



MINUTES (Approved on 10-18-17)

TIME: Wednesday, September 20, 2017, 5:00 p.m.
PLACE: Council Chambers, Tacoma Municipal Building, 1st Floor
747 Market Street, Tacoma, WA 98402
PRESENT: Stephen Wamback (Chair), Carolyn Edmonds, Brett Santhuff, Andrew Strobel,
Dorian Waller, Jeremy Woolley,
ABSENT: Anna Petersen (Vice-Chair), Jeff McInnis

A. CALL TO ORDER AND QUORUM CALL

Chair Wamback called the meeting to order at 5:05 p.m. A quorum was declared.

B. APPROVAL OF AGENDA

The agenda was approved.

C. PUBLIC COMMENTS

The public comment portion of the agenda was skipped as all agenda items had recently held public hearings.

D. DISCUSSION ITEMS

1. Tacoma Mall Neighborhood Subarea Plan and EIS

Elliott Barnett, Planning Services Division, introduced Mark Goodman, Community Attributes Inc. (CAI), who presented the draft Economic Comparative Analysis report that had been prepared to provide context for the City's evaluation of the draft Subarea Plan Actions. Mr. Goodman reviewed the approach and methodology used by CAI to analyze case studies relevant to several of the top priority proposed actions. He noted that key steps included revisiting the existing conditions in the Tacoma Mall Neighborhood; evaluation of proposed actions; workshoping with City staff and commercial stakeholders; selecting case study examples in the region; and compiling data and findings on each case study and action studies. He noted that they had evaluated four actions from the draft plan: transportation projects, new funding sources, connectivity requirements, and permit streamlining. Mr. Goodman reviewed that they had evaluated case studies from Kent, Bothell, and Bellevue. Mr. Goodman reviewed findings from each of case studies and some of the broader lessons for the Tacoma Mall Neighborhood Subarea Plan.

Commissioners provided the following questions regarding the Economic Comparative Analysis:

- Commissioner Edmonds asked when the planning began for each of the case studies and when they were included in long range transit planning. Mr. Goodman responded planning occurred prior to 2006 for Bothell and before the recession for Kent Station. He would need to do further research on when transit planning occurred.
- Commissioner Woolley asked if there had been similar timelines for other subarea plans in the other jurisdictions and how long implementation can take. Mr. Goodman responded that in the case studies there had been fairly quick implementation in terms of private investment and infrastructure investment, but full implementation could take more than 20 years.
- Commissioner Strobel asked if the BelRed and Bothell plans had identified key public infrastructure catalyst projects. Mr. Goodman responded that BelRed had implemented a lot of new streets and Bothell had redeveloped a main arterial to be more pedestrian oriented.

Mr. Barnett discussed public comments received at the public hearing on September 6 and through the comment period ending on September 15. General comments had included support for goals of the plan, that a plan was needed, and a desire to see everyone benefit from the plan with no winners or losers.

For the Urban Form chapter, public comments included support for the vision, excitement for the transition to urban development patterns, and questions as to whether the northwest district was appropriate for a smaller block size. The staff recommendation was that they should reaffirm the 600x600 foot block scale vision while also allowing flexibility for larger development with pedestrian connectivity.

For the Land Use chapter, comments included support for extending the boundary to South Tacoma Way, interest in strengthening design standards, that more parking was needed, that front doors should not be facing alleys, and comments regarding building heights. The staff recommendation was that they should finalize the zoning proposal for the Madison District, clarify the approach for front doors facing alleys, call for enhancements to design review, and update the Comprehensive Plan for consistency.

For the Housing chapter, comments mainly focused on concerns about involuntary displacement and gentrification. The staff recommendation was to consider modified affordability targets and what actions the City can take to promote affordability.

For the Transportation chapter, comments included support for improving the transportation network; support for the loop road, transit station location, I-5 off ramp, and pedestrian improvements; comments regarding project priorities; and comments from Pierce Transit and Sound Transit that the plan didn't reflect their funding plans. The staff recommendation was for minor revisions to project prioritization, adding a near term parking strategy, and coordination with transit agencies.

For the comments regarding the connectivity plans, there had been broad recognition that more connectivity was desirable, some support for the balanced proposal, and concerns that it still needed work. Mr. Barnett noted that he had also heard concerns about whether the market was ready, whether it would be an excessive burden, and whether the thresholds triggering the requirements were too low. He reported that staff was working on a modified connectivity process to increase thresholds, improve predictability, and provide discretionary City review.

For comments regarding Pedestrian Access Standards, Mr. Barnett noted general support, concerns about how many connections would be required, concerns about thresholds, concerns about topography challenges, and questions about sites with restricted access. He reported that staff would propose refinements to illustrate how they would handle different sizes of sites, some reductions to thresholds, and reduced requirements for the size of through connections.

