

## **City Council Action Memorandum**

TO: Elizabeth A. Pauli, City Manager

FROM: Maryam Moeinian, Senior Planner, Planning and Development Services

Peter Huffman, Director, Planning and Development Services

COPY: City Council and City Clerk

SUBJECT: Resolution - Setting a Public Hearing on the South Tacoma Groundwater Protection District

**Code Update - July 15, 2025** 

**DATE:** June 27, 2025

#### **SUMMARY AND PURPOSE:**

A resolution setting Tuesday, August 12, 2025, as the date for a public hearing before the City Council on the proposed amendments to the South Tacoma Groundwater Protection District (STGPD) code, as recommended by the Planning Commission.

#### **BACKGROUND:**

This department's recommendation is based on Tacoma Municipal Code (TMC) 13.05.030.D, which requires the City Council to hold at least one public hearing on proposed amendments to the land use regulations as recommended by the Planning Commission.

The STGPD was established in 1988 as an overlay zoning district in response to the area's vulnerability to groundwater contamination. The district was created to safeguard the South Tacoma aquifer system, a vital source of public drinking water. The original ordinance introduced a regulatory framework governing land use, stormwater infiltration, and the handling, storage, and disposal of hazardous substances. It also established technical standards, identified prohibited uses, and included enforcement provisions.

Currently, the City is proposing a targeted update to TMC 13.06.070.D, which contains the primary regulatory provisions for the STGPD. In parallel, amendments are proposed for TMC 13.06.040.J, 13.06.060, 13.06.090.B, and 13.06.090.J to align development standards, such as landscaping, tree canopy, and lot coverage requirements, with the goals outlined in the updated STGPD Work Plan. These coordinated updates are intended to enhance groundwater protection, address regulatory gaps, and ensure consistency with current best available science and Washington State mandates.

Following a public hearing and deliberative process, the Planning Commission reviewed the proposed code amendments and formally recommended their adoption. The updated regulations are now before the City Council for consideration.

The scope of proposed updates includes:

- Prohibition of additional high impact land uses including underground storage tanks and metal recycling/auto wrecking facilities
- Improvements to enforcement and monitoring provisions
- Defining the timing and frequency of future code review and updates (also known as a Periodic Update)
- Evaluating the location of the STGPD code within the TMC and exploring options for potential relocation
- Enhancing integration between the STGPD Overlay Zone and the Critical Areas Preservation Ordinance (TMC 13.11)
- Reviewing infiltration policy and stormwater treatment best management practices (BMPs)
- Updating maps of the STGPD Overlay Zone



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- Improving landscaping and tree canopy standards for industrial zones in STGPD, South Tacoma Manufacturing and Industrial Center (STMIC), and Tacoma Mall Regional Growth Center (RGC)
- Improving general program awareness
- Strengthening inter-departmental coordination related to permitting and land use amendments

#### **COMMUNITY ENGAGEMENT:**

Extensive engagement was conducted to ensure the proposed amendments to the STGPD code are informed by broad community input, technical expertise, and alignment with citywide goals. Outreach efforts focused on engaging residents, businesses, and partner agencies.

Between early 2024 and spring 2025, the City participated in a wide range of public events and forums to share information, gather feedback, and answer questions about the STGPD and its connection to public health, environmental protection, and land use policy. These events included:

- Spotlight on South Tacoma Series (January–March 2024): Neighborhood-focused outreach that elevated local concerns and surfaced early feedback on groundwater protection.
- Sustainability Expos (April 13, 2024 & April 26, 2025): Opportunities to connect with hundreds of community members around sustainability, water protection, and environmental health.
- Día de los Niños / Eastside Mini-Olympic Games (May 4, 2024)
- Nine One Tacoma Visioning Workshops (May–June 2024) and Four One Tacoma Workshops (February–March 2025): Citywide comprehensive planning events where groundwater protection and the STGPD code update were discussed alongside long-range planning goals.
- Ocean Fest (August 2024)
- South Tacoma Neighborhood Plan Steering Committee (August 22, 2024): Focused discussion on community priorities, including landscaping and tree canopy standards and land use compatibility.
- Tacoma Permit Advisory Group (September 18, 2024) and South Tacoma Business District Association (September 19, 2024): Targeted engagement with development, permitting and business stakeholders.
- Community Informational Meeting at STAR Center (May 15, 2025): A focused public meeting providing an overview of the STGPD code update, best available science, and ways to provide feedback on the draft code.
- The South Tacoma Neighborhood Council (STNC), as the original applicant for the code amendment, was regularly informed and engaged throughout the process. Their input helped shape the initial work plan and direction of the STGPD code update.

Two advisory groups were also convened to provide focused guidance:

- STGPD Health Impact Assessment (HIA) Advisory Group: Formed by the Tacoma-Pierce County Health Department, brought together nine representatives from the public, businesses, and the STNC to ensure the HIA reflected community health priorities. This group met five times between July 2024 and March 2025.
- Tacoma Water Integrated Resource Plan (IRP) Public Advisory Committee: Established to support the IRP update, this committee included representatives from local jurisdictions, the Washington State Department of Health, and a member of the STNC. This committee met five times between May 2024 and January 2025 to provide technical input on water supply and demand with consideration of future climate risks.

