

Minor Plan & Code Amendments

2025 AMENDMENT TO THE COMPREHENSIVE PLAN
AND LAND USE REGULATORY CODE



Planning Commission

02.05.2025

AGENDA

Subject: Minor Plan and Code Amendments (2025 Amendment Package)

Purpose: Staff Request Release of the “Minor Plan and Code Amendments” Application Staff Report & Exhibits for public review & comment as part of 2025 Amendment package.

Presentation Outline

- Review Draft Exhibits & Analysis Updates
- Next Steps & Request Release for public review & comment

BACKGROUND: MINOR PLAN AND CODE AMENDMENTS

Proposed Minor Amendments to Comprehensive Plan and TMC Title 13 – Land Use Regulatory Code (Non-policy and technical in nature)

Intent of Minor Amendments	
Correct errors	Enhance intent
Address inconsistencies	Improve administration
Provide clarity	Improve customer service

EXHIBITS - SCOPE OF WORK

Exhibit A: Minor Amendments

1. Definition: Development Site
2. Residential Infill Pilot Program: Remove remaining text
3. CUP: “Conditional uses and height”
- 4. Land Use Permit Code Enforcement**
- 5. Pedestrian Streets: Home in Tacoma alignment**
6. Split Zoning: Multi-parcel sites
7. Tacoma Mall RGC: Residential use prohibition
8. Mixed-Use Center Zoning: Residential building max. setbacks
- 9. Retail marijuana limits: Expansion**
- 10. Electric Fence: Perimeter fence requirements**
11. Sign Regulations: Shoreline
- 12. Building Design Mass Reduction: Mixed-Use Center and Downtown zoning**
13. Commercial Zoning: Maximum setback exception

LAND USE PERMIT CODE ENFORCEMENT

Exhibit C: Code Enforcement

13.05.150 Enforcement.

A. Purpose.

To ensure that the Land Use Regulatory Code, as well as conditions imposed on land use permits granted by the City, are administered, enforced, and upheld to protect the health, safety and welfare of the general public.

B. Applicability.

A person who undertakes a development or use without first obtaining all required land use permits or other required official authorizations or conducts a use or development in a manner that is inconsistent with the provisions of this title, or who fails to conform to the terms of an approved land use permit or other official land use determination or authorization of the Director, Hearing Examiner, City Council or other authorized official, or who fails to comply with a stop work order issued under these regulations shall be considered in violation of this title and be subject to enforcement actions by the City of Tacoma, as outlined herein.

1. The Director, and/or their authorized representative, shall have the authority to enforce the land use regulations of the City of Tacoma.

2. The Land Use Regulatory Code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

3. It is the intent of this Land Use Regulatory Code to place the obligation of complying with its requirements upon the owner, occupier, or other person responsible for the condition of the land and buildings within the scope of this title.

4. No provision of, or term used in, this code is intended to impose upon the City, or any of its officers or employees, any duty which would subject them to damages in a civil action.

5. Any violation of this title is a detriment to the health, safety, and welfare of the public, and is therefore declared to be a public nuisance.

6. The enforcement provisions outlined in this chapter shall apply to all sections of Title 13 of the Tacoma Municipal Code. However, if a specific chapter or section contains its own set of enforcement provisions, then such provisions shall be used for enforcement of that chapter and are exempt from the enforcement provisions outlined herein.

C. Enforcement Process.

Any person or entity violating any of the provisions hereof shall be subject to all penalties and enforcement processes defined in the Uniform Enforcement Code, set forth at Chapter 1.82 of the Tacoma Municipal Code.

1. Violation Review Criteria.

~~Each violation requires a review of all relevant facts in order to determine the appropriate enforcement response. When enforcing the provisions of this Chapter, the Director and/or their authorized representative should, as practical, seek to resolve violations without resorting to formal enforcement measures. When enforcement measures are necessary, the Director and/or their authorized representative should seek to resolve violations administratively prior to imposing civil penalties or seeking other remedies. The Director and/or their authorized representative should generally seek to gain compliance via civil penalties prior to pursuing other enforcement penalties. The Director may consider a variety of factors when determining the appropriate enforcement response, including but not limited to:~~

- a. Severity, duration, and impact of the violation(s), including whether the violation has a probability of placing a person or persons in danger of death or bodily harm, causing significant environmental harm, or causing significant physical damage to the property of another;
- b. Compliance history, including any identical or similar violations or notice of violation at the same site or on a different site but caused by the same party;
- c. Economic benefit gained by the violation(s);
- d. Intent or negligence demonstrated by the person(s) responsible for the violation(s);
- e. Responsiveness in correcting the violation(s); and
- f. Other circumstances, including any mitigating factors.

