



TO: Elizabeth A. Pauli
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 Proposed 6-Month Extension of Moratorium in the South Tacoma Groundwater Protection District – January 14, 2025
DATE: December 31, 2024

SUMMARY AND PURPOSE:

A resolution setting Tuesday, February 4, 2025, as the date for a public hearing before the City Council on the consideration of a six-month extension of the existing moratorium on certain high impact uses within the South Tacoma Groundwater Protection District.

BACKGROUND:

South Tacoma Groundwater Protection District Work Plan

On June 28, 2022, the City Council adopted [Amended Substitute Resolution No. 40985](#), approving the Work Plan for the South Tacoma Groundwater Protection District (STGPD) Code Amendments, and directing the Planning Commission to conduct a public process to develop findings of fact and recommendations as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the STGPD is warranted.

Adoption of the Initial Moratorium – March 7, 2023

The Planning Commission completed its review and deliberations of the matter through a public process and forwarded to the City Council the Planning Commission’s Findings of Fact and Recommendations Report on Consideration for a moratorium within the STGPD, along with a letter of recommendations, both dated August 17, 2022. The Planning Commission concluded that a broad moratorium could result in detrimental, inequitable and/or disproportionate impacts to diverse businesses and uses that are of various types, purposes, characteristics, operations and maintenance needs, and risks to the environment, and recommended instead that a targeted moratorium was warranted for the following uses within the STGPD:

- Underground storage tanks
- Metal recycling/auto wrecking
- Vehicle service and repair
- Vehicle service and repair – industrial

Staff presented these recommendations to the City Council at a study session on September 20, 2022. In response, the City Council referred the recommendation to the Infrastructure, Planning, and Sustainability (IPS) Committee for further consideration. Following that referral, the IPS Committee, on November 30, 2022, forwarded an amended moratorium proposal to the City Council.

1. **Use Categories:** The IPS Committee did not find sufficient risk to groundwater resources from the establishment or expansion of vehicle service and repair or industrial vehicle service and repair uses to

warrant a moratorium. Therefore, the moratorium should apply only to metal recycling/auto wrecking and underground storage tanks.

2. **Existing Uses:** The IPS Committee found that a moratorium that is too restrictive on the expansion of existing uses could have the counter effect of prohibiting improvements that provide environmental benefit or reduce the risks and impacts of existing uses. Therefore, the moratorium should allow for reasonable facility and site development that improves environmental outcomes while avoiding the introduction of new risks to the City's groundwater resources.

On March 7, 2023, following a public hearing and substantial public input, the City Council passed [Ordinance No. 28872](#), enacting a moratorium within the STGPD as recommended by the IPS Committee. The moratorium in Ordinance No. 28872 became effective March 20, 2023, and was enacted for an initial period of up to one year, to expire on March 20, 2024, and applied to the following uses:

- Underground storage tanks
- Metal recycling/auto wrecking

STGPD Work Plan Update – December 20, 2023

On December 20, 2023, the Planning Commission recommended updating the STGPD Work Plan to adopt a more comprehensive approach, considering current and upcoming initiatives related to the STGPD code update. This recommendation came in response to significant changes and resource allocations since the original Work Plan adoption.

March 2024 Moratorium Extension

On March 5, 2024, the City Council passed Ordinance No. 28958, extending the existing moratorium for another six months, with the new expiration date set for September 20, 2024. This extension followed updates to the STGPD Work Plan and the identification of ongoing research needs.

August 2024 Moratorium Extension

On August 27, 2024, the City Council passed Ordinance No. 28977, extending the moratorium once again for another six months, expiring on March 20, 2025.

Consideration of Further Extension

Staff is requesting an additional extension of the moratorium in order to continue prohibiting the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD. This extension will allow the current level of these uses and activities to be maintained for an additional six months, facilitating the completion of necessary research initiatives and ensuring comprehensive evaluation of the STGPD code and other relevant policies and regulations.

COMMUNITY ENGAGEMENT:

City Council Process:

In support of the initial establishment of the moratorium and adoption of the Work Plan, public notice was sent to all taxpayers and occupants within the STGPD as well as those within 2500 feet of the district. Additional notification was sent to business districts, neighborhood councils, interested parties, as well as via social media and press releases. City Council consideration of the recommended code amendments resulting from the groundwater code review will also include significant public process, including both a Planning Commission and City Council public hearing.

2025 STRATEGIC PRIORITIES:

Setting this public hearing will not have a significant impact on the City’s 2025 Strategic Priorities, however, based on public comments received and the Planning Commission’s assessment, the existing moratorium within the STGPD is expected to help address the following major issues, which tie directly to the City’s strategic priorities around equity and accessibility, economy/workforce, and livability:

- Economic Prosperity for All
- Environmental Remediation and Protection
- Transportation and Capital Facilities Planning
- Public Participation and Outreach

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

There is no significant impact on the equity indicators associated with setting the public hearing date.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
Schedule the public hearing at a later date.	The City Council would have additional time to consider extending the moratorium.	The existing moratorium is set to expire on March 20, 2025. Delays in the City Council’s consideration of extending the moratorium will most likely create a gap in which the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD will be permitted.
Decline to schedule a public hearing.	Declining to continue the consideration of a moratorium would enable the code amendment process to proceed immediately.	Declining the consideration of extending the moratorium allows new uses and development that include potential risks to groundwater resources to occur within the area while the code amendment process is underway.

EVALUATION AND FOLLOW UP:

A progress report on the code update will be presented at the IPS Committee meeting scheduled for January 22, 2025. Following this, staff will facilitate the City Council’s review of public hearing input during the City Council meeting tentatively scheduled for February 11, 2025. Additionally, staff will support the City Council in conducting the first and final readings of the ordinance to extend the moratorium, which are tentatively scheduled for February 11 and February 25, 2025.

Upon completion of the research related to the code update, staff will present the proposed revisions to the City Council for review and a decision at a future meeting.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends the City Council conduct the public hearing on February 4, 2025.

FISCAL IMPACT:

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