Feedback gathered through these engagement efforts played a significant role in shaping the draft STGPD code, particularly in identifying high impact uses and refining strategies to better protect South Tacoma's groundwater resources.



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In addition, the Planning Commission conducted a public hearing on the draft STGPD code on May 21, 2025. During the public comment period leading up to the hearing, City staff hosted one in-person informational event to help community members learn about the draft code and prepare to provide comments.

In total, 12 people attended these events, and 20 public comments were submitted by community members, business owners and partner agencies. Comments were provided to the Planning Commission through the official meeting packet and summarized in a public debrief presentation on June 4, 2025, both of which are available on the Planning Commission's webpage:

• <u>June 4, 2025 Planning Commission Packet</u>

## **2025 STRATEGIC PRIORITIES:**

## **Equity and Accessibility:**

This resolution is intended to set the date for a public hearing to receive public comment on the proposed amendments to the STGPD code, as recommended by the Planning Commission. Setting the public hearing advances transparency and supports meaningful community participation in the development and adoption of City policies.

## **Civic Engagement:** *Equity Index Score*: High Opportunity

Increase the percentage of residents who believe they are able to have a positive impact on the community and express trust in the public institutions in Tacoma.

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

The public hearing and comment period provide an opportunity for community members to inform the decisions that affect them. Based on the public comments, the City Council will have an opportunity to amend the proposals in response to community input.

#### **ALTERNATIVES:**

Alternative(s)	Positive Impact(s)	Negative Impact(s)
Schedule the public hearing at	The City Council would have	The STGPD moratorium is set
a later date.	additional time to review the	to expire on September 20,
	proposed amendments to the	2025. Delays in the City
	STGPD code prior to setting the	Council's consideration of the
	public hearing.	draft STGPD code could create
		a gap, during which the
		establishment of new or the
		expansion of existing
		underground storage tanks,
		metal recycling, and auto
		wrecking facilities within the
		STGPD may be permitted.

## **EVALUATION AND FOLLOW UP:**

This resolution sets the date for a public hearing on the proposed STGPD code amendments. Following the public hearing, staff will facilitate the City Council's review of public input during a study session tentatively scheduled for August 19, 2025. Additionally, staff will support the City Council in conducting the first and final readings of the ordinance to adopt the proposed amendments to the STGPD code, which are tentatively scheduled for August 26, 2025, and September 9, 2025, respectively.



# **City Council Action Memorandum**

## **STAFF RECOMMENDATION:**

Staff recommends the City Council conduct the public hearing on August 12, 2025.

## **FISCAL IMPACT:**

There is no fiscal impact related to setting the public hearing date.

## **ATTACHMENT:**

• Planning Commission Findings of Fact and Recommendations, June 18, 2025



Christopher Karnes, Chair Anthony Steele, Vice-Chair Morgan Dorner Robb Krehbiel Brett Marlo Matthew Martenson Jordan Rash Payton Swinford

June 18, 2025

Mayor Victoria Woodards City of Tacoma 747 Market Street Tacoma, WA 98402

RE: South Tacoma Groundwater Protection District (STGPD) Code Update

Honorable Mayor and Members of the City Council,

On behalf of the Tacoma Planning Commission, we are proud to forward our recommendation for the STGPD Code Update. Enclosed is the "Planning Commission's Findings of Fact and Recommendations Report, June 18, 2025," which summarizes the planning requirements, public engagement, overview of the STGPD Code Update, as well as the Commission's deliberations, including a summary of the amendments made in response to public comments.

The Planning Commission recognizes the critical role of the STGPD in securing our City's future. The health of community members and the City's economic vitality, both within and outside the District, are dependent on a predictable and secure water supply. Projections indicate Tacoma's water resources will be under greater strain over the coming decades due to climate change, with the aquifer providing as much as 50% of our City's freshwater during periods of drought and high heat. At the same time, the City is projected to grow by another 130,000 residents, amplifying the importance of protecting this vital resource with updated regulations.

Specifically, we recommend that the City Council adopt the proposed update to the STGPD code, including the additional proposed amendments to Tacoma Municipal Code (TMC) Title 13. The Commission believes that the amendments to the STGPD were developed to ensure consistency with the Best Available Science and Growth Management Act's critical area aquifer recharge requirements and to balance City goals for critical area protections and economic development.

The STGPD is an overlay zoning district created in 1988 in response to the area's high vulnerability to contamination of the underlying aquifer system. Through this code update, the City is updating TMC Section 13.06.070.D, which contains the primary regulations for the STGPD. In addition, updates are being made to other sections of the code, TMC 13.06.040.J, 13.06.060, 13.06.090.B, and 13.06.090.J, to revise landscaping, tree canopy, and lot coverage standards that apply across various zoning districts. These changes are consistent with the updated STGPD Work Plan and will be instrumental in the continued protection of the South Tacoma aquifer.