2. Stop Work Order.

a. The Building Official and/or their authorized representative shall have the authority to issue a Stop Work Order whenever any use, activity, work or development is being done without a permit, review or authorization required by this title or is being done contrary to any permit, required review or authorization which may result in violation of this title. The Stop Work Order shall be posted on the site of the violation and contain the following information:

(1) The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;

(2) A description of the potential violation and a reference to the provisions of the Tacoma Municipal Code which may have been violated;

(3) A description of the action required to remedy the potential violation, which may include corrections, repair, demolition, removal, restoration, or any other appropriate action as determined by the Director and/or their authorized representative;

(4) The appropriate department and/or division investigating the case and the contact person.

b. With the exception of emergency work determined by the Director and/or their authorized representative to be necessary to prevent immediate threats to the public health, safety, and welfare or stabilizing a site or prevent further property or environmental damage, it is unlawful for any work to be done after the posting or service of a Stop Work Order until authorization to proceed is provided by the Director and/or their authorized representative.

3. Voluntary Compliance.
The Director and/or their authorized representative may pursue a reasonable attempt to secure voluntary compliance by contacting the owner or other person responsible for any violation of this title, explaining the violation and requesting compliance. This contact may be in person or in writing or both.

4. Investigation and Notice of Violation

a. The Director and/or their authorized representative, if they have a reasonable belief that a violation of this title exists and the voluntary compliance measures outlined above have already been sought and have been unsuccessful, or are determined to not be appropriate, may issue a Notice of Violation to the owner of the property where the violation has occurred, the person in control of the property, if different, or the person committing the violation, if different, containing the following:

(1) The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;

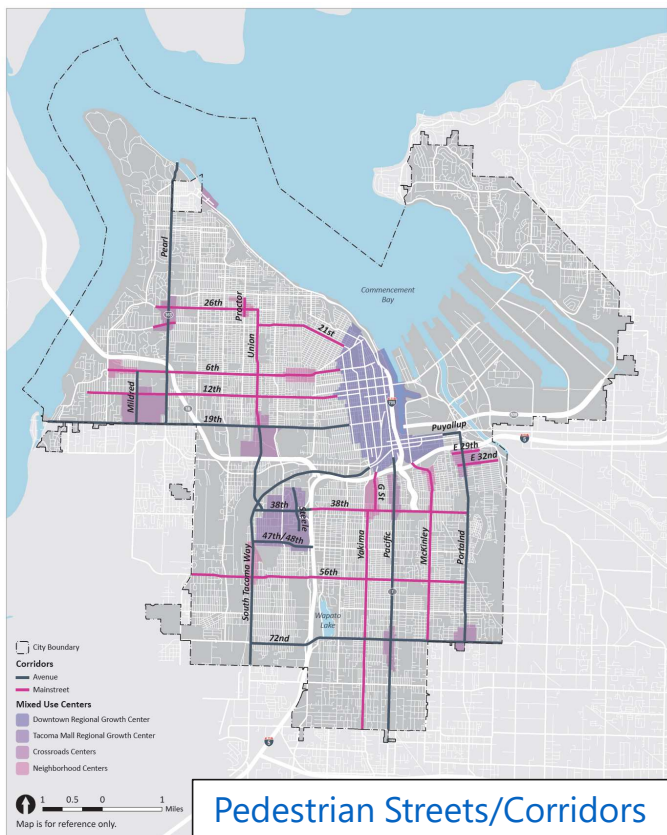
(2) A description of the violation and a reference to the provisions of the Tacoma Municipal Code which have been violated;

(3) A description of the action required to remedy the violation, which may include corrections, repair, demolition, removal, restoration, submittal of a work plan or any other appropriate action as determined by the Director and/or their authorized representative.

