



AGENDA

- MEETING:** Regular Meeting and Public Hearings (Hybrid)
- DATE/TIME:** Wednesday, June 5, 2024, 5:00 p.m.
(Public Hearings beginning at approximately 5:00 and 5:30 p.m.)
- LOCATION:** Conference Room 243, 2nd Floor of the Tacoma Municipal Building
747 Market Street, Tacoma, WA 98402
- ZOOM INFO:** Link: <https://www.zoom.us/j/84416624153>
Dial-in: +1 253 215 8782
ID: 844 1662 4153

A. Call to Order

- Quorum Call
- Land Acknowledgement

B. Approval of Agenda

C. Approval of Minutes

There are no meeting minutes to approve.

D. Public Comments

This is the time set aside for public comment on items on this agenda.

- Written comments on Discussion Items must be submitted to Planning@cityoftacoma.org by 12:00 noon prior to the meeting. Comments will be compiled, sent to the Commission, and posted on the Commission's webpage at www.cityoftacoma.org/PlanningCommissionAgendas.
- Written testimony on Public Hearing Items F1 and F2 must be submitted by June 7, 2024; by e-mail to planning@cityoftacoma.org. Oral testimony on these item will be accepted during the Public Hearing portion of this meeting.
- To comment virtually, join the meeting using Zoom. To comment in person, sign in at the back of the Council Chambers. Where necessary, the Chair may limit the allotted time for comment.

E. Disclosure of Contacts and Recusals

F. Public Hearing

1. 2025-2030 Capital Facilities Program Proposed Project List

(Beginning at approximately 5:00 p.m.)

- Description: Conduct a public hearing on the proposed projects for the 2025-2030 Capital Facilities Program (CFP).
- Action: Receive testimony; Accept written comments through June 7, 2024.
- Staff Contact: Nick Anderson (NAnderson@cityoftacoma.org)



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the Planning and Development Services Department at (253) 905-4146 (voice) or 711 (TTY) before 5:00 p.m., on the Monday preceding the meeting.

¿Necesitas información en español? Cần thông tin bằng tiếng Việt? 한국어로 정보가 필요하십니까? ត្រូវការព័ត៌មានជាភាសាខ្មែរ?

Нужна информация на русском? Потрібна інформація українською мовою? Contact TacomaFIRST 311 at (253) 591-5000.

2. Permitting Level Of Service Code Amendment

(Beginning at approximately 5:30 p.m.)

- Description: Conduct a public hearing on the draft Permit Level of Service and Public Notice Code Amendments package.
- Action: Receive testimony; Accept written comments through June 7, 2024.
- Staff Contact: Shanta Frantz (SFrantz@cityoftacoma.org)

G. Discussion Items

1. Home In Tacoma – Recommendation

- Description: Consider forwarding the Home In Tacoma Phase 2 zoning and standards package to the City Council.
- Action: Review and Approve.
- Staff Contact: Elliott Barnett (EBarnett@cityoftacoma.org); Alyssa Torrez (ATorrez@cityoftacoma.org)

H. Upcoming Meetings (Tentative Agendas)

- (1) June 19, 2024 – Cancelled
- (2) Agenda for the June 26, special meeting includes:
 - Permitting Level Of Service Code Amendment – Debrief
 - Metro Parks Tacoma Strategic Plan
- (3) July 3, 2024 – Cancelled

I. Communication Items

- (1) **Reports/Communications from Staff**
- (2) **Status Reports by Commissioners** – Housing Equity Taskforce, Picture Pac Ave, Facility Advisory Committee, and the TOD Task Force.
- (1) **IPS Agenda** – The Infrastructure, Planning, and Sustainability Committee’s next hybrid meeting is scheduled for Wednesday, June 12, 2024, at 4:30 p.m.; the agenda (tentatively) includes presentations on Schuster Parkway and EV charging stations sustainability. (Held at 747 Market Street, Tacoma, WA 98402, Conference Room 248 or virtually at <http://www.zoom.us/j/87829056704>, passcode 614650)

J. Adjournment



To: Planning Commission
From: Nick Anderson, Office of Management & Budget
Subject: **2025-2030 Capital Facilities Program Proposed Project List**
Meeting Date: June 5, 2024
Memo Date: May 30, 2024

Action Requested:

Conduct a public hearing on the proposed projects for inclusion in the 2025-2030 Capital Facilities Program.

Discussion:

At the next meeting on June 5, 2024, the Planning Commission will conduct a public hearing on the proposed amendments to the 2025-2030 Capital Facilities Program (CFP). Staff from the Office of Management and Budget will introduce the public hearing with an overview of the proposed amendments. The public review documents with the proposed project list are available at <https://www.cityoftacoma.org/facilityimprovement>.

Summary:

The CFP and the One Tacoma Comprehensive Plan's Public Facilities and Services Element, jointly, fulfill the requirements of the State of Washington's Growth Management Act (GMA) that the comprehensive plan of each jurisdiction planning under the Act shall include a capital facilities plan element consisting of:

- An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- A forecast of the future needs for such capital facilities;
- The proposed locations and capacities of expanded or new capital facilities;
- At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities are included in the capital facilities plan element (RCW 36.70A.070).

The CFP and the Public Facilities and Services Element are also intended to achieve, primarily, the following planning goal of the GMA:

“Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards (RCW 36.70A.020).”

The CFP serves as a planning document for capital projects and enables the City to seek funding for potential projects. The element is updated each biennium through development of the City's budget process. Since the amendment of the CFP occurs concurrently with the adoption of the City's biennial



budget, it is not processed along with the annual amendments to the *One Tacoma* Comprehensive Plan, which is an exception allowed by the GMA (per RCW 36.70A.130).

During this process, the Planning Commission will review and update the six-year CFP from 2023-2028 to 2025-2030 with a revised project list. The projects vary in size and location and fall into the following categories: Community Development, Cultural Facilities, General Government Municipal Facilities, Libraries, Local Improvement Districts, Parks and Open Space, Public Safety, Solid Waste, Surface Water, Tacoma Power, Tacoma Rail, Tacoma Water, Transportation, and Wastewater.

The CFP from 2023-2028 will be amended pursuant to the State Growth Management Act's requirements and will be considered and adopted by the City Council concurrently with the 2025- 2026 Operating and Capital Budgets, currently expected in November 2024.

Notification for the Public Hearing:

The public hearing notice was distributed to individuals and entities on the Planning Commission's mailing list that included the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, adjacent jurisdictions, major employers and institutions, City and State departments, and other interested parties on June 3, 2022. A legal notice was published on the Tacoma Daily Index on June 7, 2022. A notice was sent to Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on June 3, 2022, asking for comments within 60 days of receipt of the notice. A letter was sent to the Puyallup Tribe of Indians on June 3, 2022, to formally invite the Tribe's consultation on the proposed CFP update.

Prior Actions:

2015: The City adopted the *One Tacoma* Comprehensive Plan, fulfilling the periodic review requirements of the GMA and incorporating project prioritization criteria into the Public Facilities and Services Element.

2022: The current 2023-2028 CFP was developed through the Planning Commission's review process in May-July 2022 and adopted by the City Council in November 2022. To view the 2023-2028 CFP, please visit: <https://city-tacoma-wa-budget-book.cleargov.com/8841/capitalimprovements/capital-facilities-program>.

Staff Contact:

- Nick Anderson, Management Analyst: nanderson@cityoftacoma.org; (253) 591-5847

Document Links:

- [CFP Project List](#)
- [CFP Project Detail](#)
- [CFP New Project List](#)
- [CFP Removed Project List](#)

c. Peter Huffman, Director



To: Planning Commission
From: Jana Magoon, Division Manager, Land Use
Subject: **Permitting Level of Service and Public Notice Code Amendment**
Memo Date: May 29, 2024
Meeting Date: June 5, 2024

Action Requested:

Conduct a public hearing to receive oral testimony and continue to accept written comments through Friday, June 7, 2024.

Description:

The Planning Commission will conduct a public hearing on June 5, 2024, at 5:30 p.m. to accept public comment on the draft Permit Level of Service and Public Notice Code Amendments package. The meeting will be hybrid and comments will be accepted in person and on ZOOM.

Permit Level of Service and Public Notice Code Amendments

At the May 1, 2024, meeting, the Planning Commission reviewed the draft Permit Level of Service and Public Notice Code Amendments package, authorized release for public review, and set a public hearing for June 5, 2024. The proposed draft code changes are necessitated by a mandate from the State of Washington that jurisdictions adopt new level of service targets specific to land use permits. In most cases, this will require permits be processed faster. The new requirement goes into effect on January 1, 2025. In addition, the State mandates that, by June 6, 2024, the City start including the beginning date for public comment on public notice announcements.

Staff Contact:

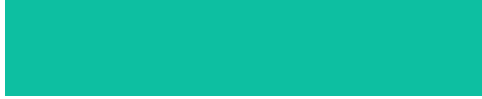
- Shanta Frantz, 253-260-0769, sfrantz@cityoftacoma.org

Attachments:

- Attachment 1: Draft Public Review Document - Permit Level of Service and Public Notice Code Amendments

c. Peter Huffman, Director





Permitting Level of Service and Public Notice Code Amendment





Permitting Level of Service and Public Notice Code Amendment

Staff Analysis Report
May 1, 2024

An application to amend Tacoma Municipal Code (TMC) Section 13.05 in compliance with new state law related to new land use permit level of service and public notice comment periods.

Project Summary	
Project Title:	Permitting Level of Service and Public Notice Code Amendment
Applicant:	City of Tacoma
Location and Size of Area:	Citywide
Neighborhood Council Area:	Citywide
Staff Contact:	Jana Magoon, Land Use Division Manager, jmagoon@cityoftacoma.org
Staff Recommendation:	<p>Staff proposes:</p> <p>Implement Substitute Senate Bill 5290 by making below changes:</p> <ul style="list-style-type: none"> • Land Use Permits without public notice must have final decision in 65 days, rather than 30 days • Land Use Permit with public notice must have final decision in 100 days, rather than 120 days • Land Use Permit with a public hearing must have final decision in 170 days, rather than 180 days • Add 30 days to permit level of service when applicant's response takes longer than 60 days. • Provide clarity related to pre-application meeting <p>Implement Substitute House Bill 1105:</p> <ul style="list-style-type: none"> • Include first and last date to comment in public notice.
Project Proposal:	See Exhibit "A" – Draft Code



1. Area of Applicability

The proposed amendments would apply Citywide.

2. Background

The City is proposing code updates to ensure that the City can meet requirements set forth in legislation adopted at the State level regarding land use permit level of service and public notice requirements. The State of Washington is mandating (Substitute Senate Bill 5290) that local jurisdictions meet new levels of service related to land use permitting. The new levels of service go into effect on January 1, 2025. Staff are bringing forward changes to Tacoma Municipal Code (TMC) 13.05 to reflect the required levels of service. Specifically:

- (a) A final decision for a land use permit that does not require public notice (such as a Boundary Line Adjustment and a 2-4 lot Short Plat) must be issued within 65 calendar days from complete application.
- (b) A final decision for a land use permit that requires a public notice but does not require a public hearing (such as a Variance, Shoreline Permit, or Conditional Use Permit) must be issued within 100 calendar days of complete application.
- (c) A final decision for a land use permit that requires a public hearing (such as a subdivision or rezone) must be issued within 170 calendar days of complete application.

There are certain events that “stop the clock” and/or extend the allowed level of service. However, if the City does not meet the required level of service, the City will incur financial penalties. Staff propose a minor change to the pre-application requirement that we believe is necessary to set the city up for success to meet required level of service.

Small changes are being made to other sections in TMC 13.05 which will result in better application packages and closing inactive permits. Both are necessary to streamline the permit process consistent with the mandate to reduce level of service.

The State is also mandating (Substitute House Bill 1107) that the required Public Notice be modified to state the date that public notice starts and the date public notice stops. The City’s public notice currently just list the date public notices stop. This requirement goes into effect on June 6, 2024.

3. Analysis

Staff analysis of this application has been conducted in accordance with TMC 13.02.070.F.2, which requires the following four provisions be addressed, as appropriate:

- A staff analysis of the application in accordance with the elements described in 13.02.070.D;
- An analysis of the consistency of the proposed amendment with State, regional and local planning mandates and guidelines;
- An analysis of the amendment options identified in the assessment report; and

- An assessment of the anticipated impacts of the proposal, including, but not limited to: economic impacts, noise, odor, shading, light and glare impacts, aesthetic impacts, historic impacts, visual impacts, and impacts to environmental health, equity and quality.

a. A staff analysis of the application in accordance with the elements described in 13.02.070.D;

TMC 13.02.070.D, subsection 5.d.(1), requires that the following objectives shall be met by applications for the annual amendment:

- Address inconsistencies or errors in the Comprehensive Plan or development regulations;
Staff Response: This requested code change does not address inconsistencies or errors in the Comprehensive Plan or development regulations. Instead, the change is related to a state mandate.

b. An analysis of the consistency of the proposed amendment with State, regional and local planning mandates and guidelines;

The code change is necessary for the City to be in compliance with the State of Washington mandates detailed in Substitute Senate Bill 5290 and Substitute House Bill 1107. The new levels of service go into effect on January 1, 2025 and the new public notice requirement goes into effect on June 6, 2024.

City policies pertaining to the proposed code changes, as detailed in the Economic Development Element of the *One Tacoma Comprehensive Plan*, include:

- Policy EC–4.1 Provide a positive, accessible and customer-oriented atmosphere to those seeking municipal services.
- Policy EC–4.2 Promote a culture throughout the City organization that continuously improves the quality, predictability, timeliness and cost of the development process.
- Policy EC–4.3 Encourage predictability and consistency in the City’s land use regulations, while also allowing for flexibility and creativity in the site development process.

c. An analysis of the amendment options identified in the assessment report.

Not applicable. There are no significant options or alternative amendments under consideration. The code changes are needed in order for the City to be in in compliance with state law. If the proposed changes are not made, the City's code will not be in compliance with state law and the City. Regardless if the City adopts these amendments, the City is mandated to follow the state law and will do so accordingly.

- d. **An assessment of the anticipated impacts of the proposal, including, but not limited to: economic impacts, noise, odor, shading, light and glare impacts, aesthetic impacts, historic impacts, visual impacts, and impacts to environmental health, equity and quality.**

The proposed amendments do not affect the City's standards for development, only the timelines and procedures for issuing permit decisions. The permit level of service standards would apply city-wide depending on the type of application.

Specific to the new levels of service, the code does put the burden on the City to issue decisions quicker and may result in budget impacts if the City has to hire additional staff and/or refund fees. In theory, by issuing decisions faster, development will get built faster and the developer will incur less cost.

Specific to the new public notice requirement, this is intended to provide clarity to the community when they can comment on a project. Clear communication during the permit process is key to building trust with the community.

4. Public Outreach

Staff have communicated upcoming changes to the Tacoma Permit Advisory Task Force. Staff will conduct outreach to Neighborhood Councils, Neighborhood Business Districts, the Pierce County Master Builders Legislative Committee, and general public on the proposed changes.

5. Recommendation

Staff recommends that the Planning Commission forward the draft code to the public for review and schedule a public hearing.

6. Exhibit

- Exhibit "A" – Draft Code

7. Supplemental Information

- Attachment "A" - Substitute Senate Bill 5290
- Attachment "B" - Substitute House Bill 1105

###

DRAFT CODE - Level of Service and Public Notice Updates

TACOMA MUNICIPAL CODE 13.05.020.C.2

2. Pre-Application Meeting

The pre-application meeting is a meeting between Department staff and ~~an potential~~ applicant for a land use permit to ~~discuss~~ review the application submittal ~~requirements and pertinent fees~~ documents. A pre-application meeting is required prior to submittal of an application for rezoning, platting, height variances, conditional use permit, shoreline management substantial development (including conditional use, variance, and revision), wetland/stream/Fish and Wildlife Habitat Conservation Area (FWHCA) development permits, wetland/stream/FWHCA minor development permits, and wetland/stream/FWHCA verifications. This requirement may be waived by the Department. The pre-application meeting is optional for other permits.

* * *

TACOMA MUNICIPAL CODE 13.05.020.F

F. Inactive Applications.

1. If, upon request for payment, an applicant fails to pay within 30 days, the application may be considered inactive and the file may be closed.

2. If an applicant fails to submit information identified in the notice of incomplete application or a request for additional information within 120 days from the Department's ~~notification~~ mailing date, or does not communicate the need for additional time to submit information, the Department may consider the application inactive and, after notification to the applicant, may close out the file and refund a proportionate amount of the fees collected with the application.

* * *

TACOMA MUNICIPAL CODE 13.05.020.J

J. Time Periods for Decision on Application.

1. Upon issuance of Complete Application, a ~~A~~ final decision, as defined in subsection 5, on applications considered by the Director shall be made within the time specified below. ~~120 days of complete application.~~

- Final decision on permits that do not require a public notice shall be made within 65 calendar days
- Final decision on permits that do require a public notice shall be made within 100 calendar days
—Final decision that requires a public hearing shall be made within 170 days
- Applications within the jurisdiction of the Hearing Examiner shall be processed within the time limits set forth in Chapter 1.23. ~~The notice of decision on a land use permit shall be issued (and postmarked) within the prescribed number of days after the Department notifies the applicant that the application is complete or is found complete as provided in Section 13.05.010.D.3.~~

- The following time periods shall be exempt from the time period requirement:

a. Any period during which the applicant has been requested by the Department to correct plans, perform required studies, or provide additional required information due to the applicant's misrepresentation or inaccurate or insufficient information.

b. Any period during which an environmental impact statement is being prepared; however, in no case shall the time period exceed one year, unless otherwise agreed to by the applicant and the City's responsible official for SEPA compliance.

c. Any period after an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the local government, in writing, that they would like to resume the application. A local government may set conditions for the temporary suspension of a permit application; and

~~e~~d. Any period for administrative appeals of land use permits.

e. For Hearing Examiner Recommendations, that must be approved by City Council, any period after Hearing Examiner issued recommendation.

~~e~~e. Any extension for any reasonable period of time mutually agreed upon in writing between the applicant and the Department.

2. If, at any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the county or city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for local government action to issue a final decision for each type of project permit that is subject to this chapter. Any written notice from the local government to the applicant that additional information is required to further process the application must include a notice that nonresponsiveness for 60 consecutive days may result in 30 days being added to the time for review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable progress on providing additional requested information to the local government, or that there is no ongoing communication from the applicant to the local government on the applicant's ability or willingness to provide the additional information.

3. The time periods for a local government to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the local government under RCW 36.70B.070.

~~24.~~ The ~~120-day~~ time period established in Section 13.05.020.J.1 for applications to the Director shall not apply in the following situations:

a. If the permit requires approval of a new fully contained community as provided in RCW 36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

~~b.If, at the applicant’s request, there are substantial revisions to the project proposal, in which case the time period shall start from the date on which the revised project application is determined to be complete, per Section 13.05.020.E.3.~~

35. Decision when effective. A decision is considered final at the termination of an appeal period if no appeal is filed, or when a final decision on appeal has been made pursuant to either Chapter 1.23 or Chapter 1.70. In the case of a zoning reclassification, the City Council’s decision on final reading of the reclassification ordinance shall be considered the final decision.

46. If unable to issue a final decision ~~within the 120-day time period~~ within the specified timeframe, a written notice shall be made to the applicant, including findings for the reasons why the time limit has not been met and the specified amount of time needed for the issuance of the final decision.

57. Time Computation. In computing any time period set forth in this chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. Legal holidays are described in RCW 1.16.050.

* * *

TACOMA MUNICIPAL CODE 13.05.070.F.2

F. Content of Public Notice and Notice of Application

* * *

2. The notice of application shall contain the following information, where applicable, in whatever sequence is most appropriate for the proposal, per the requirements of RCW 36.70B.110. The notice shall be made available, at a minimum, in the project’s online permit file, and by any other methods deemed appropriate:

* * *

i. Public comment period (not less than 14 nor more than 30 days), to include start date and end date of public comment period, statement of right to comment on the application, receive notice of and participate in hearings, request a copy of the decision when made, and any appeal rights;

* * *

TACOMA MUNICIPAL CODE 13.05.090.C

C. Timing of Decision.

~~After examining all pertinent information and making any inspections deemed necessary by the Director~~ Upon issuance of a Complete Application, the Director shall issue a decision as set forth below, ~~within 120 days from the date of notice of a complete application~~, unless additional time has been agreed to by the applicant, or for other reasons as stated in Section 13.05.020.

Permits that do not require public notice - final decision shall be issued within 65 days

[Permits that require a public notice - final decision shall be issued within 100 calendar days](#)

In the event the Director cannot act upon a land use matter within the time limits set forth, the Director shall notify the applicant in writing, setting forth reasons the matter cannot be acted upon within the time limitations prescribed, and estimating additional time necessary for completing the recommendation or decision.

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5290

Chapter 338, Laws of 2023

68th Legislature
2023 Regular Session

PROJECT PERMITS—LOCAL PROJECT REVIEW—VARIOUS PROVISIONS

EFFECTIVE DATE: July 23, 2023—Except for section 7, which takes effect January 1, 2025.

Passed by the Senate April 17, 2023
Yeas 47 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 10, 2023
Yeas 98 Nays 0

Laurie Jinkins

Speaker of the House of Representatives

Approved May 8, 2023 1:17 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5290** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 10, 2023

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5290

AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session**By** Senate Ways & Means (originally sponsored by Senators Mullet, Kuderer, Fortunato, Lias, Nobles, Saldaña, and C. Wilson; by request of Office of the Governor)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to consolidating local permit review processes;
2 amending RCW 36.70B.140, 36.70B.020, 36.70B.070, 36.70B.080, and
3 36.70B.160; reenacting and amending RCW 36.70B.110; adding new
4 sections to chapter 36.70B RCW; creating new sections; and providing
5 an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 36.70B.140 and 1995 c 347 s 418 are each amended to
8 read as follows:

9 (1) A local government by ordinance or resolution may exclude the
10 following project permits from the provisions of RCW 36.70B.060
11 through 36.70B.090 and 36.70B.110 through 36.70B.130: Landmark
12 designations, street vacations, or other approvals relating to the
13 use of public areas or facilities, or other project permits, whether
14 administrative or quasi-judicial, that the local government by
15 ordinance or resolution has determined present special circumstances
16 that warrant a review process or time periods for approval which are
17 different from that provided in RCW 36.70B.060 through 36.70B.090 and
18 36.70B.110 through 36.70B.130.

19 (2) A local government by ordinance or resolution also may
20 exclude the following project permits from the provisions of RCW
21 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary

1 adjustments and building and other construction permits, or similar
2 administrative approvals, categorically exempt from environmental
3 review under chapter 43.21C RCW, or for which environmental review
4 has been completed in connection with other project permits.

5 (3) A local government must exclude project permits for interior
6 alterations from site plan review, provided that the interior
7 alterations do not result in the following:

8 (a) Additional sleeping quarters or bedrooms;

9 (b) Nonconformity with federal emergency management agency
10 substantial improvement thresholds; or

11 (c) Increase the total square footage or valuation of the
12 structure thereby requiring upgraded fire access or fire suppression
13 systems.

14 (4) Nothing in this section exempts interior alterations from
15 otherwise applicable building, plumbing, mechanical, or electrical
16 codes.

17 (5) For purposes of this section, "interior alterations" include
18 construction activities that do not modify the existing site layout
19 or its current use and involve no exterior work adding to the
20 building footprint.

21 NEW SECTION. Sec. 2. A new section is added to chapter 36.70B
22 RCW to read as follows:

23 (1) Subject to the availability of funds appropriated for this
24 specific purpose, the department of commerce must establish a
25 consolidated permit review grant program. The department may award
26 grants to any local government that provides, by ordinance,
27 resolution, or other action, a commitment to the following building
28 permit review consolidation requirements:

29 (a) Issuing final decisions on residential permit applications
30 within 45 business days or 90 calendar days.

31 (i) To achieve permit review within the stated time periods, a
32 local government must provide consolidated review for building permit
33 applications. This may include an initial technical peer review of
34 the application for conformity with the requirements of RCW
35 36.70B.070 by all departments, divisions, and sections of the local
36 government with jurisdiction over the project.

37 (ii) A local government may contract with a third-party business
38 to conduct the consolidated permit review or as additional inspection

1 staff. Any funds expended for such a contract may be eligible for
2 reimbursement under this act.

3 (iii) Local governments are authorized to use grant funds to
4 contract outside assistance to audit their development regulations to
5 identify and correct barriers to housing development.

6 (b) Establishing an application fee structure that would allow
7 the jurisdiction to continue providing consolidated permit review
8 within 45 business days or 90 calendar days.

9 (i) A local government may consult with local building
10 associations to develop a reasonable fee system.

11 (ii) A local government must determine, no later than July 1,
12 2024, the specific fee structure needed to provide permit review
13 within the time periods specified in this subsection (1)(b).

14 (2) A jurisdiction that is awarded a grant under this section
15 must provide a quarterly report to the department of commerce. The
16 report must include the average and maximum time for permit review
17 during the jurisdiction's participation in the grant program.

18 (3) If a jurisdiction is unable to successfully meet the terms
19 and conditions of the grant, the jurisdiction must enter a 90-day
20 probationary period. If the jurisdiction is not able to meet the
21 requirements of this section by the end of the probationary period,
22 the jurisdiction is no longer eligible to receive grants under this
23 section.

24 (4) For the purposes of this section, "residential permit" means
25 a permit issued by a city or county that satisfies the conditions of
26 RCW 19.27.015(5) and is within the scope of the international
27 residential code, as adopted in accordance with chapter 19.27 RCW.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70B
29 RCW to read as follows:

30 (1) Subject to the availability of funds appropriated for this
31 specific purpose, the department of commerce must establish a grant
32 program for local governments to update their permit review process
33 from paper filing systems to software systems capable of processing
34 digital permit applications, virtual inspections, electronic review,
35 and with capacity for video storage.

36 (2) The department of commerce may only provide a grant under
37 this section to a city if the city allows for the development of at
38 least two units per lot on all lots zoned predominantly for
39 residential use within its jurisdiction.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70B
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the department of commerce must convene a digital
5 permitting process work group to examine potential license and
6 permitting software for local governments to encourage streamlined
7 and efficient permit review.

8 (2) The department of commerce, in consultation with the
9 association of Washington cities and Washington state association of
10 counties, shall appoint members to the work group representing groups
11 including but not limited to:

- 12 (a) Cities and counties;
- 13 (b) Building industries; and
- 14 (c) Building officials.

15 (3) The department of commerce must convene the first meeting of
16 the work group by August 1, 2023. The department must submit a final
17 report to the governor and the appropriate committees of the
18 legislature by August 1, 2024. The final report must:

19 (a) Evaluate the existing need for digital permitting systems,
20 including impacts on existing digital permitting systems that are
21 already in place;

22 (b) Review barriers preventing local jurisdictions from accessing
23 or adopting digital permitting systems;

24 (c) Evaluate the benefits and costs associated with a statewide
25 permitting software system; and

26 (d) Provide budgetary, administrative policy, and legislative
27 recommendations to increase the adoption of or establish a statewide
28 system of digital permit review.

29 **Sec. 5.** RCW 36.70B.020 and 1995 c 347 s 402 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout this chapter.

33 (1) "Closed record appeal" means an administrative appeal on the
34 record to a local government body or officer, including the
35 legislative body, following an open record hearing on a project
36 permit application when the appeal is on the record with no or
37 limited new evidence or information allowed to be submitted and only
38 appeal argument allowed.

39 (2) "Local government" means a county, city, or town.

1 (3) "Open record hearing" means a hearing, conducted by a single
 2 hearing body or officer authorized by the local government to conduct
 3 such hearings, that creates the local government's record through
 4 testimony and submission of evidence and information, under
 5 procedures prescribed by the local government by ordinance or
 6 resolution. An open record hearing may be held prior to a local
 7 government's decision on a project permit to be known as an "open
 8 record predecision hearing." An open record hearing may be held on an
 9 appeal, to be known as an "open record appeal hearing," if no open
 10 record predecision hearing has been held on the project permit.

11 (4) "Project permit" or "project permit application" means any
 12 land use or environmental permit or license required from a local
 13 government for a project action, including but not limited to
 14 (~~building permits,~~) subdivisions, binding site plans, planned unit
 15 developments, conditional uses, shoreline substantial development
 16 permits, site plan review, permits or approvals required by critical
 17 area ordinances, site-specific rezones (~~authorized by a~~
 18 ~~comprehensive plan or subarea plan~~) which do not require a
 19 comprehensive plan amendment, but excluding the adoption or amendment
 20 of a comprehensive plan, subarea plan, or development regulations
 21 except as otherwise specifically included in this subsection.

22 (5) "Public meeting" means an informal meeting, hearing,
 23 workshop, or other public gathering of people to obtain comments from
 24 the public or other agencies on a proposed project permit prior to
 25 the local government's decision. A public meeting may include, but is
 26 not limited to, a design review or architectural control board
 27 meeting, a special review district or community council meeting, or a
 28 scoping meeting on a draft environmental impact statement. A public
 29 meeting does not include an open record hearing. The proceedings at a
 30 public meeting may be recorded and a report or recommendation may be
 31 included in the local government's project permit application file.

32 **Sec. 6.** RCW 36.70B.070 and 1995 c 347 s 408 are each amended to
 33 read as follows:

34 (1) (a) Within (~~twenty-eight~~) 28 days after receiving a project
 35 permit application, a local government planning pursuant to RCW
 36 36.70A.040 shall (~~mail or~~) provide (~~in person~~) a written
 37 determination to the applicant(~~, stating~~).

38 (b) The written determination must state either:

39 (~~(a)~~) (i) That the application is complete; or

1 ~~((b))~~ (ii) That the application is incomplete and that the
2 procedural submission requirements of the local government have not
3 been met. The determination shall outline what is necessary to make
4 the application procedurally complete.

5 (c) The number of days shall be calculated by counting every
6 calendar day.

7 (d) To the extent known by the local government, the local
8 government shall identify other agencies of local, state, or federal
9 governments that may have jurisdiction over some aspect of the
10 application.

11 (2) A project permit application is complete for purposes of this
12 section when it meets the procedural submission requirements of the
13 local government ~~((and is sufficient for continued processing even~~
14 ~~though additional information may be required or project~~
15 ~~modifications may be undertaken subsequently)), as outlined on the
16 project permit application. Additional information or studies may be
17 required or project modifications may be undertaken subsequent to the
18 procedural review of the application by the local government. The
19 determination of completeness shall not preclude the local government
20 from requesting additional information or studies either at the time
21 of the notice of completeness or subsequently if new information is
22 required or substantial changes in the proposed action occur.
23 However, if the procedural submission requirements, as outlined on
24 the project permit application have been provided, the need for
25 additional information or studies may not preclude a completeness
26 determination.~~

27 (3) The determination of completeness may include or be combined
28 with the following ~~((as optional information))~~:

29 (a) A preliminary determination of those development regulations
30 that will be used for project mitigation;

31 (b) A preliminary determination of consistency, as provided under
32 RCW 36.70B.040; ~~((or))~~

33 (c) Other information the local government chooses to include; or

34 (d) The notice of application pursuant to the requirements in RCW
35 36.70B.110.

36 (4) (a) An application shall be deemed procedurally complete on
37 the 29th day after receiving a project permit application under this
38 section if the local government does not provide a written
39 determination to the applicant that the application is procedurally
40 incomplete as provided in subsection (1) (b) (ii) of this section. When

1 the local government does not provide a written determination, they
 2 may still seek additional information or studies as provided for in
 3 subsection (2) of this section.

4 (b) Within (~~fourteen~~) 14 days after an applicant has submitted
 5 to a local government additional information identified by the local
 6 government as being necessary for a complete application, the local
 7 government shall notify the applicant whether the application is
 8 complete or what additional information is necessary.

9 (c) The notice of application shall be provided within 14 days
 10 after the determination of completeness pursuant to RCW 36.70B.110.

11 **Sec. 7.** RCW 36.70B.080 and 2004 c 191 s 2 are each amended to
 12 read as follows:

13 (1) (a) Development regulations adopted pursuant to RCW 36.70A.040
 14 must establish and implement time periods for local government
 15 actions for each type of project permit application and provide
 16 timely and predictable procedures to determine whether a completed
 17 project permit application meets the requirements of those
 18 development regulations. The time periods for local government
 19 actions for each type of complete project permit application or
 20 project type should not exceed (~~one hundred twenty days, unless the~~
 21 ~~local government makes written findings that a specified amount of~~
 22 ~~additional time is needed to process specific complete project permit~~
 23 ~~applications or project types)) those specified in this section.~~

24 (~~The~~) (b) For project permits submitted after January 1, 2025,
 25 the development regulations must, for each type of permit
 26 application, specify the contents of a completed project permit
 27 application necessary for the complete compliance with the time
 28 periods and procedures.

29 (~~2~~) (c) A jurisdiction may exclude certain permit types and
 30 timelines for processing project permit applications as provided for
 31 in RCW 36.70B.140.

32 (d) The time periods for local government action to issue a final
 33 decision for each type of complete project permit application or
 34 project type subject to this chapter should not exceed the following
 35 time periods unless modified by the local government pursuant to this
 36 section or RCW 36.70B.140:

37 (i) For project permits which do not require public notice under
 38 RCW 36.70B.110, a local government must issue a final decision within
 39 65 days of the determination of completeness under RCW 36.70B.070;

1 (ii) For project permits which require public notice under RCW
2 36.70B.110, a local government must issue a final decision within 100
3 days of the determination of completeness under RCW 36.70B.070; and

4 (iii) For project permits which require public notice under RCW
5 36.70B.110 and a public hearing, a local government must issue a
6 final decision within 170 days of the determination of completeness
7 under RCW 36.70B.070.

8 (e) A jurisdiction may modify the provisions in (d) of this
9 subsection to add permit types not identified, change the permit
10 names or types in each category, address how consolidated review time
11 periods may be different than permits submitted individually, and
12 provide for how projects of a certain size or type may be
13 differentiated, including by differentiating between residential and
14 nonresidential permits. Unless otherwise provided for the
15 consolidated review of more than one permit, the time period for a
16 final decision shall be the longest of the permit time periods
17 identified in (d) of this subsection or as amended by a local
18 government.

19 (f) If a local government does not adopt an ordinance or
20 resolution modifying the provisions in (d) of this subsection, the
21 time periods in (d) of this subsection apply.

22 (g) The number of days an application is in review with the
23 county or city shall be calculated from the day completeness is
24 determined under RCW 36.70B.070 to the date a final decision is
25 issued on the project permit application. The number of days shall be
26 calculated by counting every calendar day and excluding the following
27 time periods:

28 (i) Any period between the day that the county or city has
29 notified the applicant, in writing, that additional information is
30 required to further process the application and the day when
31 responsive information is resubmitted by the applicant;

32 (ii) Any period after an applicant informs the local government,
33 in writing, that they would like to temporarily suspend review of the
34 project permit application until the time that the applicant notifies
35 the local government, in writing, that they would like to resume the
36 application. A local government may set conditions for the temporary
37 suspension of a permit application; and

38 (iii) Any period after an administrative appeal is filed until
39 the administrative appeal is resolved and any additional time period
40 provided by the administrative appeal has expired.

1 (h) The time periods for a local government to process a permit
2 shall start over if an applicant proposes a change in use that adds
3 or removes commercial or residential elements from the original
4 application that would make the application fail to meet the
5 determination of procedural completeness for the new use, as required
6 by the local government under RCW 36.70B.070.

7 (i) If, at any time, an applicant informs the local government,
8 in writing, that the applicant would like to temporarily suspend the
9 review of the project for more than 60 days, or if an applicant is
10 not responsive for more than 60 consecutive days after the county or
11 city has notified the applicant, in writing, that additional
12 information is required to further process the application, an
13 additional 30 days may be added to the time periods for local
14 government action to issue a final decision for each type of project
15 permit that is subject to this chapter. Any written notice from the
16 local government to the applicant that additional information is
17 required to further process the application must include a notice
18 that nonresponsiveness for 60 consecutive days may result in 30 days
19 being added to the time for review. For the purposes of this
20 subsection, "nonresponsiveness" means that an applicant is not making
21 demonstrable progress on providing additional requested information
22 to the local government, or that there is no ongoing communication
23 from the applicant to the local government on the applicant's ability
24 or willingness to provide the additional information.

25 (j) Annual amendments to the comprehensive plan are not subject
26 to the requirements of this section.

27 (k) A county's or city's adoption of a resolution or ordinance to
28 implement this subsection shall not be subject to appeal under
29 chapter 36.70A RCW unless the resolution or ordinance modifies the
30 time periods provided in (d) of this subsection by providing for a
31 review period of more than 170 days for any project permit.

32 (l)(i) When permit time periods provided for in (d) of this
33 subsection, as may be amended by a local government, and as may be
34 extended as provided for in (i) of this subsection, are not met, a
35 portion of the permit fee must be refunded to the applicant as
36 provided in this subsection. A local government may provide for the
37 collection of only 80 percent of a permit fee initially, and for the
38 collection of the remaining balance if the permitting time periods
39 are met. The portion of the fee refunded for missing time periods
40 shall be:

1 (A) 10 percent if the final decision of the project permit
2 application was made after the applicable deadline but the period
3 from the passage of the deadline to the time of issuance of the final
4 decision did not exceed 20 percent of the original time period; or

5 (B) 20 percent if the period from the passage of the deadline to
6 the time of the issuance of the final decision exceeded 20 percent of
7 the original time period.

8 (ii) Except as provided in RCW 36.70B.160, the provisions in
9 subsection (1)(i) of this section are not applicable to cities and
10 counties which have implemented at least three of the options in RCW
11 36.70B.160(1) (a) through (j) at the time an application is deemed
12 procedurally complete.

13 (2)(a) Counties subject to the requirements of RCW 36.70A.215 and
14 the cities within those counties that have populations of at least
15 ((~~twenty thousand~~)) 20,000 must, for each type of permit application,
16 identify the total number of project permit applications for which
17 decisions are issued according to the provisions of this chapter. For
18 each type of project permit application identified, these counties
19 and cities must establish and implement a deadline for issuing a
20 notice of final decision as required by subsection (1) of this
21 section and minimum requirements for applications to be deemed
22 complete under RCW 36.70B.070 as required by subsection (1) of this
23 section.

24 (b) Counties and cities subject to the requirements of this
25 subsection also must prepare an annual performance report(~~(s)~~) that
26 ((~~include, at a minimum, the following information for each type of~~
27 ~~project permit application identified in accordance with the~~
28 ~~requirements of (a) of this subsection;~~

29 ~~(i) Total number of complete applications received during the~~
30 ~~year;~~

31 ~~(ii) Number of complete applications received during the year for~~
32 ~~which a notice of final decision was issued before the deadline~~
33 ~~established under this subsection;~~

34 ~~(iii) Number of applications received during the year for which a~~
35 ~~notice of final decision was issued after the deadline established~~
36 ~~under this subsection;~~

37 ~~(iv) Number of applications received during the year for which an~~
38 ~~extension of time was mutually agreed upon by the applicant and the~~
39 ~~county or city;~~

~~(v) Variance of actual performance, excluding applications for which mutually agreed time extensions have occurred, to the deadline established under this subsection during the year; and~~

~~(vi) The mean processing time and the number standard deviation from the mean.~~

~~(c) Counties and cities subject to the requirements of this subsection must:~~

~~(i) Provide notice of and access to the annual performance reports through the county's or city's website; and~~

~~(ii) Post electronic facsimiles of the annual performance reports through the county's or city's website. Postings on a county's or city's website indicating that the reports are available by contacting the appropriate county or city department or official do not comply with the requirements of this subsection.~~

~~If a county or city subject to the requirements of this subsection does not maintain a website, notice of the reports must be given by reasonable methods, including but not limited to those methods specified in RCW 36.70B.110(4).~~

~~(3)) includes information outlining time periods for certain permit types associated with housing. The report must provide:~~

~~(i) Permit time periods for certain permit processes in the county or city in relation to those established under this section, including whether the county or city has established shorter time periods than those provided in this section;~~

~~(ii) The total number of decisions issued during the year for the following permit types: Preliminary subdivisions, final subdivisions, binding site plans, permit processes associated with the approval of multifamily housing, and construction plan review for each of these permit types when submitted separately;~~

~~(iii) The total number of decisions for each permit type which included consolidated project permit review, such as concurrent review of a rezone or construction plans;~~

~~(iv) The average number of days from a submittal to a decision being issued for the project permit types listed in subsection (2)(a)(ii) of this section. This shall be calculated from the day completeness is determined under RCW 36.70B.070 to the date a decision is issued on the application. The number of days shall be calculated by counting every calendar day;~~

~~(v) The total number of days each project permit application of a type listed in subsection (2)(a)(ii) of this section was in review~~

1 with the county or city. This shall be calculated from the day
2 completeness is determined under RCW 36.70B.070 to the date a final
3 decision is issued on the application. The number of days shall be
4 calculated by counting every calendar day. The days the application
5 is in review with the county or city does not include the time
6 periods in subsection (1)(g)(i)-(iii) of this section;

7 (vi) The total number of days that were excluded from the time
8 period calculation under subsection (1)(g)(i)-(iii) of this section
9 for each project permit application of a type listed in subsection
10 (2)(a)(ii) of this section.

11 (c) Counties and cities subject to the requirements of this
12 subsection must:

13 (i) Post the annual performance report through the county's or
14 city's website; and

15 (ii) Submit the annual performance report to the department of
16 commerce by March 1st each year.

17 (d) No later than July 1st each year, the department of commerce
18 shall publish a report which includes the annual performance report
19 data for each county and city subject to the requirements of this
20 subsection and a list of those counties and cities whose time periods
21 are shorter than those provided for in this section.

22 The annual report must also include key metrics and findings from
23 the information collected.

24 (e) The initial annual report required under this subsection must
25 be submitted to the department of commerce by March 1, 2025, and must
26 include information from permitting in 2024.

27 (3) Nothing in this section prohibits a county or city from
28 extending a deadline for issuing a decision for a specific project
29 permit application for any reasonable period of time mutually agreed
30 upon by the applicant and the local government.

31 ~~((4) The department of community, trade, and economic~~
32 ~~development shall work with the counties and cities to review the~~
33 ~~potential implementation costs of the requirements of subsection (2)~~
34 ~~of this section. The department, in cooperation with the local~~
35 ~~governments, shall prepare a report summarizing the projected costs,~~
36 ~~together with recommendations for state funding assistance for~~
37 ~~implementation costs, and provide the report to the governor and~~
38 ~~appropriate committees of the senate and house of representatives by~~
39 ~~January 1, 2005.))~~

1 **Sec. 8.** RCW 36.70B.160 and 1995 c 347 s 420 are each amended to
2 read as follows:

3 (1) Each local government is encouraged to adopt further project
4 review and code provisions to provide prompt, coordinated review and
5 ensure accountability to applicants and the public(~~(, including~~
6 ~~expedited review for project permit applications for projects that~~
7 ~~are consistent with adopted development regulations and within the~~
8 ~~capacity of systemwide infrastructure improvements)) by:~~

9 (a) Expediting review for project permit applications for
10 projects that are consistent with adopted development regulations;

11 (b) Imposing reasonable fees, consistent with RCW 82.02.020, on
12 applicants for permits or other governmental approvals to cover the
13 cost to the city, town, county, or other municipal corporation of
14 processing applications, inspecting and reviewing plans, or preparing
15 detailed statements required by chapter 43.21C RCW. The fees imposed
16 may not include a fee for the cost of processing administrative
17 appeals. Nothing in this subsection limits the ability of a county or
18 city to impose a fee for the processing of administrative appeals as
19 otherwise authorized by law;

20 (c) Entering into an interlocal agreement with another
21 jurisdiction to share permitting staff and resources;

22 (d) Maintaining and budgeting for on-call permitting assistance
23 for when permit volumes or staffing levels change rapidly;

24 (e) Having new positions budgeted that are contingent on
25 increased permit revenue;

26 (f) Adopting development regulations which only require public
27 hearings for permit applications that are required to have a public
28 hearing by statute;

29 (g) Adopting development regulations which make preapplication
30 meetings optional rather than a requirement of permit application
31 submittal;

32 (h) Adopting development regulations which make housing types an
33 outright permitted use in all zones where the housing type is
34 permitted;

35 (i) Adopting a program to allow for outside professionals with
36 appropriate professional licenses to certify components of
37 applications consistent with their license; or

38 (j) Meeting with the applicant to attempt to resolve outstanding
39 issues during the review process. The meeting must be scheduled
40 within 14 days of a second request for corrections during permit

1 review. If the meeting cannot resolve the issues and a local
 2 government proceeds with a third request for additional information
 3 or corrections, the local government must approve or deny the
 4 application upon receiving the additional information or corrections.

5 (2) (a) After January 1, 2026, a county or city must adopt
 6 additional measures under subsection (1) of this section at the time
 7 of its next comprehensive plan update under RCW 36.70A.130 if it
 8 meets the following conditions:

9 (i) The county or city has adopted at least three project review
 10 and code provisions under subsection (1) of this section more than
 11 five years prior; and

12 (ii) The county or city is not meeting the permitting deadlines
 13 established in RCW 36.70B.080 at least half of the time over the
 14 period since its most recent comprehensive plan update under RCW
 15 36.70A.130.