In addition to these proposed amendments, the Commission requests Council consideration for the following recommendations:

1. The Planning Commission recommends that the City Council give greater consideration

to the following actions that could enhance groundwater protection in addition to the current regulatory amendments to TMC 13.06.070.D:

- a. Support and prioritize the remediation of contaminated sites within the STGPD to restore ecological function and reduce potential contamination sources. Coordinate with partner agencies, such as the Tacoma-Pierce County Health Department, to secure funding for area-wide and site-specific assessments and remediation actions that could accelerate cleanup of these sites.
- b. Consider renaming the STGPD overlay zone to more clearly reflect the aquifer's role as a Citywide drinking water resource, potentially increasing public awareness and support.
- c. Reinforce infiltration as the preferred method of stormwater management within aquifer recharge areas. In future updates to the Stormwater Management Manual, the City Council should ensure more stringent application of infiltration and low-impact development Best Management Practices in the STGPD and explore more prescriptive infiltration requirements where feasible based on site conditions.
- d. Incorporate watershed-level considerations into future updates of the Stormwater Management Manual and support the hydrologic and ecological health of Flett Creek and its watershed.
- e. Pursue ongoing coordination with regional partners and jurisdictions within the Central Pierce County Sole Source Aquifer area to develop consistent Critical Aquifer Recharge Area protections.
- f. Ensure that future updates continue to reflect health equity priorities identified in the Health Impact Assessment and actively address the disparate health outcomes linked to environmental exposures.
- 2. The Planning Commission recommends that broader standards be considered for incorporation into the Critical Areas Preservation Ordinance (CAPO) update for the full critical aguifer recharge area.

Thank you for the opportunity to provide this recommendation.

Sincerely,

Christopher Karnes, Chair Tacoma Planning Commission

#### Enclosure:

Planning Commission's Findings of Fact and Recommendation, June 18, 2025



# TACOMA PLANNING COMMISSION FINDINGS OF FACT AND RECOMMENDATIONS REPORT

JUNE 18, 2025

## A. SUBJECT:

South Tacoma Groundwater Protection District (STGPD) Code Update.

## B. SUMMARY OF PROPOSED AMENDMENTS

Project Summary		
Location and Size of Area:	The South Tacoma Groundwater Protect District is approximately 7,658 acres of land area between S. 19 <sup>th</sup> Street to the North and City Limits to the South, and Orchard Street to the West and an Eastern boundary that generally follows S. Yakima and S. Alaska Streets, encompassing the South Tacoma Aquifer.	
Current Land Use and Zoning:	The area includes a mix of land uses and zoning, including a Regional Growth Center, a Manufacturing and Industrial Center, Major Institutional Campuses, two Mixed-Use Centers and other residential and commercial districts.	
Neighborhood Council Area:	While the South Tacoma Groundwater Protection District is primarily located within the South Tacoma Neighborhood Council Area, it also includes portions of the Central and South End Neighborhood Council Areas as well.	
Project Proposal:	<ul> <li>The proposal includes:</li> <li>Prohibition of additional high impact land uses including underground storage tanks and metal recycling/auto wrecking facilities</li> <li>Improvements to enforcement and monitoring provisions</li> <li>Defining the timing and frequency of future code review and updates (also known as a Periodic Update)</li> <li>Evaluating the location of the STGPD code within the municipal code and exploring options for potential relocation</li> <li>Enhancing integration between the STGPD Overlay Zone and the Critical Areas Preservation Ordinance (TMC 13.11)</li> <li>Reviewing infiltration policy and stormwater treatment best management practices (BMPs)</li> <li>Updating maps of the STGPD Overlay Zone and Critical Aquifer Recharge Areas</li> <li>Improving landscaping and tree canopy standards for industrial zones in STGPD, South Tacoma Manufacturing and Industrial Center (STMIC), and Tacoma Mall Regional Growth Center (RGC)</li> <li>Strengthening inter-departmental coordination related to permitting and land use amendments</li> </ul>	

#### C. BACKGROUND:

Established in 1988 by Ordinance No. 24083, the STGPD is an overlay zoning district created in response to area's high vulnerability to contamination of the underlying aquifer system.

The original ordinance introduced regulations related to land use, stormwater infiltration, and the handling, storage and disposal of hazardous substances. It also established technical standards, identified prohibited uses, and created enforcement provisions.

Notably, the STGPD was established before the development of state requirements related to CARAs under the Growth Management Act (GMA), which requires cities to identify and protect critical areas, including CARAs, to prevent harm to public health and natural resources.

The City is currently updating Tacoma Municipal Code (TMC) Section 13.06.070.D, which contains the primary regulations for the South Tacoma Groundwater Protection District. In addition, updates are being made to other sections of the code, TMC 13.06.040.J, 13.06.060, 13.06.090.B, and 13.06.090.J, to revise landscaping, tree canopy, and lot coverage standards that apply across various zoning districts. These changes are consistent with the updated STGPD Work Plan.

#### D. 2021-2022: PROJECT INITIATION

In March 2021, the South Tacoma Neighborhood Council (STNC) submitted an application during the 2022 Comprehensive Plan Amendment cycle, seeking to:

- a) Update the One Tacoma Plan and the TMC applicable to the 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 (EGZ) that fosters environmentally sustainable industry specifically within South Tacoma, above and near this water source.