C. Enforcement Process.

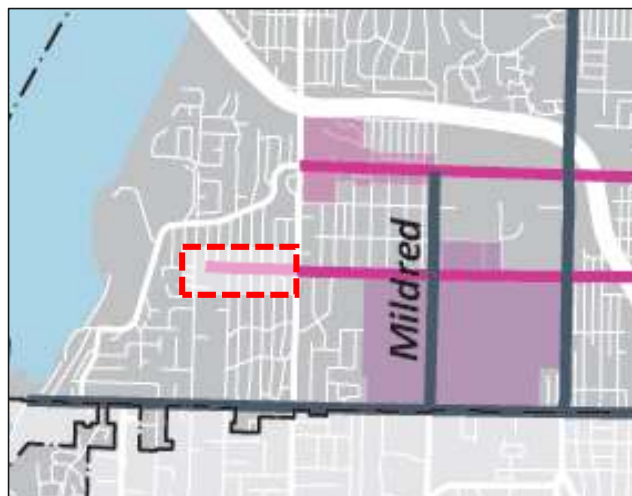
Any person or entity violating any of the provisions hereof shall be subject to all penalties and enforcement processes defined in the Uniform Enforcement Code, set forth at Chapter 1.82 of the Tacoma Municipal Code.

PEDESTRIAN STREETS: HOME IN TACOMA



2025 Amendment

N 12th St

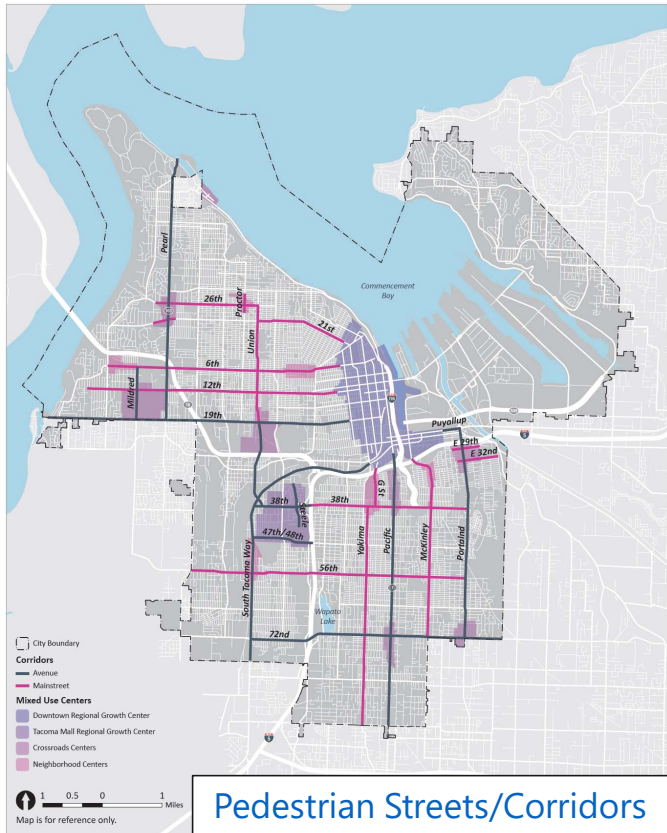


Planning Commission Public Release (02.05.2025)



