



## ORDINANCE NO. 29020

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 Nos. 28958 and  
8 28977.

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

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

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

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

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



(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  
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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  
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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:  
5

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 countereffect 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  
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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 on August 27, 2024, the City Council passed Ordinance No.  
13 28977, extending the moratorium once again for another six months, expiring on  
14 March 20, 2025, and  
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16           WHEREAS staff is now asking for an extension of the current  
17 moratorium to continue prohibiting the establishment of new or the expansion  
18 of existing underground storage tanks, metal recycling, and auto wrecking  
19 facilities within the STGPD, while allowing the current level of these uses and  
20 activities to be maintained for an additional six months, in order to continue  
21 ongoing work related to the STGPD code update and address remaining  
22 research needs; Now, Therefore,  
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24           BE IT ORDAINED BY THE CITY OF TACOMA:

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




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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 Nos. 28958 and 28977, 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 limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Chief Deputy City Attorney