16 (b) A city or county that is required to adopt new measures under
 17 (a) of this subsection but fails to do so becomes subject to the
 18 provisions of RCW 36.70B.080(1)(1), notwithstanding RCW
 19 36.70B.080(1)(1)(ii).

20 ~~((2))~~ (3) Nothing in this chapter is intended or shall be
 21 construed to prevent a local government from requiring a
 22 preapplication conference or a public meeting by rule, ordinance, or
 23 resolution.

24 ~~((3))~~ (4) Each local government shall adopt procedures to
 25 monitor and enforce permit decisions and conditions.

26 ~~((4))~~ (5) Nothing in this chapter modifies any independent
 27 statutory authority for a government agency to appeal a project
 28 permit issued by a local government.

29 NEW SECTION. Sec. 9. A new section is added to chapter 36.70B
 30 RCW to read as follows:

31 (1) The department of commerce shall develop and provide
 32 technical assistance and guidance to counties and cities in setting
 33 fee structures under RCW 36.70B.160(1) to ensure that the fees are
 34 reasonable and sufficient to recover true costs. The guidance must
 35 include information on how to utilize growth factors or other
 36 measures to reflect cost increases over time.

37 (2) When providing technical assistance under subsection (1) of
 38 this section, the department of commerce must prioritize local

1 governments that have implemented at least three of the options in
 2 RCW 36.70B.160(1).

3 **Sec. 10.** RCW 36.70B.110 and 1997 c 429 s 48 and 1997 c 396 s 1
 4 are each reenacted and amended to read as follows:

5 (1) Not later than April 1, 1996, a local government planning
 6 under RCW 36.70A.040 shall provide a notice of application to the
 7 public and the departments and agencies with jurisdiction as provided
 8 in this section. If a local government has made a threshold
 9 determination under chapter 43.21C RCW concurrently with the notice
 10 of application, the notice of application may be combined with the
 11 threshold determination and the scoping notice for a determination of
 12 significance. Nothing in this section prevents a determination of
 13 significance and scoping notice from being issued prior to the notice
 14 of application. Nothing in this section or this chapter prevents a
 15 lead agency, when it is a project proponent or is funding a project,
 16 from conducting its review under chapter 43.21C RCW or from allowing
 17 appeals of procedural determinations prior to submitting a project
 18 permit (~~(application)~~).

19 (2) The notice of application shall be provided within
 20 (~~(fourteen)~~) 14 days after the determination of completeness as
 21 provided in RCW 36.70B.070 and, except as limited by the provisions
 22 of subsection (4)(b) of this section, (~~(shall)~~) must include the
 23 following in whatever sequence or format the local government deems
 24 appropriate:

25 (a) The date of application, the date of the notice of completion
 26 for the application, and the date of the notice of application;

27 (b) A description of the proposed project action and a list of
 28 the project permits included in the application and, if applicable, a
 29 list of any studies requested under RCW 36.70B.070 (~~(or 36.70B.090)~~);

30 (c) The identification of other permits not included in the
 31 application to the extent known by the local government;

32 (d) The identification of existing environmental documents that
 33 evaluate the proposed project, and, if not otherwise stated on the
 34 document providing the notice of application, such as a city land use
 35 bulletin, the location where the application and any studies can be
 36 reviewed;

37 (e) A statement of the public comment period, which shall be not
 38 less than fourteen nor more than thirty days following the date of
 39 notice of application, and statements of the right of any person to

1 comment on the application, receive notice of and participate in any
2 hearings, request a copy of the decision once made, and any appeal
3 rights. A local government may accept public comments at any time
4 prior to the closing of the record of an open record predecision
5 hearing, if any, or, if no open record predecision hearing is
6 provided, prior to the decision on the project permit;

7 (f) The date, time, place, and type of hearing, if applicable and
8 scheduled at the date of notice of the application;

9 (g) A statement of the preliminary determination, if one has been
10 made at the time of notice, of those development regulations that
11 will be used for project mitigation and of consistency as provided in
12 RCW 36.70B.030(2) and 36.70B.040; and

13 (h) Any other information determined appropriate by the local
14 government.

15 (3) If an open record predecision hearing is required for the
16 requested project permits, the notice of application shall be
17 provided at least fifteen days prior to the open record hearing.

18 (4) A local government shall use reasonable methods to give the
19 notice of application to the public and agencies with jurisdiction
20 and may use its existing notice procedures. A local government may
21 use different types of notice for different categories of project
22 permits or types of project actions. If a local government by
23 resolution or ordinance does not specify its method of public notice,
24 the local government shall use the methods provided for in (a) and
25 (b) of this subsection. Examples of reasonable methods to inform the
26 public are:

27 (a) Posting the property for site-specific proposals;

28 (b) Publishing notice, including at least the project location,
29 description, type of permit(s) required, comment period dates, and
30 location where the notice of application required by subsection (2)
31 of this section and the complete application may be reviewed, in the
32 newspaper of general circulation in the general area where the
33 proposal is located or in a local land use newsletter published by
34 the local government;

35 (c) Notifying public or private groups with known interest in a
36 certain proposal or in the type of proposal being considered;

37 (d) Notifying the news media;

38 (e) Placing notices in appropriate regional or neighborhood
39 newspapers or trade journals;

1 (f) Publishing notice in agency newsletters or sending notice to
2 agency mailing lists, either general lists or lists for specific
3 proposals or subject areas; and

4 (g) Mailing to neighboring property owners.

5 (5) A notice of application shall not be required for project
6 permits that are categorically exempt under chapter 43.21C RCW,
7 unless an open record predecision hearing is required or an open
8 record appeal hearing is allowed on the project permit decision.

9 (6) A local government shall integrate the permit procedures in
10 this section with (~~its~~) environmental review under chapter 43.21C
11 RCW as follows:

12 (a) Except for a threshold determination and except as otherwise
13 expressly allowed in this section, the local government may not issue
14 a decision or a recommendation on a project permit until the
15 expiration of the public comment period on the notice of application.

16 (b) If an open record predecision hearing is required, the local
17 government shall issue its threshold determination at least fifteen
18 days prior to the open record predecision hearing.

19 (c) Comments shall be as specific as possible.

20 (d) A local government is not required to provide for
21 administrative appeals of its threshold determination. If provided,
22 an administrative appeal (~~shall~~) must be filed within fourteen days
23 after notice that the determination has been made and is appealable.
24 Except as otherwise expressly provided in this section, the appeal
25 hearing on a threshold determination (~~of nonsignificance shall~~)
26 must be consolidated with any open record hearing on the project
27 permit.

28 (7) At the request of the applicant, a local government may
29 combine any hearing on a project permit with any hearing that may be
30 held by another local, state, regional, federal, or other agency, if:

31 (a) The hearing is held within the geographic boundary of the
32 local government; and

33 (b) (~~The joint hearing can be held within the time periods~~
34 ~~specified in RCW 36.70B.090 or the~~) The applicant agrees to the
35 schedule in the event that additional time is needed in order to
36 combine the hearings. All agencies of the state of Washington,
37 including municipal corporations and counties participating in a
38 combined hearing, are hereby authorized to issue joint hearing
39 notices and develop a joint format, select a mutually acceptable
40 hearing body or officer, and take such other actions as may be

1 necessary to hold joint hearings consistent with each of their
2 respective statutory obligations.

3 (8) All state and local agencies shall cooperate to the fullest
4 extent possible with the local government in holding a joint hearing
5 if requested to do so, as long as:

6 (a) The agency is not expressly prohibited by statute from doing
7 so;

8 (b) Sufficient notice of the hearing is given to meet each of the
9 agencies' adopted notice requirements as set forth in statute,
10 ordinance, or rule; and

11 (c) The agency has received the necessary information about the
12 proposed project from the applicant to hold its hearing at the same
13 time as the local government hearing.

14 (9) A local government is not required to provide for
15 administrative appeals. If provided, an administrative appeal of the
16 project decision and of any environmental determination issued at the
17 same time as the project decision, shall be filed within fourteen
18 days after the notice of the decision or after other notice that the
19 decision has been made and is appealable. The local government shall
20 extend the appeal period for an additional seven days, if state or
21 local rules adopted pursuant to chapter 43.21C RCW allow public
22 comment on a determination of nonsignificance issued as part of the
23 appealable project permit decision.

24 (10) The applicant for a project permit is deemed to be a
25 participant in any comment period, open record hearing, or closed
26 record appeal.

27 (11) Each local government planning under RCW 36.70A.040 shall
28 adopt procedures for administrative interpretation of its development
29 regulations.

30 NEW SECTION. **Sec. 11.** The department of commerce shall develop
31 a template for counties and cities subject to the requirements in RCW
32 36.70B.080, which will be utilized for reporting data.

33 NEW SECTION. **Sec. 12.** The department of commerce shall develop
34 a plan to provide local governments with appropriately trained staff
35 to provide temporary support or hard to find expertise for timely
36 processing of residential housing permit applications. The plan shall
37 include consideration of how local governments can be provided with
38 staff that have experience with providing substitute staff support or

1 that possess expertise in permitting policies and regulations in the
2 local government's geographic area or with jurisdictions of the local
3 government's size or population. The plan and a proposal for
4 implementation shall be presented to the legislature by December 1,
5 2023.

6 NEW SECTION. **Sec. 13.** Section 7 of this act takes effect
7 January 1, 2025.

Passed by the Senate April 17, 2023.

Passed by the House April 10, 2023.

Approved by the Governor May 8, 2023.

Filed in Office of Secretary of State May 10, 2023.

--- END ---

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1105

Chapter 171, Laws of 2024

68th Legislature
2024 Regular Session

NOTICE OF PUBLIC COMMENT PERIODS

EFFECTIVE DATE: June 6, 2024

Passed by the House March 4, 2024
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 28,
2024
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved March 18, 2024 3:39 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1105** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 19, 2024

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1105

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Kloba, Abbarno, and Thai)

READ FIRST TIME 02/02/23.

1 AN ACT Relating to requiring public agencies to provide notice
2 for public comment that includes the first and last date and time by
3 which such public comment must be submitted; and adding a new section
4 to chapter 42.30 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.30
7 RCW to read as follows:

8 (1) A public agency that is required by state law to solicit
9 public comment for a statutorily specified period of time, and is
10 required by state law to provide notice that it is soliciting public
11 comment, must specify the first and last date and time by which
12 written public comment may be submitted.

13 (2) An agency that provides a notice that violates this section
14 is subject to the same fines under the same procedures as other
15 violations of this chapter are subject to under RCW 42.30.120.

Passed by the House March 4, 2024.
Passed by the Senate February 28, 2024.
Approved by the Governor March 18, 2024.
Filed in Office of Secretary of State March 19, 2024.

--- END ---



City of Tacoma
Planning and Development Services

Agenda Item
G1

To: Planning Commission
From: Elliott Barnett, Planning Services Division
Subject: Home In Tacoma Project – Phase 2
Memo Date: May 29, 2024
Meeting Date: June 5, 2024

Action Requested:

Direction to forward the Planning Commission's Home In Tacoma recommendations to the City Council.

Discussion:

At the June 5, 2024 meeting, the Commission will consider forwarding the Home In Tacoma Phase 2 zoning and standards package to the City Council. Attached is a complete draft of the package, incorporating amendments as directed by the Commission. The package includes:

- Planning Commission letter of recommendation (draft)
- Findings and Recommendations Report summarizing the HIT 2 process (draft)
- Zoning, Reduced Parking Area, and Residential Target Area maps (as amended)
- Zoning and Standards package (as amended)

In December 2021, the City Council adopted a new housing growth vision and policies (HIT Phase 1) and directed the Planning Commission to develop recommendations on zoning and standards to implement that direction (HIT Phase 2). Over the past two and a half years, the Commission has been working to develop those recommendations. After completing a project scoping process and initial analysis, the City conducted three rounds of citywide public engagement—each time on a more complete and detailed version of the HIT 2 package, and along the way integrating changes to reflect state housing mandates. The third and final round of engagement was the February 3 to March 8, 2024, public hearing process, during which the Commission invited community input on a full draft of the HIT 2 package, and received over 1,500 written, oral, and map comments.

Since the public hearing, in March and April 2024, the Commission debriefed the public input and identified potential changes to the draft package. Finally, at the April 17, May 8, and May 15 meetings the Commission considered a total of 30 proposed changes and approved changes related to zoning (4), building design (3), parking (3), unit lot subdivisions (1), trees and amenity space (7), and bonuses (3). The Commission also approved a number of minor staff-recommended changes intended to improve clarity and better meet the intent of the proposals.

At the meeting, staff will provide additional information related to two topics—the amenity space requirement, as it applies to large sites, and landscaping enforcement/bonding.

Home In Tacoma – Phase 2 Draft Recommendations:

Proposed Home In Tacoma zoning and standards changes, as well as on the Draft Environmental Impact Statement, were released for public review on February 5, 2024. The Proposal includes:

- Home In Tacoma Phase 2 Project summaries
- Draft Zoning and Standards changes proposed for incorporation in the Tacoma Municipal Code
- Draft Urban Residential Zoning Districts map
- Draft Environmental Impact Statement
- Additional materials including project scoping report, studies, and FAQs



All materials are posted at www.cityoftacoma.org/homeintacoma.

Background:

Tacoma residents face increasing challenges in accessing housing they can afford that meets their needs. For many years, Tacoma’s housing rules for most neighborhoods have primarily allowed just one housing type—detached houses. On December 7, 2021, the City Council adopted Amended Ordinance No. 28793 approving the Home In Tacoma Project – Phase 1 package.

The Council’s action established a new housing growth vision for Tacoma supporting Missing Middle Housing options, designated Low-scale and Mid-scale Residential areas, and strengthened policies on infill design, affordability, anti-displacement, and other goals. The action also initiated Home In Tacoma – Phase 2 to implement the new policies through changes to residential zoning and standards, along with actions to promote affordability and ensure that housing supports multiple community goals. The adopted package is available at www.cityoftacoma.org/homeintacoma.

Phase 2 began in 2022, with intensive planning and public engagement starting in January 2023. Following extensive community engagement and adjustments to the initial Home In Tacoma package to accommodate for state legislation, the Commission has focused over the past 6 months on making detailed decisions regarding zoning, standards, bonuses, and other components of the HIT package.

Prior Council, Commission, and Taskforce Actions:

- City Council Study Session (02/22/22, 12/06/22, 05/16/23, 06/20/23, 9/26/23, 11/21/23, 01/30/24, 05/14/24)
- City Council IPS Committee (04/13/22, 05/25/22, 10/12/22, 01/25/23, 03/22/23, 10/25/23)
- Planning Commission (06/15/22, 09/21/22, 10/19/22, 01/04/23, 02/01/23, 03/15/23, 04/19/23, 05/17/23, 6/21/23, 9/6/23, 10/04/23, 10/18/23, 11/01/23, 12/06/23, 01/17/24, 03/06/24, 04/03/24, 04/17/24, 05/08/24, 05/15/24)
- HIT Phase 1 - Planning Commission Public Hearing (04/07/21), recommendations (05/19/21)
- Housing Equity Taskforce (02/10/22, 03/10/22, 9/28/23, 10/26/23)

Project Information:

- Elliott Barnett, Senior Planner, ebarnett@cityoftacoma.org, (253) 312-4909
- Alyssa Torrez, Senior Planner, atorrez@cityoftacoma.org, (253) 878-3767
- Webpage: www.cityoftacoma.org/homeintacoma - sign up for email updates!
- Project email: homeintacoma@cityoftacoma.org

Attachments:

- Attachment 1: Planning Commission Letter of Recommendation (draft)
- Attachment 2: Findings and Recommendation Report (draft)
- Attachment 3: HIT Post-Public Hearing Zoning, Reduced Parking Area, and Residential Target Area Maps
- Attachment 4: HIT Post-Public Hearing Zoning and Standards package

c: Peter Huffman, Director



City of Tacoma
Planning Commission

Christopher Karnes, Chair
Anthony Steele, Vice-Chair
Morgan Dorner
Robb Krehbiel
Brett Marlo
Matthew Martenson
Jordan Rash
Sandesh Sadalge
Brett Santhuff

Tacoma City Council
747 Market Street, 12th Floor
Tacoma, WA 98402

5 June 2024

Dear Mayor Woodards and City Councilmembers-

It is with great honor that we present the Planning Commission's recommendations on the Home in Tacoma - Phase 2 (HIT 2) package.

How we got here:

Tacoma is a wonderful place to call home. Living here offers a unique blend of urban grit and natural beauty, a rich blend of cultural heritage and diverse communities. Central to the City's vision and its reason for being is that Tacoma is the right place for growth in Pierce County. For decades, Tacoma has been dedicated to realizing its potential as the Metropolitan City of the South Puget Sound. This vision has been pursued through comprehensive, long-term strategies aimed at revitalizing Downtown and Mixed-Use Centers, rebuilding rapid transportation options, reclaiming the waterfront, along with protecting natural and historic sites.

The quandary that Tacoma finds itself in is that as demand for living in the Puget Sound has continued to grow, the region has discovered the high quality of life that is available in Tacoma. This influx has powered development in our urban centers, but it has also placed a heavy burden on the city's housing supply and exposed multiple shortcomings in the City's growth strategies. While home values have soared, many of Tacoma's residents find it difficult to remain in areas they have lived in for years. Neighborhoods lack the flexibility to provide housing choices near in-demand community amenities. Mobility for people with disabilities outside of home or for those without a private vehicle is difficult, limiting community access to what Tacoma has to offer from medical care, to education, employment, parks, or the arts.

In 2019 the Planning Commission undertook the development of Home in Tacoma, building upon years of work originating from the Affordable Housing Action Strategy and the Residential Infill Pilot Program to begin the process of planning for expanded middle housing to comprehensively address the housing crisis.

In December 2021, Tacoma reached a major milestone with the City Council's adoption of Home In Tacoma (HIT) Phase 1 through Ordinance No. 28793, which set a new vision for residential development in the city to expand housing supply, affordability, and choice through "middle housing" regulations and incentives. For the past two years, as directed by the City Council, the Planning Commission has worked with the community and City staff to develop the HIT 2 package—an historic shift in Tacoma's zoning which allows middle housing

citywide and updates standards to expand housing access, ensure compatibility with existing neighborhoods and to enhance housing equity across Tacoma.

The Home in Tacoma Phase 2 process was designed to translate the City Council's adopted Phase 1 housing policies and future land use map into practical zoning, development standards, as well as regulations and incentives for middle housing. Through comprehensive analysis and public engagement, we have formulated a package that not only respects local neighborhood conditions and State mandates but also aligns with the smart growth and sustainable development policies of the Puget Sound Regional Council (PSRC) VISION 2050 land use plan. The sum of our efforts seeks to align Tacoma's path in the direction of a sustainable, livable, and equitable city, by fulfilling the fundamental human need for safe, healthy, secure and affordable housing.

Methodology and Analysis

Our recommendations are the result of rigorous economic modeling and site planning analysis, confirming the financial viability and logistical feasibility of the proposed changes to a form-based code. These analyses indicate an increased likelihood of affordable housing development, with new ownership and rental opportunities in the new residential zones.

Additionally, the Tacoma-Pierce County Health Department's Health Impact Assessment provided insights into the social determinants of health influenced by housing policies, such as access to quality housing and safe, healthy and walkable neighborhoods. Their recommendations have been integral to our planning, ensuring that human health and wellness are elevated in Home in Tacoma.

Key policy actions in the Commission's HIT 2 recommendations to City Council:

- **Middle housing zoning:** Three Urban Residential (UR) zones that allow middle housing at a range of densities. The UR zones emphasize access to opportunity, transportation choices, and efficient use of public investment by allowing denser housing within walking distance of transit, shopping, schools, and parks, along with increased opportunities for neighborhood businesses.
- **Middle housing building and site design:** Middle housing standards significantly increase the space and flexibility for housing, while focusing on fundamentals including building height, width and depth, setbacks, and pedestrian features to ensure reasonable compatibility with neighborhood patterns.
- **Rental and ownership opportunities:** Zoning will support a broad range of housing choice and price points, and allowing Unit Lot Subdivisions vastly expands ownership opportunities by allowing separate ownership of clustered and attached housing units.
- **Transportation choices:** Standards promote walking, biking, and transit by locating denser housing within walking distance of schools, parks, Centers and frequent transit, and substantially reducing vehicular parking requirements while upgrading bicycle standards.

- Housing and trees: Standards broaden tree planting and retention requirements so that new housing supports Tacoma's urban canopy goals, while trees promote infill compatibility. The proposal makes room for tree retention by reducing setbacks, parking, and amenity space.
- Incentivizing deeper affordability and building retention: HIT opens the door so market-rate development can provide a broader range of housing choice and price points. In addition, bonuses are offered to incentivize more deeply affordable units and building retention—public benefits less likely to be provided by the market.

Balancing multiple goals:

The City Council's Phase 1 HIT direction, as well as the State legislature's housing related mandates, set a clear framework. As a result, HIT 2 has been about filling in the details and about striking a balance between sometimes competing goals and priorities. We have heard many perspectives about how to strike the right balance. While people disagree passionately about things like parking, trees and amenity space, there is common ground on the pressing need to take action to address the housing crisis. We have done our best to strike a balance that reflects adopted policy direction and State mandates. While the primary focus is on housing goals, HIT makes strides on other issues that affect the whole city such as urban forestry, transportation choices, building retention, and more.

The Planning Commission had robust discussions that approached the initial package and each of the 30 proposed amendments from our own points of view as District or subject area representatives (the environment, historic preservation, architecture and/or urban design, and public transportation). We engaged respectfully and with recognition that there are differences of professional opinion to arrive at the same goal of housing affordability. Some of these amendments that were the most debated related to per unit parking requirements in UR-2 and UR-3 zones. On one hand some supported higher requirements up to the State limit of 1 space per unit and on the other hand others supported lower requirements such as rounding down fractions of spaces. Upon a preponderance of all of the factors, such as how development bonuses for affordable units might be affected, the amendments surrounding that issue were not adopted, leaving the original proposal intact.

However, there were also areas where there was broad agreement on adjustments to parking, with the unanimous recommendation to tie the City's Reduced Parking Area to expanded light rail service and frequent transit streets identified in code (Pacific Avenue, S 19th Street, and 6th Avenue). This process underscored the Commission's rigorous consideration of alternatives, respectful and thoughtful engagement, and unanimous support for adoption of the amended housing package in total.

To address housing needs, HIT allows significant change in our existing neighborhoods. HIT 2 includes standards intended to make new housing compatible with existing neighborhood patterns. While no neighborhood will be exempt from change, no neighborhood will experience such dramatic change that it will be unrecognizable.

Our recommendations have gone to significant lengths to comply with and implement State law, especially Engrossed Substitute House Bill 1110. However, despite our comprehensive efforts, some issues remain outside our current scope due to resource constraints, but are within the Council's authority to consider further.

More housing affordability actions needed:

As a market-based approach, HIT promises to generate housing affordable to moderate and moderately low-income households. This workforce housing is critical and will support housing for extended families, aging-in-place, group housing, and more. However, housing needs are so great, particularly at lower income levels, that zoning changes alone could never be sufficient. The City must continue to pursue the full range of Affordable Housing Action Strategy and Anti-Displacement Strategy actions, including those actions in the Housing Action Plan to strategically prioritize more deeply-affordable housing and to multiply the benefits of public housing investments with concurrent investments in alternatives to private vehicle ownership.

Equitable public engagement is essential:

We are proud of the level and extent of engagement for this project. Thousands of people participated in three rounds of citywide and targeted engagement, and their input was invaluable. HIT engagement efforts recognized that current homeowners, who often have concerns about change in their neighborhood, are an important stakeholder group. The City also made a concerted effort to ensure that under-represented groups (people facing housing challenges, non-English speakers, people of color, people with disabilities and others) had opportunities to make their voices heard. The City also engaged the housing development community and multiple advocacy and stakeholder groups. Moving forward, as the City tackles major policy issues facing our community, we must continue to prioritize broad, targeted, and equitable engagement.

Timing considerations:

HIT (Phases 1 and 2) has taken four years, allowing broad conversation, consideration of multiple policy options, careful balancing between goals, as well as time to react to State level housing actions. Housing needs are pressing, and the City should move expeditiously to adopt and enact the HIT package. That said, this is a major change in zoning and permit processes, and that takes time to implement. The Commission offers the following timing recommendations:

- Delay effective date: Enact a minimum 3-month delay in the effective date of the new zoning after final Council adoption to allow staff to prepare for implementation.
- Tree retention with adoption: Tree retention requirements should become effective immediately to prevent last-minute removals of mature trees.
- Sunset the infill pilot: The Residential Infill Pilot, Planned Residential Districts and similar existing infill tools should sunset immediately to prevent applications vesting to outdated standards.
- Regular review: The City should set a timeline to review outcomes and evaluate whether course corrections are needed. The HIT package is significant and complex, and some decisions taken by the Commission after the Public Hearing have yet to be studied in depth. Taking the opportunity to review

within a year or two after implementation will be prudent.

More than zoning changes needed:

This Commission focuses on zoning and standards. There are many related non-regulatory actions also needed to make HIT work as intended. Here are some of the most critical ones:

- **Environmental Impact Statement:** The EIS makes the case that while the overall impacts will be positive, there will also be negative impacts. The document provides a thorough study of those impacts for nine elements of the environment and recommends multiple mitigation actions that would help to better meet the project goals and reduce negative impacts. The City should give these ample consideration and implement as many as possible.
- **Staffing increases:** The HIT package represents a significant expansion in Tacoma's permitting work. We expect to see substantial increases in both permit volume and complexity. To be effective, implementation must be supported and staffed appropriately, particularly for Current Planning and for Urban Forestry. If this investment in effective permitting is delayed, the result will be a strain on staff, longer permit review times, lack of enforcement, and a slower response to the housing crisis.
- **Permit process improvements:** Along with an increase in staff capacity, the City should invest in updated permit application materials and consider ways to streamline permit processing.
- **Utilities and access standards:** City staff are in the process of updating access and utility standards to prepare for and support middle housing development. This work is essential to achieving the project objectives and should be completed as near as possible to the rollout of the new zoning standards.
- **State legislative agenda:** Some needed actions are in the purview of the State Legislature, agencies or advisory councils. The City should advocate for action at that level on such topics as Building Code changes, including enabling visitability standards for middle housing.

More policy and standards work is needed:

While there is a lot in the HIT package, multiple related policy initiatives could not fit into the scope and schedule. We recommend that the City address these topics in future planning efforts (some are already underway).

Here is our take on the most important policy topics:

- **Extend HIT actions to other zones:** HIT generally applies only in residential (UR) zones. The City should evaluate the R-4 and R-5 Districts, and evaluate whether parking, landscaping, housing types, bonuses and other standards should be enacted in other zones (for example, X Districts and Commercial).

- **Housing actions:** Though important progress has been made, Tacoma should continue to develop regulatory, programmatic and financial tools to promote housing goals, and combat displacement and houselessness. One important regulatory action is to update Downtown and Centers affordability bonuses. Another issue is to consider the use of a Community Land Trust as a tool funded by the Housing Trust Fund for permanent affordable housing.
- **Urban Forestry actions:** HIT takes major steps forward by bringing tree planting and retention requirements to residential zones. However, there is more work to do within residential zones and citywide. The City should revisit landscaping standards for parking lots, for industrial and other zones, and should consider innovative tools (such as “green factor”) to balance development and urban forestry goals.
- **Transportation choices:** HIT addresses important site access issues including parking in UR Districts, bike parking, and driveway widths. However, there is more work to do to promote transportation choices. In particular, the City should evaluate the potential for cars and pedestrians to share space, including in alleys, and address outdated parking standards for Commercial uses that pre-date the Internet’s capacity to perform many commercial transactions and activities remotely. Further, the City should take action to plan transit corridors in Central Tacoma to help Pierce and Sound Transit identify what high capacity modes will best meet the needs for housing along identified Transit Streets on 6th Avenue and South 19th.
- **Impact fees:** The City lacks mechanisms to pay for needed infrastructure upgrades to accommodate development. Along with other funding approaches, impact fees should be enacted, and calibrated to develop low cost transportation options to support deeply affordable housing.
- **Historic, cultural and archaeological resources:** HIT takes significant steps by creating a building retention bonus, and standards consistent with established residential patterns. However, more work is needed to address a likely increase in demolitions citywide, to ensure that building materials from demolitions that do occur are salvaged, and to ensure that historic buildings within and outside of historic districts are protected or at least economically viable.
- **Low Impact Development and Watershed planning:** Through the proposed tree protections and requirements, HIT makes a major step forward for Low Impact Development (though offset by increased development). More work is needed to evaluate ways to build and manage impervious pavement, rain gardens and similar both onsite and in locations like public rights-of-way.
- **Climate actions:** HIT makes major steps to reduce per capita climate change impacts by locating housing near destinations (thus, reducing Vehicle Miles Traveled) and through tree actions. More work is needed to invest in transit options to support added density along corridors and to reduce the carbon impacts of housing through energy conservation, materials salvage, Low Impact Development, and other approaches.

HIT Phase 2 has been a major part of the Planning Commission's focus over the past two years. It is no small undertaking to bring long-accepted assumptions and practices onto the table for reconsideration, but the challenges and opportunities of our times call for it.

We believe that Council action pursuant to these recommendations would be very positive for current and future Tacoma residents. It has been our honor and privilege to be doing work of real consequence and importance to our community.

Acknowledgements

We extend our deepest thanks to the Planning and Development Services team for developing code and engaging the public, particularly Senior Planner Elliott Barnett, for his unwavering commitment to this complex initiative since day one. Thank you to city staff in other departments that helped to craft or vet language affecting streets, utilities, and trees. Thanks also go to our project partners at EcoNorthwest and Mithun, and the Human Rights Commission's representatives on the joint Housing Equity Taskforce, as well as the Transportation Commission, Sustainable Tacoma Commission, Tacoma Permit Advisory Task Force, the Tacoma Area Coalition on Disabilities, Tacoma-Pierce County Health Department, Tacoma Tree Foundation, and many, many others, which all played important roles in shaping these recommendations.

We are available for any further clarification needed as you consider these recommendations and remain committed to supporting Tacoma's journey towards sustaining an inclusive and thriving community.

Sincerely,

Christopher Karnes, Chair
Tacoma Planning Commission

Anthony Steele, Vice Chair
Tacoma Planning Commission

Attachments:

- HIT 2 Findings and Recommendations Report
- HIT 2 Zoning and map changes

Home In Tacoma - Phase 2 Recommendation Letter
June 5, 2024
Page 8 of 8

c: City Manager
Planning Director
Public Works Director
Human Rights Commission
Transportation Commission
Sustainable Tacoma Commission
Tacoma Permit Advisory Task Force
Tacoma Area Coalition on Disabilities
Tacoma-Pierce County Health Department

DRAFT



Home In Tacoma Project

Amendments to residential zoning and standards



TACOMA PLANNING COMMISSION FINDINGS OF FACT AND RECOMMENDATIONS REPORT

DRAFT

JUNE 5, 2024

A. SUBJECT:

Tacoma residents face increasing challenges in accessing housing they can afford that meets their needs. For many years, Tacoma's housing rules for most neighborhoods have primarily allowed just one housing type—detached houses. As part of Tacoma's Affordable Housing Action Strategy, City Council adopted Amended Ordinance 28793 approving the Home In Tacoma Project – Phase 1 package, enacting changes to Tacoma's housing growth strategy, policies and programs to increase housing supply, affordability and choice for current and future residents.

The Council's action established a new housing growth vision for Tacoma supporting Missing Middle Housing options, designated Low-scale and Mid-scale Residential areas, and strengthened policies on infill design, affordability, anti-displacement, and other goals. The action also initiated Home In Tacoma Phase 2 (the Proposal) to implement the new policies through changes to residential zoning and standards, along with actions to promote affordability and ensure that housing supports multiple community goals. The adopted package is available at www.cityoftacoma.org/homeintacoma.

The Home In Tacoma – Phase 2 (HIT 2) recommendations are intended to increase housing supply, affordability, and choice for current and future residents of the City of Tacoma and to encourage housing development that supports multiple goals.

The Proposal includes:

- Establishment of new Urban Residential (UR) zones supporting a range of middle housing options, along with base and bonus densities, scale, and other standards, to replace existing residential zones. All new UR zones would support a range of housing types, including middle housing. The proposed UR zones are differentiated by the allowed density (number of dwellings allowed based on lot area), the allowed housing types and building scale (height, building width, Floor Area Ratio and similar), and the potential bonus density and scale available in exchange for affordable housing and other public benefits.
- Adoption of a new zoning map designating the UR zones in areas designated Low-Scale and Mid-Scale Residential in the One Tacoma Plan, with some zoning changes to residentially zoned areas in other One Tacoma Plan designations to UR or other appropriate zones.
- Changes to residential design and development standards (including height, building size, yards, trees and landscaping, access, parking ratios, lot dimensions, setbacks, subdivisions, ownership, and others).
- Changes to residential land uses, definitions, and permit processes.
- Increases the residential environmental review threshold from 20 to 40 units and adds standards for transportation, soil testing, and historic, cultural, and archaeological review.

- Enhancement and expansion of regulatory affordability tools (including the Multifamily Tax Exemption Program and bonuses in residential zones).
- Actions to ensure that infrastructure and services are adequate to support growth.
- Actions to address the potential demolition of viable structures.
- Actions to create green, sustainable, and climate-resilient housing.
- Actions to protect and enhance the urban forest.
- Actions to promote physical accessibility.
- Development of an anti-displacement strategy.
- Potential view protections in areas where they do not currently exist.
- Actions to ensure consistency with state legislative direction.
- Education and technical support for staff, developers, and the public.

Additional detail regarding Home In Tacoma Phase 1 and the Proposal is included in Tacoma’s [2022 Phase 2 Scope of Work and Assessment Report](#). The Proposal has been further defined through public engagement, response to state directives, and technical analysis, all of which are reflected in this EIS.

B. SUMMARY OF PROPOSED AMENDMENTS:

The following table summarizes the key components of the HIT 2 package by topic, as they have been finalized through the public planning process. For more information see the [HIT Code Changes User Guide](#), as well as the recommended Tacoma Municipal Code changes (attached).

Topic	Description
Zoning	<ul style="list-style-type: none"> • Replaces existing Single-family and Multifamily Low-density zones (R-1, R-2, R-2 SRD, HMR-SRD, R-3 and R-4L) with newly established Urban Residential zones (UR-1, 2 and 3) allowing a range of house-scale buildings with multiple units, known as “middle housing”. • Replaces current residential land uses based on the number of units (such as single-family house, duplex, triplex) with newly defined Housing Types (such as Houseplex, Rowhouse, Courtyard Housing) based on number of units, building form and scale. • Establishes density, scale, Floor Area Ratio, setback, tree credits and other controls which are scaled to allow larger buildings and more housing units with each UR zone, and adding two levels of optional bonuses in exchange for public benefits. On a typical 6,000 sq ft lot (for illustrative purposes – see proposed zoning code for details): <ul style="list-style-type: none"> ○ UR-1: 4 units Baseline, 6 with Bonus 1, 8 with Bonus 2 ○ UR-2: 6 units Baseline, 8 with Bonus 1, 12 with Bonus 2 ○ UR-3: 8 units Baseline, 12 with Bonus 1, 16 with Bonus 2 • Updates Tacoma’s Zoning Map by designating the new UR Districts according to proximity to complete neighborhood features and transit • Updates other land uses in UR Districts for consistency with the new zoning framework, to increase flexibility for nonresidential uses in residential areas, and to increase flexibility for Accessory Dwelling Units. • Reduces minimum lot size to 2,500 square feet in UR Districts.

	<ul style="list-style-type: none"> Increases SEPA review threshold for residential development from 20 units to 40 units, along with associated updates.
Housing types and building design	<ul style="list-style-type: none"> Updates building design standards to promote compatible growth and consistency with residential patterns. Establishes design standards for Houseplexes, Backyard Buildings, Rowhouses, Courtyard Housing, and Multiplexes, focusing primarily on residential patterns rather than architectural style. Establishes maximum building width and depth for each housing type. Additional standards address design features including amenity space, non-residential uses, corner lots, large sites, fencing and walls, utilities, and building articulation features.
Parking and transportation	<ul style="list-style-type: none"> Promotes walking, biking, and transit by locating denser housing within walking distance of schools, parks, Centers and transit. Reduces required parking quantities in UR Districts, with less parking required in each consecutive district (1 stall per unit in UR-1, 0.75 per unit in UR-2, and 0.5 stalls per unit in UR-3). Parking can be further reduced through bonuses. No parking is required for Accessory Dwelling Units or for non-residential uses in UR Districts. Establishes several exceptions to parking. Expands the existing Reduced Parking Area (RPA) to UR Districts located within ½-mile walking distance of Major Transit Stations and major transit corridors. Within the expanded RPA, no parking is required except for accessible stalls. Reduces required driveway widths and parking stall dimensions, and increases the proportion of compact stalls allowed in order to make more space for housing, trees and other features. Updates bicycle parking requirements to require long-term bike parking for residential development with 1 to 5 housing units, which may be located within units. Updates bike parking standards to incorporate best practices. Updates pedestrian access standards, reducing the required walkway widths in some circumstances.
Unit Lot Subdivisions	<ul style="list-style-type: none"> Implements state law mandating that cities allow separate ownership of individual middle housing units by authorizing unit lot subdivisions (ULS). ULS subdivisions are a way to divide property for separate ownership, potentially with shared access, utilities, infrastructure and site features. Creation of new “unit lots” is permitted, provided the “parent lot” meets the minimum area, width and other standards. Design and site standards generally apply to the “parent lot”, rather than to the individual “unit lot”.
Trees and Amenity Space	<ul style="list-style-type: none"> Broadens tree planting and retention requirements so that new housing supports Tacoma’s urban canopy goals, while trees promote infill compatibility. The proposal makes room for tree retention by reducing setbacks, parking, and amenity space. Requires planting new trees, retaining existing trees, or a combination for all development to meet minimum “Tree Credits”. Tree Credit requirements are on a sliding scale, with fewer requirements in higher UR Districts (ranges from 35% to 25% of site area). A fee in lieu of tree planting is available in

	<p>cases when meeting the required credits is infeasible and a variance is approved, down to minimums established for each UR District.</p> <ul style="list-style-type: none"> • Requires tree retention for existing mature trees over a certain size, and requires payment of a Canopy Fee if such trees are removed. Removal over 18 inches requires approval of a variance. Offers flexibility for setbacks and other standards to facilitate tree retention. • Authorizes reduction of required parking if it is demonstrated that parking requirements make it infeasible to meet tree requirements. • Requires street trees for all residential development, which can in some cases count toward onsite tree credit requirements. • Increases standards to promote tree health and longevity, including required soil volumes, requiring climate adaptive and a proportion of required landscaping to be native species. • Requires amenity space on a sliding scale as a percentage of site area, with less required in higher UR Districts (ranges from 10% to 5% of site area).
<p>Bonuses for affordability and building retention</p>	<ul style="list-style-type: none"> • Offers two levels of optional development bonuses intended to support the construction of housing that meets one of two public benefits. • Bonus 1 is available in exchange for dedicated affordability of two (or 20%) of units for a 50-year period, or payment of a fee in lieu; or, for building retention while adding additional units to the site. • Bonus 2 is available in exchange for dedicated affordability for all units in the project for 50 years at a deeper affordability level. No fee in lieu is available. • For affordability bonuses, one unit within the project must meet “visitability” standards. • Updates the administrative process for affordability bonuses and requires a programmatic review once every three years. • Expands the Residential Target Area, where the Multifamily Tax Exemption (MFTE) Program is available, to include all Mid-scale and Multifamily High-Density areas on the Comprehensive Plan Future Land Use Map. The MFTE may be combined with the other bonuses.

Other Work Products

HIT 2 also includes additional work products associated with the Zoning and standards updates. These include several studies and engagement summaries developed to support the HIT 2 analysis and detailed below. In addition, the City is currently developing several work products intended to support implementation, including:

- A package of access and utilities standards to support middle housing development.
- An update to the Urban Forest Manual in association with the landscaping code components of the project.
- Updated residential permitting materials and permit processes.

Other regulatory, nonregulatory and programmatic actions are detailed in the Draft Environmental Impact Statement.

C. FINDINGS OF FACT – PART 1: BACKGROUND

1. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2015 by Ordinance No. 28335, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.

Home In Tacoma – Phase 1

The Home In Tacoma Project, which consists of two phases, is intended to increase housing supply, affordability, and choice for current and future residents as part of Tacoma's Affordable Housing Action Strategy. "Home In Tacoma Phase 1" (Phase 1) was completed in December 2021 and included amendments to the One Tacoma Comprehensive Plan (One Tacoma Plan), enacting changes to Tacoma's housing growth strategy, policies, and programs, along with near-term code and programmatic actions. A key component of Phase 1 was to adopt a new Future Land Use Map, which replaced all Single-Family and Multifamily Low-Density land use designations with Low-Scale and Mid-Scale Residential. Additional information regarding Phase 1 can be found in [City of Tacoma Ordinance No. 28793](#). Ordinance 28793 also initiated this second phase of policy work and public engagement to develop zoning, standards, programs and other implementation steps. The following is a high level summary of the HIT 1 policies:

NEW HOUSING GROWTH VISION

Utilize housing growth to create neighborhoods that are inclusive, welcoming to our diverse community, resilient, thriving, distinctive and walkable, with robust community amenities and a range of housing choices and costs.

The new vision promotes increased housing choice in vibrant, walkable neighborhoods. To support this vision, the package includes policy to:

- Increase housing options throughout the City
 - Renew Tacoma's longstanding vision for housing growth Downtown and in Centers
 - Expand Missing Middle housing options in Tacoma's neighborhoods
 - Plan for the impacts of growth on urban infrastructure such as sidewalks, traffic and utilities
- Ensure that new housing is well designed and complements Tacoma's distinctive neighborhoods
 - Use design standards to ensure that infill complements neighborhood scale and patterns
 - Provide for smooth transitions from low-scale to higher scale areas
 - Protect the character of historic districts and promote reuse of existing structures
- Evolve our housing vision to be more inclusive of all members of our community
 - Address inequitable access to opportunity in Tacoma's neighborhoods
 - Shift regulatory language away from "family" to allow households to define themselves

- Address lingering impacts of systemic racism and facilitate homeownership and wealth-building opportunities for people of color
- Promote accessibility for people of different physical abilities
- Recognize that housing is a fundamental building block of community that affects multiple goals
 - Promote housing in Tacoma as an alternative to urban sprawl
 - Build sustainable and resilient housing to address the climate emergency, urban forestry goals, and protect the health of the Puget Sound
 - Promote infill in walkable areas with transportation choices to reduce car dependency

In addition, per Ordinance 28793, the Phase 2 scope of work will include:

1. Zoning changes for Low-scale and Mid-scale Residential designations
2. Strengthened design and development standards (including height, size, yards, etc)
3. Development of an anti-displacement strategy
4. Enhancement and expansion of regulatory affordability tools
5. Actions to ensure that infrastructure and services are adequate to support growth
6. Actions to address the potential demolition of viable structures
7. Actions to create green, sustainable and climate-resilient housing
8. Actions to promote physical accessibility
9. Potential view protections in areas where they do not currently exist
10. Review of City of Tacoma permitting and processes
11. Education and technical support for developers and the public

A more complete summary of adopted policy direction is included in the [2022 Phase 2 Scope of Work and Assessment Report](#).

In addition, HIT 2 is related to and partially implements several related City ordinances and resolutions, including the following:

- Resolution No. 41358 affirming and adopting the Anti-Displacement Strategy as a guide for options regarding how the City can address displacement of Tacoma residents from their homes and communities. HIT 2 implements parts of the Anti-Displacement Strategy which relate to the zoning code and affordability bonuses.
- Resolution No. 41259 directing the Planning Commission to review TMC 13.06.080, entitled “Special Use Standards”, to consider modifications to home occupation standards for the purpose of expanding opportunities to microbusinesses. HIT 2 implements the direction of this resolution by integrating extensive new flexibilities for non-residential uses located in UR Districts.

2. Planning Mandates

The Growth Management Act (GMA) requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the

Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- The Puget Sound Regional Council’s *VISION 2050* Multicounty Planning Policies;
- The Puget Sound Regional Council’s *Transportation 2040*, the action plan for transportation in the Central Puget Sound Region;
- The Puget Sound Regional Council’s Subarea Planning requirements;
- The Countywide Planning Policies for Pierce County;
- TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations.

