Tideflats and Industrial Land Use Amendments

City of Tacoma | Planning and Development Services

City Council Public Hearing
April 27, 2021

BACKGROUND

- **Tideflats Interim Regulations in Effect Since 2017**
  - By State Law, must be extended every 6 months (5 previous extensions)
- **Amended Ordinance No. 28696 Passed on October 20, 202 Directed Planning Commission to:**
  - Recommend "Non-Interim" regulations by April, 2021
  - Limit review to those issues and uses addressed in initial interim regulations
  - Consider approaches to regulate expansion of existing uses
  - Consider predictability for industry and community
  - Seek input from Port of Tacoma, Puyallup Tribe and other partners

BACKGROUND

- **Planning Commission finalized and forwarded recommendations on April 7, 2021**
- **City Council approval would replace interim regulations with "permanent" regulations**
  - Permanent regulations can be amended at any time
- **City Council can consider amendments to Planning Commission recommendations**

3

PUBLIC ENGAGEMENT

December 2, 2020 Scoping Hearing:
- 28 people testified; 146 written letters
- 40,000 public notices distributed
- Staff led informational meeting

March 3, 2021 Public Hearing:
- 34 people testified; 71 written letters
- 40,000 public notices distributed
- Staff led informational meeting

Other:
- Staff and Commission direct engagement
- Written comments accepted for each meeting
- Online map comment and data tool
- Listening Session

4

SCOPE OF WORK

- **Policy Review:**
  - Growth Management Act, Shoreline Management Act, Comprehensive Plan, Climate Emergency Resolution
- **State Environmental Policy Act (SEPA):**
  - Determination of Non-significance
- **Uses:**
  - Potential risks, impacts, benefits of specific uses under review
- **Other information:**
  - Public input, environmental hazards, environmental assets, adjacent land uses and zoning, employment, greenhouse gas emissions, sea level rise, fossil fuel baseline

5

RECOMMENDATION AREAS

Planning Commission Recommendations:

1. Public Notification (Permit and Land Use Notifications)
2. Conversion of Industrial Lands
3. Residential Encroachment
4. Siting of Potentially High Risk/ High Impact Industrial Uses

6

1. PUBLIC NOTIFICATION

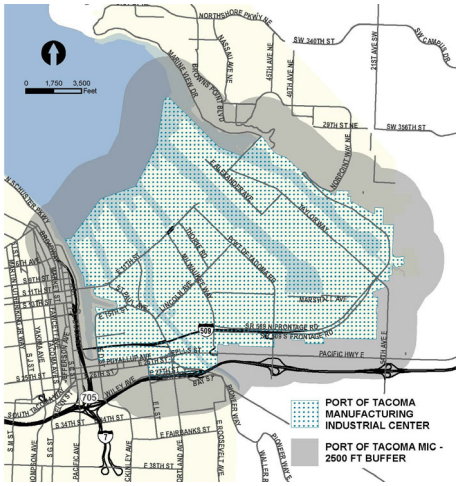
Purpose: Ensure community members and potentially impacted parties are informed of potential zoning and permit applications and aware of how to participate.

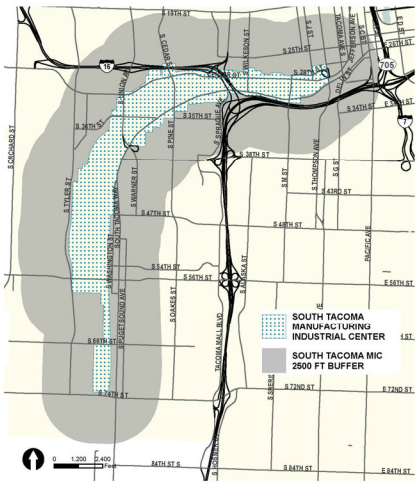
Planning Commission Recommendation:

- Expand public notice distances to 2500' of project site or designated center;
- Provide notices to occupants as well as taxpayers;
- Conduct a public meeting;
- Applies to heavy industrial permit applications as well as area-wide rezones or Comprehensive Plan Map Amendments

7

1. PUBLIC NOTIFICATION (cont.)





8

2. CONVERSION OF INDUSTRIAL LAND

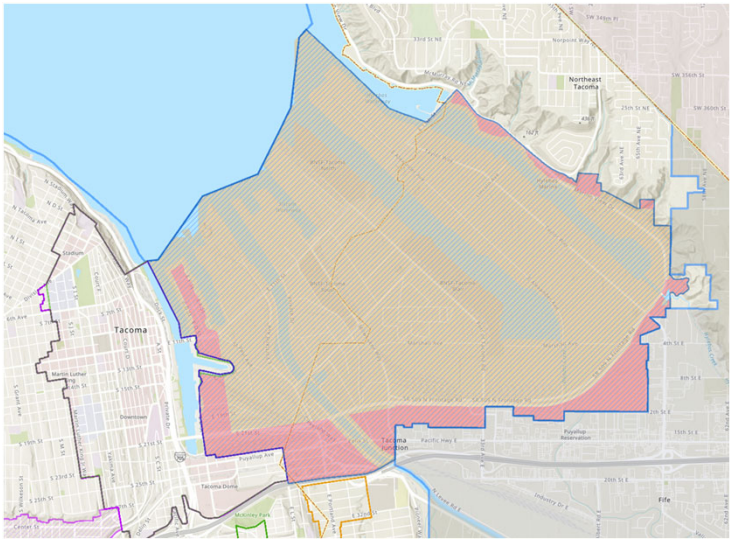
Purpose: Preserve industrially-zoned lands for manufacturing and industrial use and protect port-industrial lands from incompatible land uses.