The Planning Commission conducted an assessment of the STNC's application 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 phased approach:

- Phase 1A: Work Plan (2022) Develop a STGPD Code Update Work Plan during the 2022 Amendment cycle. (Adopted via Amended Substitute Resolution No. 40985 on June 28, 2022)
- Phase 1B: STGPD Code Amendments (2023–2025) Update TMC 13.06.070.D pertaining to STGPD based on the adopted work plan.
- Phase 2: Creation of an Economic Green Zone (EGZ) Explore establishing an EGZ to attract
  green industry to the City's manufacturing/industrial centers, aligning with the 2030 Climate Action
  Plan and Climate Adaptation Strategy (<u>Resolution No. 40878</u>, November 30, 2021), pending budget
  and staffing requests to the City Council.

The Planning Commission forwarded its recommendations to the City Council in May 2022, supporting adoption of the STGPD Work Plan and encouraging the Council to consider a moratorium on future developments during the code amendment process to prevent pre-emptive land use decisions.

## E. 2022: STGPD WORK PLAN

In June 2022, the City Council adopted Amended Substitute Resolution No. 40985, which:

- Approved the STGPD Code Update Work Plan; and
- Directed the Planning Commission to consider whether a moratorium on heavy industrial uses and hazardous material storage in the STGPD was warranted during the code update process.

#### F. 2022-2025: STGPD MORATORIUM

Following public review and technical analysis, the Planning Commission submitted its findings on August 17, 2022, recommending a targeted moratorium on certain high impact uses within the STGPD. The Commission determined that a broad, blanket moratorium could result in disproportionate and

inequitable impacts to diverse industrial and small businesses. Instead, it recommended temporary restrictions on the following uses:

- Underground storage tanks
- Metal recycling/auto wrecking
- Vehicle service and repair (later removed by IPS)
- Vehicle service and repair industrial (later removed by IPS)

The IPS Committee reviewed the <u>Commission's recommendations</u> and opted to narrow the moratorium's scope, citing insufficient risk to groundwater resources from vehicle service and repair uses. The Committee also emphasized the importance of allowing reasonable improvements to existing facilities that would reduce environmental risks, even if those improvements involve limited expansions.

## **City Council Adoption**

On March 7, 2023, the City Council adopted <u>Ordinance No. 28872</u>, enacting a one-year moratorium (effective March 20, 2023) on:

- Underground storage tanks
- Metal recycling/auto wrecking

The moratorium has since been extended three times:

- March 5, 2024 Extended via Ordinance No. 28958
- August 27, 2024 Extended via Ordinance No. 28977
- February 25, 2025 Extended via Ordinance No. 29020 (expires: September 20, 2025)

#### G. 2023: STGPD UPDATED WORK PLAN

Following the initial STGPD Work Plan adopted by the City Council in June 2022, the Planning Commission updated the Work Plan on December 20, 2023. This <u>Updated Work Plan</u> reflects a more comprehensive and forward-looking approach to groundwater protection. This expansion of scope was driven by substantial community input, emerging research, and newly available resources.

The Updated Work Plan broadened the scope of the STGPD Code Update to include additional policy and technical areas such as landscaping and tree canopy standards, impervious surface standards, a Health Impact Assessment (HIA), integration with the Critical Areas Ordinance, and potential refinements to STGPD boundaries.

The full scope of work includes:

- Prohibition of additional high impact land uses including underground storage tanks and metal recycling/auto wrecking facilities
- Improvements to enforcement and monitoring provisions
- Defining the timing and frequency of future code review and updates (also known as a Periodic Update)
- Evaluating the location of the STGPD code within the municipal code and exploring options for potential relocation
- Enhancing integration between the STGPD Overlay Zone and the Critical Areas Preservation Ordinance (TMC 13.11)
- Reviewing infiltration policy and stormwater treatment best management practices (BMPs)
- Impervious surface standards

- Updating maps of the STGPD Overlay Zone and Critical Aquifer Recharge Areas
- Improving landscaping and tree canopy standards for industrial zones in STGPD, South Tacoma Manufacturing and Industrial Center (STMIC), and Tacoma Mall Regional Growth Center (RGC)
- Improving general program awareness
- Conducting Health Impact Assessment (HIA) for the STGPD Overlay Zone
- Strengthening inter-departmental coordination related to permitting and land use amendments

#### H. FINDINGS OF FACT: PLANNING MANDATES FOR CRITICAL AQUIFER RECHARGE AREAS

The STGPD Code Update is guided by a comprehensive set of legal requirements and policy directives from the state, regional, and local levels. These mandates ensure that Tacoma maintains protective measures for critical aquifer recharge areas and continues to plan for environmental protection, public health, and equitable outcomes for those who live or work in Tacoma.

#### State Mandates

Washington's Growth Management Act (GMA) requires all counties and cities planning under the Act to designate and protect critical areas, including areas with a critical recharging effect on aquifers used for potable water known as critical aquifer recharge areas (CARAs), under <a href="RCW 36.70A.170">RCW 36.70A.170</a> The STGPD is Tacoma's designated CARA and is therefore subject to regulatory protections under the GMA.