For the Environment chapter, Mr. Barnett reported that comments included that they should be prioritizing evergreen trees, that they should be protecting the aquifer, and that there should be more emphasis on green building standards.

For the Community Vitality chapter, comments included that more businesses should be local serving, concerns regarding crime, and broad support for parks.

For the Shared Prosperity chapter, Mr. Barnett noted that there was broad support for the plan, the upfront EIS and City investment; concerns about the fragility of the economy in the area; and comments that the City should not stifle development. The staff recommendation was to carefully review connectivity and pedestrian access standards; review proposed Development Regulation Agreement criteria; revise the Catalyst Site Map; and integrate the CAI report into the findings.

For the Utilities and Services, the comments included that they should add recycling to discussions of solid waste.

For the Implementation chapter, Mr. Barnett reported that they would be adding an implementation tracking system in the EIS and highlighting the importance of funding actions.

Commissioners provided the following comments and questions:

- Commissioner Woolley suggested that as staff reconsidered the thresholds for the connectivity requirement they make sure that there is a clear reasoning for the threshold number.

- Commissioner Edmonds recommended that they be specific about which agencies they referred to when they identified strategies to coordinate with the different agencies.
- Commissioner Edmonds commented that she would like to see something included regarding the feasibility study for the relocation of the transit center.
- Commissioner Edmonds suggested including Economic Development Board and Chamber of Commerce as partners in identifying businesses to recruit in the Shared Prosperity chapter.
- Commissioner Edmonds asked if the plan took into consideration the possibility for unexpected funding sources. Mr. Barnett responded that the plan did set them up to receive money for the projects that were identified.
- Commissioner Santhuff commented that there were trees of significant size and character on private property that deserved some level of protection. He recommended that they highlight Pierce County regulations protecting Garryana oak trees in their policies.
- Commissioner Santhuff suggested that they include a recommendation to look at car dealerships on the periphery of the regional growth center for future expansion of the boundary so that it would have a more logical relationship to the streets.
- Commissioner Santhuff asked if warehousing would be allowed as conditional use. Mr. Barnett responded that they were making warehousing more of an option in the current zoning by taking it from prohibited to conditionally allowed.
- Commissioner Santhuff expressed support for a recommendation from Jori Adkins to include the Downtown boundary in Figure I-1 and that they discuss the relationship between the two growth centers, the development capacities, and why the heights were appropriate for the Mall.
- Commissioner Santhuff suggested that they have a goal to have the original street connections at South Alder and South Cedar reestablished.
- Commissioner Santhuff suggested that if the section of the Water Flume Trail near the car dealership along South Tacoma Way were routed onto Union Street, it might be a better connection to the rest of the trail and avoid some of the vehicular conflicts.
- Commissioner Santhuff asked which aspects of the loop road would be prioritized as demonstration projects. Mr. Barnett responded that they would need future analysis to select those, but higher level principles to guide that choice were welcome.
- Commissioner Strobel requested that they note if any of the listed priority transportation projects were the catch-up investments noted in Action T-18.
- Commissioner Strobel suggested that the metrics for the performance measures from Action T-29 could be borrowed from the Transportation Master Plan.
- Chair Wamback asked if they had considered incorporating the full costs that would be borne by the property owners for the Tier 2 street connections such as the potential loss of parking area. He commented that he was looking for an alternative approach to connectivity where they privatize the responsibility and provide incentives to achieve the same vision.
- Commissioner Waller suggested that staff take a longer look at the proposed 37th Street connection, as there was nothing west of Pine Street that would justify the new connection.
- Commissioner Santhuff requested that staff walk through process of how development regulation agreements would take place and what the outcomes might be at a future meeting.

Chair Wamback recessed the meeting at 6:19 p.m. The meeting resumed at 6:27 p.m.

2. Tideflats Interim Regulations

Stephen Atkinson, Planning Services Division, reviewed that the City Council had initiated the Tideflats subarea planning process and asked the Planning Commission to consider the need for interim regulations to pause certain kinds of development. He reviewed the discussions from four previous meetings at which interim regulations had been considered. Mr. Atkinson reported that 14,000 notices had been mailed out regarding the Commission's public hearing on September 13th and they had received over 200 written comments and testimony from 81 people. He reviewed that there were four main proposals in the interim regulations: expanded notification for heavy industrial uses; prohibition of certain non-industrial uses; prohibition of new residential development along Marine View Drive; and prohibition on establishing certain new heavy industrial uses.