In addition to the above, State legislation that was passed directly related to Home In Tacoma have also been taken into consideration. The HIT 2 proposals have been crafted to meet the housing mandates of recent bills to the extent that they apply to development standards, as summarized below:

- **HB-1110 Middle Housing Bill (2023)**
 - Increasing middle housing in areas traditionally dedicated to single-family detached housing.
 - Minimum 4 units per lot, with bonuses for affordable housing and proximity to major transit stops.
 - Specific limitations/allowances regarding housing types, parking, other development standards, design review, permit processes, subdivisions, and covenants.
 - Allowance for “substantially similar” approach to be approved by the State.
- **HB 2321 Modifying the Middle Housing Requirements (2024)**
 - Follow-up/clarification bill for HB-1110 (from 2023).
 - Clarifies that the definition of “major transit stops”, impacting middle housing minimum density requirements, includes Bus Rapid Transit stops that are under construction.
 - Clarifies that the exemption from minimum density requirements for lots with critical areas or their buffers is limited to that portion of a lot, parcel, or tract with a critical area or buffer.
- **HB-1337 ADU Support Bill (2023)**
 - Easing barriers to the construction and use of ADUs.
 - Cities must allow two ADUs per lot with specific limitations/allowances regarding size, height, setbacks, infrastructure, impact fees, design standards and ownership.
- **SB-5412 Expanded SEPA Exemptions for Infill (2023)**
 - Reducing local governments’ land use permitting workloads.
 - Significantly expanded SEPA exemptions for all projects with one or more residential units. Adoption of the Plan and Code must meet certain State review criteria (including an EIS).
- **SB 5235 Prohibits Zoning Limits on Housing Occupancy (2021)**
 - Increasing housing unit inventory by removing limits on housing options

- Required to allow ADUs, cannot require parking for ADUs on lots within 1/4-mile of a major transit stop, and generally cannot require owner-occupancy of the ADU or main home.
- May not regulate or limit the number of unrelated persons that may occupy a household or dwelling unit, except for occupant limits on group living arrangements regulated under state law, on short-term rentals, and occupancy limits within the applicable building code.
- **HB 1998 Supporting Co-Living Housing (2024)**
 - Legalizing inexpensive housing choices through co-living housing.
 - Required to allow co-living housing on any lot located within an urban growth area that allows at least six multifamily residential units.
 - Prohibits imposing certain regulations or restrictions on co-living housing, such as requiring parking within 1/2-mile of a major transit stop or requiring standards that are more restrictive than those applicable to other allowed multifamily uses.
- **SB 6015 Residential Parking Requirements (2024)**
 - Certain limitations/requirements relative to parking for residential development.
 - Cannot require parking to be enclosed/covered.
 - Tandem parking must be allowed.
 - Existing, non-conforming gravel parking (up to 6-stalls) shall be allowed to meet parking requirements.
 - Grass block pavers shall be allowed for required parking.
 - Parking spaces may not be required to exceed 8 feet by 20 feet (except for ADA stalls).
 - Existing parking spaces that don't conform to these standards shall not be required to be updated (except for compliance with ADA).
 - Cannot require off street parking if compliance with tree retention requirements would otherwise make the development infeasible.
- **HB 2071 Studying Building and Energy Code Adjustments for Residential Housing (2024)**
 - Directs the Washington State Building Code Council to convene two technical advisory groups: one to recommend changes needed to apply the Washington State Residential Code to multiplex housing and another to recommend changes needed to the International Building Code to allow smaller dwelling units.
 - Requires the Office of Regulatory and Innovation Assistance to contract for the development of an optional standard energy code plan set that meets or exceeds all energy code regulations for residential housing subject to the International Residential Code.
- **HB 1220 Planning for Affordable Housing and Supportive Housing (2021)**
 - The GMA Housing goal is updated to require jurisdictions to plan for and accommodate affordable housing, rather than just encourage availability.
 - In addition to planning for overall residential growth, local comprehensive plans must now:
 - Identify sufficient land and zoning capacities for housing including moderate, low, very low, and extremely low-income households, emergency housing, emergency shelters, and permanent supportive housing.
 - Identify programs and actions needed to achieve housing availability, including gaps in local funding, barriers such as development regulations, and other limitations.

- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, and implement policies and regulations to address and begin to undo such impacts.
- Identify areas at higher risk of displacement and establish anti-displacement policies.
- Allow for moderate density housing options in addition to single-family residences.

How HIT 2 relates to state mandates:

HIT 2 brings the City into full compliance with recent housing-related and parking-related state laws listed above, to the extent that they apply to development regulations. In addition, HIT goes further than these state laws in notable ways by exceeding the minimum residential densities mandated by the state, and by integrating additional considerations related to middle housing design, urban forestry, building retention, and other considerations.

3. Planning Commission process

Pursuant to the Tacoma Municipal Code, Section 13.02.070 – Adoption and Amendment Procedures, applications may be submitted by City departments or governmental entities, including the Planning and Development Services Department, and subsequently forwarded to the Planning Commission for their assessment. The Planning Commission decides whether to accept the application and begin the public review and analysis process. Those applications then receive detailed review and analysis by staff and the Planning Commission and input is solicited from stakeholders and the community. The Planning Commission accepted the *Home In Tacoma Project – Phase 2* and initiated review in early 2022.

D. FINDINGS OF FACT – PART 2: PLANNING COMMISSION REVIEW

1. Process overview

Phase 2 began in 2022, with intensive planning and public engagement starting in January 2023. Following extensive community engagement and adjustments to the initial Home In Tacoma package to accommodate for state legislation, the Commission has focused over the past 6 months on making the detailed decisions regarding zoning, standards, bonuses and other components of the HIT package. The HIT 2 planning process began in early 2022, and has generally been divided into the following stages:

Timeframe	Project Stage
Jan – June 2022	Project initiation and scoping
July – Dec 2022	Consultant selection, benchmarking, options development, initial stakeholder engagement and analysis
Jan – March 2023	Develop and vet initial zoning and standards framework, Round 1 Engagement
April – June 2023	Develop and vet preliminary Planning Commission recommendations, Round 2 Engagement
July 2023 – Jan 2024	Refine details of HIT 2 package
Feb – March 2024	Planning Commission Public Hearing, Round 3 Engagement
April – June 2024	Debrief public comments, finalize Commission recommendations to City Council

City Council, Planning Commission, and Taskforce meeting dates:

Over the course of the project, planning staff have presented to or met with multiple City groups, including:

- City Council Study Session (02/22/22, 12/06/22, 05/16/23, 06/20/23, 9/26/23, 11/21/23, 01/30/24, 05/14/24)
- City Council IPS Committee (04/13/22, 05/25/22, 10/12/22, 01/25/23, 03/22/23, 10/25/23)
- Planning Commission (06/15/22, 09/21/22, 10/19/22, 01/04/23, 02/01/23, 03/15/23, 04/19/23, 05/17/23, 6/21/23, 9/6/23, 10/04/23, 10/18/23, 11/01/23, 12/06/23, 01/17/24, 03/06/24, 04/03/24, 04/17/24, 05/08/24, 05/15/24)
- HIT Phase 1 - Planning Commission Public Hearing (04/07/21), recommendations (05/19/21)
- Housing Equity Taskforce (02/10/22, 03/10/22, 9/28/23, 10/26/23)

In addition, staff have presented multiple times to other groups – see the Engagement section, below.

2. Engagement and Consultation:

Scoping Report – Engagement Strategy

The first task of the project was to develop a broad, equitable, communication and engagement strategy consistent with the City’s engagement policies in the One Tacoma Comprehensive Plan and Equity Framework. The following were initial focal points for engagement:

Engagement objectives

- Continuous – information, education, dialogue-based
- Engaging – providing multiple formats, durations and levels of detail to promote broad participation
- Collaborative – seeking to promote dialogue across perspectives, with opportunities for people with different perspectives to be heard
- Equitable – seeking to ensure that all voices and perspectives are heard and valued
- Informed – supported by graphics, visualizations and technical information
- Hybrid – combining a range of online and in person formats

Stakeholders

- People seeking housing, homeowners and renters, people experiencing homelessness
- People of diverse incomes, ages, abilities, races, languages and neighborhoods
- Advocacy, religious and business communities
- Housing development community (market rate and affordable)
- Infrastructure and service providers (internal and external agencies)
- Subject matter experts in health, education, equity, and other relevant fields
- The whole Tacoma community

Round 1 Engagement (Jan – March 2023)

Round 1 was primarily an online engagement round intended to develop initial feedback to inform the zoning and standards framework. The City conducted a survey which is summarized in this [Housing Choice Survey Results](#) report.

Round 2 Engagement (April- June 2023) was structured around in-person Open House events hosted in each City Council District to present preliminary zoning and standards concepts at the neighborhood level and receive input from community members on key topics and issues in their neighborhoods, including middle housing design, amenities, and affordability as well as the proposed zoning map.

These events were planned to provide community members the opportunity to connect with City Staff and City Council representatives to learn more about the HIT project goals, approach, and timeline and share thoughts on how Tacoma can get housing growth right. The primary objectives were for community members to leave with a better understanding of HIT, to review the initial package of zoning and standards and to be ready to submit comments to the public review process. Staff collected feedback on priorities and key decisions to continue crafting the proposed zoning and standards.

Key Outcomes from Round 2

- Over 1,000 community members engaged at events
- Thousands of comments received
- City Council members at every event
- Interdepartmental collaboration on Home In Tacoma
- Housing Equity Champions at events

Key topics:

- Parking- How will parking requirements change?
- Affordability- How will new housing stay affordable?
- Housing size and style- How will new housing fit with the character of existing neighborhoods?
- Trees and open Space- How can we preserve trees and open space for health impacts?
- State Legislation- How do new rules affect Home In Tacoma?
- Infrastructure- How will the city ensure that housing growth is supported?

Round 3 Engagement (February-March 2024) was the engagement completed as part of the Planning Commission Public Hearing process. The purpose of this engagement was to provide opportunities for community members to learn about the Home In Tacoma Draft Recommendations packet as well as provide input to include in the Planning Commission final recommendations. Community members also had opportunities to ask questions of planning staff and connect with City Council members.

This effort was structured around providing broad notification of the availability of the draft proposal, including mailers, email notices, news release, social media and SEPA and GMA notices and inviting community members to provide comments on the draft package. To do this, City staff shared updates on the process and encouraged comments at community events, presentations, and a series of three in-person informational meetings and one virtual meeting.

Public comments were collected by topic areas: General Comments, Zoning, Parking, Housing Types, Amenity Space and Tree Requirements, Affordability and Retention Bonuses, Unit Lot Subdivision, and Draft Environmental Statement.

Key Outcomes

- 1,500 comments received through various commenting tools
 - 44 Public Hearing
 - 800 Online Forum
 - 248 Written Comments
 - 426 Interactive Map

Key Topics

- Views on middle housing, growth, and neighborhood change
- Perspectives on HIT Phase 1 housing growth strategy (Low-scale and Mid-scale Residential Comprehensive Plan designations), state housing mandates, and where in the City housing growth should be prioritized.
- Perspectives on which factors should be considered to designate UR-2 Districts.
- Questions in relation to state zoning mandates and Tacoma’s alignment.
- Ideas on heights, setbacks, and general scale of proposed middle housing types.
- Concerns about proposed reductions to required parking, including parking accessibility and the location of the expanded Reduced Parking Area (RPA) and feedback on new bike parking rules and requirements.
- Support for increased homeownership opportunities through unit lot subdivisions.
- Need for additional affordable units at more affordable levels.
- Support for actions that help retain existing buildings.
- Questions about HIT working with View Sensitive areas and restrictive covenants.
- Various perspectives on requiring trees and the tree credits proposal, including stronger tree retention policies, and added flexibilities for development.

3. Analysis conducted for HIT 2

The City completed multiple studies and technical analyses to support the HIT 2 project, including the following:

- [HIT Feasibility Analysis Findings](#) (January 2024): Summarizes the housing market analysis that informed the development of the middle housing development standards and the affordability bonus program, including the fee in lieu amounts.
- [HIT Site Plan Study](#) (December 2023): Summarizes the analysis of the use of space on typical development sites and how existing and proposed standards, infrastructure and utilities as well as buildings will fit. The study resulted in refinements to the proposals and a package of access and utilities standards updates.
- [HIT Landscaping Code Updates Analysis](#) (December 2023): Lays out the existing code audit, benchmarking, and policy options for landscaping code updates. This study informed development of the Public Review Draft landscaping code.
- [Existing Conditions Review](#) (Jan 2023): Evaluates existing residential patterns in Tacoma neighborhoods pursuant to development of middle housing standards that will be complementary to existing patterns.
- [Regional Benchmarking Report](#) (December 2022): Summarizes how several benchmark cities have integrated middle housing and affordability bonuses into their zoning and standards.
- View Sensitive District expansion study (available upon request): Per Ordinance No. 28793, the Planning Commission studied the potential to expand the View Sensitive District to additional areas, including East Tacoma. Though the study did find there are limited areas in

East Tacoma with views comparable to areas already within View Sensitive Districts, the extent of those areas is relatively small, and further consultation would be needed with the residents and property owners than was feasible through the HIT 2 process. The Commission did not include any expansion of the VSD in their recommendations.

In addition, the [Home In Tacoma Draft Environmental Statement](#) provides robust analysis of the potential positive and negative impacts of the proposal and identifies a range of mitigation actions that the City could pursue.

The HIT 2 process also drew from studies and analysis completed as part of HIT Phase 1, including the following:

- The AHAS (2018) provided the starting point by clearly documenting the community’s housing need and setting the objective of adding 10,000 new affordable housing units within 10 years, along with other actions. The AHAS called for inclusionary zoning (Action 1.2) and diverse housing types (Action 1.8) actions which are being implemented through the *Home In Tacoma Project*.
- The HIT Phase 1 [Existing Conditions Report](#) provides an overview of the housing need and development trends. Key findings include:
 - Households are getting smaller as the population ages
 - Incomes have not kept up with housing costs
 - Renters are becoming higher income on average, while the share of lower income households has declined
 - Special populations (residents with disabilities, seniors, single mothers, and people of color) are disproportionately affected by poverty and are especially vulnerable to a changing housing market
 - The shortage of affordable rental units persists
 - Racial and ethnic diversity has increased while disparate trends in homeownership and poverty remain
 - The City’s highest opportunity areas are the most challenging to access for low and moderate income households

Key Housing Market Change Indicators, City of Tacoma, 2016-2019

	2016	2019	2016-2019	
			Change	% change
Rental Market				
Median rent	\$1,054	\$1,273	\$219	21%
Median renter income	\$40,009	\$44,809	\$4,800	12%
Ownership Market				
Median home value	\$239,100	\$344,500	\$105,400	44%
Median owner income	\$76,544	\$93,765	\$17,221	22%
Rental Gaps				
Rental gap <30% AMI	-6,055	-4,897	1,159	-19%
Renter households <30% AMI	9,077	7,769	-1,308	-14%
Rental units <30% AMI	3,022	2,872	-150	-5%
Cost burden				
Owners	32%	27%	-5%	
Renters	47%	49%	2%	
Homelessness (Pierce County)				
	627	544	-83	-13%

Source: 2016 and 2019 1-year ACS; Pierce County Point-in-Time County 2016 and 2019; Root Policy Research.

The [Housing Action Plan](#) summarizes the recommended actions to address housing goals and provides long-term implementation guidance. Key findings include:

- Tacoma has taken positive steps to expand housing choice, yet the market has continued to lose affordability, calling on the City to do more
- Diverse (missing middle) housing types can serve as “naturally occurring” affordable housing. While not specifically restricted as affordable, these housing types tend to be relatively affordable by virtue of their smaller size and use of already developed land.
- Allowing diverse housing types can increase housing choice in existing neighborhoods
- However, a range of tools are needed to produce housing affordable at lower incomes

“Housing policies serve a range of needs, and it is important to examine the role of unit production, by unit type, and affordability (or AMI) levels that are possible. The graphic below demonstrates how unit production—and city land use and zoning policies that influence housing types—can influence affordability. The graphic uses a 2-person household, which is closest to the average-sized household in Tacoma: as of 2019, 67 percent of Tacoma households had 2 persons and less.

As the graphic demonstrates:

- Publicly-subsidized and nonprofit housing is critical to meet the needs of households earning less than 50 percent of AMI. Most privately-provided, market-rate housing does not meet this AMI level, including missing middle housing products.
- Newly built multifamily housing, as well older multifamily housing, can serve moderate- to low-AMI levels, particularly when incentives are attached.
- Missing middle products are good solutions for moderately-low income renters and owners who need relatively affordable housing and value these product types.”

IF YOUR HOUSEHOLD EARNS...						
\$32,580 <small>< 30% AMI</small>	\$35,000 <small>31-50% AMI</small>	\$55,000 <small>51-80% AMI</small>	\$70,000 <small>81-100% AMI</small>	\$85,000 <small>101-120% AMI</small>	\$100,000 <small>121-150% AMI</small>	\$100,000+ <small>151%+ AMI</small>
THE MAXIMUM RENT YOU CAN AFFORD IS...						
\$520	\$870	\$1,390	\$1,730	\$2,080	\$2,500	\$2,500+
THE MAXIMUM HOME PRICE YOU CAN AFFORD IS...						
\$90,000	\$150,000	\$240,000	\$300,000	\$350,000	\$450,000	\$450,000+
HOUSING TYPES AFFORDABLE TO RENTERS						
Publicly subsidized	ADU/Duplex		All products			
		New multifamily <i>with incentives</i>	New multifamily			
		Older non-subsidized multifamily				
HOUSING TYPES AFFORDABLE TO OWNERS						
	Nonprofit/land trust	Duplex	Townhome	All products		
		ADU	Cottage			
		Multi-plex/ Townhome <i>with incentives</i>	Multi-plex/ Townhome	Newer SFD		
			Older SFD			
CITY POLICY OPTIONS: RENTERS						
		ADU/Infill/Small multifamily				
		Parking reductions				
		Moderate density bonus				
		Expedited review				
		Inclusionary zoning/fee-in-lieu				
		MFTE				
CITY POLICY OPTIONS: OWNERS						
		Infill				
		ADU				
		Expedited review				
		Inclusionary zoning/fee-in-lieu				
		MFTE				

E. FINDINGS OF FACT – PART 3: PLANNING COMMISSION PUBLIC HEARING

1. Public Hearing and Information Sessions:

The Planning Commission conducted a public hearing on the Home In Tacoma Draft Proposal on March 6th, 2024. City staff help several in-person and virtual informational events during the public comment period that led up to the Public Hearing date for people to learn about the draft proposal and provide comments. Over 300 people attended these events and all comments received during the comment period and Public Hearing process were posted online, along with an engagement summary and a recording of the virtual event for community member's review.

2. Public Hearing Notification:

Community members were notified of the availability of the Home in Tacoma Proposal and the draft Environmental Statement through broad notice methods and communications

- **Public notice mailer:** The City mailed a postcard notice to over 100,000 addresses of residents and property owners throughout the City of Tacoma. This included the date for the Public Hearing as well as information on informational events and instructions on how to leave comments during the Public Comment period.
- **Email notice:** The City emailed the notice to over 2,000 individuals who receive regular project updates. The email list includes multiple stakeholder groups including the Planning Commission and City Council contact lists, community groups, transit groups, development groups, affordable housing groups, sustainability and social justice organizations, historic preservation organizations, and individuals who requested to be added. Staff also sent reminder emails prior to the events and other key dates.
- **Social media:** Notice and regular updates were distributed through City and Tacoma Planning social media accounts and displayed on City webpages and banners.
- **Web engagement approaches:** The City has offered extensive information via the Home In Tacoma Project webpage, as well as a Social Pinpoint online engagement forum and the HIT Interactive Zoning Map.
- **Information meetings:** The City hosted three in-person events and one ZOOM information session to provide information and answer questions. The ZOOM meeting recording is posted on the project homepage in order to make the information more widely available. Public comments were accepted at the in-person meetings and via online platforms.

Planning staff also presented to the following groups to inform about the draft Proposal as well as to solicit feedback and written comments:

- Bicycle and Pedestrian Technical Advisory Group
- Human Rights Commission
- Landmarks Preservation Commission
- Mayors Youth Commission
- Parking Technical Advisory Group
- Sustainable Tacoma Commission
- Tacoma Area Commission on Disabilities
- Tacoma Permit Advisory Group
- Transportation Commission
- Neighborhood Councils:

- Central Tacoma
- Eastside
- Northeast Tacoma
- North End
- West End
- Internal stakeholders: The City regularly updated internal stakeholders including departments and work groups with a role in housing, residential permitting and associated responsibilities.
- External stakeholders and events: The City has presented to the following organizations or tabled at events, including:
 - Annual Martin Luther King Jr. Birthday celebration
 - Lincoln Lunar New Year Festival
 - Hilltop Action Coalition
 - Puyallup Tribe – City Interagency Coordination meeting
 - Master Builders Association
 - Spotlight South Tacoma meetings
 - Tacoma Pierce County Affordable Housing Consortium
 - Tacoma Pierce County Association of Realtors
 - Tacoma Public Schools – School of The Arts (SOTA) class
 - APCC Lunar New Year Celebration
 - Tet Vietnamese Lunar New Year Celebration
 - Welcome to Tacoma – Manitou Annexation Event
 - Safe Streets – Lincoln area presentation
 - UWT – Urban Studies Housing Policy in the US
- **News media and cross-posting:** The City issued a press release on 02/05/24, posted notice in the Tacoma Daily Index and the Tacoma News Tribune, and conducted interviews with the following for broadcast:
 - Cityline Interview
 - KNKX Public Radio
 - Notice sent via Tacoma Public Schools Peachjar email updates
 - Home In Tacoma content on TV Tacoma
- **Language access:** The City offered a summary of HIT information in Spanish and Vietnamese, with additional translation service offered upon request. The city focused on language access at the March 2, 2024, information meeting, partnering with the City’s Language Ambassadors Program to invite members from non-English speaking communities and share information in Spanish, Vietnamese, Russian, Ukrainian and Khmer.
- **SEPA and GMA notice:** The City provided the Notice and Draft EIS Notice of Availability to the state Department of Ecology, Department of Commerce, Puget Sound Regional Council, and other agencies, and sent the notices and request for comments to local and state agencies, neighboring jurisdictions, the Puyallup Tribe, Joint Base Lewis McChord, and interested parties.

3. Public Review Documents:

Staff prepared a Public Review Document package for the Planning Commission's public hearing and posted online at www.cityoftacoma.org/homeintacoma. The package includes the following:

- Zoning Map
 - [Interactive Zoning Map](#)
- Summary Sheets
 - Home In Tacoma Overview
 - Zoning
 - Housing Types
 - Parking
 - Affordability and Retention Bonuses
 - Unit Lot Subdivision
 - Amenity Space and Tree Requirements
- Proposed HIT Zoning and Standards
 - HIT Code Changes User Guide
 - HIT Urban Residential Standards- Key Provisions
 - HIT Title 1 - Administrative Standards
 - HIT Title 13 - Land Use Standards
- Draft Environmental Impact Statement
 - HIT Phase 2 - Draft Environmental Impact Statement (DEIS)
- Supporting Documents
 - Public Hearing Notice Mailer (February 2024)
 - Draft Environmental Statement Notice of Availability (February 2024)
 - HIT Feasibility Analysis Findings (January 2024)
 - HIT Site Plan Study (December 2023)
 - HIT Landscaping Code Updates Analysis (December 2023)
 - HIT Round 2 Engagement Summary (August 2023)
 - Home In Tacoma Round 2 FAQs (August 2023)
 - HIT Round 1 Housing Choice Survey Results (March 2023)
 - City's Environmental Impact Statement Scope (February 2023)
 - Existing Conditions Review (Jan 2023)
 - Regional Benchmarking Report (December 2022)

4. Public Testimony

At the public hearing on March 6th, 2024, 44 people testified. The Commission received a total of about 1,500 comments via multiple tools during the comment period that ended on March 8, 2024. Staff provided a Comments and Responses Summary at the Commission's April 3, 2024 meeting. This document sought to summarize the comment themes and to provide initial options for changes to the proposals, to inform the Commission's ongoing deliberations regarding recommendations to the City Council. The document outlined the following objectives:

- Summarize comment themes both at a high level and, where possible, specifically
- Provide initial staff recommended changes intended to clarify, address unintended gaps, and make minor refinements
- Outline an initial list of more substantive potential changes that the Planning Commission could consider
- Cue up topics not directly included in the Zoning and Standards package, which the Commission could address in its recommendations letter

The comments expressed a broad range of perspectives, including comments strongly in support and strongly opposed to various topics in the Proposal. To support the Commission’s deliberations, staff organized the comments based on overarching topics and called out main points made in comments received under each topic.

- General comments
- Zoning
- Housing Types & Building Design
- Parking & Transportation
- Unit Lot Subdivision
- Amenity Space and Tree Requirements
- Bonuses (Affordability and Building Retention)

The Comments and Responses document summary does not fully represent the issues raised or reflect every comment received, however, full text of all comments was also included in the materials provided to the Commission and are posted on the Home in Tacoma project website.

F. FINDINGS OF FACT – PART 4: RESPONSE TO PUBLIC TESTIMONY

The comments received at the Public Hearing, as well as comments provided through the public comment period were gathered and shared with Planning Commission and made available to the public via the Home In Tacoma website.

City staff debriefed Planning Commission at the Planning Commission meetings on April 3rd and 17th, 2024 to review the public hearing process and comments received. Staff also presented potential changes to be made based on the feedback during this process and began the discussion about potential amendments to the Proposal with Planning Commission May 8th and May 15th, 2024. Planning Commission recommended a total of 30 possible amendments, voting to include 20 in the final Home In Tacoma recommendations package.

The following outline summarizes at a high level the public comment themes received by topic, and includes the amendments process included the following list of proposed and accepted amendments. Those accepted by the Commission have been integrated into the recommendations package:

- **General comments**
PUBLIC COMMENTS: A range of views on middle housing, growth, change, state mandates, project timing, and other topics.

PROPOSED AMENDMENTS: None
- **Zoning**
PUBLIC COMMENTS: A range of views on the draft HIT zoning map, factors used to delineate the UR-2 District, densities, Floor Area Ratio, height, setbacks, land uses and permitting processes.

PROPOSED AMENDMENTS:
 - Zoning Map - Measure UR-2 by walking distance rather than radius.
COMMISSION DIRECTION: *Withdrawn*

- Zoning Map - Adjust UR-2 to apply only to active use parks.
COMMISSION DIRECTION: **Rejected**
- Zoning Map- Adjust UR-2 to apply only to parks 10 acres and active use.
COMMISSION DIRECTION: **Rejected**
- Setbacks- Front setbacks to no less than 10 feet in all zones/bonuses
COMMISSION DIRECTION: **Rejected**
- Amnesty For Middle Housing – Add a middle housing amnesty provision for existing, unpermitted middle housing to be legalized.
COMMISSION DIRECTION: **Accepted**
- Residential Businesses- Definition clarification, remove limit on employees who can work there.
COMMISSION DIRECTION: **Accepted**
- Middle Housing- Clarification to definition.
COMMISSION DIRECTION: **Accepted**
- Accessory Buildings- Clarification that ADUs are no longer a subcategory of Accessory Structures.
COMMISSION DIRECTION: **Accepted**

- **Housing Types and Building Design**

PUBLIC COMMENTS: A range of comments regarding construction methods, architectural design, protections for historic districts, and the City’s design review process.

PROPOSED AMENDMENTS:

- Building Design – Habitable space definition clarifications.
COMMISSION DIRECTION: **Accepted**
- Building Design - Prohibited materials (delete section prohibiting T1-11 and similar).
COMMISSION DIRECTION: **Accepted**
- Building articulation - reorganized by topic, clarify and match in menu of options. All offered items should count as full point articulation features.
COMMISSION DIRECTION: **Accepted**

- **Parking and Transportation**

PUBLIC COMMENTS: Differing perspectives on the proposed parking reductions and the proposed Reduced Parking Area, general support for driveway width and parking stall dimension reductions and for bicycle parking standards changes, comments about paying for infrastructure cost.

PROPOSED AMENDMENTS:

- Parking- Revise parking quantities (round down)
COMMISSION DIRECTION: **Rejected**
- Parking - No replacement of parking for ADUs, parking for Non-residential Uses
COMMISSION DIRECTION: **Accepted**
- Parking - Revise parking quantity requirements, change the quantity requirements to whole numbers based on the number of units, and to require slightly higher quantities than the current proposal.
COMMISSION DIRECTION: **Rejected**

- Waive parking requirement if only one stall required, if there is no alley (unless it is a required accessible stall).
COMMISSION DIRECTION: **Accepted**
- Reduced Parking Area – Use walking distance map to vet the proposed RPA map and remove areas with major barriers.
COMMISSION DIRECTION: **Accepted**
- Parking - Increase quantity requirements to 50% of the current required quantities.
COMMISSION DIRECTION: **Rejected**

- **Unit Lot Subdivisions**

PUBLIC COMMENTS: Differing perspectives on the appropriate densities and number of units that should be supported, but general support for ULS as a method to promote ownership opportunities, with comments regarding the appropriate review process and mechanisms to manage shared facilities.

PROPOSED AMENDMENTS:

- Allow ULS subdivision for previously developed sites, even if they don't meet all current/new standards.
COMMISSION DIRECTION: **Accepted**

- **Trees and Amenity Space**

PUBLIC COMMENTS: Regarding amenity space - differing views on the appropriate balance between required amenity space and housing, amenity space dimensions and methodology. on how to calculate the amenity space requirement. Regarding trees – differing views on the appropriate balance between housing and trees, strengthen tree retention requirements, promote tree longevity, clarify and strengthen review process for flexibility/exceptions, increase City accountability.

PROPOSED AMENDMENTS:

- Tree credits - Change the measure of compliance from tree credits to tree canopy coverage, require each parcel not go below 20% tree canopy coverage in an Urban Residential (UR) zone (variance required), canopy cover minimums for UR-3 changed to be the same as UR-2.
COMMISSION DIRECTION: **Accepted**
- Tree Retention/Canopy Cover Fee- Variance required for any tree over 18" DBH, remove language that exempts fruit trees from tree retention requirements, clarify canopy loss fee for for removal of any tree over 6" DBH. Change 'caliper' to DBH.
COMMISSION DIRECTION: **Accepted**
- Tree Flexibility/Exceptions - Aligns code with state law to prioritize tree retention over parking requirements. Provides more guidance to determine development hardship. Requires that a city arborist approve all variances along with PDS Director.
COMMISSION DIRECTION: **Accepted**
- Tree Retention/Maintenance – Requires bonding language for trees, requires a landscaping checklist/ maintenance plan be provided by the developer.
COMMISSION DIRECTION: **Withdrawn**

- Parking Lot Landscaping Requirements – Require landscaping requirements when parking lot alterations affect at least either 25% of the lot or 500 SF of the parking lot (whichever is less).
COMMISSION DIRECTION: **Withdrawn**
- Removal of the exemption for "self-managed agencies".
COMMISSION DIRECTION: **Accepted**
- Landscaping - Requires all plant species used in landscaping be considered "climate adapted" and that 50% be native or near-native species. Requirements for native /near native species near open spaces or fish and wildlife habitat conservation areas.
COMMISSION DIRECTION: **Accepted**
- Amenity space - Modify amenity space requirement from sq. ft./unit methodology to % of lot methodology, reduce amount, add 1,000 sf cap.
COMMISSION DIRECTION: **Accepted**
- Tree mandated percentages will only apply to remaining space on lots "after" building, parking, and amenity space has been developed. Remove Tree Bonuses.
COMMISSION DIRECTION: **Rejected**

- **Bonuses (Affordability and Building retention)**

PUBLIC COMMENTS: Differing perspectives on the Multifamily Tax Exemption Program expansion, support for visitability and accessibility requirements, strengthen/remove fee in lieu option for affordability bonuses, support for building retention bonus with different perspectives on how to balance historic preservation, sustainability and other goals.

COMMISSION DIRECTION:

- Establish a required affordability bonus program review every 3 years.
COMMISSION DIRECTION: **Accepted**
- PROPOSED AMENDMENT: Integrate visitability into Affordability Bonus proposal.
COMMISSION DIRECTION: **Accepted**
- PROPOSED AMENDMENT: Fee in Lieu for affordable housing bonus tied to Consumer Price Index – Urban Housing Markets (Seattle Metro area).
COMMISSION DIRECTION: **Accepted**

Additional details on proposed amendments can be found in the Planning Commission's May 8th and May 15th packets.

G. FINDINGS OF FACT – PART 5: SEPA REVIEW

HIT Phase 1 SEPA Review

"Home In Tacoma Phase 1" (Phase 1) was completed in December 2021 and included amendments to the One Tacoma Comprehensive Plan (One Tacoma Plan), enacting changes to Tacoma's housing growth strategy, policies, and programs, along with near-term code and programmatic actions. A key component of Phase 1 was to adopt a new Future Land Use Map, which replaced all Single-Family and Multifamily Low-Density land use designations with Low-Scale and Mid-Scale Residential. The City issued a [Mitigated Determination of Nonsignificance](#) which is described further in Section 1.2.2 of the Draft Environmental Impact Statement (Draft EIS). Of note, the MDNS called for a robust environmental review to be completed for HIT Phase 2.

HIT Phase 2 Environmental Impact Statement

On February 3, 2024 the City Issued the [Home In Tacoma Project Phase 2 Draft EIS](#). The EIS analysis began with issuance of a Determination of Environmental Significance and an EIS scoping notice in January 2023 and held a public hearing in February 2023. Subsequently the City finalized the EIS scope.

Alternatives Considered

The Draft EIS will evaluate three alternatives: the No Action Alternative, referred to throughout as the Baseline Alternative, and two action alternatives, the Lower Zoning Alternative and the Higher Zoning Alternative. The action alternatives are defined primarily based on the number of new housing units likely to be developed under new zoning designations, as well as associated development standards establishing new density, building size, parking, landscaping, and other requirements, over an approximately 30-year horizon (out to 2050) and described further in Section 2.2 of the Draft EIS. The Baseline Alternative assumes 3,840 new housing units would be constructed, the Lower Zoning Alternative assumes 25,660 new housing units would be constructed, and the Higher Zoning Alternative assumes 53,620 new housing units would be constructed through 2050. Under all of the alternatives, potential growth in Tacoma, including new growth associated with the Proposal, is anticipated to be consistent with the regional growth targets adopted under the Puget Sound Regional Council’s Vision 2050.

Elements of the Environment Studied

- Plants and Animals
- Water Resources
- Air Quality and Greenhouse Gas Emissions
- Land Use
- Housing
- Transportation
- Public Services and Utilities
- Parks and Recreation
- Historic, Cultural and Archaeological Resources

Summary of Impacts and Mitigation Measures

At the highest level, the DEIS finds that while growth resulting from the project will have impacts, they will not be significant and adverse. This conclusion is based on determinations that the proposal itself includes steps to reduce impacts; that there are mechanisms in place which could be expanded or strengthened to address the incremental impacts of development; and/or, that remaining impacts are acceptable in order to support the policy direction and project goals. Furthermore, this Draft EIS also identifies possible mitigation measures that could be implemented to further reduce potential adverse impacts or improve environmental conditions.

Home In Tacoma Phase 2 is being proposed within the context of anticipated growth throughout the Puget Sound Region and in Tacoma specifically (VISION 2050). Focusing growth in an already urbanized area, per adopted regional growth policies and consistent with “smart growth strategies,” can result in direct and indirect environmental benefits, including minimizing air and water pollution, reducing greenhouse gas emissions, conserving resources, and preserving natural and environmentally sensitive lands. As a result, the Proposal is likely to have beneficial impacts to the environment, in addition to any localized potential adverse impacts identified throughout this Draft EIS.

Under all alternatives, the type of potential impacts would be similar, but the scale of those impacts would vary. For most elements of the environment, the more quickly and the more geographically concentrated future development occurs, the greater those impacts are likely to be.

Some actions that are part of the Proposal, described above and further described in Section 1.2 and 1.4 of the Draft EIS, are aimed at promoting improvement to the environment (such as protection for sensitive areas, a robust urban forest, water and air quality, and climate resilience); promoting infrastructure and mobility goals (such as pedestrian and ADA access, transportation choices and safety for people of all abilities, and efficient and resilient public utilities and services), or at promoting equity (such as improving public health and increasing housing choice and affordability in higher opportunity areas). Although this Draft EIS does not weigh the impacts against the benefits of the Proposal, many of the specific elements of the Proposal could result in a reduction in impacts from the Baseline Alternative or environmental benefits, which is reflected throughout.

As part of the Planning Commission Public Hearing, the City also accepted comments on the Draft EIS. The City received multiple comments related to the Draft EIS analysis and potential mitigation actions. The City SEPA Official is currently formulating responses to those comments, which may include substantive changes to the mitigation actions. The final version of the EIS will be made available prior to City Council action on the proposals.

H. FINDINGS OF FACT – PART 7: HEALTH AND EQUITY IN ALL POLICIES

The Planning Commission finds that the *Home In Tacoma Project* will have a very positive impact on public health. HIT will help to meet the basic need for shelter for more people, and promotes access to housing in locations that promote transportation options, and increases protections and requirements for trees. These are all associated with public health benefits, particularly when compared to the negative health impacts resulting from not being able to access housing or having to settle for housing that substandard or in car-dependent locations.

The City collaborated with the Tacoma Pierce County Health Department to develop a Health Impact Assessment (HIA) on the project, issued in May 2024. The HIA examined the proposals and associated Draft EIS to understand the health impacts associated with increased density, changes in the transportation network, and changes in tree canopy.

In summary the HIA concludes that the project will result in positive health impacts in all three categories. Increase density zoning will result in increased housing options across a large area of the city at more affordable prices and promote walkability. Changes in the transportation network associated with the project will support walking, rolling, cycling and public transit use for everyday transportation needs. And changes in tree canopy cover will offer help reduce respiratory and cardiovascular disease, reduce urban heat and heat-related illnesses, and improve mental health. All three of these impacts are positive in terms of public health. The HIA includes a range of recommendations to further promote public health in association with the HIT project. Finally, the HIA recommends that the City pursue the highest density alternative evaluated under the Draft EIS in order to maximize these public health benefits.

The Commission further finds that HIT has been informed by a concerted effort to engage with under-represented groups to ensure that people who often face the most severe housing challenges have a voice in Tacoma's housing future. HIT will also increase housing options and prices throughout the City, increasing access to opportunity for people with lower incomes.

On June 30, 2020 the City Council adopted Resolution No. 40622 affirming the Council’s commitment to comprehensive and sustained transformation of all the institutions, systems, policies, practices, and contracts impacted by systematic racism, with initial priority given to policing. The resolution recognizes that systematic racism continues to exert influence on many sectors, including on housing and access to opportunity, and that this influence has an ongoing inequitable impact. The resolution calls for anti-racism to be a top priority and to work toward reform of institutions impacted by systematic racism for the greater equity and wellbeing of all residents of Tacoma, Washington state and the United States.

Tacoma’s Equity Index has demonstrated that there is a correlation between race, housing, and access to opportunity. The **Home In Tacoma** project will integrate the City Council’s direction by seeking actions that make progress toward reducing these inequalities. The Equity Index is an interactive tool that highlights the disparities within the City. The Index uses 20 data points to determine where people are not able to access services or where services do not meet the community needs. In addition, the Index is a tool to help city and community partners make Tacoma an inclusive and equitable City to live, learn, work and play. Visit www.cityoftacoma.org/equityindex for more information.

I. CONCLUSIONS:

The Planning Commission concludes that the proposed Home In Tacoma – Phase 2 recommendations are consistent with the *One Tacoma* Comprehensive Plan which calls for implementation of diverse (Missing Middle) housing options in Tacoma’s neighborhoods, for expansion of Tacoma’s affordability tools, and for the range of related policy actions. The recommendations also implement the City’s antiracism and equity, sustainability and transportation goals. These proposals will also help Tacoma to meet its adopted housing growth targets as required under Vision 2050.

The Commission concludes that the proposals reflect community input and provides a well-balanced package that reflects the urgency of housing needs as well as the desire to ensure reasonable compatibility with existing neighborhood patterns, and to balance housing and other goals. The City Council should proceed to adopt the recommendations and should support the effectiveness of the effort through non-regulatory actions including staffing increases, as well as continue housing and related policy efforts.

The *Home In Tacoma Project* will be a significant step forward on housing. The vast majority of the changes are mandated by the state at this point, so there is no option to retain single-family zoning. That said, the additional actions included in HIT 2 which go above and beyond state mandates are much of what makes the proposal holistic, well-balanced, and reflective of community priorities.

That said, the *Home In Tacoma Project* is not a silver bullet. The Commission also urges the City Council to continue with the ongoing implementation of the full package of AHAS housing actions. Robust action across multiple fronts is needed to address the housing crisis. Finally, the Commission notes that through this effort we have identified other related policy issues which we recommend for study.

J. RECOMMENDATIONS:

The Commission recommends adoption of the *Home In Tacoma Phase 2* recommendations including updated residential zoning and standards, as well as the proposed Zoning, Reduced Parking Area, and Residential Target Area maps. Furthermore, the Commission has provided recommendations for timing, nonregulatory and future policy initiatives in its cover letter. Finally, the Commission recommends that the City pursue the mitigation actions identified in the Draft EIS.

Exhibits:

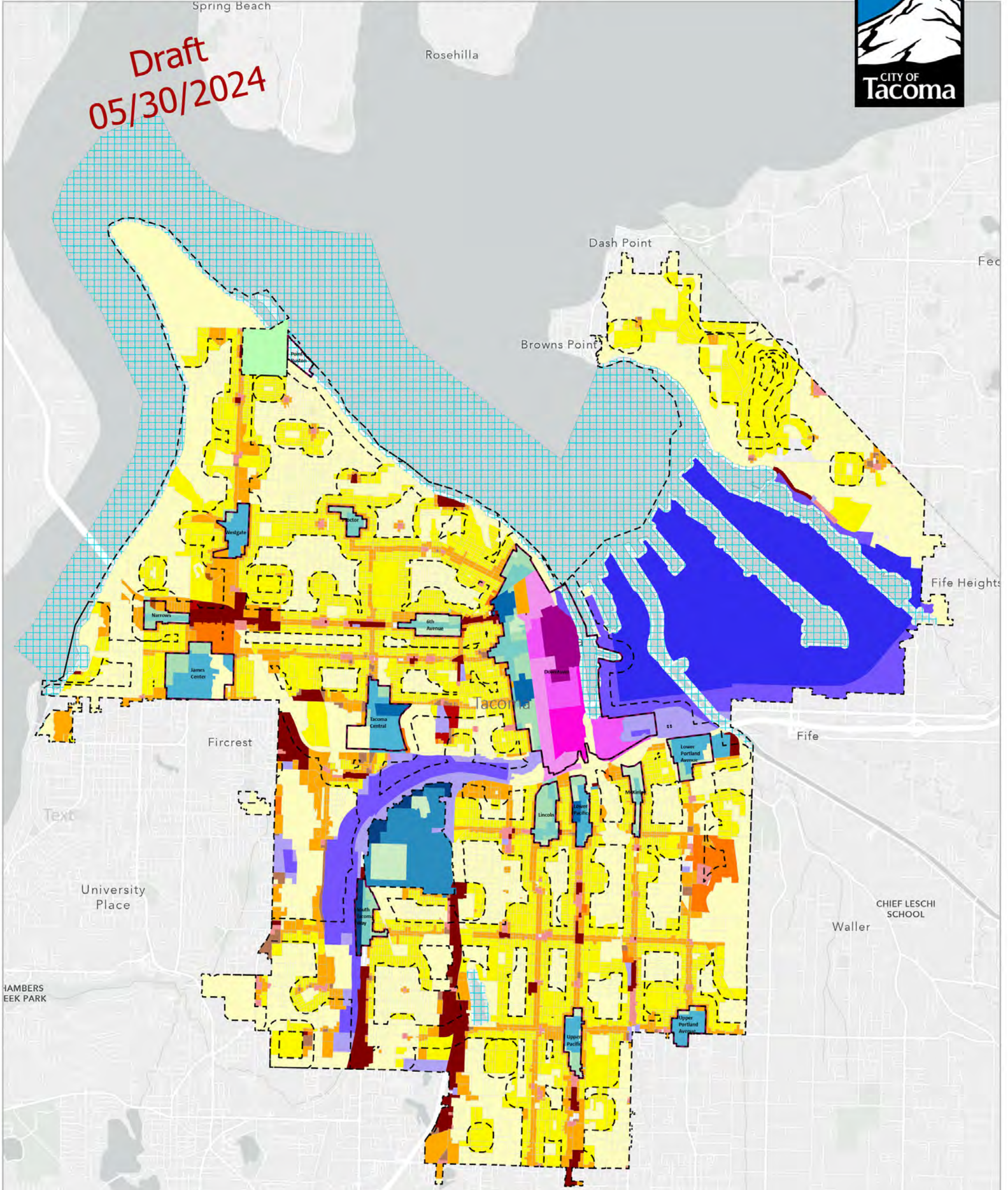
The attached Exhibit Packets include the recommended changes to the Tacoma Municipal Code, recommended Zoning, Reduced Parking Area and Residential Target Area maps, and supporting reports and exhibits outlined in this report.