Cities must also base their regulations on the Best Available Science (RCW 36.70A.172) and give special consideration to measures that preserve or enhance water quality. This standard guided the development of the STGPD Technical Memorandum, which provides the technical foundation for the STGPD code update.

Several Washington Administrative Code (WAC) provisions directly shape the approach local governments must take when updating protections for CARAs:

Per WAC 365-190-100, cities and counties must classify and designate CARAs based on the area's susceptibility to contamination and its importance as a drinking water source. This regulation requires jurisdictions to assess both the hydrogeologic vulnerability of the aquifer and the potential for contamination from land uses. The WAC also provides examples of areas that should be considered for CARA designation, such as sole source aquifers, wellhead protection zones, and areas with high infiltration potential. Jurisdictions must use this analysis to inform land use policies and adopt appropriate development regulations, such as prohibiting high impact uses, applying performance standards, or implementing BMPs, to minimize the risk of degrading groundwater quality and ensure the long-term sustainability of drinking water supplies.

The STGPD Code Update reflects these requirements by applying a tiered protection approach based on the Time of Travel (TOT) zones within designated wellhead protection areas. Areas identified as having greater vulnerability —such as 1 year TOT zone—are subject to stricter standards, including a broader list of prohibited high impact uses, to reduce the risk of groundwater contamination and safeguard Central Pierce County Sole Source Aquifer. (SSA)

 Per <u>WAC 365-196-485</u>, jurisdictions must protect critical aquifer recharge areas by integrating best available science into comprehensive plans and development regulations, including managing land uses and stormwater to prevent contamination of public water supplies. The STGPD Code Update reflects these requirements by applying tiered protections in wellhead zones, requiring soil assessments before stormwater infiltration, and requiring infiltration where it does not risk contamination to ensure aquifer recharge. Additionally, the update proposes enhanced landscaping standards and increased lot coverage limits to improve stormwater management and support natural recharge processes.

• WAC 246-290-135, this regulation applies directly to STGPD by requiring water system purveyors using groundwater sources to develop and implement a Wellhead Protection Program (WHPP) as part of their water system plans. The WHPP must include a susceptibility assessment and delineation of Wellhead Protection Areas (WHPAs) around each well, wellfield, or spring, marking time-of-travel boundaries at 6 months, 1, 5, and 10 years to help safeguard groundwater quality. Additionally, the WHPP requires a comprehensive inventory of potential contamination sources, documentation of notification to owners/operators and regulatory agencies, coordination with local emergency responders, and a contingency plan to address supply interruptions due to contamination. These measures collectively ensure the protection of critical aquifer recharge areas within the STGPD.

The South Tacoma Aquifer is also a federally designated Sole Source Aquifer under the Safe Drinking Water Act, which adds additional scrutiny to activities that could impair its quality, particularly those involving federal funding or permitting.

#### Regional Framework: PSRC VISION 2050

The Puget Sound Regional Council (PSRC) coordinates long-range planning efforts in the region and sets Multicounty Planning Policies (MPPs) that local governments must implement through comprehensive plans and development regulations. The STGPD update supports the following Vision 2050 goals:

- MPP-EN-3, EN-4, EN-17: Protect and enhance air and water quality
- MPP-EN 9: Enhance urban tree canopy to mitigate urban heat and manage stormwater
- MPP-EN-6: Use BAS to protect critical areas and natural resources
- MPP-CC-8, CC-9: Reduce risks and vulnerabilities to climate change impacts on drinking water
- MPP-PS-23 through PS-25: Protect and manage drinking water systems for long-term supply and quality

The proposed STGPD amendments align with these goals through a science-based, risk-informed approach focused on land use, stormwater management, landscaping and tree canopy coverage and enforcement.

#### One Tacoma Plan – Relevant Goals and Policies

The proposed STGPD Code Update also aligns with the policies of the City's Comprehensive Plan, One Tacoma, particularly as required by <u>WAC 365-196-485</u>. As the 2025 update to the One Tacoma Plan is currently under review, the 2015 adopted plan is used as the consistency standard.

#### **Environmental Policies:**

- Goal EN-3: Ensure that all Tacomans have access to clean air and water, can experience
  nature in their daily lives and benefit from development that is designed to lessen the impacts
  of natural hazards and environmental contamination and degradation, now and in the future
- Policy EN-1.17 Assess and review the best available science for managing critical areas and develop regulations that reflect Tacoma's obligation to accommodate urban-level densities under the Growth Management Act.
- Policy EN-3.6: Limit impervious surfaces in critical areas

- Policy EN-3.8: Manage the quality and quantity of stormwater to protect public health and aquatic systems
- Policy EN–3.23: Encourage stormwater infiltration to recharge aquifers
- Policy EN-3.26: Prevent groundwater contamination via performance standards
- Policy EN–3.27: Support long-term groundwater quality monitoring
- Policy EN-3.28: Protect groundwater used for public water supplies

