinion about which types of uses should be paused, or whether a pause is even necessary.

ALTERNATIVES:

There are no specific alternatives being considered at this time.

RECOMMENDATION:

Conduct the first reading of ordinance on November 14, 2017, followed by the final reading of ordinance on November 21, 2017 adopting Tideflats Interim Regulations.

FISCAL IMPACT:

There is no fiscal impact.