END

Proposed Zoning Districts ⁷⁵



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| Tacoma City Limits | NCX-Neighborhood Residential Mixed Use | CCX-Community Commercial Mixed Use |
| Mixed Use Centers | UCX-Urban Residential Mixed Use | CIX-Commercial Industrial Mixed Use |
| Proposed Zoning Base Zone | DR-Downtown Residential | PDB-Planned Development Business |
| UR1-Urban Residential 1 | DMU-Downtown Mixed Use | M1-Light Industrial |
| UR2-Urban Residential 2 | WR-Warehouse Residential | M2-Heavy Industrial |
| UR3-Urban Residential 3 | T-Transitional | PMI-Port Maritime and Industrial |
| R4-Multifamily Dwelling | HMX-Hospital Medical Mixed Use | RUS-Ruston |
| R5-Multifamily Dwelling | DCC-Downtown Commercial Core | Combined Shorelines |
| URX-Urban Residential Mixed Use | C1-Commercial | Complete Neighborhood Features (0.125 Mile Buffer) |
| RCX-Residential Commercial Mixed Use | C2-Commercial | |

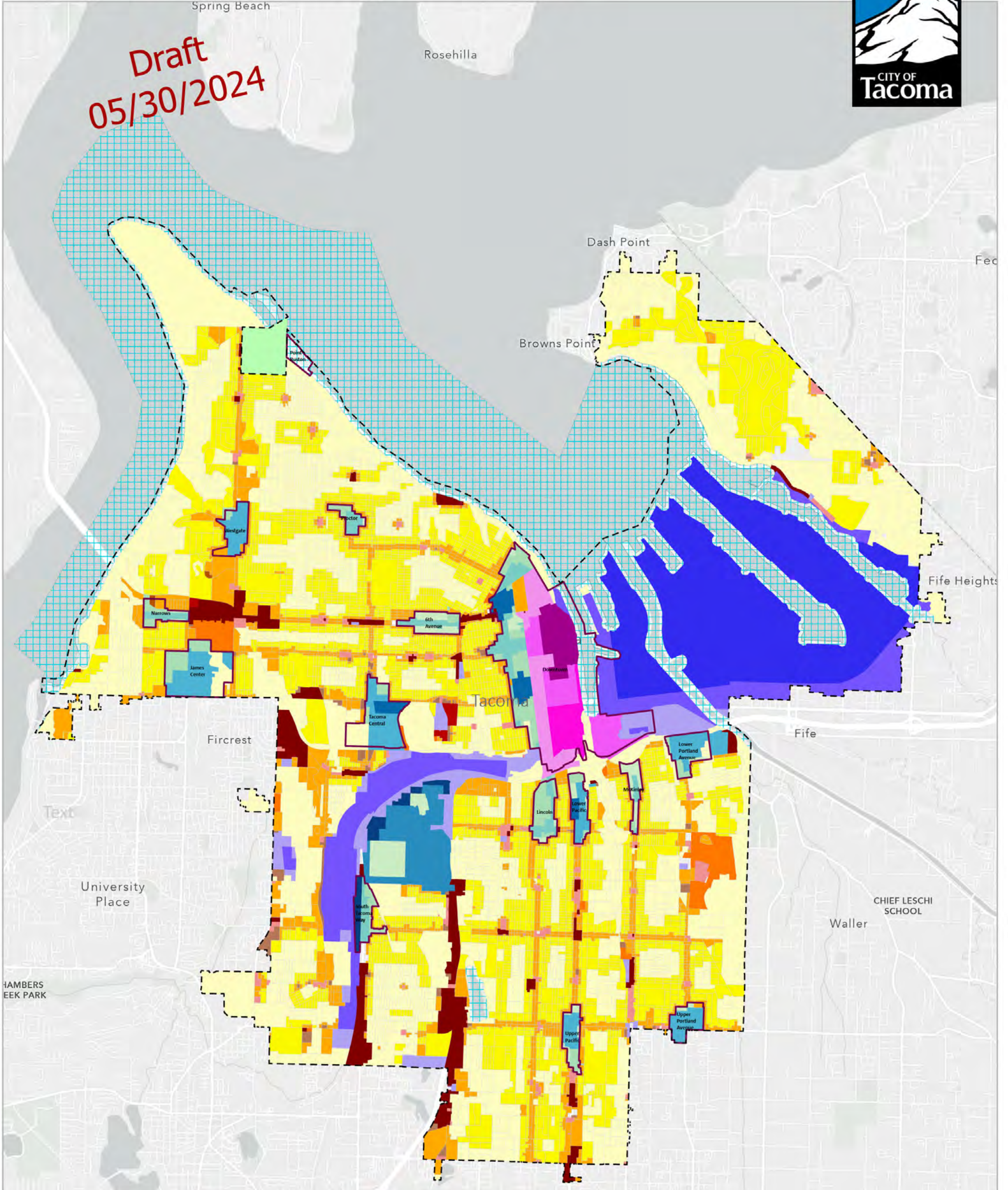


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Proposed Zoning Districts ⁷⁶



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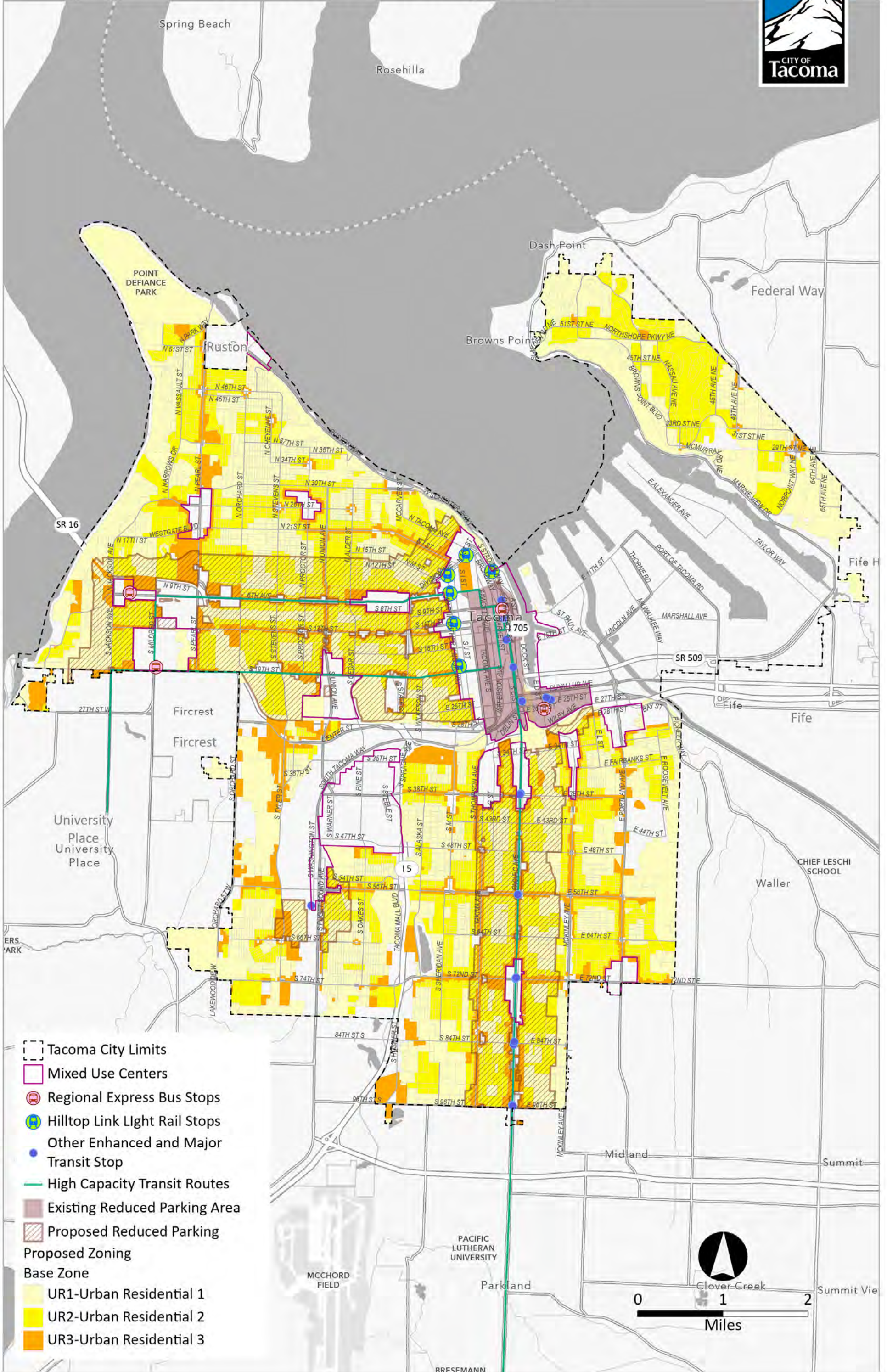
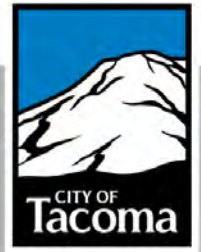


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|--------------------------------------|--|-------------------------------------|
| Tacoma City Limits | NCX-Neighborhood Residential Mixed Use | C2- Commercial |
| Mixed Use Centers | UCX-Urban Residential Mixed Use | CCX-Community Commercial Mixed Use |
| Proposed Zoning Base Zone | DR-Downtown Residential | CIX-Commercial Industrial Mixed Use |
| UR1-Urban Residential 1 | DMU-Downtown Mixed Use | PDB- Planned Development Business |
| UR2-Urban Residential 2 | WR-Warehouse Residential | M1-Light Industrial |
| UR3-Urban Residential 3 | T-Transitional | M2-Heavy Industrial |
| R4-Multifamily Dwelling | HMX-Hospital Medical Mixed Use | PMI-Port Maritime and Industrial |
| R5-Multifamily Dwelling | DCC-Downtown Commercial Core | RUS-Ruston |
| URX-Urban Residential Mixed Use | C1-Commercial | Combined Shorelines |
| RCX-Residential Commercial Mixed Use | | |



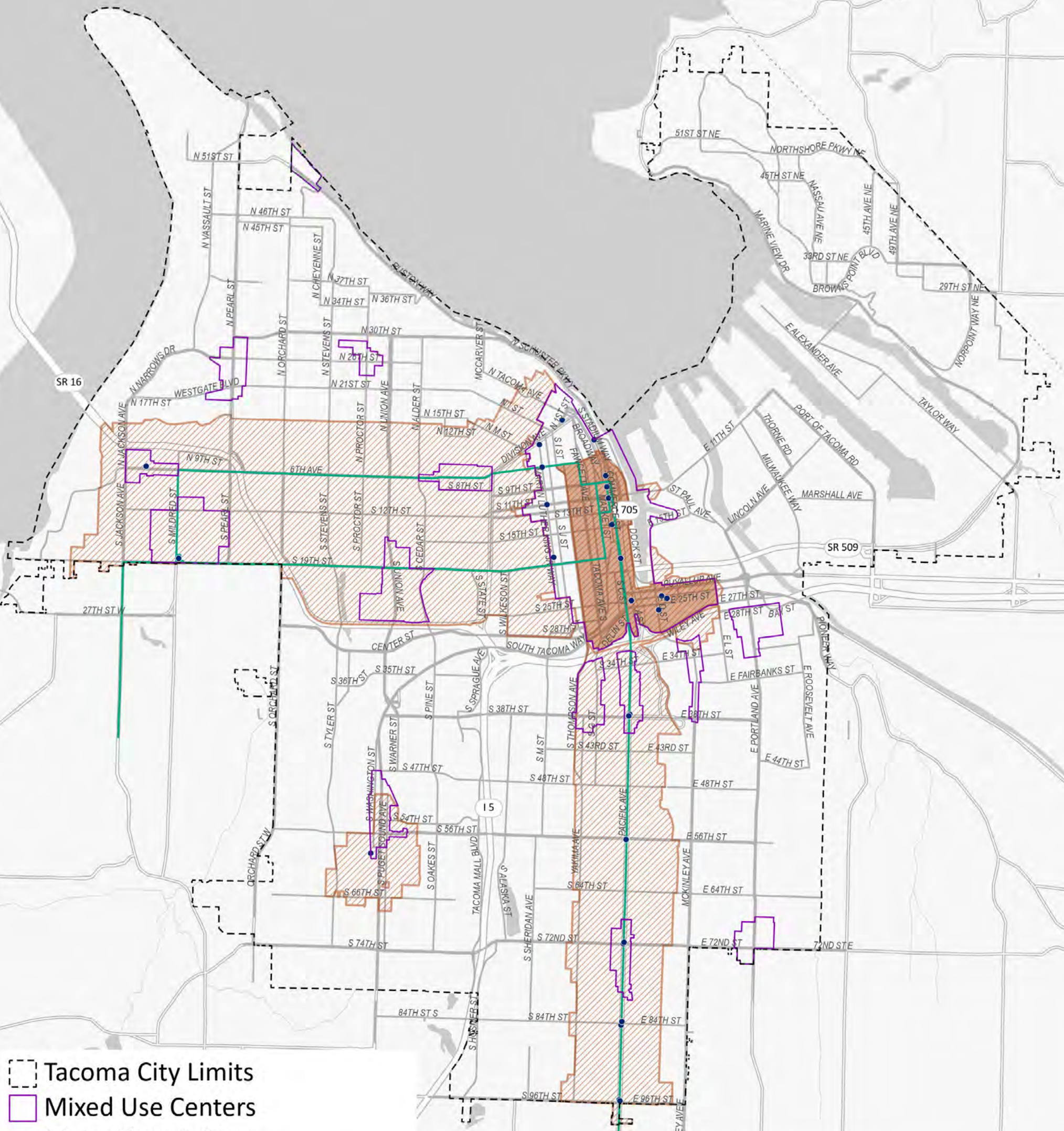
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





Proposed Reduced Parking Area

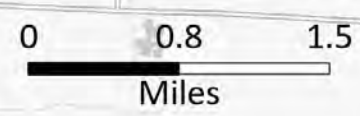


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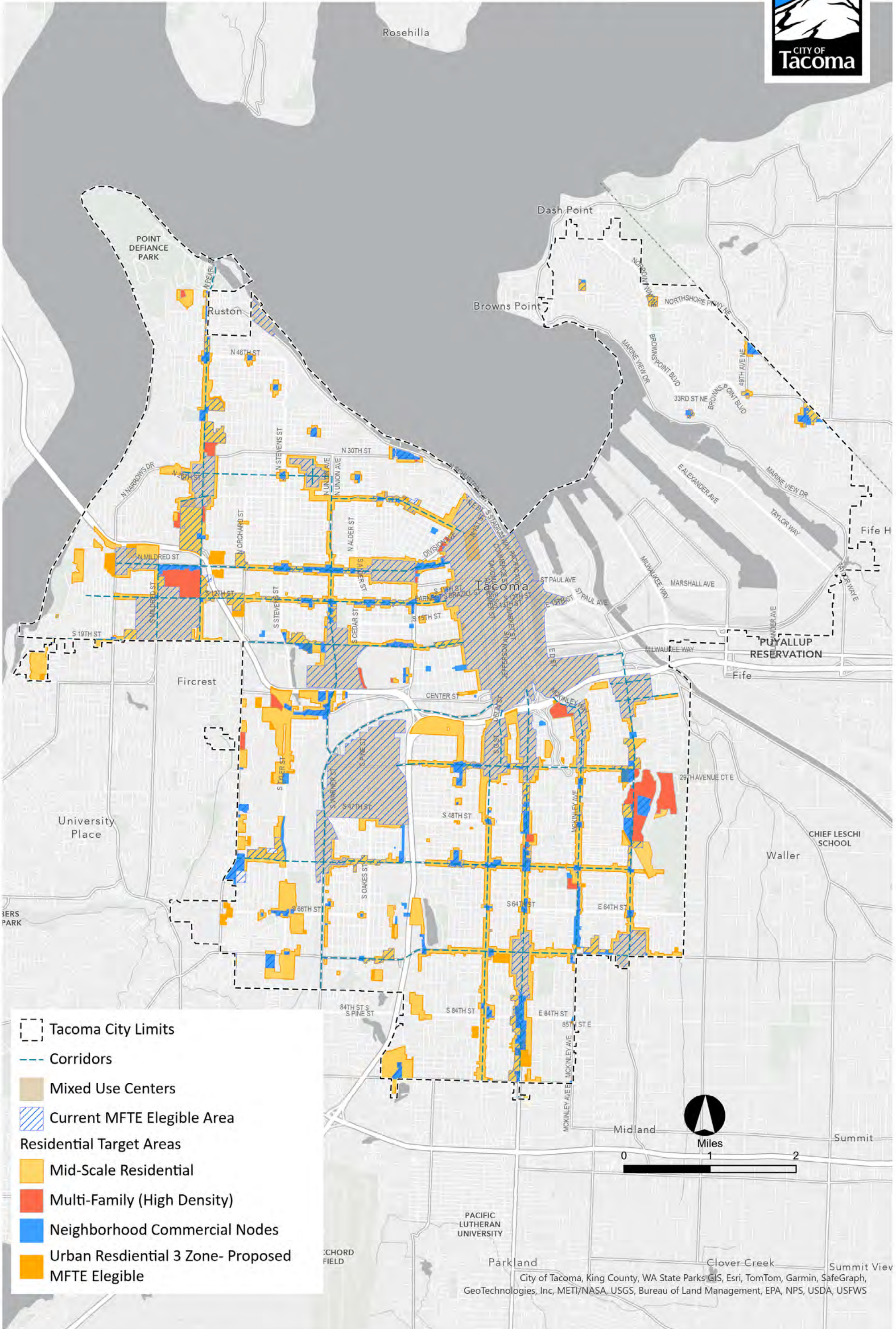
Proposed Reduced Parking Area



-  Tacoma City Limits
-  Mixed Use Centers
-  Major Transit Stop
-  High Capacity Transit Routes
-  Current Reduced Parking Area
-  Proposed Reduced Parking Area



Proposed Residential Target Areas



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TITLE 1

Administration and Personnel

*This document contains track changes. Proposed deletions are shown in ~~red strike through~~ font. Proposed additions are shown in red underlined font. Changes made after the Planning Commission public hearing are **highlighted yellow**.*

CHAPTER 1.37
TRANSFER OF DEVELOPMENT RIGHTS PROGRAM ADMINISTRATIVE CODE

Sections:

- 1.37.010 Purpose.
- 1.37.020 Definitions.
- 1.37.030 Sending Areas.
- 1.37.040 Sending Area Development Limitations.
- 1.37.050 Sending Area TDR Allocation.
- 1.37.060 Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR.
- 1.37.070 Sending Area Process / TDR Certification.
- 1.37.080 Receiving Area Process.
- 1.37.090 TDR Manager Responsibilities.

1.37.010 Purpose.

The Transfer of Development Rights (TDR) Administrative Code establishes procedures for the operation of the City's TDR Program. The TDR Program is designed to advance the goals of the State's Growth Management Act by providing a tool to advance the City's conservation goals, historical preservation goals, and built environment goals by encouraging the voluntary redirection of development potential away from areas where the City wants less or no development potential, called sending areas, toward areas that the City has designated as suitable for bonus development potential, called receiving areas.

1.37.020 Definitions.

"Baseline development potential" is the maximum development density or intensity allowed in TDR receiving areas when property owners choose not to use the bonus palette in Title 13 TMC to achieve bonus height.

"Bonus development" is development that exceeds baseline development potential in accordance with this chapter and the TDR provisions in Title 13 TMC.

"Receiving areas" are lands designated by this chapter which TDRs can be used in compliance with this chapter and Title 13 TMC.

"Sending areas" are lands or structures qualified to generate TDRs for use within receiving areas in compliance with this chapter.

"Sending area TDR allocation" means the number of TDRs that a sending area owner is issued per acre or lot conserved, or per landmark structure preserved.

"TDR Administrative Procedures" are procedures in Title 1 TMC that implement this chapter and the TDR bonus provisions in Title 13 TMC.

"TDR Manager" is an employee of the Tacoma Planning and Development Services Department tasked with accomplishing the duties specified by this chapter.

"Transferable development rights (TDR or TDRs)" are whole or fractional units of development potential transferred from sending areas that can be used in receiving areas to increase development density or intensity in compliance with this chapter.

1.37.030 Sending Areas.

The following five categories of land or structures qualify as sending areas:

- A. Pierce County Farm Land: Farm land designated as Agriculture Resource Land (ARL) in unincorporated Pierce County situated in Pierce County's Puyallup Valley (Alderton-McMillin or Mid County Community Planning Areas).
- B. Pierce County Forest Land: Forest land designated as Forest Land (FL) situated in unincorporated Pierce County.
- C. Resource lands in King County and Snohomish County.

D. Tacoma Habitat: Lands providing high habitat and natural value located within, or in proximity to, designated Open Space Corridors in the Comprehensive Plan, and lands providing exceptional habitat and natural value located within the City and outside of the designated Open Space Corridors.

E. Tacoma Landmarks: Structures designated as a landmark as identified in the Tacoma Register of Historic Places.

Publicly owned lands are not eligible sending areas. Public or privately owned lands that are currently encumbered by a perpetual conservation easement or a similar instrument are not eligible sending areas.

The City may modify eligible sending areas situated in unincorporated Pierce County or unincorporated King County and Snohomish County through an interlocal agreement or resolution that references WAC 365-198. In the event that the City modifies eligible sending areas with an interlocal agreement or resolution, the terms of the interlocal agreement or resolution are controlling.

1.37.040 Sending Area Development Limitations.

With the sole exception of Tacoma Landmarks, property owners who participate in the TDR Program shall record a conservation easement on the sending area property that achieves the following standards:

A. For sending areas situated in unincorporated Pierce County, the sending area must be encumbered by a conservation easement approved by Pierce County.

B. For sending areas situated in unincorporated King County, the sending area must be encumbered by a conservation easement approved by King County.

C. For Tacoma Habitat, the sending area must be encumbered by a conservation easement approved by the City.

D. For Tacoma Landmarks, the sending area must continue to be regulated by the landmark development controls and a conservation easement specific to the sending area property.

All conservation easements used to achieve development bonuses encumber real property pursuant to this chapter and Title 13 TMC must be conveyed in a manner consistent with RCW 64.04.130. The grantee of the conservation easement must be the City or a third party with the express right to enforce the terms of the conservation easement.

1.37.050 Sending Area TDR Allocation.

Upon recordation of a qualifying easement, TDRs shall be issued to the participating sending area property owners as follows:

A. For sending areas situated in unincorporated Pierce County, Pierce County will establish the sending area allocation ratios for the TDRs that are consistent with Pierce County Code 18G.10.040, or any amendment thereof.

B. For sending areas situated in unincorporated King County, King County will establish the sending area allocation ratios for the TDRs that are consistent with King County Code 21A.37.040, or any amendment thereof.

C. For Tacoma Habitat sending areas:

1. For residential zones: one TDR for each forgone ~~dwelling parent lot~~ allowed by the property's current zoning.

2. For nonresidential or multifamily zones: one TDR for each 8,000 square feet of potential but foregone floor area allowed by the property's current zoning.

3. In determining development potential for this purpose, the TDR Manager shall make a reasonable estimate of the number of dwelling units or square feet of floor area buildable on the sending area under its current zoning restrictions and all other applicable land use, development standards, and environmental controls (e.g. applicable setbacks, infrastructure requirements, or critical area regulations).

D. For Tacoma Landmarks sending areas: the transferable floor area from Tacoma-designated landmarks shall be the maximum square feet of floor area achievable within the area's zoning and other applicable codes minus the floor area of the designated landmark.

1. Designated Tacoma landmarks DCC-Downtown and DCC-City Hall: one TDR per 600 square feet of foregone or unused potential floor area allowed by the property's current zoning.

2. Designated Tacoma Landmarks not within DCC-Downtown and DCC-City Hall: one TDR shall be allocated per 1,200 square feet of foregone or unused potential floor area allowed by the property's current zoning.

1.37.060 Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR.

In zones where Title 13 TMC expresses bonus development in terms of height, the number of TDRs required to obtain a development bonus shall be calculated using square feet of bonus floor area.

As provided in Title 13 TMC, the relevant zoning regulations for each TDR receiving area establish the property's base height limit development potential and the ability to use TDRs to achieve the property's maximum development potential. TDRs may be used as follows to achieve the height bonus as provided in Title 13 TMC:

- A. For sending areas situated in unincorporated Pierce County: one TDR allows 5,000 square feet of bonus floor area.
- B. For sending areas situated in unincorporated King County: one TDR allows 10,000 square feet of bonus floor area.
- C. For Tacoma Habitat sending areas: one TDR allows 15,000 square feet of bonus floor area.
- D. For Tacoma Landmarks sending area: one TDR allows 10,000 square feet of bonus floor area.

Project applicants may use TDRs from one or more sending sites for an individual project. If the project results in unused TDRs, the City's TDR Manager shall, upon the project applicant's request, mark the TDR certificate as having a fractional TDR value. Fractional TDRs may be transferred to third parties.

1.37.070 Sending Area Process / TDR Certification.

The following must occur before the City recognizes a TDR for bonus development purposes:

- A. For sending areas situated in unincorporated Pierce County: the TDR must be certified pursuant to the Pierce County Code 18G.10.070, or any amendment thereof. For the purposes of this TDR program, the City will honor Pierce County's transferrable development credits (TDCs) as TDRs on a one to one basis.
- B. For sending areas situated in unincorporated King County: the TDR must be certified pursuant to the King County Code 21A.37.070, or any amendment thereof.
- C. For Tacoma Habitat sending areas:
 - 1. Prior to recordation of a conservation easement on an eligible TDR sending area, the landowner shall submit an application, application fee and proposed, unsigned easement in compliance with the TDR Administrative Procedures. This application shall include the documentation required by the TDR Administrative Procedures to prove ownership. All lien holders must provide written consent to the recordation of the proposed easement.
 - 2. When the TDR Manager and the applicant agree that all requirements have been satisfied, the easement shall be signed and recorded. The grantee may be the City, another governmental entity, or an authorized conservation organization acceptable to the City.
 - 3. Upon recordation of the easement, the TDR Manager shall issue to the applicant a specified number of TDRs, each with a serial number. The TDR Manager shall document the issuance and retirement of all TDRs as well as all transfers of TDR ownership in accordance with the TDR Administrative Procedures. TDRs from the same sending area are not required to be transferred or retired as a group. In accordance with the TDR Administrative Procedures, TDRs may be transferred together or individually. Any person, organization or government, including the City, may acquire TDRs and hold them for preservation purposes or resale.
- D. For Tacoma Landmark sending areas:
 - 1. The owners of designated Tacoma landmarks who choose to participate in the TDR program shall submit an application and application fee. This application shall include the documentation required by the TDR Administrative Procedures to prove ownership.
 - 2. When the TDR Manager and the applicant agree that all requirements have been satisfied, the TDR Manager shall issue to the applicant a specified number of TDRs, each with a serial number. The TDR Manager shall document the issuance and retirement of all TDRs. TDRs from the same sending area are not required to be transferred or retired as a group. In accordance with the TDR Administrative Procedures, individual TDRs may be transferred together or individually. Any person, organization or government, including the City, may acquire TDRs and hold them for preservation purposes or resale.

1.37.080 Receiving Area Process.

Developers who intend to exceed baseline development potential in a TDR receiving area, as identified in Title 13 TMC, shall acknowledge in development-related application materials that they will be required to submit the prescribed number of TDRs

at the time the developer submits the building permit application. Preliminary application approval, where applicable, will indicate the estimated number of TDRs required prior to final approval. Applicants are not required to own or control TDRs at the time of submitting the application, and TDRs do not impact a project's ability to vest to current regulations. Instead, applicants shall submit the prescribed number of TDRs prior to the City's issuance of building permits.

Developers may obtain TDRs directly from a sending area landowner, from TDR banks, or from any other intermediary.

Final building permit approval shall not be granted until the TDR Manager has provided written documentation of compliance with TDR requirements. The serial numbers of all TDRs shall be recorded on the building permit for all projects using TDRs.

1.37.090 TDR Manager Responsibilities.

- A. The TDR Manager shall maintain a TDR registry documenting the ownership history of all TDRs by serial number from the time they are granted to the sending area owner to their retirement in a receiving area development.
- B. The TDR Manager may adjust the value of a serially numbered TDR to reflect TDRs that have been partially used as contemplated in this chapter.
- C. Upon the City Council's request, the TDR Manager shall prepare for City Council an annual TDR report documenting all TDRs issued, transferred and retired. The report may include recommendations on amendments that could improve the effectiveness of the TDR program. If necessary, the TDR Manager may recommend establishing limits on the number of TDRs from any of the sending area categories or other mechanisms designed to maximize achievement of City goals including but not limited to compliance with the requirements of a TDR-based Tax Increment Financing District (as authorized in chapter 39.108 RCW).
- D. The TDR Manager shall recommend adjustments in 1.37.060 as market conditions change in a significant manner.

CHAPTER 1.39
AFFORDABLE HOUSING INCENTIVES AND BONUSES ADMINISTRATIVE CODE

Sections:

- 1.39.010 Purpose.
- 1.39.020 Definitions.
- 1.39.030 Applicability.
- 1.39.040 Program Requirements.
- 1.39.050 Financial Incentives.
- 1.39.060 Development Incentives.
- 1.39.070 ~~Residential Upzones.~~ Reserved
- 1.39.080 Incorporation of Affordable Housing Units.
- 1.39.090 Procedures.
- 1.39.100 Affordable Housing Inclusionary Development Requirements.

1.39.010 Purpose.

The purpose of this Chapter is to encourage the development of affordable housing for rental households earning ~~50-60~~ percent or less, and ownership households earning 80 to 100 percent or less of the Tacoma median household income, pursuant to the provisions of RCW 36.70A.540 and RCW 36.70A.635. The Growth Management Act (“GMA”) requires Tacoma to make adequate provisions for existing and projected housing needs of all economic segments of the community and mandates that cities offer affordability bonuses in residential zones. The City recognizes that the real estate market provides adequate housing for those households in the upper economic segments; however, a combination of financial and regulatory incentives will be necessary to adequately provide for the needs of households whose incomes are at or below the City’s median household income. The City recognizes the public benefits affordable housing contributes to local communities and businesses.

1.39.020 Definitions.

A. Affordable Housing Incentives Program Covenant Agreement.

That document to be signed by the applicant and the City and representing a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant securing affordability requirements and more fully described pursuant to TMC Section 1.39.030.G below.

~~B. A. Marketing Plan.~~

Document that will state the methods a property owner/manager will use to find eligible buyers or tenants for affordable housing units created through the utilization of an affordability incentive. Additionally, it should include specific measures that will be taken to reach prospective buyers or tenants who are least likely to hear about unit availability through traditional marketing methods.

~~B. Annual Portion of Net Proceeds Table.~~

~~An Exhibit to the Affordable Housing Incentives Program Covenant Agreement which details the applicable in-lieu fee percentage to use when determining the required in-lieu fee payment for homeownership projects.~~

~~CB. Back-End Ratio.~~

Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance plus recurring household expenses paid on a monthly basis divided by the household’s gross monthly income.

~~DC. Density-Development Bonus.~~

Additional development capacity – such as additional dwellings, building scale increases, reduced parking requirements, and other development bonuses/allowances that facilitate development – available in exchange for the affordable housing provisions proscribed in this Chapter as well as in TMC 13.06 ~~and 13.06A~~.

~~E. Essential utilities.~~

Electricity, gas, water, sewer, telephone/internet, and solid waste collection.

FE. Front-End Ratio.

Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance paid on a monthly basis by a household divided by the household's gross monthly income.

FG. Household.

Household is defined as all persons living in the same household who are related or unrelated persons who reside in the same dwelling unit as their permanent residence. This does not include live-in aides and/or unrelated persons paying rent for a room.

GH. Net Sales Proceeds

The amount of funds due to the seller after selling an asset, minus all costs and expenses that have been deducted from the gross proceeds.

HI. Successor-in-Interest.

The household that buys the home from the most recent income qualified household selling the home. The Successor-in-Interest may or may not be income qualified.

IH. Up-Front In-Lieu Fee.

The per unit in-lieu fee as described in TMC Section 1.39.080 multiplied by the additional units created.

1.39.030 Applicability.

A. The affordable housing incentives for low and moderately low-income households may be utilized within a range of zoning designations throughout the City. The incentives and bonuses offered through the provisions of this Chapter may be utilized to gain ~~an increase in height or density development bonuses~~ pursuant to the provisions and ratios of the applicable provisions of Title 13 of the Tacoma Municipal Code ("TMC"), as specified in Chapters 13.06 and 13.18 and 13.06A. Additional permitting incentives, including fee reductions and expedited City review, are also authorized through this Chapter. Finally, this Chapter lays out requirements to incorporate housing affordability ~~in certain circumstances, including with the grant of residential upzone requests and for development within areas designated for inclusionary housing.~~

Areas designated in TMC 13.18, Affordable Housing Inclusionary Development Areas, are subject to the requirements of Section 1.39.100 below, which modifies some of the general provisions of this Chapter.

B. At least once every three years, the City shall conduct a holistic review of implementation and outcomes of the Affordability Bonus Program in order to evaluate whether changes to requirements, incentives and/or procedures are warranted to better achieve the City's housing goals, and the purpose of this section.

1.39.040 Program Requirements.**A.** Duration of Affordability.

Affordable housing units created as a result of the provisions of this Chapter shall remain affordable for 50 years, unless an in lieu fee is paid pursuant to the requirements of this Chapter. A recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant shall secure the affordability requirements. The recorded covenant must provide that if the affected unit in the property is converted to a use other than for low or moderately low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable Affordable Housing in-lieu fees in effect at the time of conversion.

B. ~~Number of units.~~

~~A minimum of 20 units shall be included in a project in order to qualify to enter the program.~~

B.C. Affordable Housing units shall be rented or sold to income-qualified households. Maximum household income levels vary based on the zoning district where the development is proposed. These income levels were established based on an assessment of housing needs in Tacoma and are within the ranges authorized by state law. The establishment of rental levels and housing prices will be updated as needed to reflect changing household affordability needs in the community.

~~To qualify, rental-occupied households shall earn no more than 50 percent of Area Median Income (AMI) for Pierce County, adjusted for family size. To qualify, owner households shall earn no more than 80 percent of AMI for Pierce County, adjusted for family size. The establishment of rental levels and housing prices will be updated as needed to reflect changing household affordability needs in the community.~~

1. Urban Residential 1 (UR-1) and Urban Residential 2 (UR-2) Districts:

a. Tier 1 Bonus: Maximum rental household income shall be 80 percent or less; maximum ownership household income shall be 100 percent of Pierce County AMI, adjusted for household size.

b. Tier 2 Bonus: Maximum rental household income shall be 60 percent; maximum ownership household income shall be 80 percent of Pierce County AMI, adjusted for household size.

2. Urban Residential 3 (UR-3) Districts:

a. Tier 1 Bonus: Maximum rental household income shall be 70 percent; maximum ownership household income shall be 100 percent of Pierce County AMI, adjusted for household size.

b. Tier 2 Bonus: Maximum rental household income shall be 60 percent; maximum ownership household income shall be 80 percent of Pierce County AMI, adjusted for household size.

3. Other zoning districts where affordability bonuses are enacted (Downtown, Tacoma Mall, and Affordable Housing Inclusionary Development Areas): Maximum rental household income shall be 60 percent; maximum ownership household income shall be 80 percent of Pierce County AMI, adjusted for household size.

C.D. Maximum rent and purchase price for designated units.

1. Rental. The maximum cost of rent and essential utilities which may be charged for designated affordable units shall not exceed 30 percent of the tenant's monthly gross income.

2. Ownership. The maximum Front-End Ratio cost for purchase of for-sale units shall be 33 percent, and the maximum Back-End Ratio cost shall be 50 percent.

D.E. Construction of Affordable Housing Units.

If affordable housing units are constructed in phases or over a period of more than 12 months, a proportional amount of affordable housing units must be completed at or prior to the completion of related market rate housing units.

E.F. Size/Location/Appearance of Affordable Housing Units.

1. The affordable housing units shall be provided in a range of sizes comparable to the overall unit mix for the project. ~~ose units that are available to other residents.~~ To the extent practicable, the number of bedrooms in low income units must be in the same proportion as the number of bedrooms in units throughout the entire development. Affordable housing units shall generally be distributed throughout the development and have substantially the same functionality and amenities as the market rate units in the development. The interior and exterior appearance of the affordable housing units shall be indistinguishable from the market rate housing units within the project in terms of finish materials and design vocabulary. ~~Interior finish materials and content of affordable units shall be generally comparable with market rate housing units within the project.~~

2. Every project using the affordability bonuses shall provide a minimum of one Type C (Visitable) housing unit per the standards of the American National Standards Institute (ANSI) section A117.1, as amended. The required Visitable unit may be either affordable or market rate. Projects meeting one of the following conditions are exempt from providing a Visitable unit:

a. Projects providing any number of Type A or Type B Accessible Dwelling units.

b. Projects where work is limited to within the footprint of existing buildings.

c. Projects where providing a compliant circulation path is demonstrated to the Building Official to be impractical due to unique site conditions.

G.F. Affordable Housing Incentives Program Covenant Agreement.

An application for a proposed project that incorporates any of the incentives in this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as a component of the application package. The agreement shall include, but not be limited to:

1. The term of affordability;
2. Identification of all the development and financial incentives that the project proposes to incorporate;
3. Identification of the minimum number of affordable housing units required to be provided in the project to qualify for use of these provisions;

4. Binding language recorded on the title of the property that ~~protects the City's interests~~ provides remedies for non-compliance with the requirements of any in the event that a developer obtains affordable housing incentives obtained through the platting or building ~~phases~~ permit process. Non-compliance remedies may include but are not limited to:

~~but fails to provide low-income affordable housing;—~~

a. Payment of a prorated fee in lieu (affordability requirement on the out of compliance unit will cease).

b. A one-time, or daily, or monthly penalty in the form of a fine/fee (affordability requirement on the out of compliance requirement will continue);

c. Enforcement will be subject to the process described in Title 1 Uniform Enforcement Code.

5. Affirmative marketing clause to be applicable ~~—When dwellings committed to affordability under this program are being marketed for rental or sale, —committing, the seller/lessor to utilize affirmatively market the units to low and moderate income households.~~ The clause shall stipulate the requirement for a marketing plan that states how the units will be marketed to prospective tenants or buyers that are least likely to hear about unit availability through traditional marketing methods.

65. A commitment to Language that requires recording the required low-income affordability provisions as specified in this Chapter prior to the approval of a final plat, ~~multi-family or mixed-use~~ building permit, or other development approval; and

76. Language that recognizes Recognition of the potential need to modify the agreement if the submitted project requires alteration through the review and approval process; ~~and.~~

~~87. Language that sets forth Recognition of the consequences of a breach of contract action where the applicant fails to provide the required number of affordable housing units as required under the Agreement;~~

~~9. An in-lieu fee reduction schedule per the requirements of section 1.39.060.~~

HG. Monitoring and Enforcement of Continued Affordability.

The Housing ~~Development~~ Division of the Community and Economic Development Department, or designees, shall monitor the continued affordability of both rental and owner-occupied housing units. The City reserves the right to establish ~~in the Affordable Housing Incentives Program Covenant Agreement monitoring~~ fees for the ongoing cost of monitoring the affordable housing units, ~~which can be adjusted over time to account for inflation.~~ The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the Affordable Housing Incentives Program Covenant Agreement.

HI. Resale of Affordable Homeownership Units.

Affordable Housing units provided for under this Chapter may be sold or resold to eligible low-income households or a nonprofit organization through the end of the required affordability duration. Any sale to a non-income eligible household would require the seller to forfeit ~~at the~~ portion of net sales proceeds that is consistent with the seller's tenure of ownership relative to the in-lieu fee reduction schedule identified in the Affordable Housing Incentives Program Covenant Agreement.

1.39.050 Financial Incentives.

~~A.~~ Financial incentives, including expedited permit processing and fee reductions, are intended to reduce the financial burden of carrying a loan through the review process and alleviate up-front financial costs to developers and builders associated with participating in this program, ~~and to reduce costs in exchange for providing affordable housing units.~~ Financial incentives are authorized by this Chapter but are resource dependent.

~~A.B.~~ Expedited Permit Processing.

The City will seek opportunities to expedite the review of development proposals incorporating affordable housing under the provisions of this Chapter. ~~Actions to implement this shall be resource dependent.~~

~~B.C.~~ Fee Reductions.

Permit fees applicable to development proposals which commit to incorporating affordable housing units under the provisions of this Chapter may be fully or partially paid by City funding allocated for the purpose of promoting affordable housing. ~~Such action will be resource dependent.~~

1.39.060 Development Incentives.

~~A.~~ Development incentives are voluntary options intended to promote the incorporation of affordable housing units within private developments by offering sufficient value to offset the cost of the reduced revenue from rents or purchase prices, in

order to promote a range of housing unit costs integrated within for-profit housing developments and thus promote a distribution of affordable housing throughout the neighborhoods of the City.

~~B. Planned Residential Districts.~~

~~Per the provisions of TMC 13.06.140, PRDs offer a zoning mechanism to develop a site specific proposal on larger sites that can incorporate additional density in exchange for the provision of affordable housing units pursuant to the requirements of this Chapter. PRDs may allow up to two times the number of dwelling units permitted in the underlying residential district. Fifty percent of this bonus development capacity is reserved for the provision of affordable housing pursuant to the requirements of this Chapter.~~

~~A.C. Downtown Tacoma.~~

Per the provisions of TMC ~~13.06A.080~~ [13.06.050.F](#), development proposals within Downtown zoning districts seeking to gain additional Floor Area Ratio may choose from a list of public benefit features including the provision of affordable housing pursuant to the requirements of this Chapter.

~~B.D. Mixed-use Centers.~~

Per the provisions of TMC ~~13.06.300.(E).7 Height Bonus Palette~~ [13.06.040.G District Height Bonuses](#), development proposals within certain mixed-use center zoning districts seeking to gain additional height may choose from a list of public benefit features, including a contribution to the City of Tacoma's Affordable Housing Trust Fund.

~~C.E. Affordable Housing Inclusionary Development Areas.~~

Areas designated in TMC 13.18 as Affordable Housing Inclusionary Development Areas have been granted increased development capacity at the time of their designation to offset the cost of providing affordable housing. In addition, such areas are eligible for incentives in exchange for incorporation of affordable housing, pursuant to Section 1.39.100, below.

~~D. Urban Residential Districts.~~

~~Per the provisions of TMC 13.06.020.F.2, areas zoned Urban Residential are eligible for two tiers of bonuses in exchange for the provision of affordable housing or payment of a fee in lieu, or for other public benefits identified in that section.~~

~~1.39.070 — Residential Upzones.~~

~~E. A. Residential Upzones.~~ The grant of a change in zoning designation to a zone that allows higher development capacity increases the value of the land. This provision creates the mechanism for some of that increase in value to be allocated to the provision of affordable housing units. ~~Zoning changes are governed by the provisions of TMC 13.06.650.~~

~~B.~~ Per TMC ~~13.06.650~~ [13.05.030](#), privately-initiated upzone requests shall be conditioned to provide for the incorporation of affordable housing units per the provisions of this Chapter. City-initiated upzones shall also be evaluated for housing affordability needs and may also result in a determination that housing units shall be incorporated under the provisions of this Chapter.

~~1.39.070 Residential Upzones. Reserved.~~

1.39.080 Incorporation of Affordable Housing Units or Payment of Fee In Lieu.

~~A.~~ To obtain the Financial and Development Incentives offered, to gain approval of a residential upzone, or to meet inclusionary housing requirements, the following provisions must be met. These include the incorporation of affordable housing units within the project or the payment of an in-lieu fee to the City to be utilized for the creation of housing affordability.

~~A.B. Incorporation of Affordable Units.~~

~~1. Downtown Tacoma.~~

~~If the affordable housing option is utilized, for every two additional market-rate dwelling units facilitated through the Floor Area Ratio increase, one affordable unit shall be included. The additional dwellings shall be calculated as the additional square footage permitted through the FAR bonus divided by the average dwelling unit size within the development.~~

~~2. Mixed-Use Centers.~~

Not applicable—the Height Bonus Palette does not include affordable units per the provisions of this Chapter, but does include the Multifamily Property Tax Incentive program affordable option, and contributions to the Affordable Housing Trust Fund.

3. Affordable Housing Inclusionary Development Areas. See TMC 1.39.100, below.

4. Urban Residential Districts.

a. UR-1 and UR-2 Districts: If the affordability bonus is utilized, 2 units or 20% of the total units in the project (whichever is greater) under Tier 1 and 100% of units under Tier 2 shall be affordable per the requirements of this Chapter.

b. UR-3 District: If the affordability bonus is utilized, 2 units or 20% of the total units in the project (whichever is greater) shall be affordable per the requirements of this Chapter.

5. Residential Upzones.

For every two additional market-rate dwelling units allowed through a privately initiated upzone, an additional affordable unit shall be included per the provisions of this Chapter. The additional dwellings shall be calculated as the additional square footage permitted through the FAR bonus divided by the average dwelling unit size within the development.