Mr. Atkinson reviewed that the expanded notification proposal would apply to heavy industrial uses citywide in cases where there is a discretionary permit application or a SEPA determination is required. The proposal would expand the notification radius to 2500 feet from the boundary of the manufacturing/industrial center (M/IC). Mr. Atkinson noted that they could consider modifications to the notification distance or thresholds, though the recommendation was to maintain the current proposal.

Commissioners provided the following comments and questions:

- Commissioner Edmonds asked why expanded notification was being proposed as an interim regulation and not a permanent regulation. Mr. Atkinson responded that there might be further discussion of the notification distances or methodologies during the subarea planning process.
- Commissioner Strobel asked if there was a way permits could be geographically organized so staff could provide a general link to the public. Mr. Atkinson responded that information was available online through the Tacomapermits.org website and they were looking into adding more information to their maps.
- Chair Wamback asked if they were setting a stage where they would eventually have to provide expanded notification for every type of land use.
- Chair Wamback asked if the public notices for development projects were being paid for by the developers as part of their permit fees or from the general tax revenue. Mr. Atkinson responded that the City was paying for the costs of notification.

Mr. Atkinson reviewed that the second proposal would prohibit new non-industrial uses, including all residential uses, in the Port of Tacoma Manufacturing/Industrial Center (M/IC). He noted the presence of a small area of M-1 light industrial in the Dome District and commented that a number of uses proposed for prohibition were currently only allowed in M-1. The staff recommendation was to allow those specific uses in M-1 as permitted, while maintaining prohibitions on some of the other items. Mr. Atkinson reviewed options for consideration including whether to allow limited expansion per non-conforming use provisions, narrow the list of prohibited uses in the M-1 area, or exclude all of the M-1 area from the list of prohibited uses. Staff recommended allowing limited expansion per non-conforming use provisions and narrowing the list of prohibited uses in the M-1 area.

Commissioners provided the following comments and questions:

- Commissioner Edmonds asked why they were not solely focused on fossil fuels which had been the concern of the vast number of people who spoke at the public hearing.
- Commissioner Woolley asked how they had arrived at allowing limited expansion with non-conforming use provisions. Mr. Atkinson responded that they had originally proposed the expansion allowance for heavy industry and then extended it to the non-industrial uses which were also being prohibited to allow expansion of existing uses.
- Commissioner Waller asked why cultural institutions were limited from expanding. Mr. Atkinson responded that it was strictly because they were non-industrial.
- Chair Wamback suggested that the wording for the interim regulations use the term “temporary interim prohibition” instead of “prohibition”, which sounded final.
- Chair Wamback commented that he viewed the area between south Downtown and the Dome District as a transition area and would support removing the M-1 area from the prohibition proposals since the area did not have the same long term direction on industrial use.
- Commissioner Strobel commented that he would support removing M-1 from consideration due to its location and the proximity of the Sound Transit Station.

Mr. Atkinson discussed correctional facilities, which were included in the scope of the topic of non-industrial uses. He reviewed that the initial staff proposal was to leave correctional facilities as currently permitted, recognizing that the issue was on the work program for permanent regulations later that Fall.

The third proposal was for prohibition of all new platting and residential development along Marine View Drive. Mr. Atkinson reviewed the public comments that had been received including concern that it was not reflective of the interests heard from the application from northeast Tacoma. He reviewed options for the Commission to consider including eliminating restrictions, modifying the boundary, or continuing to prohibit new platting while allowing building of legal lots. The staff recommendation was to allow reasonable use and focus on the platting of new lots which had been the primary area of concern.

Commissioners provided the following comments and questions:

- Commissioner Santhuff asked what the consequences would be for commercial properties that would be prohibited from multifamily construction. Mr. Atkinson responded that the commercial zoning provided a lot of flexibility for other development that could be done in the area.
- Chair Wamback asked if the proposal would prevent residential zonings from being rezoned in the future. Mr. Atkinson clarified that it would not.
- Commissioner Edmonds reviewed that testimony at the public hearing had been clear about existing residences having great concerns about noise and pollution from industrial uses. She expressed preference for having a pause on the construction of new residential uses while they evaluated the issue.
- Commissioner Waller asked for staff to explain how they define a reasonable use. Steve Victor, Deputy City Attorney, responded that it depended on the property, where a single residential lot didn't have a lot of other uses while a commercial property had far more viable uses.
- Commissioner Edmonds asked how allowing development above Point Woodworth wouldn't result in the same kinds of concerns and issues. Mr. Atkinson responded that a lot of the remaining properties on the slope were very large lots and the prohibition on platting would prevent those properties from having more than one home.
- Chair Wamback asked if, instead of a pause on residential development, the City could record an informational statement for developers and potential property owners to notify them that there was an industrial area close by. Mr. Atkinson responded that it was something that they had done in other cases.
- Commissioner Strobel commented that he would prefer a pause on residential development so that the subarea planning process could move forward.
- Commissioner Santhuff asked what kind of mitigation they could put forward if they were allowing one unit per parcel. He suggested that if they couldn't put forward the limitation, he hoped that they would do something so that multifamily construction didn't happen along Marine View Drive.