Planning Commission Recommendation:

- Provide greater restrictions on non-industrial uses in the Core Area of the Port of Tacoma Manufacturing and Industrial Center:
  - Prohibit Golf Courses, Airports, Agriculture, Schools Juvenile Community Facility, Work Release Center, Commercial Recreation, High Intensity Park and Recreation (such as stadium/community centers).
- Allow for some greater flexibility for compatible non-industrial uses in the Industrial/Commercial Buffer Area
  - Allow dwellings, cultural facilities, hospital, schools as conditional use

9

2. CONVERSION OF INDUSTRIAL LAND (Cont.)



10

3. RESIDENTIAL ENCROACHMENT

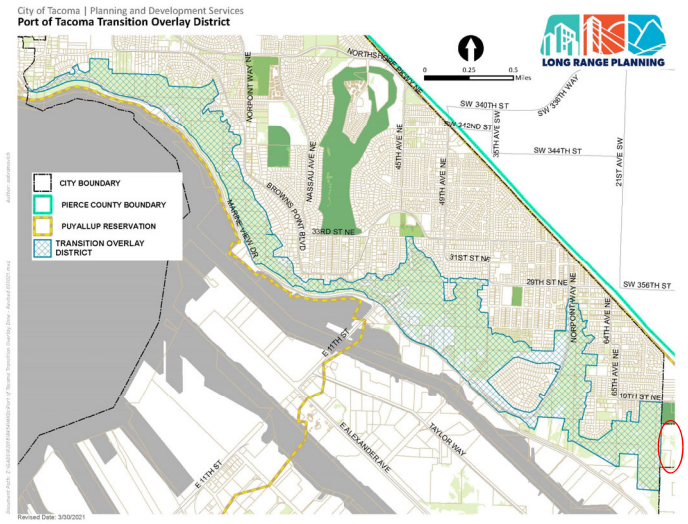
Purpose: Limit encroachment of incompatible residential uses on the Port of Tacoma MIC; apply appropriate standards to limit long term nuisance issues; ensure reasonable use of private property.

Planning Commission Recommendation:

- Applies to NE Tacoma hillside above Marine View Drive
- Limits new development to maximum of one unit per acre
- Require clustering of units
- Apply building and design standards to limit impacts

11

3. RESIDENTIAL ENCROACHMENT (Cont)



Map amendment

12

4. SITING HEAVY INDUSTRIAL USES

Purpose: Apply use preferences; Support transition to renewable fuels; Promote greater compatibility with urban setting and surrounding areas; Create permit pathways for new economic activity and job growth.

Interim Ordinance:

1. Coal facilities – Prohibited
2. Smelting – Prohibited
3. Mining and quarrying – Prohibited
4. Chemical Manufacturing – Prohibited
5. Oil and other liquefied and gaseous fossil fuels - Prohibited

13

4. SITING HEAVY INDUSTRIAL USES (Cont.)

Recommendation:

- Coal Facilities – Same as interim
- Smelting – Same as interim
- Mining and Quarrying – Same as interim
- Chemical Manufacturing:
  - Hazardous chemicals are Conditional Use
  - Conditional use along periphery of the Port
  - Prohibit petrochemical, explosives, and fertilizer manufacturing

14

4. SITING HEAVY INDUSTRIAL USES (Cont.)

Recommendation:

- Oil and other liquefied and gaseous fossil fuels:
  - New use categories:
    - Fossil Fuel Facility – Major
    - Renewable Fuel Facility – Major
  - Prohibit new Fossil Fuel Facilities and expansion of current fossil fuel refining and storage
  - Allow existing Fossil Fuel Facilities to maintain, upgrade, change fuel types without additional permit requirements
  - Require a conditional use permit for new renewable fuel facilities or expansion of renewables beyond baseline volumes

15

PLANNING COMMISSION RECOMMENDATION

Approve as Recommended:

- Exhibit A: Amendments to Title 13 Land Use Regulatory Code
- Exhibit B: Amendments to Title 19 Shoreline Master Program

Address in Subarea Plan or Other Process:

- Port of Tacoma Overlay District and additional use restrictions
- Review land use around Portland Ave Station location
- South Tacoma Groundwater Protection District

16

NEXT STEPS

May 4: Study Session

May 11: First Reading of Ordinance

May 18: Final Reading of Ordinance

June 2: Current Ordinance Expires

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