For density bonuses and upzones which grant additional height or Floor Area Ratio, the additional dwellings shall be calculated as the additional square footage permitted through the density bonus divided by the average dwelling unit size within the development.~~To satisfy the provisions of this section the following is required:~~

~~1. Density bonuses—Planned Residential Districts and Downtown Floor Area Ratio.~~

~~For each additional market rate dwelling unit allowed through a density bonus, pursuant to the provisions of this Chapter and of TMC 13.06 and 13.06A, an additional affordable unit shall also be included. The ratio of bonus density market rate to affordable units shall be one to one.~~

~~2. Density bonuses—Residential Upzones.~~

~~For every three additional market rate dwelling units allowed through a privately initiated upzone request, an additional affordable unit shall also be included per the provisions of this section and of TMC 13.06.650. The ratio of upzone market rate to affordable units shall be three to one.~~

~~3. Density bonuses—Affordable Housing Inclusionary Development Areas.~~

~~Areas designated in TMC 13.18 as Affordable Housing Inclusionary Development Areas shall incorporate the required percentage of total units as affordable, pursuant Section 1.39.100, below.~~

~~4. Affordability requirements.~~

~~To qualify as affordable per the provisions of this section, rental households shall be affordable to households earning up to 50 percent of the Pierce County Area Median Income (AMI), and ownership households shall be affordable to households earning up to 80 percent of AMI, adjusted for household size.~~

~~5. A combination of affordable rental and ownership households is acceptable within a qualifying development.~~

~~6. Affordable housing units provided pursuant to the provisions of this section shall remain affordable for a 50-year term, pursuant to the requirements of RCW 36.70A.560.~~

~~B.C.~~ In-lieu Fee option.

As an alternative to incorporation of affordable housing units within the development, the project proponent may choose to pay an in-lieu fee as a contribution to the City's Housing Trust Fund. This fee is based on the increased residual land value as a function of ~~City approval to allow more density~~ the development bonuses offered, and has been calibrated to provide a comparable equivalent affordable housing benefit to the community as compared to the incorporation of affordable housing units within the development. The fee in lieu authorized in this section does not pertain to affordability provisions enacted under Chapter 6A.110 Property Tax Exemptions for Multi-Family Housing.

1. Fee in lieu amount, as of EFFECTIVE DATE OF ADOPTING ORDINANCE and reviewed for adjustments every three years using the Consumer Price Index for All Urban Consumers, Seattle metro area, or other method adopted by the City that incorporates market conditions. Adjustments may be made more or less frequently at the City's discretion based on market conditions:

a. Downtown Tacoma: \$72,000 per affordable unit.

b. Mixed-Use Centers: \$72,000 per affordable unit.

c. Affordable Housing Inclusionary Development Areas: \$72,000 per affordable unit.

d. Urban Residential Districts: \$62,000 per affordable unit in UR-1 and UR-2 Districts; \$72,000 per affordable unit in UR-3.

e. Residential Upzones. \$72,000 per affordable unit.

~~1. Density bonus types.~~

~~The density bonus provisions of this section function either as an increase in the number of dwelling units permitted (in the case of PRDs), or as an increase in over height and bulk (in the case of Floor Area Ratios or height increases). Upzone requests can work in either fashion. For density bonuses and upzones which grant additional height or Floor Area Ratio, the additional dwellings shall be calculated as the additional square footage permitted through the density bonus divided by the average dwelling unit size within the development. The in lieu fee options for each are calculated as follows:~~

~~a. Calculation – Dwelling Units bonus.~~

~~If paid prior to issuance of the Certificate of Occupancy, the in-lieu fee shall be \$10,000 for Planned Residential Districts, Mixed-use Center Height bonuses, and Downtown Floor Area Ratio bonuses, and \$5,000 for upzones, as of July 1, 2016, adjusted per the Consumer Price Index annually, for each additional dwelling unit (both market rate and affordable) permitted through the bonus density or upzones provisions of this Chapter.~~

2. In lieu fee payment Timing.

The project proponent or subsequent property owner can choose to pay the in-lieu fee at any point during the 50-year required period of affordability.

a. Up-front In-Lieu fee—Must be paid prior to issuance of the building permit: The per unit in-lieu fee described in B.1 above multiplied by the additional units created through the Development Bonus.

b. Voluntary Subsequent In-Lieu fee—If paid after issuance of the Certificate of Occupancy, the in-lieu fee shall be paid as follows:

~~a. Multifamily + Rental projects units.~~

~~The per unit in-lieu fee as described in C.1.a above multiplied by the additional units created through the Density Bonus. This number constitutes the Up-Front In-Lieu Fee. The Up Front In-Lieu Fee is multiplied by two percent multiplied by the number of years the project has been in service remaining in the affordability period per the Affordable Housing Incentives Program Covenant Agreement.~~

~~b. Homeownership projects units.~~

~~If the home is resold to a non-income qualified Successor-in-Interest within the first 5 years of the during the period of affordability, the following formulas will be used to calculate the in lieu amount due relative to the year of affordability the home is being sold in: 100 percent of the net proceeds upon resale would constitute the in lieu fee. If the home is resold to a non-income qualified Successor in Interest in year 6 or after, the in-lieu fee would be the net proceeds from the resale of the home multiplied by the following in-lieu fee percentage: At year 6 the in-lieu fee is 50 percent of net proceeds, declining thereafter by 1 percent per year in years 7 through 48 with a two percent decrease at year 49.~~

(1) Years 1-10: in-lieu fee = Net Sales Proceeds multiplied by the percentage the homes value has increased since the initial sale

(2) Years 11-20: in-lieu fee = Net Sales Proceeds multiplied by (the percentage the home's value has increased since the initial sale minus 2.5%)

(3) Years 21-30: in-lieu fee = Net Sales Proceeds multiplied by (the percentage the home's value has increased since the initial sale minus 5%)

(4) Years 31-40: in-lieu fee = Net Sales Proceeds multiplied by (the percentage the home's value has increased since the initial sale minus 10%)

(5) Years 41-50: in-lieu fee = Net Sales Proceeds multiplied by (the percentage the home's value has increased since the initial sale minus 15%)

If net sales proceeds are zero no in-lieu fee is due. When a unit is sold to an income qualifying individual, there shall be no fee due, and the affordability period will continue.

~~3. Use of in lieu fee funds.~~

Funds paid pursuant to the in-lieu fee option into the Housing Trust Fund shall be utilized by the City for the creation of housing affordability pursuant to the strategies identified through the City of Tacoma's Consolidated Plan and other related

City of Tacoma affordable housing policy documents. [Up to 15 percent of the total in lieu fee may be used for administrative and staff costs for the ongoing monitoring and compliance requirements for projects utilizing affordable housing incentive programs.](#)

1.39.090 Procedures.

A. Predevelopment Meeting.

A meeting shall be required [prior to submittal of](#) ~~for~~ any [land development permit](#) application that incorporates any of the provisions of this Chapter.

B. Affordable Housing Incentives Program Covenant Agreement.

An application for a proposed project that incorporates any of the provisions of this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as set forth in this Chapter, as a component of the application package.

C. Development Review.

The Planning and Development Services Department shall integrate additional density or other bonuses resulting from the incorporation of affordable housing units into a development proposal under the provisions of this Chapter into their review and approvals for the proposal.

D. Required Documentation.

Prior to the final approval of any land use application or building permit that incorporates any incentives provided for within this Chapter, the owner of the property shall provide a signed and recorded Affordable Housing Incentives Program Covenant Agreement which will serve as a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant to secure the affordability requirements as stated under this Chapter. The recorded Affordable Housing Incentives Program Covenant Agreement must provide that if the property is converted to a use other than for low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable in lieu fees in effect at the time of conversion.

1.39.100 Affordable Housing Inclusionary Development Requirements.

A. Purpose.

This section is intended to address housing needs in priority areas, to reduce involuntary displacement, to meet the City's housing choice and affordability goals, and to support the achievement of the City's Comprehensive Plan and housing policies. This section integrates and modifies the general standards of Chapter 1.39, as specified below.

B. Definitions. The definitions of Section 1.39.020 apply.

C. Applicability. This section applies to areas designated in TMC 13.18, Affordable Housing Inclusionary Development Areas.

D. Program Requirements. The Program Requirements of Section 1.39.040 apply, except as follows, regarding the number of units.

1. Number of units – 15 or more. Developments including 15 units or more shall provide a minimum of 10 percent of the total units in the development as affordable, pursuant to the provisions of this Chapter.

E. Financial Incentives. The provisions of Section 1.39.050 apply, and are modified as follows:

1. Fee reductions. In order to promote and offset the cost of creating affordable housing, developments subject to these requirements shall be eligible for permit fee reductions. The permit fee reductions shall be proportionate to the percentage of affordable units provided through the development. If the fee in-lieu approach is used, the project will not be eligible for this option. Fee reductions will be resource dependent.

F. Development Incentives.

The designation of Affordable Housing Inclusionary Development Areas is accompanied by an increase in maximum building height, maximum density, or other regulatory change that increases development capacity and creates an incentive to provide affordable housing.

G. Incorporation of Affordable Housing Units. The provisions of Section 1.39.080 apply, with the following modifications:

1. Developments subject to these provisions shall incorporate at least 10 percent affordable units, per the provisions of this Chapter.
 2. As an alternative to incorporation of affordable housing units within the development, the project proponent may choose to pay an in-lieu fee as a contribution to the City's Housing Trust Fund. ~~This option shall become available at such time as the City establishes an Inclusionary Zoning fee in lieu amount.~~
- H. Procedures. The provisions of Section 1.39.090 apply.

END

TITLE 13

Land Use Regulatory Code

This document contains track changes. Proposed deletions are shown in ~~red strike through~~ font. Proposed additions are shown in red underlined font. Changes made after the Planning Commission public hearing are highlighted yellow.

TITLE 13

LAND USE REGULATORY CODE

Chapters:

Chapter 13.01	Definitions	3
Chapter 13.02	Planning Commission.....	
Chapter 13.03	<i>Repealed</i>	
Chapter 13.04	Platting and Subdivisions	19
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Chapter 13.06	Zoning	44
Chapter 13.06A	<i>Repealed</i>	
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CHAPTER 13.01 DEFINITIONS

Sections:

13.01.010	Purpose.
13.01.020	Planning Commission Definitions.
13.01.040	Platting and Subdivisions Definitions.
13.01.050	Land Use Permits and Procedures Definitions.
13.01.060	Zoning Definitions.
13.01.070	Landmarks and Historic Special Review Districts Definitions.
13.01.090	South Tacoma Groundwater Protection District Definitions.
13.01.100	Shoreline Master Program Definitions.
13.01.110	Critical Areas Preservation Definitions.
13.01.120	Environmental Code Definitions.
13.01.150	Commute Trip Reduction Definitions.
13.01.160	Concurrency Management System Definitions.
13.01.170	Mixed-Use Center Development Definitions.

13.01.010 Purpose.

For the purposes of this title, certain words and terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. For words that are not defined in this chapter, or that do not incorporate a definition by reference, refer to a Webster’s Dictionary published within the last ten years. For the purpose of each indicated chapter, certain words and terms are defined as follows.

13.01.040 Platting and Subdivisions Definitions.

For the purpose of Chapter 13.04 Platting and Subdivisions, certain words used herein are defined as follows:

13.01.040.A

“Alley” shall mean a public or private accessway which provides a means of vehicular access to abutting property.

“All-weather surface” shall mean asphaltic concrete, Portland cement concrete, permeable pavers, porous asphalt or pervious concrete in accordance with City manuals, design specifications, plans, and guidelines in section 13.04.120, unless otherwise specified by the City Engineer.

“Alteration” shall mean a change to a finalized binding site plan, plat, short plat, or portion thereof, that results in a modification to its exterior boundaries or the location and/or size of rights-of-way, utility easements, open space, park or other similar community amenities created as part of the binding site plan, plat, or short plat. An alteration does not include boundary line adjustments, replats or an allowable increase in short plat lots.

13.01.040.B

“Binding site plan” shall mean a drawing to scale showing a plan for the development of a specific parcel of land, which drawing has been approved as applicable by the Building Official or designee and which, at a minimum:

1. Identifies and shows the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;
2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions of the use of land as established by the City of Tacoma.

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3. Is filed of record in the Pierce County Auditor's office and is legally enforceable.

"Building line" shall mean a line on a plat indicating the limit beyond which buildings or structures may not be erected.

13.01.040.C

"Collector arterial" shall mean a highway whose function is to collect and distribute traffic from major arterial streets to access streets, or directly to traffic destinations; to serve traffic within a neighborhood; and to serve neighborhood traffic generators such as a small group of stores, an elementary school, church, clubhouse, small hospital, and small apartment area.

"Comprehensive Plan" shall mean the City's official statement concerning future growth and development. It sets forth goals, policies, and strategies to protect the health, welfare, and quality of life of Tacoma's residents.

"Curb line" shall mean the line defining the limits of a roadway.

13.01.040.D

"Dead-end street" or "cul-de-sac" shall mean a residential access street with only one outlet.

"Director" for purposes of this Chapter (13.04 of the Tacoma Municipal Code) shall mean the Director of Planning and Development Services unless otherwise specified.

13.01.040.F

"Freeway" shall mean a highway the function of which is to permit unimpeded traffic flow through urban areas and between their major elements or most important traffic generators such as the central business district, major shopping areas, major university, civic center, or a major sports stadium or pavilion.

13.01.040.H

"Hard surface" An impervious surface, a permeable pavement, or a vegetated roof.

13.01.040.L

"Lot" is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area.

"Lot, parent" shall mean a legal lot which establishes the exterior boundary of a unit lot subdivision.

"Lot, unit" shall mean a portion of a parent lot, the fee of which may be independently transferred upon recording of a unit lot subdivision.

13.01.040.O

"Official map" shall mean the map on which the planned locations, particularly of streets, are indicated with detail and exactness so as to furnish the basis for property acquisition or building restriction.

13.01.040.P

"Plat" shall mean the map, drawing or chart on which the subdivider's plan of subdivision is presented and which the subdivider submits for approval and intends to record in final form.

"Primary arterial" shall mean a highway the function of which is to expedite movement of through traffic to a major traffic generator such as the central business district, a major shopping area, a commercial service district, a small college or university or a military installation; or to expedite movement of through traffic from community to community, to collect and distribute traffic from freeways to minor arterial streets, or directly to traffic destinations.

13.01.040.R

"Residential access street" shall mean a highway the primary function of which is to provide access to residential property.

"Replat" or "Redivision" shall mean an action resulting in the division of a lot located within a previously recorded binding site plan, plat, or short plat.

"Roadway" shall mean the portion or portions of a public or private street or way, or permanent access easement, improved with an all-weather surface, available for vehicular traffic or the portion or portions of a public or private street or way, or permanent access easement, improved with an all-weather surface, available for vehicular traffic between curbs where curbs are laid.

13.01.040.S

“Secondary arterial” shall mean a highway the function of which is to collect and distribute traffic from a major arterial highway to minor streets or directly to traffic destinations; to serve traffic from neighborhood to neighborhood within a community center, athletic field, neighborhood shopping area, major park, golf course, important grouping of churches, multiple residence area, concentration of offices or clinics, major private recreation facility, or large hospital.

“Short plat” shall mean the map or representation of a short subdivision.

“Short subdivision” shall mean the division of land into a maximum of nine or fewer total lots, tracts, parcels, sites or subdivisions for the purpose, whether immediate or future, of transfer of ownership, lease or sale, or building development, including all changes in street or lot lines, and shall include all resubdivision of land. The division of contiguous parcels of land resulting in 10 or more total buildable lots, tracts, parcels, or sites, and which are served by a shared public and/or private street or way, and/or permanent access easement shall be deemed a subdivision. If tracts are created that are intended for public dedication, environmental protection, or stormwater facilities and have been determined unbuildable or do not have the potential for future development, then they will not be included in the total number of lots, tracts parcels, sites or subdivision created under a subdivision application.

“Street width” shall mean the shortest distance between the lines which delineate the right-of-way of a street.

“Subdivision” shall mean the division of land into 10 or more contiguous buildable lots, tracts, parcels, or sites which are served by public and/or private street or way, and/or permanent access easement or other divisions of land for the purpose, whether immediate or future, of transfer of ownership, lease or sale, or building development, including all changes in street or lot lines, and shall include all resubdivision of land. If tracts are created that are intended for public dedication, environmental protection, or stormwater facilities and have been determined unbuildable or do not have the potential for future development, then they will not be included in the total number of lots, tracts, parcels, sites or subdivision created under a subdivision application.

[“Subdivision, unit lot” shall mean the division of land into two or more contiguous buildable lots, provided the parent lot meets all requirements for dimension, setbacks, building types, density, open space, or any other applicable development standard set forth in this Chapter.](#)

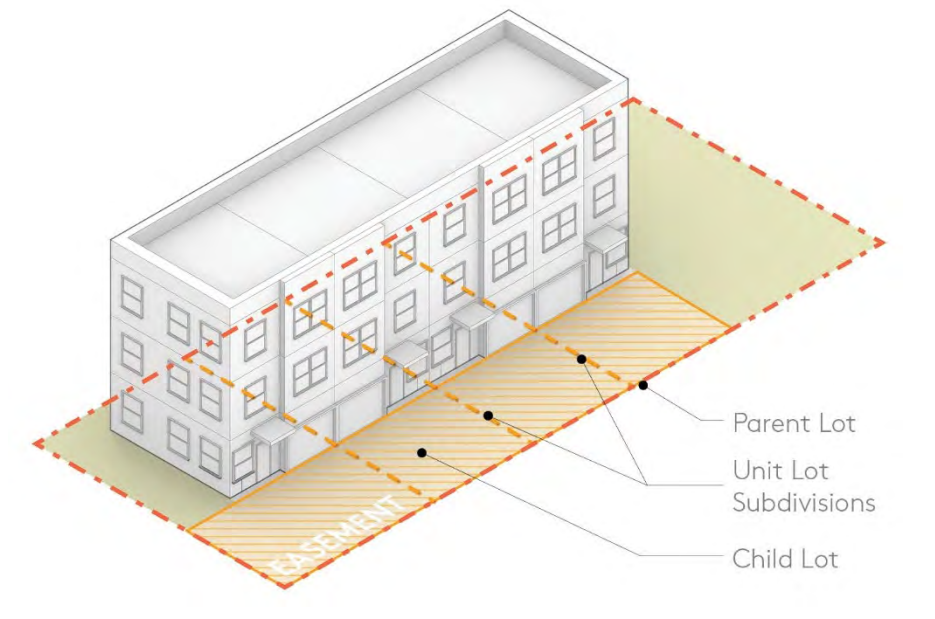
13.01.040.T

“Transit street” shall mean a street on which regularly scheduled bus service operates at frequencies of 15 minutes or less during peak travel periods. Transit streets are designated by the Director of Public Works in consultation with Pierce Transit and include streets designated in Section 11.05.492 of the Tacoma Municipal Code.

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13.01.040.U

“Unit lot subdivision” shall mean the subdivision of certain housing types as permitted in TMC 13.06 where subdivision is not otherwise possible due to conflicts between characteristics of the development type and applicable dimensional standards in TMC 13.06.020. In such cases, the unit lot subdivisions process provides opportunities for fee simple ownership of land as an alternative to condominium ownership. Unit subdivision applies the dimensional standards in TMC 13.06.020 to the overall site, the “parent lot,” while allowing flexibility in the dimensional standards for the “unit lots.”



Illustrative diagram showing Unit Lot Subdivision

13.01.040.V

“Vacation” shall mean an action to extinguish the effect and force of a finalized binding site plan, plat, or short plat or portion thereof, such that the property reverts to its pre-subdivision parent parcel configuration.

13.01.060 Zoning Definitions.

For the purposes of Chapter 13.06, certain words and terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. For words that are not defined in this chapter, or that do not incorporate a definition by reference, refer to a Webster’s Dictionary published within the last ten years.

13.01.060.A

“Abandonment of wireless facility.” The termination or shutting-off of electrical power to a wireless communication tower and/or associated antenna and equipment facility for a period of one calendar year or more. The records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of power termination.

“Accessory antenna device.” An antenna including, but not limited to, test, mobile, and global positioning (GPS) antennas which are less than 12 inches in height or width, excluding the support structure.

“Accessory building.” An accessory building, structure, or portion thereof which is subordinate to and the use of which is incidental to that of the main building, structure, or use, and which is not considered as a main building or a building used for

dwelling purposes. If an accessory building is attached to the main building by a substantial connection, such accessory building shall be considered as a part of the main building for the purposes of building envelope standards. The building must meet all other requirements under the building code.

“Accessory dwelling unit.” A subordinate dwelling unit, either within the same building as the main dwelling or in a detached building, with a provision for independent cooking, living, sanitation, and sleeping.

“Accessory use.” A use that occupies less than 50 percent of the building or site square footage, is incidental to the main building or principal use, and is located on the same lot as the principal use. In no case shall such accessory use dominate in area, extent, or purpose the principal lawful use or building.

“Adult family home.” ~~Family abode~~Dwelling, licensed by the state of a person or persons who are providing assistance with Activities of Daily Living such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, as well as room and board to more than one but not more than six adults, 18 years or older, with functional disabilities who are not related by blood or marriage to the person or persons providing the service.

“Ambulance services.” Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

“Amenity Space.” Amenity space provides residents access to areas for relaxation, recreation, and socializing. These include both private and common spaces both indoor or outdoor. Examples of private amenity space include balconies, porches, decks, patios, and yards. Examples of common amenity spaces include courtyards, rooftop decks, gardens, play yards, and park greens.

“Anchor tenant.” Tenant or owner occupying not less than 100,000 square feet of building area.

“Art gallery.” A space with public access from the sidewalk in the space and which is located within a building for the interior exhibition or display of artworks which may or may not be offered for sale to the public.

“Articulation feature.” An element of a building that supports the design’s approach to articulation. Examples include horizontal modulation (i.e. upper story step back, recessed ground floor), vertical modulation (i.e. building offset, recess), roofline modulation (i.e. stepped parapet), projection (i.e. bay window, decorative element), and material changes. These features typically combine dimensional changes with exterior material changes.

“Assembly facilities.” Privately operated facilities for the principle purpose of public meetings and social gatherings (including incidental recreation), including community halls, union halls, exhibition halls, social clubs, and youth centers. This use shall not include stadiums or public or quasi-public parks, recreation or open space uses.

“Assisted living facility.” See “intermediate care facility.”

“Automobile house trailers.” Any structure used for human habitation constructed on wheels and capable of being moved from place to place, either under its own power or under tow.

13.01.060.B

“Backyard Building.” A Housing Type consisting of a building located behind another structure at the rear of a lot. The building may contain a garage. Pedestrian access may be provided from a shared or private path from the front sidewalk or from a secondary street on a corner lot. This housing type includes any structure in a backyard containing no more than six units, including detached accessory dwelling units (DADU).

“Basement.” A story partly underground. A basement shall be counted as a story in building height measurement and floor area ratio ~~for single-family small lots~~ where more than one-half of its height is above the average level of the adjoining ground.

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13.01.060.C

“Caliper.” Diameter of a tree’s trunk or stem measured at a point 6 inches above finish grade if the resulting measurement is up to and including 4 inches. If the resulting measurement is more than 4 inches the point of measurement shall be relocated to 12 inches above finish grade.

“Camouflaged (wireless communication facility).” A wireless communication facility that is integrated with a building or the landscape in terms of design, colors, materials and height, so as to be disguised, hidden, concealed, masked, or screened from view.

“Canopy (or marquee).” An ornamental roof-like structure unenclosed on one or more sides and normally used for pedestrian protection and convenience and/or signage.

“Canopy Factor.” A method of calculating tree size by taking into account the tree’s mature height, mature crown spread and growth rate. The Canopy Factor is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees.

- Large Trees = Canopy Factor greater than 70.
- Medium Trees = Canopy Factor from 40 to 70.
- Small Trees = Canopy Factor less than 40.

“Car washing facility.” A building or portion thereof containing facilities for washing automobiles, either manually or using a fully automatic washing process, requiring no personnel for the conduct of the operation except as is necessary for the collection of money and the maintenance of the facility.

“Comprehensive Plan.” The official statement of the Tacoma City Council which sets forth its major policies concerning desirable future physical development.

“Condominium.” A ~~multiple family dwelling~~residential development, and its accessory uses and grounds, in which each dwelling unit is individually owned, and all or any part of the dwelling structure, accessory uses, and grounds are owned cooperatively by the owners of said dwelling units, and maintenance functions are performed by required subscriptions from said owners.

“Confidential shelter.” Shelters for victims of domestic violence, as defined and regulated in RCW 70.123 and WAC 388-61A. Such facilities are characterized by a need for confidentiality and are treated in the zoning code per the type of dwelling, structure, or facility they utilize.

“Construction/demolition/land-clearing (CDL) waste recycling.” CDL waste recycling is the storage, processing and/or sale of clean CDL wastes to recover usable products or to regenerate the material where the following activities are further defined:

1. Storage includes the holding of CDL wastes prior to processing and stockpiling of the recycled product and by-products.
2. Processing includes the sorting of clean CDL wastes and the mechanical reduction of these materials by means of an initial mechanical processing operation which results in a raw product to be shipped to secondary processors, but does not include composting.
3. Product sales, including retail and wholesale sales of recycled materials.

“Container, shipping/storage.” A large, prefabricated box or container made of metal, wood, or similar material utilized for the shipping/storage and distribution of various products or commodities.

“Continuing care retirement community.” An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state-licensing programs.

“Convalescent home.” See “extended care facility.”

“Cornice.” Projection at the top of a wall; a term applied to construction where the roof and side walls meet.

“Correctional facility.” A facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes prerelease facilities, but does not include work release centers or juvenile community facilities.

~~“Cottage housing.” Cottage housing is defined as a grouping of small dwelling units clustered around a common area and developed with a coherent plan for the entire site, per the provisions of TMC 13.06.080.C.~~

“Court, multiple-~~family household~~unit dwelling.” An open, unoccupied space other than a yard, on the same lot with a multiple-~~family unit~~ building and which is bounded on two or more sides by such building.

“Courtyard housing.” A Housing Type consisting of a group of buildings or units arranged around a shared courtyard. Depending on the zone, units may be detached or attached. The courtyard is entered from the street, provides pedestrian access to the units, and is a shared social space which takes the place of private back yards. Detached buildings within Courtyard Housing developments may include up to six dwelling units per building.

“Coverage, lot or site.” The percentage of a site covered by a roof, soffit, trellis, eave, or overhang extending more than 2.5 feet from a wall, and by a deck more than 30 inches in height.

13.01.060.D

“Dwelling.” A building or portion thereof designed and used entirely as the residence of one or more ~~families~~households, except hotels.

~~“Dwelling, group.” Two or more dwelling structures located upon a single lot.~~

“Dwelling, ~~multiple family~~multi-unit. “ A building or portion thereof designed for or used as the residence of four or more ~~families~~households living independently of each other. In UR zoning districts, see housing types as defined in TMC 13.06.020.F.

“Dwelling, single-~~family unit~~ detached.” A building designed for or used as the residence of one ~~family~~household that is not attached to any other dwelling unit, except for ~~an~~ accessory dwelling units as allowed. In UR zoning districts, see housing types as defined in TMC 13.06.020.F.

“Dwelling, two-unit.” A building designed for or used as the residence of two households living independently of each other. In UR zoning districts, see housing types as defined in TMC 13.06.020.F.

“Dwelling, three-~~family unit~~.” A building designed for or used as the residence of three ~~families~~households living independently of each other. Does not apply to UR zoning districts, see Houseplex Housing Type.

“Dwelling, townhouse.” A building on its own separate parcel of land containing one single-~~family household~~ dwelling unit that occupies space from the foundation to the roof and is attached to one or more other townhouse dwelling units by at least one common wall. In UR zoning districts, see housing types as defined in TMC 13.06.020.F.

~~“Dwelling, two family duplex.” A building designed for or used as the residence of two families living independently of each other.~~

“Dwelling unit.” Two or more rooms and kitchen designed for or used as the living quarters of one ~~family~~household.

“Dwelling types.” Residential buildings allowed in certain districts based on classification of the number of units and their dwelling unit configuration. Dwelling types include: two-unit, three-unit, multi-unit, and townhouse.

13.01.060.E

“Eating and drinking.” Establishments in which food and/or beverages are prepared and sold at retail for immediate consumption. Eating and drinking establishments include restaurants and drinking establishments as defined below:

1. “Drinking establishment” means an establishment other than a restaurant, licensed to sell alcoholic beverages for consumption on premises; that limits patronage to adults of legal age for the consumption of alcohol; and in which limited

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food service may be accessory to the service of alcoholic beverages. Drinking establishments may include but are not limited to taverns, saloons, bars, pubs, or cocktail lounges associated with restaurants. This use does not include brewpubs, catering services, or industrial-scale food production facilities.

2. “Restaurant” means a use in which food and/or beverage preparation and service is provided for individual consumption either on- or off-premises, and in which any service of alcoholic beverages is accessory to the service of food. This classification includes, but is not limited to, cafés, eateries, bistros, diners, restaurants, sandwich shops, and coffee shops.

“Emergency ~~shelter~~ and transitional housing.” Establishments offering daily meal service and housing to persons who are in need of shelter. This classification does not include confidential shelters, or facilities licensed for residential care by the state of Washington.

13.01.060.F

“Facility location (wireless communication facility).” Location may include placement of facilities in one or more of the following manners:

1. Attached Facility is a facility that is affixed to an existing structure, such as a building or water tower, and is not considered a component of the attached wireless communication facility.
2. Collocation Facility is a support structure, such as a monopole, or lattice tower to which more than one wireless communications provider mounts equipment.
3. Free-standing Facility is a facility that includes a separate support structure including, but not limited to, monopoles, lattice towers, wood poles, or guyed towers.

~~“Family.” One or more persons, related or unrelated, living together as a single household where all members have common access to and use of living, kitchen and other shared spaces.~~

“FCC.” Federal Communications Commission.

“Floor area.” The sum of the square footage of all of the floors of a structure or building. Unless specified otherwise, “floor area” shall be calculated in the same manner outlined in the current building code definition for “floor area, gross.”

“Floor Area Ratio (FAR) – Downtown Districts.” The amount of floor area within a building as a multiple of the lot area. Right-of-way that has had its air rights vacated shall be considered as lot area for calculating FAR. For the purposes of calculating allowable FAR within the downtown area, floor area shall exclude the following areas when calculating the maximum FAR:

1. Spaces below grade;
2. Space used for retail uses or restaurants that front the sidewalk; and
3. Space devoted to special features.
4. Area used for parking.
5. Mechanical equipment, elevators, and stair shafts.
6. Exterior decks, balconies, and corridors open to the air.

“Floor Area Ratio – Single family Small Lots Residential and Urban Residential Districts.” The ratio of the total floor area of a single family house residential structure to the lot area upon which it is built, not including basements and accessory structures.

For the purposes of calculating allowable FAR within Residential and Urban Residential Districts, floor area shall exclude the following areas when calculating the maximum FAR:

- Accessory structures;
- Basement and areas where the elevation of the floor is 4 feet or more below the adjacent right-of-way;
- Areas where the ceiling height is less than 6 feet 8 inches;
- Roof area, including rooftop parking, amenity roof decks, and rooftop mechanical equipment;
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter.

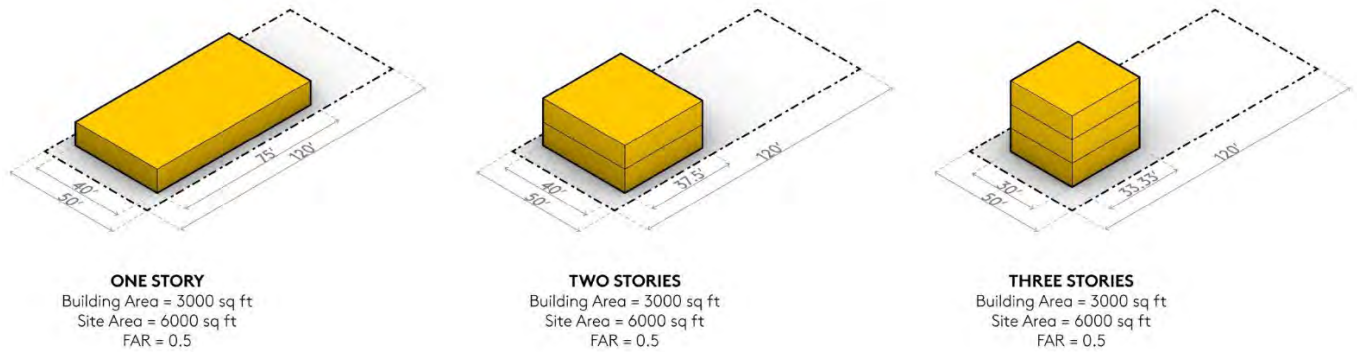


DIAGRAM: FAR EXAMPLES

“Food and beverage sales.” Retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, groceries, liquor stores, bakeries, and delicatessens.

“Group housing.” A residential facility designed to serve as the primary residence for individuals, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit. This classification includes uses such as convents and monasteries, student housing, or single-room occupancy dwellings, but does not include uses that are otherwise classified as special needs housing or student housing.

13.01.060.H

“Habitable Space.” A roomspace used for habitation. May include residential spaces such as foyers, entries, living rooms, dining rooms, kitchens, bedrooms, dens, lofts, home offices, lobbies, mailrooms, common amenity spaces, playrooms, and mudrooms, as well as non-residential spaces such as lobbies, mailrooms, cafes or commercial spaces. May not include spaces such as garages, storage spaces, loading, mechanical, electrical or other utility rooms.

“Hazard Tree.” As defined by the Pacific Northwest Chapter of the International Society of Arboriculture, a hazard tree, or a hazardous component, exists when the sum of the risk factors assessed equals or exceeds a predetermined threshold of risk. Below that threshold, the tree (or component parts) is not considered to be a hazard

“Heliport.” An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

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“Heritage building.” Any primary structure or substantial portion thereof built 50 or more years ago.

~~“Home occupation.” A business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.~~

“Hospitals.” Medical facilities, licensed by the Department of Health Services, the Committee on Accreditation of Rehabilitation Facilities, the Department of Aging, or other similar organizations, for the provision of surgery, rehabilitation and physical care, acute psychiatric care, chemical dependency, and substance abuse on an out-patient basis, including ancillary nursing, training, and administrative facilities. Such facilities are generally licensed by the state under the provisions of RCW 70.41.

“Hotel or Motel.” A building or group of buildings in which lodging or lodging and meals are provided for transient or semi-permanent guests, or both, for compensation, and in which there are ten or more guest rooms.

“Household.” One or more persons, related or unrelated, living together in a single dwelling where all members have common access to and use of living, kitchen, and other shared spaces.

“Houseplex—House, Duplex, Triplex, Fourplex, Fiveplex, Sixplex.” A Housing Type consisting of a single building containing one to six units, which may be in a “side-by-side” or “stacked” configuration. At least one private or shared entry is required from the street, and a private or shared yard is often included behind the building. Multi-story units that are oriented perpendicular to the street and where vehicular and/or pedestrian access is provided from a shared facility along the side (often called “slot homes”) are included in this type.

“Housing types.” Residential buildings allowed in certain districts based on classification of their physical characteristics such as scale, yard location, dwelling unit configurations, and pedestrian and automobile access location. Housing types within Urban Residential Districts include: Houseplexes, Backyard Buildings, Courtyard Housing, Rowhouses, and Multiplexes.

13.01.060.M

“Main building and principal use.”

1. Building. The primary building or other structure on a lot designed or used to accommodate the principal use to which the premises are devoted. Where a principal use involves more than one building or structure designed or used for the principal use, as in the case of group dwellings, each such permitted building or structure on a lot defined by this chapter shall be construed as comprising a main building or structure.
2. Use. The main or primary purpose for which a building, other structure, and/or lot is designed, arranged, or intended, or for which they may be lawfully used, occupied, or maintained under this chapter.

“Mansard roof.” A roof with two slopes or pitches on each of the four sides, the lower slopes steeper than the upper.

“Major transit stop.” (a) A stop on a high capacity transportation systemservice funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems, including transit ways; ~~or~~ (d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or (e) stops on Transit Streets designated in TMC 11.05.492.

“Marijuana.” As defined in RCW 69.50.101 and provided herein for reference. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

“Microbrewery/winery.” An establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, or wine, and which may include accessory uses such as tours of the microbrewery/winery, retail sales, and/or

on-site consumption, e.g., “taproom.” This classification allows a microbrewery to sell beer/wine at retail and/or act as wholesaler for beer/wine of its own production for off-site consumption with appropriate state licenses.

“Middle housing.” Buildings that are compatible in scale, form, and character with single unit houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. Within Urban Residential Districts, middle housing types have been further refined—see TMC 13.06.020.F.

“Mining and Quarrying.” The Mining, Quarrying, and Oil and Gas Extraction sector comprises establishments that extract naturally occurring mineral solids, such as coal and ores; liquid minerals, such as crude petroleum; and gases, such as natural gas. The term mining is used in the broad sense to include quarrying, well operations, beneficiating (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. This use category includes all industry sectors identified under NAICS Code 21 Mining, Quarrying, and Oil and Gas Extraction as well as surface mining as defined in TMC 13.01.060.S.

“Mount” (wireless communication facility). The structure or surface upon which the wireless communication facilities are mounted. There are three types of mounts:

1. Building mounted. A wireless communication facility mount fixed to the roof or side of a building.
2. Ground mounted. A wireless communication facility mount fixed to the ground, such as a tower.
3. Structure mounted. A wireless communication facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.

“Multiplex.” A Housing Type consisting of seven or more stacked units, with the appearance of a large house or a small apartment building. Access is often from one shared entry at the street leading to a central corridor accessing all units, but other configurations are possible (including a few single-stair buildings connected together).

“Mural.” A decorative design or scene intended to provide visual enjoyment this is painted or placed on an exterior building wall. A mural contains no commercial messages, logo or corporate symbol.

13.01.060.R

“Research and development industry.” Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial, or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

“Residential business.” A business, profession, home occupation, or trade conducted for gain or support, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

“Residential care facility for youth.” A facility, licensed by the state, that provides 24-hour care for persons who are 18 years of age or younger, with or without functional disabilities, that has not been licensed by the state as a staffed residential home. Such facilities may, in addition to providing food and shelter, provide some combination of assistance with Activities of Daily Living (“ADL”), such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, and additional services such as social counseling and transportation. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.

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“Roof line or ridge line.” The top edge of the roof or top of a parapet, whichever forms the top line of the building silhouette, excluding any cupola, pylon, chimney, mechanical equipment, or other minor projection.

“Rowhouse.” A Housing Type consisting of a building with access to the street from its front door and a private yard. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouse buildings, which together create a “Rowhouse Cluster” of three to six Rowhouses. These are sometimes, but not always, located on individual lots.

13.01.060.S

“School, public or private.” Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

“Structural alterations.” Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

~~“Student housing.” A residential facility occupied by and maintained exclusively for students that is affiliated with a professional college or university, or other recognized academic institution. These facilities are generally owned and operated by the associated institution and located on the institution’s campus. This classification includes uses such as dormitories, fraternity houses, and sorority houses.~~

“Substance abuse facility.” (See “Drug rehabilitation facility”).

Surface mining shall exclude excavations or grading necessary for the construction of a structure for which a building permit has been duly issued.

“Surface Planting Diameter.” The minimum dimension of a tree planting area in any direction, provided suspended pavement systems are used to meet required soil volume underground.

“Suspended Pavement Systems.” Suspended pavement systems, or SPS, reference a technology that structurally supports paving over planting soil to allow growth of tree roots directly underneath paving. In addition to aiding urban tree growth, the soil can also be used for on-site stormwater management, maintaining pre-development hydrology, minimizing non-point source pollution and flooding, and recharging watersheds.



Image: Suspended pavement system.

Source: Tracking the Performance of Urban Trees in Silva Cells | Landscape Performance Series

13.01.060.T

“Tree.” Any woody perennial that generally matures over fifteen feet in height, generally has a minimum mature canopy width of ten feet and greater, and is capable of being shaped and pruned to develop a branch-free trunk to at least eight feet in height at maturity.

“Tree Credit.” Tree credits quantify the value of a tree’s canopy for the purposes of defining how many trees are required on a site.

“Tree Size.” Categorized as Large, Medium or Small as determined by the Canopy Factor, which takes into account the trees mature height, mature crown spread and growth rate. ~~The Canopy Factor is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees.~~

- ~~• Large Trees = Canopy Factor greater than 90,~~
- ~~• Medium Trees = Canopy Factor from 40 to 90,~~
- ~~• Small Trees = Canopy Factor less than 40.~~

13.01.060.U

“Unlicensed wireless services.” Commercial mobile services that operate on public frequencies and do not need an FCC license.

“Unpaved Surface Planting Diameter.” The minimum dimension of a tree planting area in any direction, provided suspended pavement systems are used to meet required soil volume underground.

“Upper story setback.” See “modulation, horizontal.”

“Urban Forest Manual (UFM).” A compilation of City urban forestry practices and standards created to facilitate the planning, design, installation, and maintenance of trees and landscaping.

“Urban Horticulture.” A use in which plants are grown or produced indoors for the sale of the plants or their products or for use in any business, including such things as fruits, vegetables, and other crops, flowers, ornamental plants or trees.

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13.01.120 Environmental Code Definitions.

The terms in Chapter 13.12 Environmental Code are primarily adopted from those set forth in WAC 197-11-700 to -700. Except for the definitions below, this terminology is uniform throughout the state as applied to SEPA. These definitions are specific to this Chapter and are meant to clarify the specific terms used in SEPA review in the City. It also incorporates the following sections of the Washington Administrative Code by reference:

197-11-040	Definitions.
197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-721	Closed record appeal.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County-city.
197-11-730	Decision-maker.
197-11-732	Department.
197-11-734	Determination of non-significance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Non-project.
197-11-775	Open record hearing.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.

197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

In addition to those definitions contained within WAC 197-11-700 to 197-11-799, the following terms shall have the following meanings, and shall be applicable only to Chapter 13.12:

13.01.120.D

“Department” means any division, subdivision, or organizational unit of the City established by ordinance.

13.01.120.M

“Major transit stop.” (a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems; or, (d) Stops on bus rapid transit routes.

~~“Major Transit Stop” means (a) a stop on a high capacity transportation service funded or expanded under the provisions of chapter 81.104 RCW; (b) commuter rail stops; (c) stops on rail or fixed guideway systems, including transit ways; (d) stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or, (e) stops for a bus or other transit mode providing fixed route service at intervals of at least thirty minutes during the peak hours of operation.~~

13.01.120.R

“Responsible Official” for City Government means the Department Director for projects initiated or processed by that department, and for the Department of Public Utilities means the Superintendent or Division Head of the respective division for projects initiated or processed by that division. Responsible official duties may be delegated to appropriate staff persons, but the respective Director or Superintendent shall approve and is responsible for the determination of Environmental Significance and the adequacy of an Environmental Impact Statement. See additional information in Section 13.12.220.

13.01.160.V

“Vested” means the right to develop or continue development in accordance with the laws, rules, and other regulations in effect at the time vesting is achieved.

13.01.170 ~~Mixed-Use Center Development~~ Residential Target Areas Definitions.

For the purposes of Chapter 13.17 ~~Mixed-use Center Development~~Residential Target Areas, the following terms are defined as:

13.01.170.D

“Director” means the Director of the Planning and Development Services Department or authorized designee.

13.01.170.M

“Mixed-use center” means a center designated as such in the land use element of the City’s Comprehensive Plan. A mixed-use center is a compact identifiable district containing several business establishments, adequate public facilities, and a mixture of uses and activities, where residents may obtain a variety of products and services.

“Multi-~~family-unit~~ housing” means building(s) having four or more dwelling units designed for permanent residential occupancy resulting from new construction or rehabilitation or conversion of vacant, underutilized, or substandard buildings.

Tacoma Municipal Code**13.01.170.N**

“Neighborhood Commercial Node” means any commercially zoned area depicted on the Residential Target Area map in TMC 13.17.020.

13.01.170.O

“Owner” means the property owner of record.