Comprehensive Plan FLUM

PEDESTRIAN STREETS: HOME IN TACOMA



2025 Amendment

Proctor MUC: N 21st St / N 26th St / N Proctor St /N Union Ave

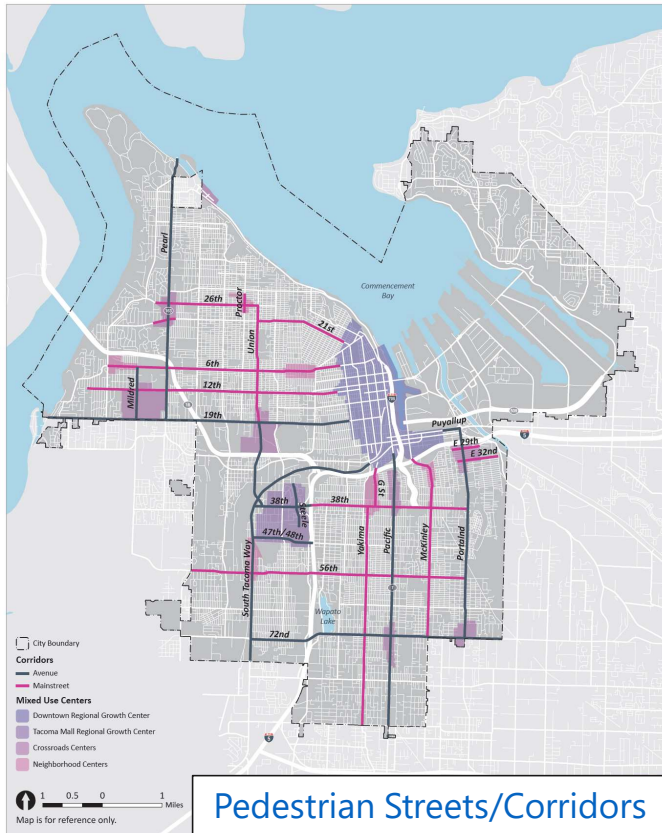


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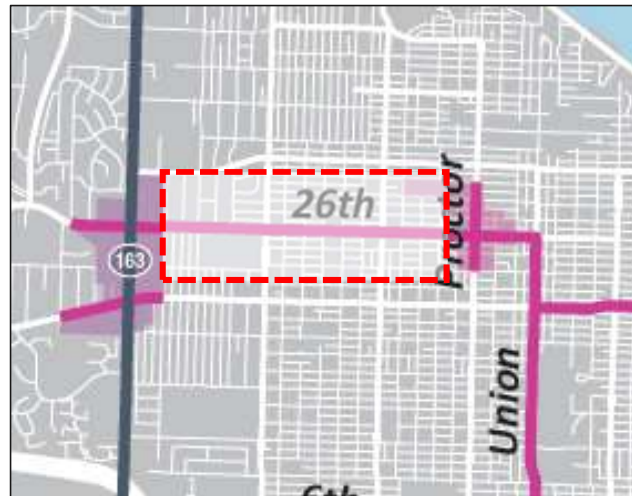
Comprehensive Plan FLUM

PEDESTRIAN STREETS: HOME IN TACOMA



2025 Amendment

N 26th St

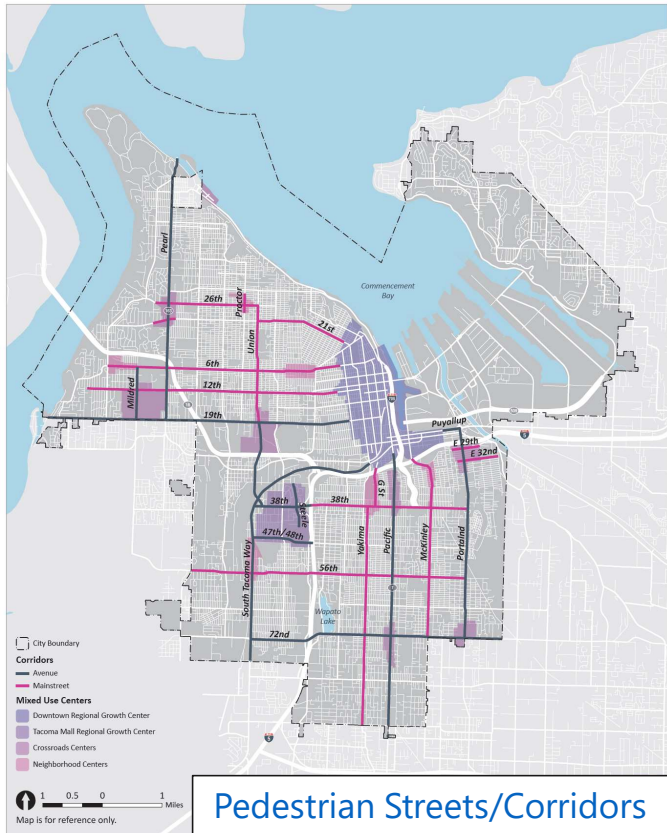


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Comprehensive Plan FLUM

PEDESTRIAN STREETS: HOME IN TACOMA



2025 Amendment

Lincoln MUC: S Thompson Ave / S Yakima Ave



- Missing S Yakima Ave south of S 48th St to City limits is also added

Planning Commission Public Release (02.05.2025)



Comprehensive Plan FLUM

RETAIL MARIJUANA LIMITS

Exhibit A: Minor Amendments

9. Retail marijuana limits: Expansion

Expands limits in accordance with the State's Cannabis Social Equity Program.