## **Design and Development Policies:**

- Policy DD–7.5: Encourage site designs that efficiently manage stormwater
- Policies DD-9.2 to DD-9.6: Manage impacts from industrial uses on adjacent land and critical areas
- Policy DD-12.1: Promote development that enhances environmental health & ecosystem services such as pollutant reduction, carbon sequestration, air cooling, water filtration, or reduction of stormwater runoff

#### **Economic Development Policies:**

- Policy EC-1.1: Strive to capture 46% of urban Pierce County's employment growth by 2040
- Policy EC–1.2: Ensure 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 whether such changes could diminish the competitiveness or viability of prime industrial areas
- Policy EC–6.22: Maintain properties currently developed with industrial uses and strive to offset reductions in development capacity by identifying additional prime industrial land with comparable characteristics

The STGPD Code Update directly supports One Tacoma policies on:

- **Public health protection**, by preventing groundwater contamination and safeguarding drinking water sources through prohibiting high impact uses and adding landscaping and tree canopy standards.
- **Groundwater and stormwater management**, by requiring soil assessments before allowing infiltration, encouraging infiltration when possible, increasing landscaping and tree canopy coverage, and limiting impervious surfaces through lot coverage standards
- **Protection of industrial land and support for employment growth**, by ensuring zoning regulations maintain the viability of industrial areas within the STGPD.

#### I. FINDINGS OF FACT: STGPD TECHNICAL MEMORANDUM

As part of the Integrated Resource Plan (IRP) update, the City initiated a BAS study to evaluate the STGPD code. The study, conducted by HDR, included a review of current STGPD code and infiltration policy, comparison with state requirements, analysis of high impact uses and impervious surface standards, and review of the CARA regulations in peer jurisdictions. It also assessed alignment with other City and public health initiatives. The resulting technical memorandum identified regulatory gaps and provided recommendations that informed the STGPD code update.

> STGPD Technical Memorandum

#### J. FINDINGS OF FACT: ENVIRONMENTAL REVIEW

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) on the STGPD Code update was issued on May 28, 2025 (SEPA File Number LU25-0118), based upon a review of an environmental checklist. The DNS and the environmental checklist were: (1) distributed to agencies and individuals identified on the City's list of SEPA Review Stakeholders; (2) reviewed by the State Department of Ecology (SEPA Record Number 202502223) and published on May 28, 2025 for public review.

STGPD Code Update Determination of Environmental Nonsignificance

#### K. FINDINGS OF FACT: CONSULTATION WITH THE PUYALLUP TRIBE OF INDIANS

There are no known proposals included in the draft STGPD code that would adversely impact the Puyallup Land Claims Settlement of 1990. A letter of consultation was sent to Chairman Bill Sterud of the Puyallup Tribe of Indians, and directors of planning and natural resources, on April 22, 2025, seeking their feedback on the draft STGPD code. No comments were received.

#### L. FINDINGS OF FACT: PUBLIC NOTIFICATION AND INVOLVEMENT

Extensive engagement was conducted to ensure the STGPD code update is informed by broad community input, technical expertise, and alignment with citywide goals. Outreach has targeted residents, businesses, and partner agencies, with a focus on accessibility, transparency, and community relevance.

Between early 2024 and spring 2025, the City participated in a range of public events and forums to share information, gather feedback, and answer questions about the STGPD and its connection to public health, environmental protection, and land use policy. These events included:

- Spotlight on South Tacoma Series (January–March 2024): Neighborhood-focused outreach that elevated local concerns and surfaced early feedback on groundwater protection.
- Sustainability Expos (April 13, 2024 & April 26, 2025): Opportunities to connect with hundreds of community members around sustainability, water protection, and environmental health.
- Día de los Niños / Eastside Mini-Olympic Games (May 4, 2024)
- Nine One Tacoma Visioning Workshops (May–June 2024) and Four One Tacoma Workshops (February–March 2025): Broader comprehensive planning events where groundwater protection and the STGPD code update were discussed alongside citywide planning goals.
- Ocean Fest (August 2024)
- South Tacoma Neighborhood Plan Steering Committee (August 22, 2024): Focused dialogue on community priorities, including landscaping and tree canopy standards and land use compatibility.
- Tacoma Permit Advisory Group (September 18, 2024) and South Tacoma Business
   District Association (September 19, 2024): Targeted engagement with development,
   permitting and business stakeholders.
- Community Informational Meeting at STAR Center (May 15, 2025): A focused public meeting providing an overview of the STGPD code update, best available science, and ways to provide feedback on the draft code.

• The **South Tacoma Neighborhood Council**, as the original applicant for the code amendment, was regularly informed and engaged throughout the process. Their input helped shape the initial work plan and direction of the STGPD Code Update.

Two advisory groups were also convened to provide focused guidance:

- STGPD Health Impact Assessment (HIA) Advisory Group: formed by the Tacoma-Pierce County Health Department, brought together nine representatives from the public, businesses, and the STNC to ensure the HIA reflected community health priorities. This group met five times between July 2024 and March 2025.
- Tacoma Water Integrated Resource Plan (IRP) Public Advisory Committee: Established
  to support the IRP update, this committee included representatives from local jurisdictions, the
  Washington State Department of Health, and a member of the STNC. This committee met five
  times between May 2024 and January 2025 to provide technical input on water supply and
  demand with consideration of future climate risks.