**CHAPTER 13.04
PLATTING AND SUBDIVISIONS**

Sections:

13.04.010	Title.
13.04.020	Intent and authority.
13.04.030	Policy.
13.04.040	<i>Repealed.</i>
13.04.050	Jurisdiction.
13.04.055	Platting on shorelines.
13.04.060	Exclusions.
13.04.070	Alteration.
13.04.075	Vacation.
13.04.085	Boundary line adjustment.
13.04.088	Binding site plan approval.
13.04.090	Short plat/short subdivisions procedures.
<u>13.04.093</u>	<u>Unit Lot Subdivisions.</u>
13.04.095	Appeals.
13.04.100	Plat/subdivision procedures.
13.04.105	Replat or redivision of platted lots.
13.04.110	General requirements and minimum standards for subdivisions and short subdivisions.
13.04.120	Conformity to the Comprehensive Plan and applicable ordinances, manuals, design specifications, plans, and guidelines.
13.04.130	Relation to adjoining street system.
13.04.140	Access.
13.04.150	Conformity to topography.
13.04.160	Public or private streets or ways, or permanent access easement widths.
13.04.165	Streetlights.
13.04.170	Roadways.
13.04.180	Public or private streets or ways, or permanent access easement design.
13.04.190	Dead-end/cul-de-sac public or private streets or ways, or permanent access easements.
13.04.200	Alleys.
13.04.210	Easements.
13.04.220	Blocks.
13.04.230	Lots.
13.04.240	Plats within Planned Residential Development Districts (PRD Districts).
13.04.250	Duplication of names.
13.04.260	Public open space.
13.04.270	Checking by the City Engineer – Charges.
13.04.280	Development of illegally divided land.
13.04.290	<i>Repealed.</i>
13.04.300	Model home.
13.04.305	Temporary rental or sales offices, contractors' offices, and signs.
13.04.310	Subdivisions and Critical Areas.
13.04.315	<i>Repealed.</i>

13.04.010 Title.

These regulations shall hereafter be known, cited and referred to as the plat and subdivision regulations of the City of Tacoma.

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13.04.090 Short plat/short subdivision procedures.

A. Administration.

The Director or designee is vested with the duty of administering the provisions of this section and with the authority to summarily approve or disapprove proposed preliminary and final short plats. The Director or designee may prepare and require the use of such forms and develop policies deemed essential to the effective administration of this code.

P. Resubdivision.

Land within a short subdivision shall not be further divided in any manner for a period of five years from the date of filing of the short plat of said short subdivision with the Pierce County Auditor without the approval of a preliminary and final plat, except that when the short plat contains fewer than four parcels, the owner who filed the short plat may submit a revision within the five-year period to create up to a total of four lots within the original short plat boundary.

13.04.093 Unit Lot Subdivisions.

A. Purpose.

The purpose of this section is to allow subdivision of certain housing types listed as allowed uses in TMC 13.06 where subdivision is not otherwise possible due to conflicts between characteristics of the development type and applicable dimensional standards in TMC 13.06.020. In such cases, the unit lot subdivision process provides opportunities for fee simple ownership of land as an alternative to condominium ownership. Unit lot subdivision applies the dimensional standards in TMC 13.06.020 to the overall site, the "parent lot," while allowing flexibility in the dimensional standards for the subordinate "unit lots." This section is not intended to permit uses or densities that are not otherwise allowed in the land use designations in which a unit lot subdivision is proposed.

B. Applicability.

1. Only sites located in the UR-1, UR-2, and UR-3 zoning districts may be subdivided into individual lots pursuant to this section. Residential types with stacked dwelling units are not eligible for unit lot subdivision within the structure.

2. For previously developed lots, unit lot subdivision may be used to provide fee-simple ownership, provided that any buildings or structures are legally occupied, and provided the subdivision does not increase nonconformity to any City ordinance, or state or federal law. ~~eligibility for unit lot subdivision shall be subject to compliance with all standards applicable to the parent lot and proposed unit lots. Development may not be made more nonconforming via the unit lot subdivision process.~~ Inconsistency of existing development with the provisions of this section shall not constitute justification for a variance under TMC 13.05.010.

C. Deviation from Dimensional Standards.

The overall development on the parent lot proposed for subdivision shall maintain consistency with the development standards applicable to the zoning district and the land use type at the time the application is vested, as specified by the applicable code provisions and this section. Subsequent additions or modification to the structure(s) shall not create any nonconformity of the parent lot. Deviation from setback, lot width, and lot area standards in TMC 13.06.020 may be approved for individual unit lots through a unit lot subdivision, subject to any limitations in this section. Structures on unit lots and structures divided by unit lots that conform to a recorded unit lot subdivision shall not be considered nonconforming under TMC 13.06.010.

D. Subdivision of Cottage or Detached Courtyard Housing and Detached Dwelling Developments on a Single Lot.

1. The minimum parent lot size for detached dwelling developments shall be the minimum lot size set forth in TMC 13.06.020.

2. Setbacks from the perimeter property lines of the parent lot shall conform to the setbacks for the underlying zoning district where the development is proposed.

3. Each structure shall be subject to the design standards referred to in TMC 13.06.100.F except where they conflict with the provisions of this section.

4. Unit lots shall comply with all other provisions of TMC 13.06.020 related to District Development Standards.

E. Mobile Home Parks.

Mobile home parks shall be eligible for unit lot subdivision where consistent with the criteria and standards in TMC 13.06.

F. Approval Process.

Unit lot subdivisions of four or fewer lots shall be processed in the same manner as short-plats, pursuant to TMC 13.04, based upon the number of lots proposed. ~~Unit lot subdivisions of five or more lots shall be processed as plats, as a Type 2 or 3 permit pursuant to TMC 13.04 and TMC 13.05. For subdivision of undeveloped land, any the required site plan review process may be incorporated into the plat process.~~

G. Application Process.

In addition to all submittal items set forth in TMC 13.04.090 or .100, the applicant shall provide a narrative and plans (as appropriate) demonstrating that the proposal meets all requirements for zoning and site development.

H. Approval Criteria.

In addition to any other standards and approval criteria applicable to a unit lot subdivision proposal, including but not limited to criteria in TMC 13.06 and this chapter, proposals shall be subject to the following:

1. ~~Each unit lot shall have individual access and utility service as required by utility providers.~~
2. Each unit lot shall have perpetual access to any shared amenity space required per the applicable development standards for the underlying zoning district for the development type.
3. All units shall have pedestrian access to an adjacent right-of-way, with a minimum access easement as required per the applicable pedestrian access standards of 13.06.090.F.
4. Parking shall be calculated and designed for each unit lot in compliance with TMC 13.06.090, although parking required for a dwelling may be provided on a different lot or tract within the parent lot as long as the right to use that parking is formalized by an easement declared on the plat. Where parking is provided on a different lot or tract the following sections of TMC 13.06.090.B shall not apply or shall be modified as indicated:
 - a. TMC 13.06.090.C.11, Development Standards – Offsite parking.
 - b. TMC 13.06.090.C.12, Development Standards – Shared parking.
 - c. Tandem Parking: tandem parking shall be allowed for all types of residential development.
5. Access and utility easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; drainage facilities, underground utilities; common open space (such as common courtyard open space); pedestrian facilities; exterior building facades and roofs; and other similar features, and shall be recorded with the Pierce County Auditor on the face of the plat or in a separate document at the time the plat is recorded.
 - a. A homeowners association, meeting the standards of regulating utilities, may be required when utilizing shared facilities.
 - b. A separate tract for common areas, access, and utilities may be required in lieu of multiple easements.
6. Subdivision of zero-lot-line developments shall provide a five-foot wide building maintenance easement on adjacent lots for external walls, eaves, chimneys, and other architectural features that rest directly on or within five feet of the lot line. The maintenance easement shall be shown on the face of the plat.
7. The final plat map shall contain all required elements for final plat in TMC 13.04. In addition, the plat shall include the following:
 - a. the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by Title 13.06;
 - b. the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations; and
 - c. The use and type of proposed buildings.
8. The final plat shall note:
 - a. All conditions of approval;
 - b. That unit lots may not be further subdivided.

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c. That unit lots are not buildable lots independent of the overall development; and

d. That additional development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, and addition, shall comply with conditions of approval and may be limited as a result of the application of development standards to the parent lot or other applicable regulations.

13.04.095 Appeals.

The Director's decision on a boundary line adjustment, binding site plan approval, or short subdivision shall be final unless a request for reconsideration or appeal is filed in accordance with the provisions of Chapter 1.23 of the Tacoma Municipal Code.

13.04.240 Plats within Planned Residential Development Districts (PRD Districts).

A. Intent.

Within the City there exist ~~overlay~~ Planned Residential Development (PRD) Districts which have been designated and been subject to varying standards over time. Modifications to the existing PRDs are addressed in TMC 13.05.130. With respect to Platting, the following requirements apply.

~~The PRD District is intended to: provide for greater flexibility in large scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts and of the subdivision ordinance of the City of Tacoma; encourage developers to use a more creative approach in land development; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and ecological systems of the physical environment; reflect a high quality of site and urban design; and facilitate more desirable, aesthetic and efficient use of open space. The PRD District is also intended to provide for density increases in association with the provision of public benefits including sustainability features and affordable housing.~~

~~In order to facilitate development within PRD Districts, these regulations may, if necessary, be modified as they apply to residential access streets, blocks, lots and building lines when the plan for such PRD District provides: adequate access to arterial streets and adequate circulation, recreation areas, and area per family as required by the zoning ordinances; light and air for the needs of the tract when fully developed and populated; and such legal restrictions or other legal status as will assure the carrying out of the plan.~~

B. Procedures.

1. All preliminary plats within PRD Districts shall be considered by the Hearing Examiner, except for preliminary short plats considered by the Director subsequent to approval of a reclassification to a PRD District. The final plat/short plat shall be considered by the Director. The preliminary plat/short plat for a planned residential development may be submitted with the application for reclassification to a PRD District, and will then be processed concurrently with the reclassification application.

2. The final plat for a PRD District may be considered as a final site plan for that portion of the PRD District to which it pertains.

3. When the preliminary plat of a proposed subdivision in a PRD District is processed as the preliminary plan for the reclassification request, and/or the final plat is processed as the final site plan, the processing procedures for plats contained in this chapter shall be followed.

~~4. All preliminary plats within PRD Districts shall demonstrate consistency with the requirements of TMC 13.06.070.C, with TMC 1.39 when density bonuses are sought pursuant to the provision of affordable housing, as well as with other applicable sections of the TMC.~~

~~C. General Requirements:~~

~~1. Lot Area:~~

~~Lot sizes required for plats within PRD Districts shall generally be the same as for the residential district with which the PRD District is combined unless the Hearing Examiner or the Director determines that modification of lot sizes is appropriate in light of the following factors:~~

~~a. Type of dwelling structures involved;~~

- ~~b. Amount of common and private open space to be provided and the location of such open space in relation to the dwelling structures involved;~~
 - ~~e. The street pattern and street design within the PRD District;~~
 - ~~d. The landscaping plan concept to be utilized around such dwellings. All modifications shall be made strictly within the spirit, intent, and purposes of this section and the PRD District section of the zoning ordinances.~~
 - ~~e. The provision of public benefits including sustainability features and affordable housing committed to as part of a density bonus, when applicable.~~
 - ~~f. The intent of the PRD District, including the pursuit of urban design excellence, creation of a livable and attractive neighborhood, and place making.~~
2. ~~Transfer of ownership of lots within PRD Districts shall be made in such a manner as to not increase the total number of lots in the PRD District, and in no event shall any ownership be less than the dimensions of the minimum size lot within the PRD District.~~
3. ~~Streets and Roadways Within PRD Districts.~~
- ~~a. Standards of design and construction for roadways, both public and private, within PRDs may be modified as is deemed appropriate by the Hearing Examiner.~~
 - ~~b. Right of way widths and street roadway widths may be reduced where it is found that the plan for the PRD District provides for the separation of vehicular and pedestrian circulation patterns, accommodates bicycle circulation, and provides for adequate off-street parking facilities.~~
 - ~~e. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.~~
 - ~~d. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.~~
4. All land within the Planned Residential Development District shall be subject to contractual agreements with the City of Tacoma and to recorded covenants approved by the City of Tacoma providing for compliance with the regulations and provisions of the district and the site plan or plat as approved.

13.04.250 Duplication of names.

The name of the proposed subdivision/short subdivision shall not duplicate the name of any other area within the City. A street name shall not duplicate the name of any other street or way within the City.

CHAPTER 13.05
LAND USE PERMITS AND PROCEDURES

Sections:

13.05.010	Land use permits.
13.05.020	Application requirements for land use permits.
13.05.030	Zoning and land use regulatory code amendments.
13.05.040	Historic preservation land use decisions.
13.05.050	Development regulation agreements.
13.05.060	Residential infill pilot program.
13.05.070	Notice process.
13.05.080	Director decision making authority.
13.05.090	Decision of the director.
13.05.100	Appeals of administrative decisions.
13.05.105	<i>Repealed.</i>
13.05.110	Applications considered by the Hearing Examiner.
13.05.120	Expiration of permits.
13.05.130	Modification/revision to permits.
13.05.140	Director approval authority.
13.05.150	Enforcement.

13.05.010 Land Use Permits.

A. Conditional Use Permits.

1. Purpose.

In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit. These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in this Chapter and the applicable criteria outlined below.

2. General Criteria.

Unless otherwise excepted, all conditional use permit applications shall be subject to the following criteria:

- a. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
- b. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
- c. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.
- d. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
 - (1) The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
 - (2) Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.

(3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

5. Special needs housing.

Applications for conditional use permits for special needs housing facilities shall be processed in accordance with the standard procedures and requirements for conditional use permits, with the following additional requirements.

a. Pre-application community meeting.

Prior to submitting an application for a conditional use permit to the City, the applicant shall hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed facility. The meeting should acquaint the neighbors of the proposed facility with the operators and provide for an exchange of information about the proposal and the community, including the goals, mission, and operation and maintenance plans for the proposed facility; the background of the operator, including their capacity to own, operate, and manage the proposed facility; and the characteristics of the surrounding community and any particular issues or concerns of which the operator should be made aware. The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 400 feet of the project site.

b. Pre-application site inspection.

Prior to submitting an application for a conditional use permit to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.

c. Required submittals.

Applications for conditional use permits for special needs housing facilities shall include the following:

- (1) A Land Use Permit Application containing all of the required information and submissions set forth in Section 13.05.010 for conditional use permits.
- (2) Written confirmation from the applicant that a pre-application public meeting has been held, as required under subsection a. above.
- (3) Demonstration of inspection by the appropriate Fire Marshal and Building Inspector, as required under subsection b. above, to include a description of any necessary building modifications identified during the inspection.
- (4) An Operation Plan that provides information about the proposed facility and its programs, per the requirements of Planning and Development Services.

d. Review criteria.

In addition to the General Criteria, a conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:

- (1) There is a demonstrated need for the use due to changing demographics, local demand for services which exceeds existing facility capacity, gaps in the continuum of service, or an increasing generation of need from within the community.
- (2) The proposed use is consistent with the goals and policies of the City of Tacoma Comprehensive Plan, any adopted neighborhood or community plan, and the City of Tacoma Consolidated Plan for Housing and Community Development.

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(3) The proposed location is or will be sufficiently served by public services which may be necessary or desirable for the support and operation of the use. These may include, but shall not be limited to, availability of utilities, access, transportation systems, education, police and fire facilities, and social and health services.

(4) The use shall be located, planned, and developed such that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing in the facility or residing or working in the surrounding community. The following shall be considered in making a decision:

(a) The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety and the ability of the proponent to mitigate any potential impacts.

(b) The provision of adequate off-street parking, on-site circulation, and site access.

(c) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties, to include the following development criteria:

- All program activities must take place within the facility or in an appropriately designed private yard space.
- Adequate outdoor/recreation space must be provided for resident use.

(d) Compatibility of the proposed structure and improvements with surrounding properties, including the size, height, location, setback, and arrangements of all proposed buildings, facilities, and signage, especially as they relate to less intensive, residential land uses.

(e) The generation of noise, noxious, or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.

(5) Demonstration of the owner's capacity to own, operate, and manage the proposed facility, to include the following:

h(a) Provision of an operation plan which will provide for sufficient staffing, training, and program design to meet the program's mission and goals.

(b) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control and solid waste disposal.

(c) Demonstration of knowledge of the City's Public Nuisance Code, TMC 8.30, and plans to educate the facility staff in the provisions of the nuisance code.

(d) Participation in the City's Multi-Family Crime-Free Housing program by both the property owner and by on-site staff.

(e) Provision of a point of contact for the facility to both the Neighborhood Council and the City.

(f) Written procedures for addressing grievances from the neighborhood, City, and facility residents.

e. Concomitant Agreement.

Upon issuance of a conditional use permit for a special needs housing facility, the applicant shall sign and record with the Pierce County Auditor a notarized concomitant agreement. Such agreement shall be in a form specified by Planning and Development Services and subject to the approval of the City Attorney, and shall include as a minimum: (a) the legal description of the property which has been permitted for the special needs housing facility, and (b) the conditions of the permit and applicable standards and limitations. The property owner shall submit proof that the concomitant agreement has been recorded prior to issuance of a certificate of occupancy by Planning and Development Services. The concomitant agreement shall run with the land as long as the facility is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for termination of the concomitant agreement. Such termination shall be granted upon proof that the facility no longer exists on the property.

f. An application for a conditional use permit for a special needs housing facility shall also comply with the standards in 13.06.080.N Special Needs Housing.

g. The Director may, when appropriate, utilize other staff or outside parties in the review of such applications.

~~6. Special Review Districts.~~

~~Two and three family and townhouse dwellings, where allowed by conditional use permit in Special Review Districts (R-2SRD and HMR-SRD). In addition to the General Criteria, a conditional use permit for a two or three family or townhouse dwelling unit in a Special Review District shall only be approved upon a finding that such use is consistent with all of the following criteria:~~

~~a. The use is consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.~~

~~b. The use is consistent with the intent and regulations of the R-2SRD and HMR-SRD Districts.~~

~~c. Special circumstances exist on the site which present an opportunity to evaluate the potential integration of two or three family or townhouse development into the predominately single family neighborhood. Special circumstances may include, but shall not be limited to, the following:~~

~~(1) Location on an arterial street;~~

~~(2) Location in close proximity to a more intensive zoning district or to transit service;~~

~~(3) Unusually large lot for a single family dwelling which, because of its shape, topography, lack of suitable access or other factors affecting the lot, could not be subdivided and developed in conformance with the regulations of the district; and~~

~~(4) The existence on the site of a single family dwelling with an above-grade floor area of more than 2,400 square feet, exclusive of garage area, in the case of an application for conversion to a two family dwelling, or 3,200 square feet in the case of a conversion to a three family dwelling.~~

~~d. The proposed use and development shall be compatible with the quality and character of surrounding residential development and shall not be materially detrimental to the overall single family dwelling environment and character of the general area, and in the case of conversion of an existing single family dwelling to a two or three family dwelling, the existing architectural features shall be maintained to the extent practicable.~~

~~e. Within designated Historic Districts, new two or three family development shall be consistent with the district's historic design guidelines. Conversions of single family dwellings to two or three family dwellings shall be limited to buildings listed as "noncontributing" on the historic district inventory adopted by the Landmarks Preservation Commission.~~

~~f. The proposed two family, three family or townhouse development shall be designed to present the general appearance of a detached single family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single family house. Or, each unit is accessed through a shared entrance. In the case of conversion of an existing single family dwelling to a two or three family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.~~

~~g. The proposed structure is designed to resemble a detached single family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the zoning district on one side of the structure.~~

~~h. The applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations; information on building materials, a landscape plan, and complete information indicating why the property is inappropriate for single family development. The purpose of these plans and information shall be to show consistency with the required criteria.~~

~~7. Infill Pilot Program.~~

~~a. Two family development may be allowed by conditional use permit in R-2 Districts. In addition to the General Criteria, a conditional use permit for a two family dwelling or two townhouse dwelling units in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:~~

~~(1) The proposed development site has a minimum lot size of 6,000 square feet in size.~~

~~(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.~~

~~(3) The proposed two family or townhouse development is consistent with the following:~~

~~(a) Development must respond to the context and neighborhood and single family structures through massing, bulk, materials, landscaping, and building placement.~~

~~(b) Each unit must have a primary entrance directly accessed from adjacent street.~~

(4) In the case of conversion of an existing single family dwelling to a two family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

(5) Applications for two family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

b. Multi family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District and in the R-2 District if the development is a renovation of an existing structure that does not increase building footprint. A conditional use permit for a multi family dwelling unit in R-2 or R-3 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 7,000 square feet in size.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed structure is designed to minimize the overall impression of density and bulk and to fit with established neighborhood patterns. Access to dwellings shall be through a shared primary entrance. Parking shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

(4) Applications for multi family dwellings in R-2 or R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

e. Between four and 24 Cottage Housing units may be allowed by conditional use permit in any residential district except HMR-SRD. A conditional use permit for a Cottage Housing unit shall only be approved upon a finding that such a use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 7,000 square feet in size.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed development is designed to provide variety in unit sizes, building and site features, and site design elements. Landscaping shall be designed in an attractive way and according to a coherent design. Residential units are laid out to be oriented to the public right of way and shared open space. Building massing is designed to have limited impact on neighboring properties and parking is to be off the alley, where possible, and minimized through screening and landscaping.

(4) Applications for Cottage Housing units in all residential districts except HMR-SRD shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060, TMC 13.06.080.C, and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

d. Planned Infill Housing developments may be allowed by conditional use permit in any residential district except HMR-SRD. A Conditional Use Permit for Planned Infill Housing shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 3,500 square feet in size in the R-3 Zone and 7,000 square feet in size in all other zones.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) Development must respond to context and neighboring structures through massing, bulk, materials, landscaping, and building placement.

(4) Buildings must orient entrances toward the public right of way and parking shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

(5) Applications for Planned Infill Housing units in all residential districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

[68. Uses in Historic Structures](#), [Adaptive Reuse of a Heritage Building](#).

a. In addition to the General Criteria, a conditional use permit for the reuse of a ~~historic structure~~heritage building, defined as any primary structure or substantial portion thereof built 50 or more years ago located in a Residential zoning district, and/or site for one of the below listed uses (where not otherwise allowed by the underlying zoning) shall be authorized only if it can be found to be consistent with all of the following criteria. This provision shall be limited to only parcels that contain structures and sites that ~~are individually listed on the Tacoma Register of Historic Places~~contain a heritage building, subject to limitations and standards outlined below and applicable to that use. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the existing, historic attributes of the building and site and surrounding uses.

~~b. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.~~

~~e. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional use permit:~~

~~(1) The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.~~

~~(2) Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.~~

~~(3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.~~

~~d.b.~~ The proposed re-use shall promote the preservation and/or restoration of the ~~designated historic structure~~heritage building(s) on the site by providing an economically viable continued occupancy and use of a structure which otherwise could be at risk of demolition.

~~e. Whether the proposed re-use is necessary to maintain and preserve the historic property due to unique circumstances of the property.~~

~~f.c.~~ If the structure or site is a designated historic landmark, then proposed development activities shall be subject to the requirements of TMC 13.07. The proposed reuse and design of any modifications to the historic structure(s) and site shall be approved by the Landmarks Preservation Commission.

d. To be eligible, all of the following must be applicable to the site:

(1) The site is located in a ~~UR 1, UR 2 or UR 3~~ Residential or Urban Residential District.

(2) These provisions are limited to heritage buildings as defined above and in TMC 13.01.060.H.

e. Exterior alterations. One of the purposes of these provisions is to encourage the retention of existing structures for their enrichment of the area's unique history and character. For this reason, proposed development is expected to be consistent with the standards related to exterior alterations in TMC 13.06.080.T. However, deviance from these standards may be considered through the CUP review. Such deviation shall be identified and specifically requested by the applicant. With such a request, the applicant must explain why the deviation is necessary and how the proposal still meets the spirit and intent of the section.

f. Use limitations. To ensure compatibility with nearby residential uses, the development is expected to be consistent with the use standards related to use of exterior space and hours of operation in TMC 13.06.080.T. However, deviance from these standards may be considered through the CUP review, considering site context and mitigating measures. Such deviation shall be identified and specifically requested by the applicant. With such a request, the applicant must explain why the deviation is necessary and how the proposal still meets the spirit and intent of the section. The specific use type limitations listed below are not eligible for deviation.

g. The proposed use(s) shall be limited to the following:

- Assembly facilities
- Commercial recreation/entertainment
- Continuing care retirement communities

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- [Craft production](#)
- [Cultural institutions, including art galleries](#)
- [Dwellings](#)
- [Eating and drinking](#)
- [Extended care facilities](#)
- [Group housing](#)
- [Intermediate care facilities](#)
- [Live/Work](#)
- [Offices](#)
- [Personal services](#)
- [Retail](#)
- [Retirement homes](#)
- [Short-term rentals](#)
- [Theater](#)

Craft production	Assembly facilities	Continuing care retirement community
Cultural institutions, including art galleries	Extended care facility	Group housing
Intermediate care facility	Short term rental	Multi-family dwellings
Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement home	Retail, only as an incidental use to one or more of the other listed uses	Eating and Drinking
Live Work		

[h. Conditions. In addition to the standards listed above, the Director may attach conditions to ensure that the applicable criteria are met.](#)

[i. Permitted Special Use and conditional use standards comparison.](#)

[Adaptive reuse of a heritage building is permitted by-right subject to Special Use standards as well as Conditional Use Permit approval. Whereas some eligibility and use standards are common to both, the CUP review provides an opportunity to request deviation from the exterior alterations \(13.06.080.T.4.c\) and use standards \(13.06.080.T.4.a\) as described above.](#)

9. Uses in the South Tacoma M/IC Overlay District.

When required, a conditional use permit for a use within the ST-M/IC South Tacoma Manufacturing/Industrial Overlay Zoning District, shall be authorized only if it can be found to be consistent with all of the following criteria:

- a. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
- b. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
- c. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
 - (1) The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.

(2) Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.

(3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

d. Freight movement will not be negatively impacted by the proposed use and related traffic generation.

e. The proposed use is not located adjacent to or within 500 feet of a primary rail or truck access for an industrial or manufacturing use.

f. The proposed use is not likely to negatively impact adjacent industrial and manufacturing uses or displace an existing industrial or manufacturing user.

24. Non-Industrial Uses in the Port of Tacoma Manufacturing and Industrial Center.

a. Decision: Hearing Examiner.

b. In addition to the general conditional use criteria in TMC 13.05.010.A, non-industrial conditional uses in the Port of Tacoma Manufacturing and Industrial Center shall meet the following criteria. In considering conditional use permit applications, the City will consult with the Puyallup Tribe of Indians and Port of Tacoma to determine potential off-site impacts on port/industrial facilities and operations, and to identify appropriate mitigation measures.

(1) The location will not significantly interfere with container shipping facilities. Mitigation may be required to avoid and minimize disruptions to nearby industrial activity.

(2) The location is buffered from potentially high-impact industrial facilities.

(3) The use will incorporate design elements to reduce impact on employees and customers from adjacent or nearby industrial activities.

25. [Urban Residential – Tier 2](#) Affordable housing bonus.

The intent of this section is to provide an optional incentive to religious organizations and/or nonprofits seeking to develop and manage ~~multifamily~~ [multi-unit](#) projects integrating significant affordable housing, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood. Applications for conditional use permits for [Tier 2 Affordable housing bonuses](#) ~~Bonus Density for Affordable Housing~~ on land owned by religious organizations or by nonprofit affordable housing providers shall be processed in accordance with the standard procedures for conditional use permits, with the following additional requirements.

~~a. The application criteria and review process shall be the same as the Infill Pilot Program per TMC 13.05.060.~~

~~a.~~ [b.](#) Religious organizations as defined by RCW 26.04.007, as amended, as well as nonprofit affordable housing providers, meeting the requirements of these provisions may utilize the land use and development standards ~~applicable to the R4-L Residential District~~ [of the Tier 2 Affordable housing bonuses in the Urban Residential Districts.](#)

[b.](#) All the dwelling units in the development must be affordable at 60 percent Area Median Income for rentals or 80 percent of Area Median Income for ownership.

~~e. To qualify, applicants must provide a minimum of 20% of the total units affordable for a minimum of 15 years at the following affordability rates:~~

~~(1) Rental units must be affordable at the 80% of Area Median Income.~~

~~(2) Ownership units must be affordable at 115% of Area Median Income.~~

~~(3) c.~~ The ~~general~~ provisions of TMC 1.39 Affordable Housing Incentives and Bonuses Administrative Code shall apply. The fee in lieu option is not available for this purpose.

d. Pre-application site inspection for conversion of an existing building.

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Prior to submitting an application for a conditional use permit, for conversion of an existing building for use as affordable housing, to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.

e. If the proposed development will include any special needs housing or on-site social service uses the conditional use permit will also follow and comply with the special needs housing conditional use permit process, criteria and conditions 13.05.010.A.5.

~~f. The providing organization must comply with all sections of the federal Fair Housing Amendments Act of 1988.~~

~~g. In reviewing the Conditional Use Permit, the Director may place such conditions as may be necessary to ensure compatibility with the surrounding area, which may include such items as parking location, pedestrian improvements, and building design.~~

26. Pre-existing non-residential uses in residential districts

a. A conditional use permit may be granted for the replacement, reuse or expansion of existing structures in a residential zoning district for proposals meeting the General Criteria as well as following criteria. The intent of these provisions is to provide flexibility and development opportunities that promote additional housing opportunities and/or neighborhood-oriented and neighborhood-serving non-residential uses, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood.

b. To be eligible, all of the following must be applicable to the site:

- (1) The site is located in a residential zoning district.
- (2) The site is less than 1 acre in size.
- (3) The uses and/or structures are either legally nonconforming or legally permitted.
- (4) The primary building(s) or site improvements constructed for a non-residential use are still in place, irrespective of whether they continue to be used for their original purpose.

c. The proposed use(s) shall be limited to the following:

- [Assembly facilities](#)
- [Continuing care retirement communities](#)
- [Craft production](#)
- [Cultural institutions, including art galleries](#)
- [Dwellings](#)
- [Eating and drinking](#)
- [Extended care facilities](#)
- [Group housing](#)
- [Intermediate care facilities](#)
- [Live/Work](#)
- [Offices](#)
- [Personal services](#)
- [Retail, provided it is primarily neighborhood serving](#)
- [Retirement homes](#)
- [Short-term rentals](#)

Craft production	Assembly facilities	Continuing care retirement communities
Cultural institutions, including art galleries	Extended care facilities	Group housing
Intermediate care facilities	Short term rentals	Multi family dwellings Dwellings

Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement homes	Retail, provided it is primarily neighborhood serving	Eating and Drinking
Live/Work		

d. Provided that the intent of this section is met, the replacement, reuse or expansion of existing structures and improvements shall be permitted subject to the development standards of the Neighborhood Commercial (C-1) Zoning District, along with any specific standards applied through the conditional use permit to meet that intent.

e. In some circumstances, the Director or Hearing Examiner may find that proposed development does not meet the neighborhood compatibility intent of this section and should be denied. For example, structures that are substantially taller than the neighborhood average height that do not provide reasonable transitions to neighboring residential development would not meet the intent. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the size, location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the surrounding area.

f. For proposals consistent with the provisions of this section, this process provides a remedy to nonconforming status as defined in TMC 13.06.010.L. The requirements of this section and the specific conditions of an approved Conditional Use Permit supersede some or all of the nonconforming standards that might otherwise apply.

27. Residential Business 2.

a. Purpose. The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; reduce traffic congestion by providing opportunities for residents to work in their homes and reduce work-related commute trips; and to protect neighborhood character by establishing criteria and standards to ensure that residential business are conducted in a manner that is clearly secondary and incidental to the primary use of the property as residential and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

b. Criteria. In addition to the General Criteria, a conditional use permit for a Residential Business 2 shall be authorized only if it can be found to be consistent with all of the following criteria.

- (1) The occupation must be clearly incidental and subordinate to the use of the dwelling as a residence.
- (2) Any outdoor display or storage of materials, goods, supplies, or equipment used in the residential business shall be fully screened from view beyond the site.
- (3) Except for signs permitted below, there shall be no change in the outside appearance of the building or premises, or other visible evidence that the residence is being operated as a residential business, along any street-facing facades.
- (4) A residential business use shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.
- (5) Limited on-premises sales of products or stock-in-trade may be permitted in conjunction with a residential business; provided the applicant can clearly demonstrate that such on-premises sales will be consistent with the criteria set forth above.
- (6) The number of people that do not reside on the premises that are engaged in the residential business at the dwelling is not limited, so long as any negative impacts are found to be sufficiently mitigated consistent with the criteria set forth above.
- (7) Public hours of operation. Any aspects of the business that are available to the public shall only be conducted between 8 a.m. to 8 p.m.
- (8) One non-illuminated sign shall be allowed for each dwelling containing a residential business provided the applicant can clearly demonstrate that such on-premises sales will be consistent with the criteria set forth

above. The maximum size of the sign shall be determined as a condition based on the proposed use, site characteristics, and surrounding context.

(9) The Director may attach additional conditions to a residential business license to ensure that the criteria set forth above are met.

c. Residential Business 1 and Residential Business 2 comparison.

Both Residential Business 1 and Residential Business 2 allows for limited commercial activity within a residential structure. Whereas some of these limitations are common to both types, Residential Business 2 generally allows for more intensive commercial use compared to those permitted in Residential Business 1. The table below identifies which use standards are shared and which are different.

<u>Standard</u>	<u>Residential Business 1</u>	<u>Residential Business 2</u>	<u>Comparison</u>
<u>Primary use</u>	<u>The business use must be subordinate to the residential use.</u>	<u>The business use must be subordinate to the residential use.</u>	<u>Same</u>
<u>Outdoor display</u>	<u>Outdoor display or storage is prohibited</u>	<u>Outdoor display or storage is permitted but must be screened</u>	<u>Different</u>
<u>Exterior alterations</u>	<u>Changes to the building's outside appearance is prohibited</u>	<u>Changes to the building's outside appearance is prohibited along street-facing facades, but permitted elsewhere</u>	<u>Different</u>
<u>Impacts</u>	<u>Must not exceed those typical for a residential neighborhood</u>	<u>Must not exceed those typical for a residential neighborhood</u>	<u>Same</u>
<u>On-site sales</u>	<u>Limited to product accessory to a service arranged by appointment</u>	<u>Permitted so long as other criteria are met</u>	<u>Different</u>
<u>Non-resident employees</u>	<u>Limited to two employees</u> <u>No limit but any impacts are subject to necessary mitigation</u>	<u>No limit but any impacts are subject to necessary mitigation</u>	<u>Different</u> <u>Same</u>
<u>Hours of operation</u>	<u>Public hours limited to 8 a.m. to 8 p.m.</u>	<u>Public hours limited to 8 a.m. to 8 p.m.</u>	<u>Same</u>
<u>Signage</u>	<u>Limited to one non-illuminated sign, max. ½ sq. ft.</u>	<u>Limited to one non-illuminated sign, no size limit so long as other criteria are met</u>	<u>Different</u>

28. Mixed-use residential development, limited.

a. Applicability.

Mixed-use residential development, limited shall be permitted in accordance with the district use table in TMC 13.06.020.E.4, subject to other limitations and standards outlined below and applicable to that use.

b. Purpose.

These provisions permit new mixed-use structures in certain Residential and Urban Residential zones. Mixed-use development can provide convenient access from residences to places of employment and goods and services and support community goals related to reducing automobile dependence. Mixed-use residential development, limited is also permitted without a Conditional Use Permit at corner sites located adjacent to a designated Pedestrian Street or arterial street within the eligible zoning districts (TMC 13.06.080.U). The non-residential use is also subject to specific area cap. These CUP provisions provide a path to locate Mixed-use residential development, limited elsewhere within these zoning districts and without the specific area cap subject to general and specific CUP criteria. A table comparing the two allowances is provided below. The CUP review also allows the addition of conditions that mitigate any negative impacts commercial uses might pose to surrounding residential uses.

c. General standards

(1) To be eligible, all of the following must be applicable to the site:

- (a) The site is located in a UR-3, R-4, and R-5 zoning district.

d. Use standards.

(1) All development must conform to the Special Use standards contained in 13.06.080.U.4, except 13.06.080.U.4(3), which limits non-residential uses to 3,000 sq. ft. cumulatively.

e. Criteria. In addition to the General Criteria, the Director may attach conditions to ensure that the applicable criteria and use standards are met.

f. Permitted Special Use and conditional use standards comparison.

Mixed-use residential development, limited is permitted by-right subject to Special Use standards and with fewer restrictions subject to Conditional Use Permit approval. Whereas some eligibility and use standards are common to both, they differ in important ways. The table below identifies which aspects are shared and which are different.

<u>Standard</u>	<u>Special Use, by-right</u>	<u>Conditional Use</u>	<u>Comparison</u>
<u>Eligibility</u>	<u>UR-3, R-4, or R-5 zoning; Pedestrian Street or arterial street frontage; and corner site</u>	<u>UR-3, R-4, or R-5 zoning</u>	<u>Different</u>
<u>Residential use</u>	<u>Must occupy more than 50% of building</u>	<u>Must occupy more than 50% of building</u>	<u>Same</u>
<u>Non-residential use, location</u>	<u>Limited to ground floor; within 100 ft. of a Pedestrian Street or arterial street</u>	<u>Limited to ground floor</u>	<u>Different</u>
<u>Non-residential use, area</u>	<u>Max. 3,000 sq. ft.</u>	<u>No specific area limit</u>	<u>Different</u>
<u>Non-residential use, exterior uses</u>	<u>Max. 50% of interior space, use and storage limited to public hours of operation</u>	<u>Max. 50% of interior space, use and storage limited to public hours of operation</u>	<u>Same</u>
<u>Hours of operation</u>	<u>Public hours limited to 8 a.m. to 8 p.m.</u>	<u>Public hours limited to 8 a.m. to 8 p.m.</u>	<u>Same</u>
<u>Non-residential uses</u>	<u>Limited to specified uses</u>	<u>Limited to specified uses</u>	<u>Same</u>

B. Variances.

1. Administration.

a. All variances shall be processed in accordance with provisions of Chapter 13.05. Certain regulatory relief may be sought consistent with sections below that provide for potential variances in specified development situations.

b. A minor variance is one in which the code relief requested is within 10 percent of the quantified standard contained in the code and shall be processed in accordance with 13.05.070.B. Minor variances may be granted for quantitative development regulations other than height, accessory building height, design, sign regulations, and off street quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.

c. A variance is one in which the code relief requested is beyond the threshold outlined above for minor variances and shall be processed in accordance with 13.05. 070.C.

d. Both types of variances shall be subject to the same decision criteria found in this section. Minor variances shall not be granted for height in the View Sensitive Overlay District and for qualitative standards to which a 10 percent threshold would not apply.

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e. In the exercise of their powers to grant variances to, or interpret, the regulations contained in this chapter, the Director and Hearing Examiner may not, by any act or interpretation, change the allowed use of a structure or land, change the boundaries of a zoning district, or change the zoning requirements regulating the use of land.

2. Specified variances.

d. Design.

(1) Applicability. These shall include variances to design standards as set forth in Sections 13.06.100 and 13.06.090, with the exceptions of those uses and developments with specific variance criteria.

(2) Criteria. The Director or Hearing Examiner may, in specific cases, authorize variances to design standards upon the finding that the variance request meets one of the criteria listed below. Standardized corporate design and/or increased development costs are not cause for variance. Failure to meet an appropriate test shall result in denial of the variance request. The Director or Hearing Examiner may issue such conditions as necessary to maximize possible compliance with the intent of the regulation from which relief is sought. The applicant carries the burden of proof to demonstrate applicability of the appropriate test(s):

- (a) Unusual shape of a parcel established prior to 2002 creates practical difficulties in achieving compliance with the design standard sought to be varied.
- (b) Preservation of a critical area, unique natural feature, or historic building and/or feature creates practical difficulties in achieving compliance with the design standard sought to be varied.
- (c) Widely varied topography of the building site creates practical difficulties in achieving compliance with the design standard sought to be varied.
- (d) Documentation of a pending public action, such as a street widening, creates practical difficulties in achieving compliance with the design standard sought to be varied.
- (e) A proposed alternative design that departs from a requirement that can be demonstrated to provide equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.

(1) The following provides specific guidance regarding variances to the tree planting and retention requirements of TMC 13.06.090.B. If the applicable tree credits required in the zoning district are not achievable on the site, and/or the proposal includes the removal of a tree(s) over 18 24 inches in DBH:

a. the applicant must:

- i. Demonstrate the infeasibility of meeting the tree retention and/or planting requirement;
- ii. Demonstrate that comparable benefits will be achieved on the site to the extent feasible; and,
- iii. Pay the in lieu Canopy Loss Fee or Tree Credit Fee required per TMC 13.06.090.B.

b. In no case shall the required tree credits be less than 20% of the lot area in UR-1 and UR-2, and 15% of the lot area in UR-3. 200 credits or 5 percent of the site area, whichever is greater. Examples of comparable benefits are contained in the UFM. Achieving allowed density or specific unit size shall not be cause for variance.

c. In UR zones, an existing tree over 6" DBH located in a setback area with 75% of the tree's critical root zone in the setback area or offsite does not qualify as limiting development

e. Variance to sign regulations.

(1) Applicability. Variances to sign regulations found in Section 13.06.090.I shall be categorized as one of the following:

- (a) Level 1 Sign Variances: Any sign variance request for up to a 25 percent increase in the permitted sign area or height or to allow an increase in the permitted number of signs. Such variance requests shall be reviewed against the criteria outlined in Section 13.05.010.B.2.e (2). In no instance, shall a Level 1 Sign Variance allow the height of a sign to exceed 35 feet or exceed the height of the building it identifies, whichever is lower, if located on a site with freeway frontage.

(b) Level 2 Sign Variances: Any sign variance request beyond 25 percent of the permitted sign size or height and any request for relief from sign setback, separation, location, or other sign standard not identified above. Such requests shall be reviewed against the criteria outlined in Sections 13.05.010.B.2.a and 13.05.010.B.2.e(2).

(2) Criteria. The Director may approve a sign variance for one or more of the following reasons:

- (a) The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.
- (b) The proposed signage will preserve a desirable existing design or siting pattern for signs in an area, including, but not limited to, size, materials, color, lettering, and location.
- (c) The proposed signage will minimize view obstruction or preserve views of historically or architecturally significant structures.
- (d) In a shopping center or mixed-use center, the proposed sign plan provides an integrated sign program consistent with the overall plan for the center.
- (e) In a shopping center or mixed-use center, the variance is warranted because of the physical characteristics of the center or site, such as size, shape, or topography, or because of the location of signs in existence on the date of passage of this section.

13.05.030 Zoning and Land Use Regulatory Code Amendments.

A. General Provisions.

1. Whenever this chapter has been, or is hereafter, amended to include in a different district, property formerly included within classified district boundaries of another district, such property shall be deemed to thereupon be deleted from such former district boundaries.

6. Area-wide reclassifications supersede.

Area-wide reclassifications adopted by the City Council supersede any previous reclassifications and any conditions of approval associated with such previous reclassifications.

7. Affordable housing – privately initiated upzones.

Privately initiated residential upzones, [including any zoning change that increases residential development capacity and incorporates residential development](#), shall be conditioned to provide for inclusion of affordable housing. For development proposals meeting the thresholds and criteria of TMC 1.39, a certain number of the dwelling units shall be entered by the project proponent into the City's Affordable Housing Incentives Program. That number may be designated at the time of the upzone, or alternatively the upzone shall be conditioned to provide that designated percentage of affordable units at such time as a specific residential development proposal is submitted to the City.

8. Affordable housing – City-initiated upzones.

In order to ensure consistency with the housing policies of the Comprehensive Plan which promote mixed-income neighborhoods citywide, the City shall analyze the supply of affordable housing in the vicinity of the proposed upzone, and assess whether the upzone would substantially exacerbate affordability challenges. If there are affordability issues associated with the proposed upzone, the City shall consider actions to address them, potentially including placing special conditions on the upzone, targeting City programs or funding to increase the affordable housing supply, or other methods.

13.05.050 Development Regulation Agreements.¹**A. Purpose.**

Pursuant to RCW 36.70B.170-210, the purpose of this section is to create an optional application procedure that could authorize certain major projects in key locations to be reviewed, rated, approved, and conditioned according to the extent to which they advance the Comprehensive Plan's goals and policies. In addition to demonstrating precisely how it significantly advances the goals and policies of the Comprehensive Plan by achieving the threshold set forth in subsection 13.05.050.D, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in subsection 13.05.050.B must document specific compliance with the policies and standards set forth in the Downtown Element, Housing Element, or Tacoma Mall Neighborhood Subarea Plan, as applicable, as well as with other pertinent Comprehensive Plan goals and policies.

It is anticipated that there will be a degree of flexibility in the application of the City's development regulations so that any conditions are tailored to the specifics of the proposed project and community vision in such a manner as to ensure that significant public benefits are secured. Project approval is embodied in a contract designed to assure that anticipated public benefits are realized according to agreed upon terms and conditions that may include, but are not limited to, project vesting, timing, and funding of on- and off-site improvements.

The City is authorized, but not required, to accept, review, and/or approve the proposed Development Regulation Agreements. This process is voluntary on the part of both the applicant and the City.

