



TO: Elizabeth A. Pauli
FROM: Maryam Moeinian, Senior Planner, Planning and Development Services
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COPY: City Council and City Clerk
SUBJECT: Ordinance – Extending the Duration of the Current Moratorium in the South Tacoma Groundwater Protection District by Six Months – February 11, 2025
DATE: January 27, 2025

SUMMARY AND PURPOSE:

An ordinance approving 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 as previously extended twice by Ordinance Nos. 28958 and 28977.

BACKGROUND:

STGPD Work Plan

On June 28, 2022, the City Council adopted Amended Substitute Resolution No. 40985, approving the Work Plan for the STGPD code amendments, and directed 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 was 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 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:

The City Council will conduct a public hearing on February 4, 2025. To support the City Council public hearing, a public notice was published in the Tacoma Daily Index newspaper on Friday, January 17, 2025. Additional notifications were sent to the Puyallup Tribe of Indians, Tacoma Libraries, and various email contact lists, including neighborhood councils and business districts. Notifications were also distributed through news releases and social media.

2025 STRATEGIC PRIORITIES:

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).

The moratorium extension would continue to put a temporary pause on new underground storage tanks and metal recycling/auto wrecking facilities, avoiding potential risks to groundwater resources while the STGPD code amendment process is underway.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
Deny the proposed moratorium extension	Denying the proposed moratorium extension would likely have a positive impact on business predictability in the STGPD.	Denying the proposed moratorium extension would potentially allow the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD beginning March 21, 2025.

EVALUATION AND FOLLOW UP:

Staff presented the initial findings and recommendations from the code review to the IPS Committee at their meeting on January 22, 2025.

If the six-month moratorium extension is adopted, staff will proceed with implementing the updated work plan for the STGPD code amendments. It is anticipated that no further extensions will be needed after this one, as staff research is nearing completion. A draft code is expected to be ready by spring 2025. Once the Planning Commission has reviewed and provided its recommendations on the draft code, the City Council will review the proposed revisions and make a decision at future meetings, likely in late spring or early summer 2025.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends that the City Council conduct the first reading of ordinance on February 11, 2025, followed by the final reading on February 25, 2025.

FISCAL IMPACT:

There is no fiscal impact related to this proposal.