Feedback gathered across these engagement efforts played a significant role in shaping the STGPD code update, particularly in identifying high impact uses and refining strategies to better protect South Tacoma's groundwater resources.

## **Planning Commission Public Hearing:**

The Planning Commission conducted a Public Hearing on the draft STGPD code on May 21, 2025. City staff held one in-person informational event during the public comment period that led up to the Public Hearing date for community members to learn about the draft code and prepare to provide comments.

12 people attended these events with 20 public comments provided by community members, business owners and partner agencies. Comments were shared with Planning Commissioners in the information packet and through a debrief presentation on June 4, 2025, which are public on the Planning Commission webpage.

June 4, 2025 Planning Commission Packet

Community members were notified of the availability of the draft STGPD code, the public hearing as well as the informational meeting through broad notice methods and communications, including:

- Public Notices: The City mailed a postcard notice to about 25,000 addresses of residents and property owners within the STGPD during the week of April 21, 2025. This included the date for the Public Hearing as well as information on the informational event and instructions on how to leave comments during the Public Comment period. The notice was also e-mailed to more than 860 individuals on the Planning Commission's interested parties list that includes the City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and others.
- Informational Event: Thursday, May 15: STAR Center 3873 S 66th St, Tacoma, WA
- News: The City of Tacoma issued a News Release on April 21, 2025. A legal notice concerning
  the public hearing and informational meeting was placed in The News Tribune on May 2, 2025.
- Web/Social Media: The City provided extensive information on the <u>South Tacoma</u> <u>Groundwater Protection District code update project webpage</u>, including information on the informational event and public hearing and comment period. Public Hearing Notice and regular updates were distributed through City and Tacoma Planning social media accounts and displayed on City webpages and banners. Additionally, event listings for each One Tacoma

workshop, informational event and public hearing were created and shared on the City of Tacoma and Planning Tacoma social media accounts.

- **60-Day Notices:** A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was filed with the State Department of Commerce (per RCW 36.70A.106) on April 22, 2025. A similar notice was sent to the Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on April 22, 2025, asking for comments within 60 days of receipt of the notice.
- TV Tacoma, Tacoma Public Libraries and other public locations: A notice with information on the informational event and public hearing and comment period was posted on TV Tacoma on April 23,2025. Notices also were posted at the Tacoma public libraries as well as other public locations on April 30, 2025.

#### M. FINDINGS OF FACT: COMMENTS AND RESPONSES

The Planning Commission opened a public comment period from April 16 through May 23, 2025, in advance of the public hearing held on May 21, 2025. Comments were received both in writing and through verbal testimony at the hearing, representing a wide range of perspectives from residents, businesses, and advocacy groups. The following themes emerged:

- **High Impact Use Standards:** Some commenters supported stronger regulation of high impact uses, including prohibiting underground and aboveground storage tanks (USTs/ASTs), fertilizers, pesticides, and septic systems. Others voiced concern that expanding prohibitions could harm existing businesses and the local economy.
- **STGPD Infiltration Policy:** Comments questioned the enforceability of the current infiltration policy and whether it should be codified. Some recommended treating all hard surfaces as pollution-generating to better safeguard groundwater quality.
- Impervious Surface Standards: Multiple comments pointed to the lack of specific impervious surface limits in the draft code and called for clearer standards. There was also concern about the impacts of large developments such as Bridge Industrial project on the groundwater resources.
- **Enforcement:** Several commenters felt the proposed stop work/stop use provision was too broad. Others emphasized the need for improved coordination between departments and agencies to support enforcement.
- **Public Outreach:** A few commenters indicated they had not been aware of the code update or felt outreach had been limited.

#### N. FINDINGS OF FACT: PLANNING COMMISSION REVIEW

The Planning Commission conducted reviews of the STGPD Code Update at the following meetings, with key decision points and milestones boldfaced:

- **2021-2022:** The Commission reviewed and recommended an overall work plan for the South Tacoma Groundwater Protection District (STGPD).
- **2022-2023:** The Commission, followed by the City Council, considered and adopted a moratorium on certain high impact uses within the STGPD.
- **June 21, 2023:** Staff provided an update to the Commission on the overall scope of work, amended following the adoption of the moratorium.
- October 4, 2023: Staff presented an initial comparison of critical aquifer recharge standards across Pierce County jurisdictions that have jurisdiction within the South Tacoma Aquifer, focusing on impervious surface standards, landscaping requirements, and high impact uses.