D. Review criteria.

The City Manager, and such designee or designees as may be appointed for the purpose, shall negotiate acceptable terms and conditions of the proposed Development Regulation Agreement based on the following criteria:

1. The Development Regulation Agreement conforms to the existing Comprehensive Plan. Except for projects on a public facility site of at least five acres in size, conformance must be demonstrated by the project, as described in the Development Regulation Agreement, scoring 800 points out of a possible 1,050 points, according to the following scoring system (based on the Downtown Element, the Housing Element, or on the Tacoma Mall Neighborhood Subarea Plan, as applicable):

- a. Balanced healthy economy. In any project where more than 30 percent of the floorspace is office, commercial, or retail, one point shall be awarded for every 200 square feet of gross floorspace (excluding parking) up to a maximum of 290 points.
- b. Achieving vitality downtown (applicable within the Downtown Regional Growth Center). Up to 40 points shall be awarded for each of the following categories: (i) CPTED design ("Crime Prevention Through Environmental Design"), (ii) sunlight access to priority public use areas, (iii) view maximization, (iv) connectivity, (v) quality materials and design, (vi) remarkable features, (vii) access to open space, and (viii) street edge activation and building ground orientation.
- c. Sustainability. Up to 50 points shall be awarded for each of the following categories: (i) complete streets, (ii) transit connections, (iii) energy conservation design to a L.E.E.D. (Leadership in Energy and Environmental Design) certification to a platinum level or certified under another well-recognized rating system to a level equivalent to certification to a platinum level, and (iv) Low Impact Development Best Management Practices and Principles.
- d. Quality Urban Design. Up to 60 points shall be awarded for each of the following categories: (i) walkability, (ii) public environment, (iii) neighborliness, and (iv) support for public art. Review of any proposed public art shall

¹ Code Reviser's note: Previously codified as 13.05.095 (Development Regulation Agreements); relocated to 13.05.050 per Ord. 28613 Ex. G; passed Sept. 24, 2019.

be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.

e. Achieving vitality in the Tacoma Mall Neighborhood (applicable within the Tacoma Mall Neighborhood Regional Growth Center). Up to 40 points shall be awarded for each of the following categories: (i) enhanced site connectivity above and beyond requirements; (ii) landscaping, pedestrian paving, site features and amenities that demonstrably exceed requirements; (iii) provision of public gathering spaces (e.g., for markets, events, festivals); (iv) provision of publicly accessible recreational amenities; (v) provision of neighborhood-serving amenities or services (such as a grocery store, medical clinic, or community center); (vi) distinctive modern, contemporary signage that contributes to the identity of the subarea; (vii) street edge activation and building ground orientation that demonstrably exceeds requirements; and (viii) green stormwater infrastructure and tree canopy coverage that demonstrably exceeds requirements.

f. Achieving housing goals (applicable to sites [outside of Centers](#) meeting the criteria of TMC 13.05.050.B.6, above).

(1) The following minimum affordability requirements shall be met (meeting this requirement shall earn 200 points):

(a) 20% of total units must be affordable at 60% of Area Median Income (AMI) for rentals for at least ~~15~~50 years, or

(b) 20% of the total units must be affordable at 80% of AMI for ownership for at least ~~15~~50 years.

(2) An additional 40 points shall be awarded for each of the following, up to a maximum of 320 additional points:

(a) An additional 5% of total units meeting the above affordability requirements;

(b) An additional 5% reduction in housing cost relative to AMI for all affordable units;

(c) An additional 5 year affordability duration for all affordable units.

(3) The general provisions of TMC 1.39 Affordable Housing Incentives and Bonuses Administrative Code shall apply; the fee in lieu option is not available for this purpose. The City Council may choose to require additional affordability conditions in order to achieve consistency with the Comprehensive Plan Housing Element.

(4) Projects meeting these affordability requirements are eligible for the multifamily property tax exemption ([MFTE](#)) 12-year affordability option, and the same units may be counted as affordable for both purposes.

2. Appropriate project or proposal elements, such as permitted uses, residential densities, nonresidential densities and intensities, or structure sizes, are adequately provided to include evidence that the site is adequate in size and shape for the proposed project or use, conforms to the general character of the neighborhood, and would be compatible with adjacent land uses.

H. Enforcement.

Unless amended pursuant to this section and the terms of the agreement, or terminated, a Development Regulation Agreement is enforceable during its term by a party to the Development Regulation Agreement. A Development Regulation Agreement and the development standards in the Development Regulation Agreement govern during the term of the agreement or for all or that part of the specified build-out period. The Agreement will not be subject to a new or amended zoning ordinance or development standard adopted after the effective date of the Agreement, unless otherwise provided in the Agreement or unless amended pursuant to this section. Any permit or approval issued by the City after the execution of the Agreement must be consistent with the Development Regulation Agreement.

13.05.060 ~~Repealed~~ - Residential Infill Pilot Program

~~A. Purpose.~~

~~To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform~~

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~~a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.~~

~~B. Term.~~

~~The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been revised and updated, with input from the Planning Commission, and authorized by the Director. The Pilot Program will be reassessed as directed by the City Council or by the Director. Once six spaces in all of the categories have been completed in each Council District in Tacoma, no additional applications will be accepted for that category until further Council action has been taken.~~

~~C. Applicability.~~

~~The provisions of this section apply to the following categories of residential infill:~~

- ~~1. Two family dwelling or two townhouse dwelling units within the R-2 District;~~
- ~~2. Multifamily development within the R-3 District. In addition, applications to the Infill Pilot Program for renovations of existing structures that do not increase building footprint will be reviewed in the R-2 District;~~
- ~~3. Cottage Housing development within any residential district except the HMR-SRD District; and~~
- ~~4. Planned Infill Housing option in all residential districts.~~

~~D. Consistency with the TMC.~~

~~Proposals submitted to the Infill Pilot Program must be consistent with the provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent sections of the TMC that apply.~~

~~E. Submittals.~~

~~Proponents of any of the above innovative residential infill development types shall submit the following:~~

- ~~1. Site plan(s) showing proposed and existing conditions.~~
- ~~2. Building elevations from all four sides, showing proposed and existing conditions.~~
- ~~3. A massing study.~~
- ~~4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.~~
- ~~5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.~~
- ~~6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.020.~~
- ~~7. A complete application, along with applicable fees, for any required land use permits, including a Conditional Use Permit. Such processes may require public notification and/or meetings.~~
- ~~8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.~~

~~F. Review process.~~

~~The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner's decision and conditions of approval.~~

- ~~1. This body will include the following representatives:

 - ~~a. The Director or designee;~~
 - ~~b. The Long Range Planning Manager or designee;~~
 - ~~c. A City staff member with residential building and site development expertise;~~
 - ~~d. A designee representing the area Neighborhood Council where the project is proposed;~~
 - ~~e. An architect or urban design professional;~~~~

~~f. A representative of the Landmarks Preservation Commission, if the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties; and~~

~~g. The Current Planning Manager or designee.~~

~~2. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:~~

~~a. Designation of the historically significant property to the Tacoma Register of Historic Places.~~

~~b. Avoidance of the historically significant property or minimizing exterior changes to the property.~~

~~c. Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.~~

~~3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following:~~

~~a. Responsiveness to the following basic neighborhood patterns established by existing development in the area:~~

~~(1) Street frontage characteristics.~~

~~(2) Rhythm of development along the street.~~

~~(3) Building orientation on the site and in relation to the street.~~

~~(4) Front setback patterns.~~

~~(5) Landscaping and trees.~~

~~(6) Backyard patterns and topography.~~

~~(7) Architectural features.~~

~~(8) Historic character, if located within a designated Historic District.~~

~~(9) Whether adverse impacts to properties that are eligible for listing on a historic register can be mitigated.~~

~~b. Pedestrian-friendly design. The proposed development must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways and must emphasize pedestrian connectivity. The quality of the pedestrian experience within the site and in the abutting public right-of-way shall be high.~~

~~c. De-emphasize parking. Parking is not required for projects in the Infill Pilot Program, but if parking is provided, the project should de-emphasize parking in terms of its prominence on the site and its visibility from the public right-of-way.~~

~~d. Minimize scale contrasts, shading and privacy impacts. The proposal must demonstrate that it will limit abrupt changes in scale between the proposed development and existing buildings on adjacent parcels. Privacy and shading impacts on abutting parcels must be prevented or reduced to a reasonable extent.~~

~~e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents.~~

~~f. Sustainable features. In the case of multifamily development in the R-3 District, and Cottage Housing, the proposal must provide documentation of the incorporation of sustainability features through one of the following certification programs:~~

~~(1) Built Green 3 Stars; LEED Bronze; or equivalent.~~

~~g. Consistency with Residential Infill Pilot Program Handbook. The proposed development must demonstrate consistency with the housing type-specific standards and Design Elements contained within the latest version of the Residential Infill Pilot Program Handbook.~~

~~G. Residential Infill Pilot Program Handbook.~~

~~The Director shall prepare, and update as appropriate, an Infill Pilot Program Handbook to illustrate the design intent, clarify and explain the standards for each housing type, clarify the permit process, and provide additional information of use to program applicants and the special advisory review body.~~

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~~H. Decision.~~

~~As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the proposal meets the intent of this section and incorporate conditions as appropriate into the land use and building permit approvals. In the case of projects in historic or conservation districts, or individually designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.040. The Director has discretion to increase, decrease, or modify development standards, including setbacks, height, and parking, in order to ensure the proposal is fully consistent with the intent of the Infill Pilot Program prior to issuance of a decision.~~

13.05.130 Modification/revision to permits.

A. Purpose.

The purpose of this section is to define types of modifications to permits and to identify procedures for those actions.

B. Minor Modifications.

No additional review for minor modifications to previously approved land use permits is required, provided the modification proposed is consistent with the standards set forth below:

1. The proposal results in a change of use that is permitted outright in the current zoning classification.
2. The proposal does not add to the site or approved structures more than a 10 percent increase in square footage.
3. If a modification in a special condition of approval imposed upon the original permit is requested, the proposed change does not modify the intent of the original condition.
4. The proposal does not increase the overall impervious surface on the site by more than 25 percent.
5. The proposal is unlikely to result in a notable increase in or any new significant adverse effects on adjacent properties or the environment.
6. Any additions or expansions approved through a series of minor modifications that cumulatively exceed the requirements of this section shall be reviewed as a major modification.

C. Major Modifications.

Any modification exceeding any of the standards for minor modifications outlined above shall be subject to the following standards.

1. Major modifications shall be processed in the same manner and be subject to the same decision criteria that are currently required for the type of permit being modified. Major modifications to Site Rezone Permits that do not change the site's zoning designation shall be considered by the Director and processed as a Process II permit, consistent with the regulations found in Section 13.05.070.D. Major modifications to Conditional Use Permits shall be processed as a Process I permit, consistent with the regulations found in Section 13.05.070.C.
2. In addition to the standard decision criteria, the Director or Hearing Examiner shall, in their review and decision, address the applicability of any specific conditions of approval for the original permit.

F. PRD District Modifications.

1. Proposed modifications to development approved in a PRD District rezone and/or site approval shall, in addition to the above criteria, be deemed minor only if all the following criteria are satisfied:
 - a. No new land use is proposed;
 - b. No increase in density, number of dwelling units, or lots is proposed;
 - c. No reduction in the amount of approved open space is proposed, excluding reductions in private yards; and

d. No reduction in the amount, quality or condition of sustainability features and, when applicable, affordable housing units required as part of the PRD decision, ~~pursuant to a density increase per the provisions of TMC 13.06.070.C.~~

Examples of minor modifications could include, but are not limited to, lot line adjustments, minor relocations of buildings or landscaped areas, minor additions to existing buildings, the construction of accessory buildings, and minor changes in phasing and timing.

2. In addition to the standard criteria applicable to major modifications to a PRD District rezone and/or site approval, such major modifications to fully or partially developed PRD Districts shall only be approved if found to be consistent with ~~the following additional decision criteria:~~ underlying zoning designation. Major modifications shall be processed as a zoning reclassification (and, if necessary, a Plat Alteration) to the underlying zoning district.

~~a. The proposed modification shall be designed to be compatible with the overall site design concept of the originally approved site plan. In determining compatibility, the decision maker may consider factors such as the design, configuration and layout of infrastructure and community amenities, the arrangement and orientation of lots, the layout of different uses, and the bulk and scale of buildings, if applicable, with a particular focus on transition areas between existing and proposed development.~~

~~b. The proposed modification shall be generally consistent with the findings and conclusions of the original PRD rezone decision.~~

~~c. If the existing PRD District is nonconforming to the current development standards for PRD District, the proposed modification does not increase the district's level of nonconformity to those standards.~~

G. Other permits.

Any modification, whether considered minor or major, may still require approvals other than the type granted for the original development. For example, an existing, permitted conditional use seeking a modification that qualifies as a minor modification to their existing conditional use permit but that also necessitates a variance to a development standard, would not be required to obtain approval of a major modification to their existing conditional use permit or a new conditional use permit but would need to receive a variance permit for the project.

CHAPTER 13.06 ZONING

Sections:

13.06.010	General Provisions.
13.06.020	Residential Districts.
13.06.030	Commercial Districts.
13.06.040	Mixed-Use Center Districts.
13.06.050	Downtown.
13.06.060	Industrial Districts.
13.06.070	Overlay Districts.
13.06.080	Special Use Standards.
13.06.090	Site Development Standards.
13.06.100	Building Design Standards.

13.06.010 General Provisions

B. Zoning code administration – General purposes.

1. The broad purposes of the zoning provisions of the Tacoma Municipal Code are to protect and promote the public health, safety, and general welfare, and to implement the policies of the Comprehensive Plan of the City of Tacoma. More specifically, the zoning code is intended to:

a. Provide a guide for the physical development of the City in order to:

- (1) ~~Preserve the character and quality of residential neighborhoods~~ [Support the City's housing growth strategy](#);
- (2) Foster convenient, harmonious, and workable relationships among land uses; and
- (3) Achieve the arrangement of land uses described in the Comprehensive Plan.

b. Promote the economic stability of existing land uses that are consistent with the Comprehensive Plan and protect them from intrusions by inharmonious or harmful land uses.

c. Promote intensification of land use at appropriate locations, consistent with the Comprehensive Plan, and ensure the provision of adequate open space for light, air, and fire safety.

d. Foster development patterns that offer alternatives to automobile use by establishing densities and intensities that help make frequent transit service feasible, and encourage walking and bicycling. This emphasis on alternative transportation will also have air quality benefits and will conserve energy.

e. Establish review procedures to ensure that new development is consistent with the provisions of this chapter and all other requirements of this code.

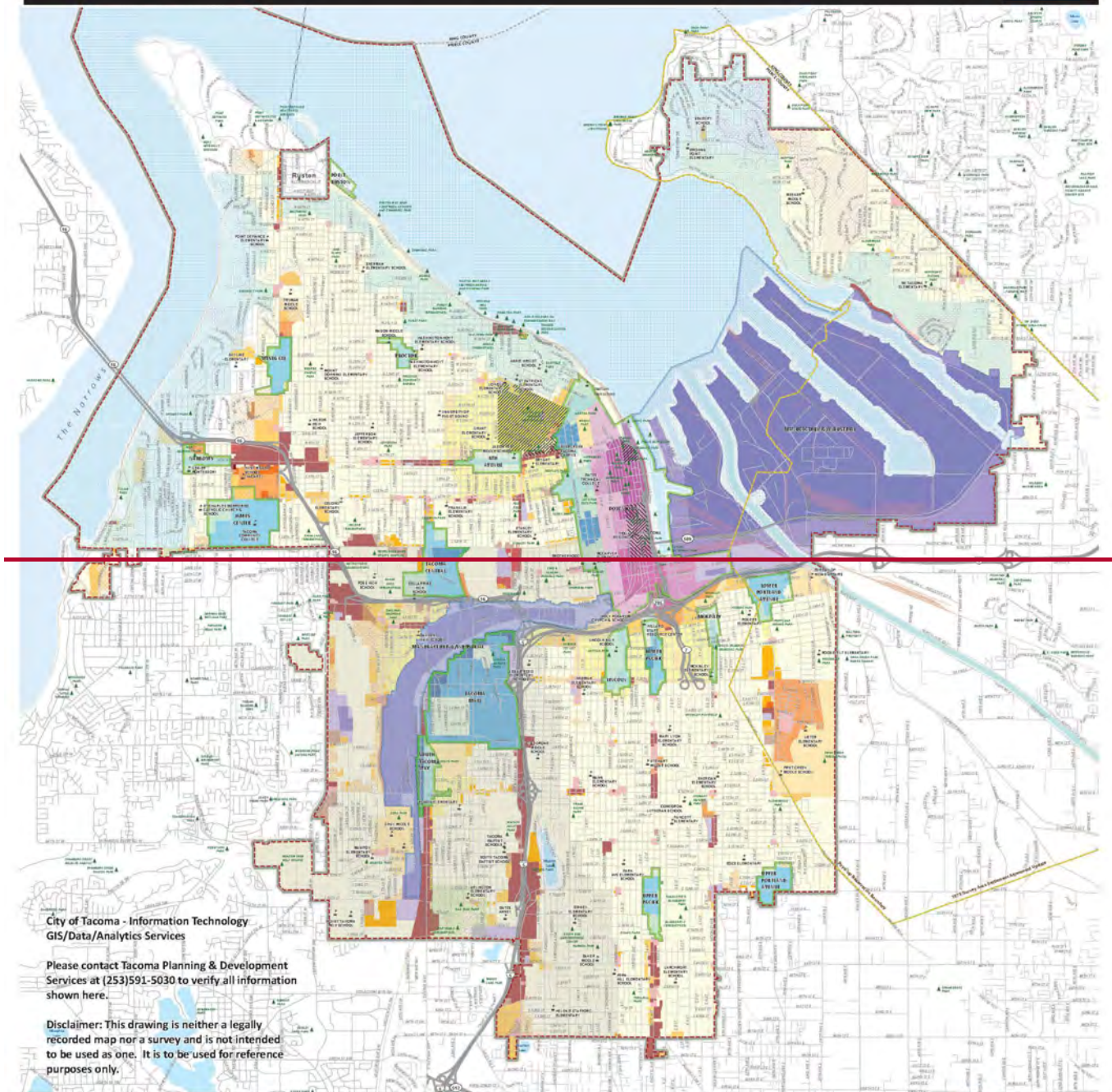
C. Official Zoning Map.

The following map is a general representation of the zoning classifications and their boundaries, as established in this Chapter.

[See next page for map.]

ZONING

Effective October 31, 2019



City of Tacoma - Information Technology
GIS/Data/Analytics Services

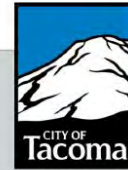
Please contact Tacoma Planning & Development
Services at (253)591-5030 to verify all information
shown here.

Disclaimer: This drawing is neither a legally
recorded map nor a survey and is not intended
to be used as one. It is to be used for reference
purposes only.

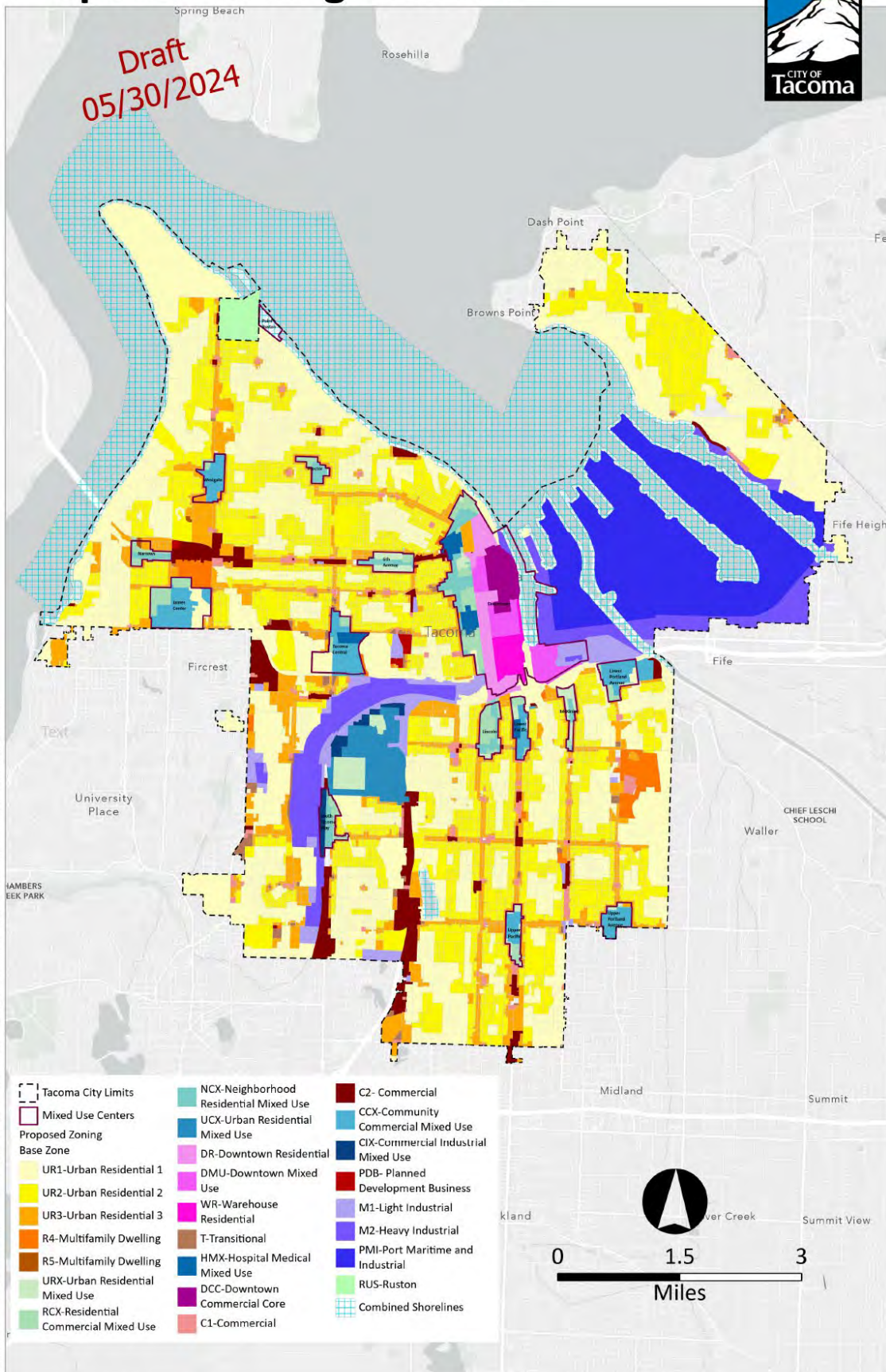


City Limits		Zoning Districts		Commercial	
[Red outline]	City Limits	[White]	Residential	[Red]	C1 : Commercial
[Black outline]	County Boundary	[Black]	R1 : One Family Dwelling	[Pink]	HM : Hospital/Medical
[Yellow outline]	2023 Survey Area - Settlement Agreement Update	[White]	R2 : One Family Dwelling	[Light Blue]	PDR : Planned Business Development
[Green outline]	Manufacturing / Industrial Center	[White]	R2-SR : One Family Dwelling - Special Review	[Red]	C2 : Commercial
[Blue outline]	Mixed Use Centers	[White]	HMS-SR : Historic Mixed Residential - Special Review	[Green]	Mixed-Use Center
[Diagonal lines]	Zoning Overlays	[White]	R3 : Two Family Dwelling	[Light Green]	NKX : Neighborhood Residential Mixed-Use
[Dotted]	CDMS - Conservation	[White]	R4 : Low Density Multiple Family Dwelling	[Light Blue]	LKX : Urban Residential Mixed-Use
[Horizontal lines]	MS - Military	[White]	R5 : Multiple Family Dwelling	[Light Green]	CKX : Residential Commercial Mixed-Use
[Vertical lines]	MSD - Planned Residential Development	[White]	R6 : Multiple Family Dwelling	[Light Blue]	NKX : Neighborhood Commercial Mixed-Use
[Diagonal lines]	SI-MDC South Tacoma Manufacturing / Industrial Center	[White]	R7 : Single Family Dwelling	[Light Green]	CKX : Community Commercial Mixed-Use
[Diagonal lines]	SI-GRP South Tacoma Grandcenter Protection	[White]	Commercial	[Light Blue]	LKX : Urban Center Mixed-Use
[Diagonal lines]	SI-D 'Silver Swallow'	[White]	T : Transit/Transit	[Light Green]	HMK : Hospital/Medical Mixed-Use
[Diagonal lines]		[White]		[Light Blue]	DIK : Commercial Industrial Mixed-Use
[Diagonal lines]		[White]		[Light Green]	Downtown
[Diagonal lines]		[White]		[Light Blue]	DR : Downtown Residential
[Diagonal lines]		[White]		[Light Green]	DMU : Downtown Mixed-Use
[Diagonal lines]		[White]		[Light Blue]	WR : Workforce/Residential
[Diagonal lines]		[White]		[Light Green]	DCC : Downtown Commercial Core
[Diagonal lines]		[White]		[Light Blue]	Industrial
[Diagonal lines]		[White]		[Light Green]	M1 : Light Industrial
[Diagonal lines]		[White]		[Light Blue]	M2 : Heavy Industrial
[Diagonal lines]		[White]		[Light Green]	PMI : Port Maritime and Industrial
[Diagonal lines]		[White]		[Light Blue]	Shoreline
[Diagonal lines]		[White]		[Light Green]	S : Combined Shoreline

Proposed Zoning Districts



Draft
05/30/2024



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D. Pedestrian streets designated.

G. Lot area restrictions.

1. Applicability.

The following provisions apply to all zoning districts, except as hereinafter provided, and except where modified by the provisions of Section 13.06.050 relating to Downtown Districts, Title 19 relating to Shoreline Management, and other sections of the TMC.

2. Purpose.

3. Lot area established.

- a. Any building or structure hereafter built, enlarged, or moved on a lot shall conform to the area regulations of the district in which such building or structure is located.
- b. No lot area, now existing or hereafter established, shall be so reduced or diminished such that the yards, setbacks, open spaces, or total lot area be made smaller than required by the chapter, except in conformity with the regulations of this chapter.

4. Lot area exceptions.

- a. [Except as provided for in Unit Lot Subdivisions per TMC 13.04.093, p](#)Primary access easements and lot extensions on pipestem lots shall not be included in the calculation of lot area. As used herein, a primary access easement is the easement that provides the primary vehicular and pedestrian access to a property that does not have frontage on a public right-of-way or to a property that does have frontage on a public right-of-way when such right-of-way is not practicable for use as vehicular or pedestrian access to the property, for reasons such as significant topography.
- b. Lot area modifications for mobile home parks, multiple-~~family-unit~~ dwellings, retirement homes, apartment hotels, and residential hotels.
 - (1) In the case of a lot which abuts more than one street, computation of lot area may include one-half the area of the second and additional streets so abutting for the purpose of determining the number of mobile home lots or dwelling units, guest rooms, and guest suites that may be permitted on such lot; provided, said streets exceed 50 feet in width; and provided, said total street area so computed shall not exceed 33-1/3 percent of the actual net area of the lot contained within its lot lines.
 - (2) Lot coverage modifications for mobile home parks and multiple-~~unitfamily~~ dwellings, retirement homes, apartment hotels, and residential hotels. In the case of a lot which abuts more than one street, computation of lot area may include one-half the area of the second and additional streets so abutting for the purpose of determining lot coverage for main buildings; provided, such streets exceed 50 feet in width; and provided, such total street area so computed shall not exceed 25 percent of the actual net area of the lot contained within its lot lines.

H. Setbacks and yard areas.

1. Applicability.

The following provisions apply to all zoning districts, except as hereinafter provided, and except where modified by the provisions of Section 13.06.050 relating to Downtown Districts, Title 19 relating to Shoreline Management, [TMC 13.04.093 relating to Unit Lot Subdivisions](#), and other sections of the TMC.

2. Purpose.

3. Setbacks and yard areas established.

- a. Any building or structure hereafter built, enlarged, or moved on a lot shall conform to the setback and yard area regulations of the district in which such building or structure is located.
- b. No required setback, yard or other open space shall include any land dedicated, reserved, or set aside for street purposes, or land contained in any primary access easement, except as provided in this chapter.

Tacoma Municipal Code

c. No required setback, yard or other open space shall include any land condemned for or upon which notice of condemnation has been given for public purposes.

d. No required yard, setback or other open space, now provided for any building or structure or hereafter provided in compliance with the regulations of this chapter, shall be considered as any part of a yard, setback or open space for any other building or structure, nor shall any yard, setback or open space of abutting property be considered as providing a yard, setback or open space for a building or structure on a lot it abuts, except as specifically allowed, such as for shared yards or common open space.

4. Setback and yard area exceptions.

a. Setbacks for group buildings.

(1) In the case of group buildings on one site, including institutions and dwellings, the setbacks on the perimeter of the site or lot shall not be less than required for one building on one lot in the district in which the property is located.

(2) The distance separating buildings, exclusive of accessory buildings, shall not be less than six feet, or ten feet in the case of buildings above 25 feet in height ~~twice the standard side yard setback for the applicable zoning district.~~

(3) For a building exceeding six stories in height, separation from other buildings on the site shall be increased by one foot in width for each additional story or part thereof that such building exceeds six stories. Where two adjacent buildings on one site both exceed six stories in height, the building separations between them shall be increased by two feet in width for each additional story or part thereof that such buildings exceed six stories.

~~(4) No multiple family dwelling court shall be less than 25 feet in width.~~

~~(5) In the case of row houses or dwellings rearing on one side yard and fronting upon another, in districts where multiple family dwellings are permitted, the side yard setback on which dwellings rear shall be increased one foot for each dwelling unit abutting on such side yard, and the side yard setback on which dwellings front shall be not less than 20 feet in width.~~

b. Side yard setbacks for schools, religious assemblies, and institutions.

Public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in ~~an R1, R2, R3, HMRSRD, or R4L~~ a Residential or Urban Residential District, shall provide side yard setbacks of not less than 20 feet (see Section 13.06.080.L, for parks, recreation, and open space setbacks).

~~e. Side yard setbacks, institutions in Multiple Family Dwelling Districts.~~

~~Side yard setbacks for public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in an R-4 Multiple Family Dwelling District, shall be not less than 25 feet in width and, in an R-5 Multiple Family Dwelling District, not less than 30 feet in width (see Section 13.06.080.L, for parks, recreation, and open space setbacks).~~

~~d. Townhouse dwellings.~~

~~For the purpose of side yard setback regulations, townhouse dwellings having common party walls, shall be considered as one building occupying one lot.~~

~~e. Rear yard setback includes one half of alley.~~

~~In computing the depth of a required rear yard setback, where such setback abuts on an alley, one half of the width of such alley right of way may be assumed to be a portion of such rear yard setback.~~

f. Through lots.

Through lots having a frontage on two streets shall provide the required front yard setback on each street.

g. Projections into required setbacks and yards.

Every part of a required setback or yard shall be open, from the ground to the sky, and unobstructed, except for the following:

(1) Accessory building in the required rear yard setback.

- (2) Ordinary building projections such as cornices, eaves, belt courses, sills, or similar architectural features, may project into any required yard or setback not more than 24 inches.
- (3) Chimneys may project into any required setback not more than 24 inches.
- (4) Uncovered balconies, decks, or fire escapes whose surface is greater than 8 feet above the surrounding grade may project over a required front or rear yard setback four feet or over a required yard two feet.
- (5) Uncovered terraces, platforms, and decks whose surface is greater than 30-inches but not more than 8 feet above the surrounding grade may project or extend into a required front or rear yard setback not more than eight feet or into a court not more than six feet.
- (6) Uncovered, ground level decks (deck surface no more than 30-inches in height from surrounding grade) may occupy up to 50 percent of a required setback area and may also extend into required side yard setbacks to within 3-feet of the property line.
- (7) An uncovered landing which does not extend above the level of the first floor of the building may project or extend into a required side yard setback not more than three feet.
- (8) Mechanical equipment may encroach [into a required side or rear setback, provided all building code and noise regulations are met. Mechanical equipment may not encroach on a required walkway and may not be included in required amenity space, nor shall it](#) ~~8-feet into the required rear yard setback and may encroach 8-feet into the functional rear yard setback on double-frontage lots (see Section 13.06.020.G regarding “functional rear/front yards”). Mechanical equipment may not be located within a required side yard setback or yard space. The location of mechanical equipment shall not~~ be used in the calculation of average setbacks.
- (9) Covered porches which are open on three sides and do not extend above the level of the first floor may project up to 8-feet into the required front yard setback, but must be at least 2 feet away from the property line.
- (10) Bay windows, garden windows and fireboxes may extend up to 24-inches into required side yard setbacks, as long as the total of such features does not exceed 25% of the side wall area, [and as long as it does not encroach into a required walkway.](#)
- (11) For the purpose of adding insulation to the exterior of an existing building structural frame required, the setback distance from adjacent property lines may be decreased by a maximum of 4 inches, where allowed by building code and where a minimum 3' clearance from the lot line is maintained for fire and emergency access. Existing buildings not conforming to development standards shall not extend into a required setback more than 4 inches.
- (12) Rainfall catchment systems, which may include rain barrels, tanks or cisterns as well as associated piping, may extend into a required yard setback according to the following:
- Rainfall catchment tanks no greater than 600 gallons shall be allowed to encroach into a required setback if each tank is less than 4' wide (as measured perpendicular from the side of the house or principal structure), a minimum 3' clearance from the lot line is maintained, and provided that the cumulative coverage of the tanks does not exceed 10% of each yard area.
 - Rainfall catchment tanks larger than 600 gallons may be permitted in a required setback provided that they do not exceed 10% coverage of any required yard, and they are not located closer than 3' from a side or rear lot line, or 15' from the front lot line. If located in the front, the rainfall catchment tank must be screened.
 - Rainfall catchment tanks may not impede requirements for lighting, open space, minimum ~~usable yard~~ [amenity space, required walkways,](#) and fire protection or egress.
 - The rainfall catchment system shall not obstruct any escape window and shall not create a surcharge on an existing retaining wall.

I. Annexed land.

All territory, which may hereafter be annexed to the City of Tacoma and for which no zoning classification has been previously established, shall automatically become an ~~R-1 Single Family Dwelling~~ [Urban Residential 1 \(UR-1\)](#) District until the Planning Commission shall make a thorough study of the new City area and report its recommendation to the City Council regarding the appropriate changes to the Comprehensive Plan and zoning regulations of the City, to incorporate the newly annexed area into said program and establish the final zoning classification(s) for the annexed area.

Tacoma Municipal Code

J. Split zoning.

Whenever a zone boundary line passes through a single unified parcel of land as indicated by record of the Pierce County Auditor as of May 18, 1953, and such parcel is of an area equal to the minimum requirements of either zone, the entire parcel may be used in accordance with the provisions of the least restrictive of the two zones; provided, more than 50 percent of the parcel is located within the least restrictive of the two zones.

L. Nonconforming parcels/uses/structures.

1. Applicability.

Within the zones established by this title there exist parcels, uses, and structures which were lawful when established, but whose establishment would be prohibited under the requirements of this title.

2. Purpose.

The intent of this section is to allow the beneficial development of such nonconforming parcel, to allow the continuation of such nonconforming uses, to allow the continued use of such nonconforming structures, and to allow maintenance and repair of nonconforming structures. It is also the intent of this section, under certain circumstances and controls, to allow the enlargement, intensification, or other modification of nonconforming uses and structures, consistent with the objectives of maintaining the economic viability of such uses and structures, and protecting the rights of other property owners to use and enjoy their properties. However, relief for nonconforming uses shall be narrowly construed, recognizing that nonconforming uses are disfavored by state law.

10. Nonconforming structure and nonconforming residential use.

Nothing in this chapter shall prohibit the enlargement of a residential structure, which is nonconforming as to use and development regulations, if such expansion does not increase the number of dwelling units or reduce existing lot area or off-street parking. Such expansion, including the construction of accessory buildings, shall be limited to compliance with the setback, height, and location requirements of the zoning district in which the subject site is located, [with any approval through the Planned Residential District or Unit Lot Subdivision process](#), and with the requirements of TMC Chapter 13.11.

11. Nonconforming residential structures and conforming residential uses.

a. A legal nonconforming structure which is nonconforming as to setback, location, maximum height, lot area, lot coverage, or other development regulation may be replaced, enlarged, moved, or modified in volume, area, or space; provided, such replacement, enlargement, movement, or modification complies with the setback, height, and location requirements of the zoning district in which the subject site is located, and with the requirements of TMC Chapter 13.11.

b. Certain additions to existing, nonconforming ~~single, two, three, or multi family or townhouse~~ dwellings may extend into a required front, side, or rear yard setback when the existing dwelling is already legally nonconforming with respect to that setback. The nonconforming portion shall be at least 60 percent of the total width of the respective wall of the structure prior to the addition and any other additions added since May 18, 1953. Additions may extend up to the height limit of the zoning district and extend into the required front, side and/or rear yard setback as follows:

(1) Front and rear yard setbacks: The addition may extend five feet into the required front or rear yard setback or to the extent of the setback line formed by the nonconforming portion, whichever is less.

(2) Side yard setbacks: The addition may extend into the required side yard setback up to the setback line formed by the nonconforming wall, except in no case shall the addition be closer than 3 feet from the side property line. Furthermore, the size of the addition shall be limited to an additional wall surface area within the required side setback area of no more than 200 square feet. (See example on following page.) For purposes of this provision, "wall surface area" is defined as the length (measured parallel to the side property line) multiplied by the height

of the vertical wall surface of any building addition within the required side yard setback area. Any windows, doors or architectural features present are counted toward the total permissible wall surface area. Additions below the current ground level finished floor will not be counted toward the maximum permissible wall surface area.

12. Unpermitted middle housing in UR and R Districts.

a. Existing, un-permitted, nonconforming middle housing in a UR or an R District which conforms with density and use requirements, but is nonconforming as to setback, location, maximum height, or other development regulation may be legalized; provided the building is brought into conformance with current Building Code and Energy Code requirements, and that no increase in nonconformity is made.

b. This amnesty period shall expire on December 31, 2029.

Tacoma Municipal Code

13.06.020 Residential Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.020. All portions of 13.06.020 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.020, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.020.A through Section 13.06.020.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.040.

B. Purpose.

The specific purposes of the Residential Districts are to:

1. Implement the goals and policies of the City's Comprehensive Plan.
2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas throughout the City's neighborhoods.
4. Protect and enhance established neighborhoods, and ensure that new development is in harmony with neighborhood scale and character.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.
7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.
8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.
9. Throughout the Zoning Code, references are made to "R Districts" and "Residentially Zoned" properties. Both of these references mean any district within the R-series, i.e., the R-1 through R-5 Districts listed within this 13.06.020 series.

C. Districts established.

1. The following districts are intended primarily for residential land uses, as well as other uses such as daycares, parks, schools, churches and other uses which serve the neighborhood and have been deemed compatible with residential character.

2. R-1 Single Family Dwelling District.

This district is intended for low density, single family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in areas with steep topography or an established pattern of larger lots.

3. R-2 Single Family Dwelling District.

This district is intended primarily for single family detached housing but, in addition to the uses listed above, may also allow a limited number of compatible uses including lodging uses, holiday sales for Christmas and Halloween, and two-family dwellings in certain circumstances. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

4. R-2SRD Residential Special Review District.

This district is intended primarily for single family detached housing, but in addition to the uses listed above, it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single family character of the area.

5. HMR SRD Historic Mixed Residential Special Review District.

This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the buildings within reflect significant aspects of Tacoma's early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are

characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single family dwellings will continue to be the predominant land use within the HMR SRD district. Infill development shall be consistent with historic character of the district and shall be predominantly single family. A limited number of two and three family dwellings may be permitted by conditional use permit provided they are consistent with the historic character of the district and are not conversions of historically contributing single family houses. Conversion of existing multiple family uses to single family uses will be encouraged, but not required.

6. R-3 Two Family Dwelling District.

This district is intended primarily for two family housing development. Uses such as single family dwellings, three family dwellings, and some lodging and boarding homes may also be appropriate, in addition to the uses permitted in less dense zones. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

7. R-4 L Low Density Multiple Family Dwelling District.

This district is intended primarily for low density multiple family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single and two family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

8. R-4 Multiple Family Dwelling District.

This district is intended primarily for medium density multiple family housing. In addition to uses permitted in less dense zones, other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

9. R-5 Multiple Family Dwelling District.

This district is intended for high density multiple family housing, as well as residential hotels, retirement homes, and limited mixed use buildings, in addition to uses permitted in less dense zones. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.

D. Pedestrian streets designated.

Figure 7 of the Comprehensive Plan Urban Form Chapter designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets" and are defined in Section 13.06.010.D. The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
3. Use table abbreviations.

P = Permitted use in this district.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
N = Prohibited use in this district.

Tacoma Municipal Code

4. District use table—Residential Districts (13.06.020):¹

Uses (See Footnote 3)	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)	
Agriculture and Natural Resources										
-	Agricultural uses	CU	CU	CU	CU	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.
-	Mining and quarrying	N	N	N	N	N	N	N	N	Existing surface mines considered permitted as conditional use, subject to requirements contained in Section 13.06.080.O.
-	Urban horticulture	N	N	N	N	N	N	N	N	-
Residential Uses										
Dwelling Types		-	-	-	-	-	-	-	-	-
-	Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.A.
	Dwelling, cottage housing	CU ²	CU ²	CU ²	N	CU ²	CU ²	CU ²	CU ²	Cottage Housing developments require the issuance of a Conditional Use Permit and are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.060.
-	Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one dwelling unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process.
-	Dwelling, two-family	N	CU ²	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit. In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit. Subject to additional requirements contained in Section 13.06.100.

¹ Code Reviser's note: Ord. 28906 Ex. C (Aug. 15, 2023) reorganized land use table order; due to scrivener's errors, not all language from existing tables was carried over. Corrections were made during codification to re-insert language re: dwelling, cottage housing; accessory uses and buildings; emergency and transitional housing; short-term rental; extended care facility; commercial parking facility; and fueling station.

Uses (See Footnote 3)		R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
-	Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit. For R-3, three-family dwellings are permitted, provided existing single or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district. Subject to additional requirements contained in Section 13.06.100.
-	Dwelling, multiple-family	N	N	N	P/N	CU ²	P	P	P	In the HMR-SRD district, only multiple family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005. In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit.
-	Dwelling, townhouse	N	CU ²	CU	CU	P	P	P	P	Subject to additional requirements contained in Section 13.06.020.G. In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit. In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.060).

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Uses (See Footnote 3)		R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Other Residential		-	-	-	-	-	-	-	-	-
-	Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.020.F
-	Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N
-	Day care, family	P	P	P	P	P	P	P	P	Must be licensed by the State of Washington.
	Emergency and transitional housing	N	N	N	N	N	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.N.
-	Foster home	P	P	P	P	P	P	P	P	-
-	Group housing	P	P	P	P	P	P	P	P	In the R-1, R-2, R-2SRD, and HMR-SRD districts, group housing is limited to 6 or fewer unrelated adults. In the R-3 district, group housing is limited to 15 or fewer unrelated adults. In the R-4-L, R-4 and R-5 districts, there is no limit to the allowed number residents in a group housing facility.
-	Home occupation	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.G
-	Live/Work	N	N	N	N	N	N	N	N	-
-	Mobile home/ trailer court	N	N	N	N	N	CU	N	N	Subject to additional requirements contained in Section 13.06.090.B.
	Short term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
	Short term rental (3-9 guest rooms)	N	N	N	N	CU	CU	CU	CU	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
	Short term rental (entire dwelling)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.M and 13.06.080.A.
-	Staffed residential home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
-	Student housing	CU	CU	CU	CU	CU	CU	CU	CU	-
-	Retirement home	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Medical and Health Services										
	Continuing care retirement community	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
	Detoxification center	CU	CU	CU	CU	CU	CU	CU	CU	-
	Extended care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.

Uses (See Footnote 3)	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Hospital	N	N	N	N	N	CU	CU	CU	-
Intermediate care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Residential care facility for youth	N	N	N	N	P	P	P	P	Subject to additional requirements contained in 13.06.080.N.
Residential chemical dependency treatment facility	N	N	N	N	N	P	P	P	Subject to additional requirements contained in 13.06.080.N.
Community and Civic Facilities									
Assembly facility	N	N	N	N	N	CU	CU	CU	-
Cemetery/Internment services	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A.
Confidential shelter	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Correctional facility	N	N	N	N	N	N	N	N	-
Cultural institution	N	N	N	N	N	N	N	N	-
Detention facility	N	N	N	N	N	N	N	N	Side yards shall be provided as specified in Section 13.06.010.
Juvenile community facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.H.
Parks, recreation and open space	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit: Destination facilities High-intensity recreation facilities High-intensity lighting Development of more than 20 off-street parking spaces Parks, recreation and open space uses are subject to the requirements of Section 13.06.080.L, where the above features are defined.
Public service facilities	CU	CU	CU	CU	CU	CU	CU	CU	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit.