Mr. Atkinson discussed the fourth proposal which would place restrictions on five types of heavy industrial uses, prohibiting new uses while allowing existing uses to expand without limitations. He noted that the applicability for the proposal was citywide wherever heavy industrial uses were allowed. Mr. Atkinson reviewed the public comments that had been received, highlighting concerns about economic impacts, relationships between businesses, modifying the list of uses, and the amount of expansion allowed. He reviewed options for the Commission to consider including narrowing the focus to fossil fuel industries, expanding the list of uses, or changing how the expansion of existing uses was allowed. The staff recommendation was for an expanded list of prohibited new uses and a conditional use permit (CUP) process for existing uses to provide more discretion to review impacts and evaluate need.

Commissioners provided the following comments and questions:

- Commissioner Santhuff commented that he wanted to have a hard limit on the amount of expansion allowed.
- Commissioner Strobel asked to clarify if the RCW considered moratoria a temporary stop gap measure to develop permanent regulations and not permanent regulations themselves. Mr. Victor confirmed that moratoria provided an opportunity to pause intervening development that could negate the outcome of a subarea plan.
- Commissioner Strobel reviewed that almost one third of the public comments had mentioned existing uses and it would be prudent to address existing uses in a manner that limits them in some form. Mr. Atkinson responded that one option would be to reinstate a hard cap on expansion, consistent with how they handled non-industrial uses.
- Commissioner Edmonds noted that existing businesses were already subjected to many regulations and if they were mandated to make changes by other agencies, she did not want them to have to go through a CUP process in order to comply.
- Commissioner Edmonds asked if concerns about Joint Base Lewis-McChord's dependence on the Port were justified. Mr. Atkinson responded that they wouldn't want to be in the position where it would negatively impact JBLM's ability to function.

- Commissioner Santhuff noted comments about restricting rail terminals related to fossil fuels, asking if there were legal reasons to exclude rail terminals. Mr. Atkinson responded that there were jurisdictional concerns over their ability to regulate rail facilities.
- Chair Wamback asked if there had been any comments about limiting the heavy industrial restrictions to the Port and not the entire City. Mr. Atkinson responded that he couldn't recall any. Chair Wamback asked when they would have the work program to discuss the interim regulations for South Tacoma. Mr. Atkinson responded that they would have an economic analysis as part of the Port subarea plan, which would identify concerns with specific types of uses and potential mitigation that might be appropriate outside of the Port. They would need to have that discussion within those studies or through a separate process for the South Tacoma M/IC.
- Chair Wamback commented that he would like to restrict the discussion to coal terminals and oil, noting there had been a lot of community interest about negative impact of the fossil fuel industry. He asked why they couldn't pause and focus on the thing that they were paused for. Mr. Atkinson responded that they would have to develop findings that support narrowing the list further.
- Commissioner Strobel recommended against expanding the list of restricted uses as the Commission had already gone through a process to determine the level of risk for those uses.
- Commissioner Santhuff commented that he was not in favor of reducing the list to coal and oil. He requested that staff return with the expanded list and include details on what the associated risks are that would justify putting those uses back on the list.

Mr. Atkinson commented that the Commission would need to consider what modifications they would need to make to the findings and recommendations to demonstrate the need for the proposals that they were forwarding to the City Council.

3. Marijuana Use Buffers Code Amendment

Lihuang Wung, Planning Services Division, reviewed that the item was in response to City Council Resolution No. 39742 that had requested the Planning Commission to consider amending the code regarding marijuana use buffers. The Commission had studied the issue and conducted a public hearing on September 6, which had received no opposing comments. Mr. Wung noted that the Commission had raised questions about the definition of arcade and whether Tribal facilities were considered part of federal facilities. Staff's response was that the questions required additional analysis. Mr. Wung requested that the Commission consider approving the draft Letter of Recommendation and the draft Findings of Fact and Recommendations Report as presented in their packet.

Commissioner Edmonds motioned to approve the draft Letter of Recommendation and the draft Findings of Fact and Recommendations Report as presented in their packet. Commissioner Strobel seconded. The motion was approved unanimously.

E. COMMUNICATION ITEMS & OTHER BUSINESS

Mr. Wung reported that they would be in the Council Chambers for the next meeting to accommodate the number of citizens that would likely be attending.

F. ADJOURNMENT

At 8:56 p.m., the meeting of the Planning Commission was concluded.