



ORDINANCE NO. 28977

1 AN ORDINANCE regarding groundwater protections; approving a six-month
2 extension of Ordinance No. 28872, which enacted interim land use
3 regulations within the South Tacoma Groundwater Protection District
4 (“STGPD”) to temporarily prohibit the establishment of new or the
5 expansion of existing underground storage tanks, metal recycling, and
6 auto wrecking facilities within the STGPD, as approved by the City
7 Council, and as previously extended by Ordinance No. 28958.

8 WHEREAS in March 2021, the South Tacoma Neighborhood Council
9 (“STNC”) submitted an application to the Planning Commission (“Commission”) for
10 consideration during the 2022 Annual Amendment process, and
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12 WHEREAS the Commission conducted an assessment of STNC’s
13 application, pursuant to Tacoma Municipal Code (“TMC”) 13.02.070.E, considered
14 public comments received through a public scoping hearing in June 2021, and
15 made a determination in July 2021 to move the application forward for technical
16 analysis following a phased approach:

17 (1) Phase 1A – Development of a Work Plan for South Tacoma
18 Groundwater Protection District (“STGPD”) Code Amendments; and

19 (2) Phase 1B – Implementation of the South Tacoma Groundwater
20 Protection District Work Plan, and

21 WHEREAS upon completing technical analyses and factoring in public
22 comments, the Commission forwarded its recommendations to the City Council in
23 May 2022, and

24 WHEREAS with respect to the STNC’s application, the Commission
25 recommended that the City Council:

26 (1) Approve the work plan for STGPD code amendments; and



1 (2) Consider the merits of a moratorium on future development projects,
2 given that significant permit activity and development during the phased process
3 could preempt the broader planning efforts, and
4

5 WHEREAS on June 28, 2022, the City Council adopted Amended Substitute
6 Resolution No. 40985, approving the work plan for the STGPD code amendments,
7 and directed the Commission to conduct a public process to develop findings of fact
8 and recommendations as to whether a moratorium on heavy industrial uses and
9 storage of hazardous materials within the STGPD is warranted, and
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11 WHEREAS the Commission completed its review and deliberations of the
12 matter through a public process and forwarded to the City Council the
13 Commission's Findings of Fact and Recommendations Report on Consideration for
14 a Moratorium within the STGPD, along with a letter of recommendations, both
15 dated August 17, 2022, and
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17 WHEREAS the Commission concluded that a broad moratorium could result
18 in detrimental, inequitable and/or disproportionate impacts to diverse businesses
19 and uses that are of various types, purposes, characteristics, operations and
20 maintenance needs, and risks to the environment, and recommended instead that a
21 targeted moratorium was warranted for the following uses within the STGPD:
22 underground storage tanks; metal recycling/auto wrecking; vehicle service and
23 repair; and vehicle service and repair – industrial, and
24

25 WHEREAS staff presented the Commission's recommendations to the City
26 Council at a study session on September 20, 2022, and in response, the City



1 Council referred the recommendations to the Infrastructure, Planning, and
2 Sustainability Committee (“Committee”) for further consideration, and

3 WHEREAS following that referral, on November 30, 2022, the Committee
4 forwarded an amended moratorium proposal to the City Council:
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6 (1) Use Categories: The Committee did not find sufficient risk to
7 groundwater resources from the establishment or expansion of vehicle service and
8 repair or industrial vehicle service and repair uses to warrant a moratorium,
9 therefore, the moratorium should apply only to metal recycling/auto wrecking and
10 underground storage tanks; and
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12 (2) Existing Uses: The Committee found that a moratorium that is too
13 restrictive on the expansion of existing uses could have the counter effect of
14 prohibiting improvements that provide environmental benefit or reduce the risks and
15 impacts of existing uses, therefore, the moratorium should allow for reasonable
16 facility and site development that improves environmental outcomes while avoiding
17 the introduction of new risks to the City’s groundwater resources, and
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19 WHEREAS on March 7, 2023, following a public hearing and substantial
20 public input, the City Council adopted Ordinance No. 28872, enacting a moratorium
21 within the STGPD as recommended by the Committee, and
22

