



TO: Elizabeth 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 - Adopting a Six Month Extension of the Tideflats Interim Regulations Amended Ordinance No. 28470 - October 13, 2020
DATE: September 29, 2020

SUMMARY AND PURPOSE:

Adopting a six-month extension of Amended Ordinance No. 28470, Tideflats Interim Regulations, as approved by the City Council on November 21, 2017, and as previously extended by Ordinance Nos. 28542, 28583, 28619, and 28671.

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.

The Planning Commission determined that interim regulations were warranted, and on 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 reviewed over 200 written comments.

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

- Category 1: Expanded public notification of 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 northeast Tacoma slopes; and
- Category 4: Temporary prohibition on certain types of new heavy industrial uses.

On November 13, 2018, following another public hearing, substantial community input and deliberation, the City Council passed Ordinance No. 28542, which extended the Tideflats Interim Regulations for six months.

On May 21, 2019, following another public hearing, substantial community input and deliberation, the City Council passed Ordinance No. 28583, which extended the Tideflats Interim Regulations for six months.



On November 12, 2019, following another public hearing, substantial community input and deliberation, the City Council passed Ordinance No. 28619, which extended the Tideflats Interim Regulations for six months.

On May 19, 2020, following another public hearing, substantial community input and deliberation, the City Council passed Ordinance No. 28671, which extended the Tideflats Interim Regulations for another six months. The current ordinance is set to expire on December 2, 2020.

COMMUNITY ENGAGEMENT:

This ordinance is a temporary measure that places restrictions on certain types of new development activities in the Port of Tacoma Manufacturing and Industrial Center as well as other areas of the City that allow heavy industrial uses. The ordinance does not affect existing uses, but rather, prohibits new non-industrial uses in the tideflats, certain new heavy industrial uses, and new residential platting in Northeast Tacoma, adjacent to the Port/tideflats. The ordinance is intended to put a pause on these specific uses and development activities until such time as the Tideflats Subarea Plan is developed for City Council review and approval. The Subarea Plan will include broad and diverse community engagement as well as an area-wide Environmental Impact Statement to evaluate the impacts of potential growth and development of the Manufacturing and Industrial Center both on those uses in the Center, but also the surrounding communities.

The Tideflats Interim Regulations were adopted through a legislative process that includes 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 three 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:* High Opportunity

Increase the number of diverse livable wage jobs.

Increase the number of infrastructure projects and improvements that support existing and new business developments.

Civic Engagement: *Equity Index Score:* Very 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.

Representation at public meetings will reflect the diversity of the Tacoma community

Explain how your legislation will affect the selected indicator.

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



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 and mutual support between the five governments as well as increase trust and confidence in planning processes among Tacoma's business and residential communities.

ALTERNATIVES:

At the time of re-authorization, the City Council may consider amendments to the ordinance. However, there are no alternatives under consideration at this time.

EVALUATION AND FOLLOW UP:

Staff will provide periodic updates on permit activity in the Port of Tacoma Manufacturing and Industrial Centers and other heavy industrial zoning districts to evaluate the expansion of existing uses. Furthermore, the City Council has requested ongoing monitoring of fossil fuel industry trends, including the amount of fossil fuels transported, stored, and processed in the City of Tacoma.

STAFF RECOMMENDATION:

Conduct the first reading of the ordinance on October 13, 2020, followed by the final reading on October 20, 2020, to approve a six-month extension of the Tideflats Interim Regulations.