- **December 20, 2023:** The Commission updated the adopted STGPD Work Plan based on the public comments gathered during the moratorium process.
- August 7, 2024: Staff presented information on landscaping and tree canopy standards for both the Tacoma Mall Subarea and the South Tacoma Manufacturing and Industrial Center (STMIC).
- April 2, 2025: Review of Best Available Science (BAS) and public input from the One Tacoma Workshops (cancelled).
- **April 16, 2025:** Staff provided an overview of the draft STGPD code, highlighting how it incorporates and responds to the key focus areas identified in the STGPD Updated Work Plan.
- May 7, 2025: Staff from the Tacoma Pierce County Health Department presented findings and policy recommendations from the STGPD Health Impact Assessment (HIA).
- May 21, 2025: Conducted public hearing on the draft STGPD code.
- **June 4, 2025:** Debriefed the public comment on the draft STGPD code and received direction from the Planning Commission
- **June 18, 2025:** Reviewed and finalized proposed amendments to the draft STGPD code and voted to recommend the draft STGPD code for City Council consideration.

#### O. CONCLUSIONS:

In drawing its conclusions on the STGPD code update the Planning Commission considered the following criteria based on TMC 13.02.070.H.1 Comprehensive Plan Amendment Procedures and TMC 13.05.030 Zoning and Land Use Regulatory Code Amendment Procedures:

- Whether the proposed amendment will benefit the City as a whole, will not adversely affect the City's public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare; and
- Whether the proposed amendment conforms to applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan.

#### Conclusion:

- 1. The draft STGPD code has been prepared in accordance with the requirements of the Growth Management Act (GMA), including the protection of Critical Aquifer Recharge Areas (CARAs) and the use of Best Available Science (BAS) to inform regulatory updates.
- 2. The draft STGPD code complies with <u>WAC 365-190-100</u> by applying a tiered protection approach based on the Time of Travel (TOT) zones within designated wellhead protection areas. Areas identified as having greater vulnerability —such as the 1-year TOT zone—are subject to stricter standards, including a broader list of prohibited high impact uses, to reduce the risk of groundwater contamination and safeguard the Central Pierce County Sole Source Aquifer (SSA).
- 3. The draft STGPD code complies with WAC 365-196-485 by applying tiered protections in wellhead zones, requiring soil assessments before stormwater infiltration, and allowing infiltration where it does not pose a contamination risk, to ensure aquifer recharge. Additionally, the update proposes enhanced landscaping standards and increased lot coverage limits to improve stormwater management and support natural recharge processes.
- 4. The draft STGPD code is in alignment with VISION 2050 through a science-based, risk-informed approach focused on land use, stormwater management, landscaping and tree canopy coverage, and enforcement.

- 5. The draft STGPD code supports key goals and policies of the One Tacoma Comprehensive Plan
  - Protecting public health through the prevention of groundwater contamination and the enhancement of landscaping and tree canopy standards.
  - Managing stormwater via soil assessments, infiltration requirements, and increasing landscaping and tree canopy coverage, and limiting impervious surfaces through lot coverage standards.
  - Supporting industrial land preservation and employment growth through zoning strategies that maintain industrial viability.
- The draft STGPD code addresses key concerns raised during the moratorium process, particularly the risks associated with underground storage tanks and metal recycling/auto wrecking facilities. As such, the Commission finds no further need to extend the moratorium following adoption of the
- 7. The Planning Commission concludes that the draft STGPD code advances Tacoma's commitment to environmental stewardship, public health protection, and land use compatibility through sciencebased, community-informed policy.

#### P. RECOMMENDATIONS

- 1. The Planning Commission recommends the adoption of the South Tacoma Groundwater Protection District code amendments, as proposed in Exhibit A.
- 2. The Planning Commission recommends that the City Council give greater consideration to the following actions that could enhance groundwater protection in addition to the current regulatory amendments to TMC 13.06.070.D:
  - a. Support and prioritize the remediation of contaminated sites within the STGPD to restore ecological function and reduce potential contamination sources. Coordinate with partner agencies, such as the Tacoma-Pierce County Health Department, to seek funding for areawide and site assessments and remediation actions that could accelerate cleanup of these
  - b. Consider renaming the STGPD overlay zone to more clearly reflect the aquifer's role as a citywide drinking water resource, potentially increasing public awareness and support.
  - Reinforce infiltration as the preferred method of stormwater management within aquifer recharge areas. In future updates to the Stormwater Management Manual the City Council should ensure more stringent application of infiltration and low impact development Best Management Practices in the STGPD and explore more prescriptive infiltration requirements where feasible based on site conditions.
  - Incorporate watershed-level considerations into future updates of the Stormwater Management Manual and to support the hydrologic and ecological health of Flett Creek and its watershed.
  - e. Pursue ongoing coordination with regional partners and jurisdictions within the Central Pierce County Sole Source Aquifer area to develop consistent Critical Aquifer Recharge Area protections.
  - Ensure future updates continue to reflect health equity priorities identified in the Health Impact Assessment and actively address disparate health outcomes linked to environmental exposures.
- 3. The Planning Commission recommends that broader standards be considered for incorporation into the Critical Areas Preservation Ordinance (CAPO) update for the full critical aquifer recharge area.

## Q. ATTACHMENT:

- Exhibit A: Draft Code 13.06.070.D South Tacoma Groundwater Protection District
- Exhibit B: Draft Code 13.06.040.J Tacoma Mall Neighborhood Regional Growth Center
- Exhibit C: Draft Code 13.06.060 Industrial Districts
- Exhibit D: Draft Code 13.06.090 Site Development Standards