23 WHEREAS the moratorium in Ordinance No. 28872 became effective
24 March 20, 2023, and was enacted for an initial period of up to one year, to expire on
25 March 20, 2024, and applied to the following uses: underground storage tanks; and
26 metal recycling/auto wrecking, and



1 WHEREAS the Commission recommended at its December 20, 2023,
2 meeting, that the work plan be updated to adopt a more comprehensive approach
3 that considers both existing and upcoming initiatives linked to the STGPD code
4 update, this recommendation was grounded in several significant changes and
5 resource allocations since the initial adoption of the work plan, and
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7 WHEREAS following the update to the STGPD work plan and the
8 identification of ongoing research needs, the City Council passed Ordinance
9 No. 28958 on March 5, 2024, to extend the moratorium for six months, expiring on
10 September 20, 2024, and
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12 WHEREAS following the moratorium extension in March 2024, significant
13 progress has been made in several key areas:

14 (1) Tacoma Water’s Integrated Resource Plan (“IRP”) update:

15 To update the IRP Tacoma Water has engaged an external consultant
16 whose work includes a comprehensive review and recommendations regarding the
17 STGPD standards, and additionally, they will develop new insights into groundwater
18 supply and demand forecasts, integrating considerations of climate change
19 impacts, and Tacoma Water has also established a Public Advisory Committee to
20 assist in this effort;
21

22 (2) STGPD Health Impact Assessment (“HIA”):

23 Planning and Development Services (“PDS”) has allocated funding to
24 support an HIA linked to the STGPD code amendments, and PDS will collaborate
25 with the Tacoma-Pierce County Health Department (“TPCHD”) on this assessment,
26



1 ensuring holistic considerations of public health within the code update, and since
2 the last moratorium extension, TPCHD has formed a community advisory group to
3 aid in this effort, with community engagement and the scoping phase to begin later
4 in the summer;

5
6 (3) Comprehensive Plan and Critical Areas Code update:

7 PDS is currently working on updating the Comprehensive Plan and Critical
8 Areas Code update, with an expected completion date of June 2025, which will
9 include a thorough review of critical aquifer recharge areas, aligning closely with the
10 goals of the STGPD, and in May and June 2024, eight visioning workshops were
11 conducted in each neighborhood council district to gather public input for drafting
12 the Comprehensive Plan;

13
14 (4) Other programmatic and regulatory updates:

15 Significant efforts are underway by the City and its partners to update
16 various programs and regulations that support the objectives of the STGPD, with
17 initiatives such as the Wellhead Protection Plan, Urban Waters Protection Plan, and
18 Stormwater Comprehensive Plan currently in progress to enhance the protection
19 and sustainability of groundwater resources, and the Environmental Services
20 Department has hired a consultant to help with the Stormwater Comprehensive
21 Plan, to be completed in 2025, and they are currently gathering baseline
22 information on stormwater utility functions from City departments responsible for
23 implementation; and
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(5) South Tacoma Landscaping Code update:

Following the moratorium public hearing and community feedback, it has become evident that there is a strong desire to amend landscaping and tree canopy standards, particularly focusing on industrial areas and the Tacoma Mall Regional Growth Center, and since March, PDS staff have been benchmarking City landscaping/tree canopy standards with other regional jurisdictions, and

WHEREAS staff is now asking for an extension of the current moratorium to continue prohibiting the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD, while allowing the current level of these uses and activities to be maintained for an additional six months; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That a six-month extension of Ordinance No. 28872, which enacted interim land use regulations within the South Tacoma Groundwater Protection District ("STGPD") to temporarily prohibit the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD as approved by the City Council, and previously extended by Ordinance No. 28958, is hereby approved.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance
2 numbering, section/subsection numbers, and any references thereto.

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4 Passed _____

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7 Mayor

8 Attest:
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10 City Clerk

11 Approved as to form:
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13 Chief Deputy City Attorney

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