13.06.080 Special Use Standards

J. Marijuana Uses.

4. Location requirements.

j. A maximum of sixteen (16) retail marijuana stores are allowed to operate in the City of Tacoma, except that this number may be exceeded when necessary to comply with the State's Cannabis Social Equity Program (see RCW 69.50.335).

ELECTRIC FENCE PERIMETER FENCE

Exhibit A: Minor Amendments

10. Electric Fence: Perimeter fence requirements

Limits required perimeter fence to street frontages and adjacency to public spaces like schools, parks, and trails within Commercial, MUCs, and Downtown districts.

13.06.090 Site Development Standards.

K. Fences and Retaining Walls.

6. Commercial, MUCs, and Downtown Districts.

b. Electrified Fence Standards.

(5) Perimeter Fence.

(i) All portions of an electric fence that front a public street or adjacent to a school, public park, or trail shall be screened by a decorative, non-electric, perimeter fence located between the electric fence and street.

~~An electric fence shall be surrounded by a decorative, non-electric, perimeter fence. Any gaps within the perimeter fence with shall have a smaller aperture designed to limit the passthrough of hands. This perimeter fence shall be a minimum of 6 feet in height and a maximum of 7 feet in height. This fence may be located on the property line.~~

(ii) The required perimeter fence shall be setback a minimum of 1 foot from the electric fence.

(iii) The perimeter fence shall not be chain link.

(iv) ~~When the perimeter fence is between a public street and the property, t~~The fence must be designed to allow pedestrians and drivers to see onto the property.

(v) Electric fences adjacent to designated Core Pedestrian Streets or designated Pedestrian Streets shall be required to have a planting strip at least 5 feet wide between the public right-of-way and the perimeter fence, with landscaping pursuant to the requirements of TMC

13.06.090.B, in order to soften the view of the fence and contribute to the pedestrian environment.

BUILDING DESIGN MASS REDUCTION

Exhibit A: Minor Amendments

12. Building Design Mass Reduction: Mixed-Use Center and Downtown zoning

Clarifies when mass reduction requirements apply and how horizontal modulation (aka step-backs) can be met.

Applicability

- Public or private streets
- Public open space
- On-site parking lots

Shorter buildings get credit for meeting horizontal modulation

13.06.100 Building design standards.

B. Mixed-Use District Minimum Design Standards.

4. Building Form and Expression

b. Mass reduction.

Applicability: Buildings that have more than 60 feet of frontage along a [public or private](#) street, [public](#) open space, or [on-site](#) parking area ([45 feet or greater average width](#)) must conform to these standards.

(1) Building modulation choices: Buildings fronting a designated Pedestrian Street must employ two of the following modulation approaches. Building fronting a street not designated as Pedestrian Street must employ one.

(a) Horizontal modulation: Upper floor streetfront stepback (choose one as applicable)

Notes

- [Encroachments: One distinct design element of no more than 25 feet in width is allowed to encroach vertically into these stepbacks for each façade.](#)
- [Buildings that do not exceed the floor at which a stepback would apply are considered to satisfy horizontal modulation for purposes of meeting mass reduction requirements.](#)

D. Downtown District Minimum Design Standards.

4. Building Form and Expression

b. Mass reduction.

[Same as above]

NEXT STEPS

March 5, 2025 – Staff Requests that the Commission set March 5, 2025 as the date for a public hearing on the 2025 Amendment package and set March 7, 2025 at 5:00 pm as the deadline for written comments.

Planning Commission Review (March-May 2025)

- Public Hearing and comment period
- Recommendation to City Council

City Council Review (May-June 2025)

- Public Hearing/s
- Vote on Amendment