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Uses (See Footnote 3)	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Religious assembly	CU	CU	CU	CU	CU	CU	CU	CU	-
School, public or private	CU	CU	CU	CU	CU	CU	CU	CU	-
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.080.R.
Commercial Uses									
Craft Production	N	N	N	N	N	N	N	N	Prohibited except as provided for in Section 13.06.020.E
Hotel/Motel	N	N	N	N	N	N	N	N	-
Office	N	N	N	N	N	N	N	N	-
Work/Live	N	N	N	N	N	N	N	N	-
Eating and Drinking Establishments	-	-	-	-	-	-	-	-	-
- Brewpub	N	N	N	N	N	N	N	N	-
- Eating and drinking	N	N	N	N	N	N	N	P	For R-5, minor eating and drinking establishments are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities, are designed primarily to serve on-site residents, and are consistent with a restaurant use per Section 13.01.060.
- Microbrewery/winery	N	N	N	N	N	N	N	N	-
Entertainment and Recreation	-	-	-	-	-	-	-	-	-
- Adult retail and entertainment	N	N	N	N	N	N	N	N	-
- Carnival	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.080.P.
- Commercial recreation and entertainment	N	N	N	N	N	N	N	N	-
- Golf Courses	P	P	P	P	P	P	P	P	-
- Theater	N	N	N	N	N	N	N	N	-

Uses (See Footnote 3)		R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Retail		N	N	N	N	N	N	N	P	For R-5, minor retail businesses such as drug stores and newsstands are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
-	Marijuana retailer	N	N	N	N	N	N	N	N	-
-	Nursery	N	N	N	N	N	N	N	N	-
Services		-	-	-	-	-	-	-	-	-
-	Ambulance services	N	N	N	N	N	N	N	N	-
-	Animal sales and service	N	N	N	N	N	N	N	N	-
-	Building material and services	N	N	N	N	N	N	N	N	-
-	Business support services	N	N	N	N	N	N	N	N	-
-	Day care center	CU	CU	CU	CU	-CU	P/CU	P	P	Subject to additional requirements contained in Section 13.06.080.E. For R-4-L, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.
-	Funeral home	N	N	N	N	N	N	N	N	-
-	Personal services	N	N	N	N	N	N	N	P	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
-	Repair services	N	N	N	N	N	N	N	N	-
Storage Uses		-	-	-	-	-	-	-	-	-
-	Warehouse/storage	N	N	N	N	N	N	N	N	-
-	Wholesale or distribution	N	N	N	N	N	N	N	N	-
-	Self storage	N	N	N	N	N	N	N	N	-

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Uses (See Footnote 3)		R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Vehicle-Related Uses		-	-	-	-	-	-	-	-	-
-	Commercial parking facility	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.090.C
-	Drivethrough with any permitted use	N	N	N	N	N	N	N	N	-
-	Fueling station	N	N	N	N	N	N	N	N	-
-	Vehicle rental and sales	N	N	N	N	N	N	N	N	-
-	Vehicle service and repair	N	N	N	N	N	N	N	N	-
-	Vehicle storage	N	N	N	N	N	N	N	N	-
Industrial										
Industry, heavy		N	N	N	N	N	N	N	N	-
-	Coal facility	N	N	N	N	N	N	N	N	-
-	Chemical manufacturing, processing and wholesale distribution	N	N	N	N	N	N	N	N	-
-	Cleaner Fuel Infrastructure	N	N	N	N	N	N	N	N	-
-	Petroleum Fuel Facility	N	N	N	N	N	N	N	N	-
-	Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19)	N	N	N	N	N	N	N	N	-
-	Smelting	N	N	N	N	N	N	N	N	-
Industry, light		N	N	N	N	N	N	N	N	-
-	Vehicle service and repair, industrial	N	N	N	N	N	N	N	N	-
-	Research and development industry	N	N	N	N	N	N	N	N	-
	Marijuana processor	N	N	N	N	N	N	N	N	
	Marijuana producer	N	N	N	N	N	N	N	N	
Utilities, Transportation and Communication Facilities										
Airport		CU	CU	CU	CU	CU	CU	CU	CU	-

Uses (See Footnote 3)	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations (See Footnotes 1, 3)
Communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Antennas for such facilities are subject to the additional requirements contained in Section 13.06.080.Q.
Heliport	CU	CU	CU	CU	CU	CU	CU	CU	-
Passenger terminal	N	N	N	N	N	N	N	N	-
Transportation/ freight terminal	N	N	N	N	N	N	N	N	-
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	-
Wireless communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.Q and the time limitations set forth in Chapter 13.05, Table H.
Accessory and Temporary Uses									
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to additional requirements contained in Section 13.06.080.P.
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.080.P
Unlisted Uses									
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	-
Footnotes:									
<p>¹For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.</p> <p>²Certain land uses, including two family, townhouse, and cottage housing in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.060.</p> <p>³Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.</p>									

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F. District development standards:

-	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
1. Minimum Lot Area (in square feet, unless otherwise noted)								
a. Purpose:								
b. Single family detached dwellings—Standard Lots	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
c. Single family detached dwellings—Small Lots (Level 1)	6,750	4,500	4,500	4,500	2,500	2,500	2,500	2,500
d. Two family dwellings		6,000	6,000	6,000	6,000	4,250	3,750	3,500
e. Three family dwellings			9,000	9,000	9,000	5,500	5,000	4,500
f. Multiple family dwellings					9,000	6,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of four	6,000	6,000
g. Townhouse dwellings		3,000	3,000	3,000	3,000	1,500	1,000	1,000
h. Mobile home/trailer court						3.5 acres, provided at least 3,500 sq. ft. is provided for each mobile home		
i. Pre-existing lots	A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single family dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards (see Sections 13.06.020.J and 13.06.010.L).							
j. Single family Small Lots— Exceptions to Standard Minimum Lot Area Requirements	Reductions to minimum detached single family dwelling lot area requirements, as shown above, may be allowed pursuant to Section 13.06.020.J. Lots smaller than the Minimum Lot Area for Standard Lots must meet the applicable Design Standards of Section 13.06.020.J. Single family Small lot development must be oriented such that the lot frontage and the front façade of the house face the street. Small lot exceptions are not applicable to pipestem lots.							

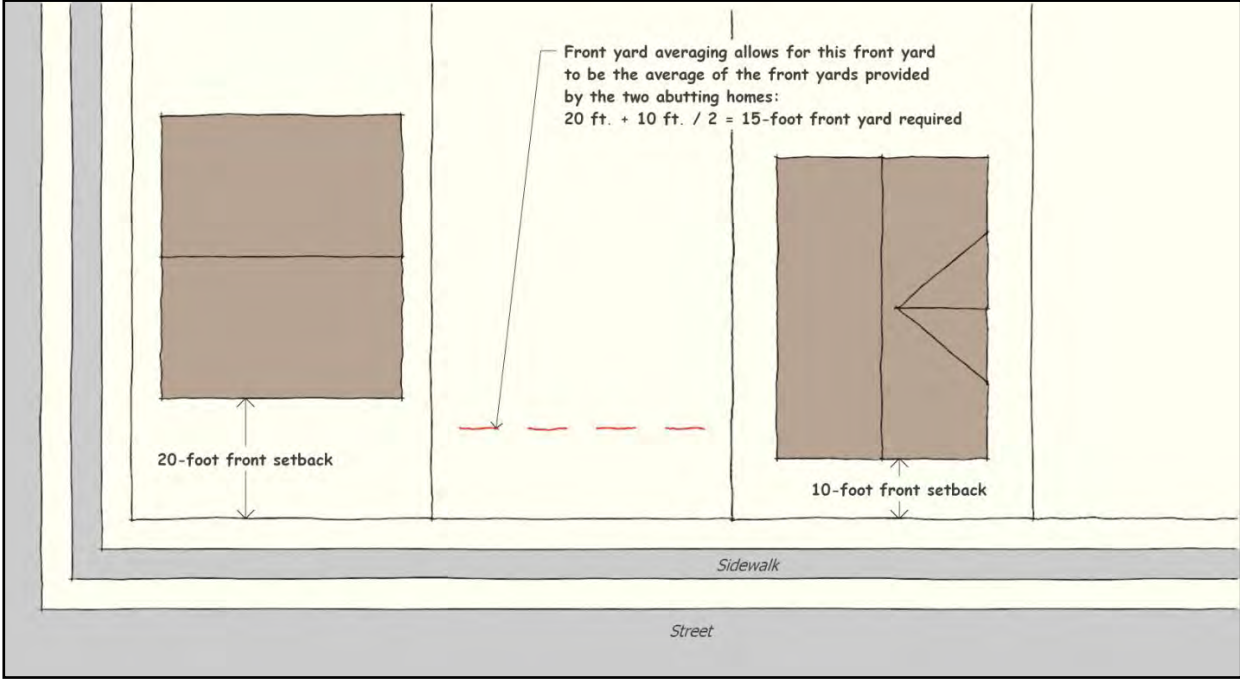
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
k. Single family detached dwellings— Small Lots (Level 2):	<p>One of the following exceptions may be applied per parcel to achieve Level 2 Small Lot without a variance, to the following minimum lot sizes: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft.</p> <p>Lot Size Averaging— Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size.</p> <p>Lot Size Averaging— Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in the R-2, R2-SRD and HMR-SRD Districts, provided that the overall average lot size within the Short or Full Plat meets the Small Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging.</p> <p>Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size.</p>							
l. Critical Areas Density Bonus	<p>Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.</p>							
m. Planned Residential Districts	<p>Planned Residential Districts: Exceptions to the standard and small lot provisions of this section may be permitted through the density provisions of Section 13.06.070.</p>							
2. Lot Measurements (in feet)								
a. Purpose:								
b. Minimum Average Lot Width— Standard Lots	50	50	50	50	50	50	50	50
	16 for townhouse dwellings; 32 for two family dwellings							
e. Single family Small Lots— Minimum Average Lot Width	45	35	35	35	30	25	25	25
d. Minimum Lot Frontage	25	25	25	25	25	25	25	25
	<p>The minimum lot frontage requirement does not apply to townhouse dwellings.</p> <p>Pipestem lots which only serve one single family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.</p>							
e. Small Lots— Exceptions to Minimum Average Lot Width	<p>Reductions to minimum lot width, as shown above, may be allowed pursuant to Section 13.06.020.J.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>							
3. Building Coverage (total building coverage / lot area x 100 = percentage)								
a. Purpose:								

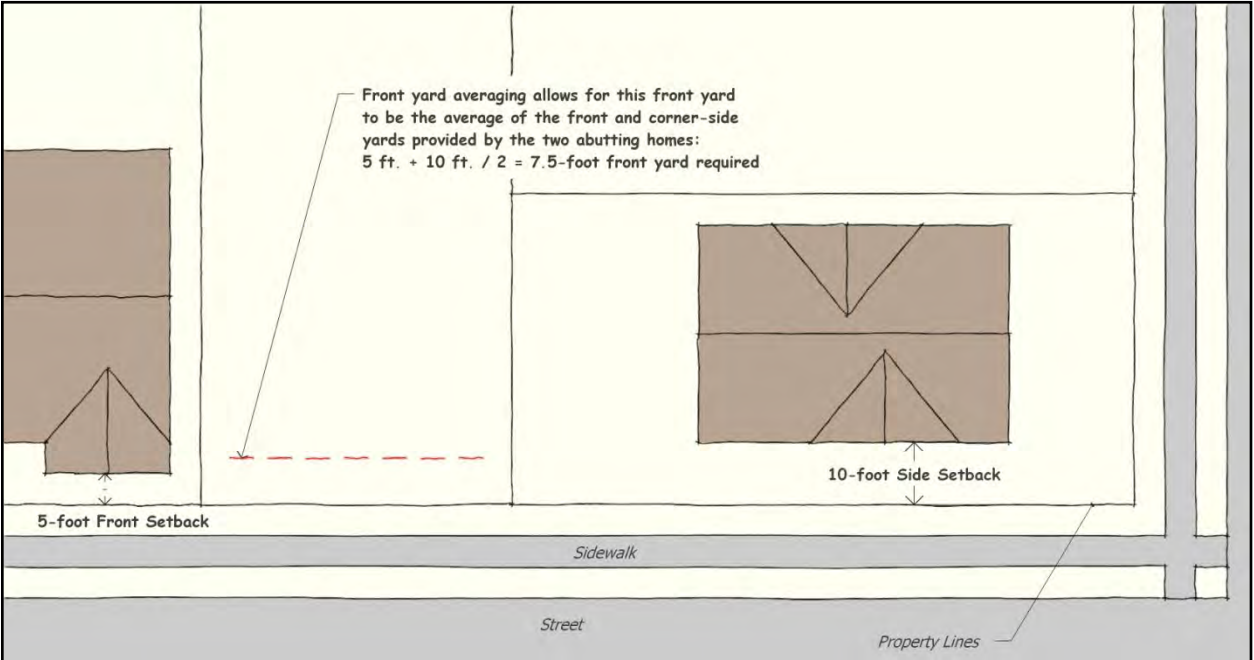
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-	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
b. Maximum building coverage, percent of lot	-	-	-	-	50	50	65	65
e. Bonus	-	-	-	-	Corner Lot: May add an additional 10% of the lot area to the total lot area for the purpose of calculating the maximum building coverage allowance. Alley: Lots with an alley may count 50% of the abutting alley as lot area for calculating the maximum allowable building coverage.			
d. Exceptions	-	-	-	-	Usable Yard Space that is covered, but not enclosed, shall not count towards the maximum building coverage. Detached Accessory Dwelling units and small lot single family: Building coverage limitations do not apply to Detached ADUs, small lot single family, or cottage housing.			
4. Minimum Density (units per net acre)								
a. Purpose. Accessory dwelling units, conversion of existing single family to more than one unit, and one infill single family house on sites currently developed with one, are exempt from minimum density requirements.								
b. Standard	-	-	-	-	10	14	18	22
5. Max. Height Limits (in feet)								
a. Purpose.								
b. Main Buildings	35	35	35	35	35	35	60	150
e. Accessory Buildings	15 feet							
d. Exceptions	Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.070.A. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602. Single family Small Lot development on lots with an average width between 40 and 50 feet: Maximum height is 30 feet. Single family Small Lot development on lots with an average width of less than 40 feet: Maximum height is 25 feet.							
6. Setbacks (in feet)	These residential setback requirements are designed to provide yard areas that help to minimize impacts between neighboring uses, allow space for recreational activities, allow access to light and air, serve as filtration areas for storm water run-off, provide a level of privacy and comfort, provide emergency and utility access around and into buildings, provide public view corridors, create a pleasing, rhythmic streetscape, promote consistency with existing development patterns, and promote the desired character of residential neighborhoods. Certain conditional uses may require different minimum setbacks. See Section 13.05.010.A.							

-	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
a. Minimum Front Setback, except where Build to Area is required	25	20	20	20	20	20	15	10
b. Build to Area for lots located on a designated pedestrian street (see Section 13.06.010.D):	-	-	-	-	<p>Occupied structures must be located between 5 feet and 20 feet from the front lot line abutting the pedestrian street right of way for a minimum of 50% of the pedestrian street frontage.</p> <p>Exception: porches, entries, landscaping and residential transition areas may be located within 5' of the lot line abutting the pedestrian street right of way.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided, the addition reduces the level of nonconformity as to maximum setback. • When a public easement precludes compliance with this standard, the setback requirement shall be measured from the back edge of the easement. • Public facilities on sites greater than 5 acres shall be exempt from Build to Area requirements. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities. • Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards. 			
e. Townhouse Dwelling Minimum Front Setback	For townhouse dwellings, the minimum front yard setback shall apply only along the front property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.020.H.							
d. Vehicular Doors Facing the Front Or Corner Street Property Line	Vehicular doors that face the front or corner street property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front or corner street property line or private road easement.							
e. Pipestem Lot Setback	Pipestem lots shall provide the required front setback along one of the property lines that abut or are nearest to the accessway/lot extension. The accessway/lot extension shall not be included when measuring the setback. The front yard setback will determine the orientation of the other required setbacks.							

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
<p>f. Front Setback Averaging</p>	<p>For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less.</p> 							

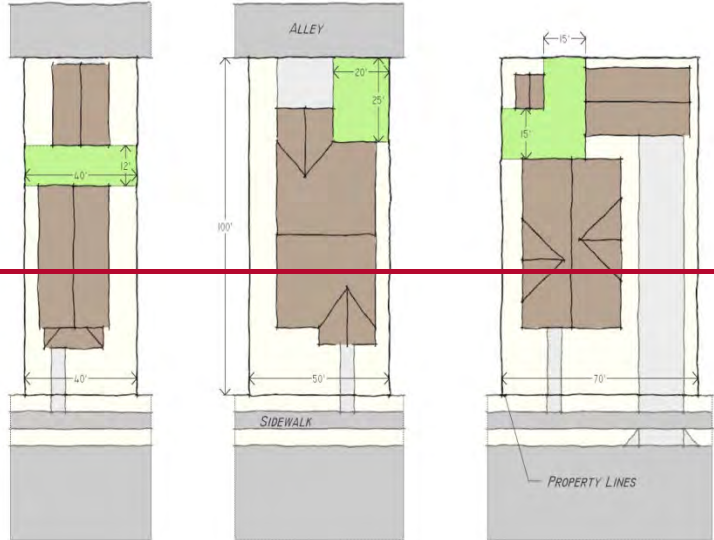
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
	<p>(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.</p>  <p>(2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house.</p> <p>(3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.</p>							

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-	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
g. Minimum Side Setback (Interior Lots)	7.5	5	5	5	5	5	5	5 ft. for buildings less than 6 stories Each side yard setback shall be increased 1 ft. in width for each story, or part thereof, above 6 stories.
h. Townhouse Dwelling Minimum Side Setback	For townhouse dwellings, the minimum side yard setback shall apply only along the side property lines of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
i. Minimum Side Setback (Corner Lots)	<p>On corner lots, the side yard setback regulations shall be the same as for interior lots, except where the rear lot line of a corner lot abuts the side lot line of a lot in the rear (see example below). In this case, there shall be a side yard setback on the street side of such corner lot of not less than one half of the front yard setback provided on the lot in the rear, but such side yard setback need not exceed half the standard front yard setback requirement for the district. In no case, however shall the side yard setback be less than five feet.</p> <p>Side Yard Averaging allows for the street-side yard requirement here to be 1/2 of the front yard provided by the lot in the rear (10 foot / 2 = 5 foot)</p> <p>Existing Home - 10-foot Front Setback</p> <p>Property Lines</p> <p>Sidewalk</p> <p>Street</p>							
j. Minimum Rear Setback	25	25	25	25	25	20	25 20 ft. for mobile home parks	20
k. Townhouse Dwelling Minimum Rear Setback	<p>For townhouse dwellings, the minimum rear yard setback shall apply only along the rear property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.020.H.</p>							
7. Minimum Usable Yard Space								
a. Purpose:								

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
<p>b. Single Family Dwelling</p>	<p>All single family dwellings shall provide a contiguous rear or side usable yard space equivalent to at least 10% of the lot size. This usable yard space shall be subject to the following limitations:</p> <ul style="list-style-type: none"> • Have no dimension less than 15 feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet; • Not include structures, parking, alley or driveway spaces or required critical areas and buffers; • Not be located in the front yard, with the exception of front porches, which may be counted towards the overall yard space requirement where meeting the design standards in f.1 below. <p>For through lots, the required yard space may be located within the “functional rear yard” (see Subsection G.6 for additional information about “functional rear yards”).</p> 							
<p>e. Duplex/Triplex</p>	<p>In the R-1, R-2, R-2SRD and HMR-SRD districts, duplex and triplex developments shall provide usable yard space in accordance with the standards for single family dwellings, above.</p> <p>In the R-3, R-4 L, R-4 and R-5 Districts, duplex and triplex development shall provide at least 400 square feet of yard space for each dwelling unit. Private and common yard space must meet the design requirements specified in f. below.</p>							
<p>d. Townhouse</p>	<p>At least 300 square feet of private yard space and 100 square feet of common yard space is required for each townhouse. Private and common yard space must meet the design requirements specified in f. below.</p>							
<p>e. Multi family</p>	<p>At least 20% of the lot area is required to be usable yard space. A minimum of 35% of the yard space shall be provided in common. The remainder can be provided as private or common yard space. Private and common yard space must meet the design requirements specified in f. below.</p>							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
<p>f. Usable Yard Space Design</p>	<p>(1) Private Yard Space. To qualify, private yard space must meet the following standards:</p> <ul style="list-style-type: none"> • Have no dimension less than 15 feet, except where lots are less than 3500 total SF, in which case the minimum single dimension of outdoor usable yard space shall be no less than 12 feet. • Private usable yard space shall be direct and immediately accessible from the dwelling unit or a bedroom. • Private usable yard space may be provided as balconies, porches, decks, patios or yards. To qualify as yard space, such spaces shall be at least 50 square feet, with no dimension less than five feet. <p>(2) Common Yard Space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children's play areas, or other multi-purpose outdoor recreational and/or green spaces. Requirements for (and limitations on) common yard spaces include the following:</p> <ul style="list-style-type: none"> • No dimension shall be less than fifteen feet in width. • Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity. • Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable. • Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable. • Spaces should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible. • Common yard space shall be open to the sky, except for clear atrium roofs and shared porches. A maximum of 25% of the common yard space may be covered but not enclosed. • Shared porches qualify as common yard space provided no dimension is less than eight feet. <p>(3) Interior recreational space (for multi-family development only). Interior recreational space includes swimming pools, fitness centers, and other recreation spaces that are located within the primary structure or as an accessory structure. Interior recreational spaces may be used to meet up to 35% of the overall yard space requirement.</p> <p>(4) Rooftop decks may be used to meet the yard space requirements. To qualify, rooftop decks must meet the following standards:</p> <ul style="list-style-type: none"> • No more than 50% of the rooftop deck may be used to meet private yard space requirements. • Must include amenities such as seating areas and landscaping. • Must feature appropriate hard surfacing to encourage active use. • Must include lighting for residents' safety. • No dimension shall be less than 15 feet in width. <p>(5) Landscaping. Up to 35% of the usable yard space may be comprised of landscaping, including groundcover and shrubs.</p> <p>(6) Vehicular access areas shall not count as yard space.</p>							

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
<p>g. Yard Space Exceptions</p>	<p>(1) Critical Area Exception:</p> <ul style="list-style-type: none"> • When the lot contains identified critical areas and/or buffers, said critical areas and/or buffer area shall be excluded from the lot size calculation for determining the required usable yard space required on site. • For usable yard space required on a per unit basis, critical areas and/or buffer areas may be counted towards the landscaping allowance. <p>(2) Proximity to Active Public Recreation:</p> <ul style="list-style-type: none"> • When the site is located within a quarter mile accessible walking distance of a public park or school that has attractive, well-maintained outdoor recreation facilities regularly available to the public on a long-term basis, the common yard space requirement may be waived, reducing the overall required usable yard space to 13 percent of the lot area for multi-family development and 300 total square feet for townhouses. 							
<p>h. Acceptable Yard Space Examples</p>	<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p><i>Balconies are a good source of private yard space.</i></p> </div> <div style="text-align: center;">  <p><i>Above: Examples of common open space.</i></p> </div> <div style="text-align: center;">  <p><i>Example of a shared rooftop deck.</i></p> </div> </div>							
<p>8. Tree Canopy Coverage</p>								
<p>a. Purpose:</p>								
<p>b. Tree Canopy, percentage of lot area</p>	-	-	-	-	30	30	20	15

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4L	R-4	R-5
<p>e. Calculating Tree Canopy</p>	<p>Tree Canopy is measured as a percentage of the overall lot area. Example: 6,000 square foot lot in the R-3 District would require a tree canopy of 1800 square feet (6000 x .3 = 1800). The Urban Forest Manual classifies trees as small, medium, and large based on the overall tree factor, which also weighs growth rate. In meeting the tree canopy requirement planted trees will receive the following canopy credit:</p> <ul style="list-style-type: none"> • Small Trees: 300 sq. ft. • Medium Trees: 500 sq. ft. • Large Trees: 1000 sq. ft. <p>1800 square feet of tree canopy could be met as a combination of one large, one medium, and one small tree, or any other combination that meets or exceeds the overall canopy requirement.</p> <p>The canopy requirement may include the trees located on the lot or from street trees planted in the abutting right of way that overhang the lot. Tree canopy provided on the lot as a result of other landscaping requirements of this Chapter may be used to fulfill this requirement.</p>							
<p>d. Other standards and flexibility</p>	<p>Trees planted to meet this requirement are subject to the standards in Section 13.06.090.B landscaping requirements applicable to all required landscaping. Trees may be located within private or common usable yard space. Tree retention credits from Section 13.06.090.B may be applied.</p>							
<p>e. Enforcement</p>	<p>Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.150.</p>							

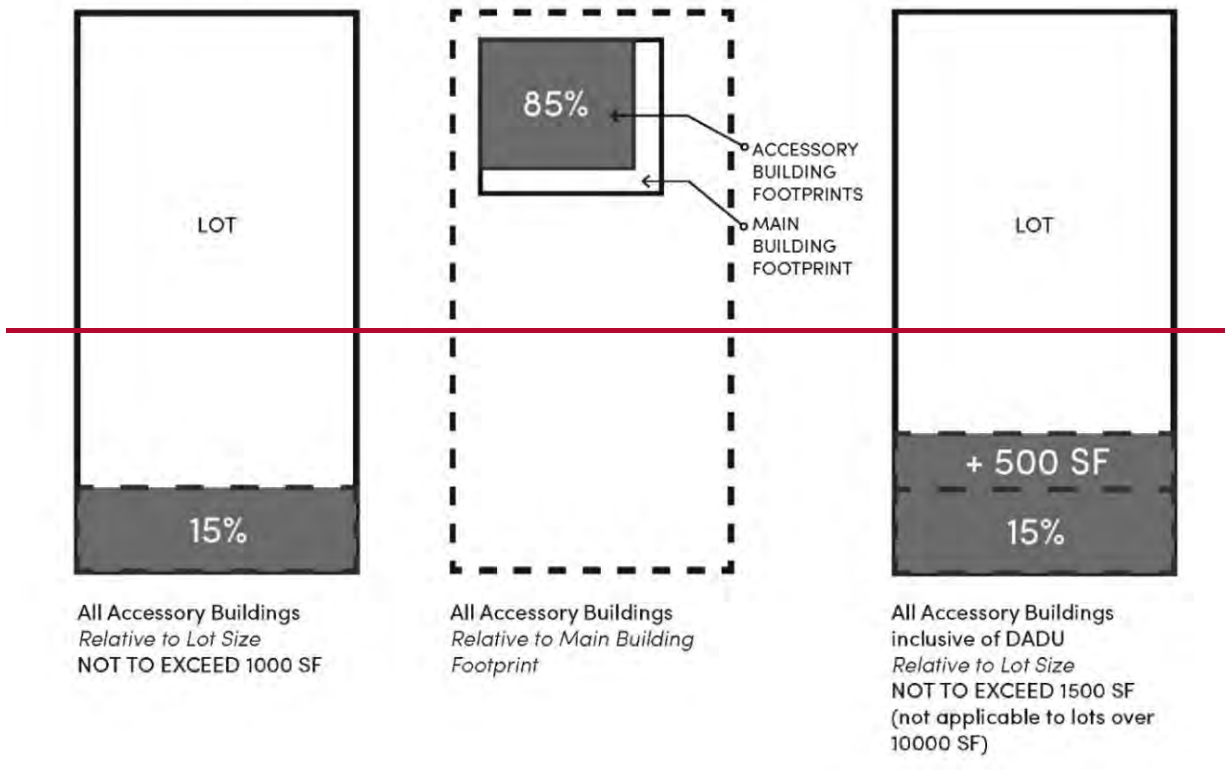
Tacoma Municipal Code

G. Accessory building standards.

Accessory buildings permitted per Section 13.06.020, such as garages, sheds, detached accessory dwelling units (DADUs), common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-family uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85 percent of the square footage of the main building footprint and no more than 15 percent of the square footage of the lot, not to exceed 1,000 square feet. For lots greater than 10,000 square feet, the total square footage of all accessory building footprints shall be no more than 10 percent of the square footage of the lot (the other limitations applicable to smaller properties outlined above shall not apply). If one of the accessory buildings is a Detached ADU, the total allowed square footage of accessory structures is increased by 500 square feet, provided that the additional 500 square feet is non-habitable and detached from all other structures.

Accessory Buildings
(For lots under 10,000 square feet)



2. Size of Accessory Dwelling Units. See Section 13.06.080.A for ADU standards.

3. A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.

4. Except for an approved Accessory Dwelling Unit (ADU—see Section 13.06.080.A), an accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.

5. Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.

6. Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.

~~a. For through lots, if there is an established pattern of “functional front and rear yards,” detached accessory buildings shall be allowed in the “functional rear yard.” A “functional rear/front yard” shall be defined by the established pattern of the block, based on the orientation of existing dwellings and location of existing detached buildings. If there is no defined pattern, a locational variance shall be required to allow the accessory structure in the front yard. The required front setback for such an accessory building shall be the same as for a primary building as set forth in TMC 13.06.020.F.~~

~~7. For garages that include vehicular doors facing the front or corner street property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front or corner street property line or private road easement.~~

~~8. Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line. When the rear lot line of a corner lot abuts the side lot line of the lot in the rear, no accessory building shall be located less than the interior side yard setback for the site’s zoning district.~~

~~9. Except as noted below, commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district.~~

~~a. Shipping and/or storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.~~

~~b. Shipping and/or storage containers may be allowed on a site with a valid conditional use permit, subject to the following standards:~~

~~(1) On sites less than 5 acres, shipping container shall not be located between the building and street right-of-way. On corner lots, this applies to front and side.~~

~~(2) On sites less than 5 acres, on corner lots, shipping container shall be setback further than the side wall of the main building.~~

~~(3) Shipping containers shall be screened from any Residential District when adjacent to or across street and/or alley from the Residential District. The shipping container must be screened by a minimum 6-foot tall solid wood fence and/or landscaping.~~

~~(4) Shipping containers cannot be stacked.~~

~~(5) Shipping containers must meet, at a minimum, the setbacks of the main building.~~

~~(6) If any of these standards cannot be met, a shipping container may be located as a Temporary Use for a reduced time and subject to the standards for a Temporary Use. See TMC 13.06.080.P.~~

~~10. Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.090, including subsection 13.06.090.C.~~

~~H. Townhouse Standards.~~

~~Refer to Section 13.06.100 for design standards that apply to all townhouse developments in R Districts.~~

~~I. References to common requirements.~~

~~13.01 — Definitions.~~

~~13.05.010 — For Land use permits, including conditional use and variance criteria.~~

~~13.06.010 — General provisions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area, as well as nonconforming uses/parcels/structures.)~~

~~13.06.070 — Overlay districts (these districts may modify allowed uses and/or the development regulations of the underlying zoning district.)~~

~~13.06.080 — For Home occupations and Short-term rentals.~~

~~13.06.090.B — Landscaping standards.~~

~~13.06.090.C — Off-street parking areas.~~

~~13.06.090.D — Loading spaces.~~

~~13.06.090.F — Pedestrian and bicycle support standards.~~

~~13.06.090.H — Transit support facilities.~~

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~~13.06.090.I — Signs standards.~~

~~13.06.100 — Building design standards.~~

~~J. Small lot single family residential development.[†]~~

~~1. Applicability.~~

~~2. Purpose.~~

~~These regulations are intended to supplement and amend the regulations pertaining to single family detached residential development by providing criteria for small lot single family detached development in the R1, R2, R2SRD, HMR-SRD, R3, R4, R4L and R5 Districts. These regulations are intended primarily to promote residential infill development within the City to be consistent with the mandate of the State Growth Management Act and the City's Comprehensive Plan, to encourage growth within urban areas, and to minimize sprawl. Residential infill within already urbanized areas is increasingly recognized as a regional stormwater best management practice by encouraging a more compact urban form that reduces the development footprint within sensitive watersheds and greenfield areas. These provisions are designed to provide a mechanism to create new lots and develop existing lots that have a smaller area and/or width than the standard lot size requirements in the R Districts. However, in allowing for the creation of and development on these smaller lots, additional design standards are applied to better ensure that new single family development on such lots is compatible with the desired character of the City's residential areas.~~

~~3. Lot size standards.~~

~~a. New Small Lots that are smaller than the applicable standard minimum lot dimensions in Section 13.06.020.J, shall be allowed, without variance, in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4 L and R-5 Districts, subject to the Small Lot standards of that section, and provided that all new dwellings meet the design standards in Section 13.06.100.F.~~

~~b. New lots that are smaller than the applicable Level 1 Small Lot minimum lot dimensions in Section 13.06.020.J shall only be allowed pursuant to the Level 2 Small Lots provisions of that section, or with approval of a variance (see Section 13.05.010.B), and provided that all new dwellings meet the design standards in Section 13.06.100.F.~~

~~c. New small lot development must be oriented such that the lot frontage and the front façade of the house face the street.~~

~~d. The provisions of this section are not applicable to pipestem lots, which are required to meet the applicable Standard Lot dimensions specified in Section 13.06.020, and any other applicable provisions.~~

~~4. Building envelope standards.~~

~~a. New single family detached dwellings on small lots shall be subject to the standard building envelope requirements for single family dwellings in the applicable zoning district.~~

~~b. Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.~~

~~c. Functional yard space. All lots shall provide at least one contiguous yard space equivalent to at least 10% of the lot size.~~

~~5. Driveways.~~

~~a. Vehicular access shall be from the rear of the site whenever feasible.~~

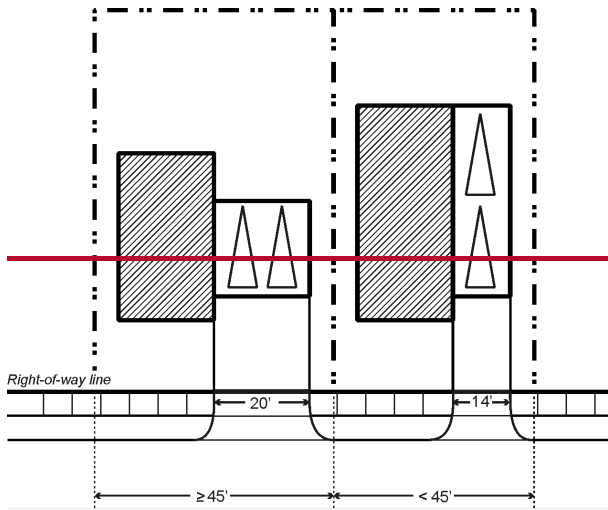
~~b. For driveways accessing the street, the maximum width of driveway approaches shall be 20 feet.~~

~~c. Driveway approach widths for lots less than 45 feet wide shall be no greater than 14 feet.~~

~~d. In no case shall a driveway approach occupy more than 50% of any lot frontage. Shared driveway approaches may be appropriate for narrower lots.~~

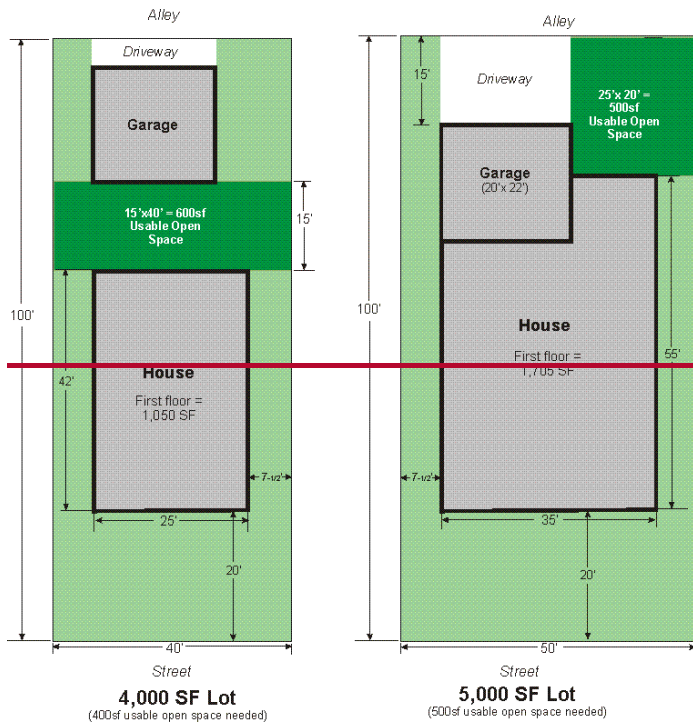
~~e. In no case shall a driveway or parking area occupy more than 50% of the width of the front yard. If a parking turnaround is used, the turnaround area shall be setback at least 10 feet and be screened by a 4 foot high landscape hedge.~~

[†] Code Reviser's note: Previously codified as 13.06.145 (Small lot single family residential development); relocated to 13.06.020 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28613 Ex. E; passed Sept. 24, 2019; Ord. 28336 Ex. B; passed Dec. 1, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28077 Ex. C; passed Jun. 12, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27771 Ex. C; passed Dec. 9, 2008; Ord. 27432 § 5; passed Nov. 15, 2005; Ord. 27296 § 9; passed Nov. 16, 2004; Ord. 27079 § 19; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002.



6. Minimum yard space shall (see examples below):

- a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.
- b. Not include alleys or driveway space.
- c. Not be located within the required front yard.
- d. Be directly connected to and accessible from the house.
- e. For minimum usable yard spaces applicable to single family dwellings, refer to Section 13.06.020.F.7.b.
- f. For yard space exceptions pertaining to critical areas, refer to Section 13.06.020.F.7.g(1).



7. Street tree. One street tree shall be installed per small lot, per the provisions of TMC 13.06.090.B.

13.06.020 Residential Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.020. All portions of 13.06.020 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.020, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.020.A through Section 13.06.020.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.040.

B. Purpose.

The specific purposes of the Residential Districts are to:

1. Implement the goals and policies of the City's Comprehensive Plan.
2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas throughout the City's neighborhoods.
4. Protect and enhance established neighborhoods, and ensure that new development is in harmony with neighborhood scale and character.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.
7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.
8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.
9. Throughout the Zoning Code, references are made to "R-Districts", "UR-Districts", and "Residentially Zoned" properties. All of these references mean any district within the Urban Residential (UR) series as well as the Residential R-series (R-4 and R-5) Districts listed within this 13.06.020 section.

C. Districts established.

1. The following districts are intended primarily for residential land uses, as well as other uses such as daycares, parks, schools, churches, neighborhood-serving non-residential uses, and other uses which serve the neighborhood and have been deemed compatible with residential character.

2. UR-1 Urban Residential District.

This district is intended primarily for residential development including a range of dwellings and housing types reasonably compatible with the scale (size, width and height) of detached houses and reflecting residential patterns such as pedestrian orientation, yards, and space between buildings. Other compatible uses include residential businesses and community facilities including parks, schools and religious facilities. The district is characterized by lower activity levels, limited vehicular traffic, trees and other green features, and complete streets supporting transportation choices. The UR-1 District is generally located 1/8-mile or more from Centers, Corridors, parks and schools.

3. UR-2 Urban Residential District.

This district is intended primarily for residential development including a range of dwellings and housing types reasonably compatible with the scale (size, width and height) of detached houses and reflecting residential patterns such as pedestrian orientation, yards, and space between buildings. Buildings may occupy a little more of each residential lot than in the UR-1 District. Other compatible uses include residential businesses and community facilities including parks, schools and religious facilities. The district is characterized by low to moderate activity levels, limited vehicular traffic, trees and other green features, and complete streets supporting transportation choices. The UR-2 District is generally located within easy walking distance of Centers, Corridors, parks and/or schools.

4. UR-3 Urban Residential District.

This district is intended primarily for residential development including a range of dwellings and housing types, including multiplexes, at a transitional scale between that of lower-scale residential neighborhoods and the scale of Centers and Corridors, reflecting residential patterns such as pedestrian orientation and space between buildings. Buildings may occupy a little more of each residential lot than in the UR-2 District. Other compatible uses include residential businesses, neighborhood-serving commercial uses, and community facilities including parks, schools and religious facilities. The district is characterized by moderate activity levels and vehicular traffic, trees and other green features, and complete streets supporting transportation choices. The UR-3 District is generally located adjacent to higher intensity zoning districts and/or major Corridors.

5. R-4 Multiple-Unit Dwelling District.

This district is intended primarily for medium density multiple-unit housing. In addition to uses permitted in less dense zones, other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

6. R-5 Multiple-Unit Dwelling District.

This district is intended for high-density multiple-unit housing, as well as residential hotels, retirement homes, and limited mixed-use buildings, in addition to uses permitted in less dense zones. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.

D. Pedestrian streets designated.

Figure 7 of the Comprehensive Plan Urban Form Chapter designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets” and are defined in Section 13.06.010.D. The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
3. Use table abbreviations.

<u>P = Permitted use in this district.</u>
<u>TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.</u>
<u>CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.</u>
<u>N = Prohibited use in this district.</u>

4. District use table – Residential Districts (13.06.020).¹

Uses (See Footnote 3)	UR-1	UR-2	UR-3	R-4	R-5	Additional Regulations (See Footnotes 1, 2)	
Agriculture and Natural Resources							
-	<u>Agricultural uses</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.</u>
-	<u>Mining and quarrying</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Existing surface mines considered permitted as conditional use, subject to requirements contained in Section 13.06.080.O.</u>
-	<u>Urban horticulture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
Residential Uses							
<u>Dwelling Types/Housing Types</u>	-	-	-	-	-	-	-
	<u>Houseplex</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*</u>	<u>*</u>	<u>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.</u> <u>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Backyard Building</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*</u>	<u>*</u>	<u>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.</u> <u>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Rowhouse</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*</u>	<u>*</u>	<u>Referred to as Dwelling, Townhouse in the R-4 and R-5 Districts.</u> <u>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.</u> <u>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Courtyard Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*</u>	<u>*</u>	<u>In UR-1 District, Detached Courtyard Housing only.</u> <u>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.</u> <u>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Multiplex</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>*</u>	<u>*</u>	<u>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.</u> <u>In UR-1 and UR-2, conditionally permitted subject to Section 13.05.010.A Adaptive Reuse of Heritage Buildings and Pre-existing non-residential uses.</u> <u>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>

<u>Uses</u> (See Footnote 3)		<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations</u> (See Footnotes 1, 2)
	<u>Dwelling, accessory (ADU)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.A.</u>
	<u>Dwelling, One-unit</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>P</u>	<u>P</u>	<u>* In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.</u> <u>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Dwelling, Two-unit</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>P</u>	<u>P</u>	<u>* In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.</u> <u>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Dwelling, Three-Unit</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>P</u>	<u>P</u>	<u>* In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.</u> <u>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Dwelling, multi-unit</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>P</u>	<u>P</u>	<u>* In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.</u> <u>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
	<u>Dwelling, townhouse</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>P</u>	<u>P</u>	<u>* In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.</u> <u>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards.</u>
<u>Other Residential</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
-	<u>Accessory uses and buildings</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.020.F</u>
-	<u>Adult family home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N</u>
-	<u>Day care, family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Must be licensed by the State of Washington.</u>
	<u>Emergency Shelter</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
-	<u>Foster home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
-	<u>Group housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Maximum occupancy is not regulated by the Zoning Code, but is subject to Building Code provisions.</u>
-	<u>Live/Work</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>In UR Districts, permitted or conditionally permitted subject to the Adaptive Reuse of Heritage Building provisions of 13.06.050.A, the Pre-existing non-residential uses provisions of 13.05.010A, and/or 13.05.080.T.</u> <u>Subject to Live/Work – Work/Live provisions of 13.06.080.I</u>
-	<u>Mobile home/trailer court</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.090.B.</u>

Uses (See Footnote 3)		UR-1	UR-2	UR-3	R-4	R-5	Additional Regulations (See Footnotes 1, 2)
-	<u>Residential Business</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Residential Business 1. Subject to additional requirements contained in Section 13.06.080.G.</u> <u>Residential Business 2. Conditionally permitted subject to requirements contained in Section 13.05.010.A.</u>
	<u>Short-term rental (1-2 guest rooms)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.</u>
	<u>Short-term rental (3-9 guest rooms)</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Sections 13.06.080.M.</u>
	<u>Short-term rental (entire dwelling)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.M.</u>
-	<u>Staffed residential home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
-	<u>Retirement home</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>In UR-1 and UR-2 Districts, conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.</u> <u>Subject to additional requirements contained in Section 13.06.080.N.</u>
<u>Medical and Health Services</u>							
	<u>Continuing care retirement community</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
	<u>Detoxification center</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
	<u>Extended care facility</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
	<u>Hospital</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
	<u>Intermediate care facility</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
	<u>Residential care facility for youth</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.N.</u>
	<u>Residential chemical dependency treatment facility</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.N.</u>
<u>Community and Civic Facilities</u>							
	<u>Assembly facility</u>	<u>CU</u>	<u>CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.</u> <u>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.</u> <u>Permitted or conditionally permitted subject to Limited Mixed-Use Residential Development provisions. See Sections 13.05.010.A and/or 13.06.080.U.</u>
	<u>Cemetery/Internment services</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A.</u>
	<u>Confidential shelter</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
	<u>Correctional facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-

<u>Uses</u> (See Footnote 3)	<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations</u> (See Footnotes 1, 2)
<u>Cultural institution</u>	<u>CU</u>	<u>CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A. Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T. Permitted or conditionally permitted subject to Limited Mixed-Use Residential Development provisions. See Sections 13.05.010.A and/or 13.06.080.U.
<u>Detention facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Juvenile community facility</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	Subject to additional requirements contained in Section 13.06.080.H.
<u>Parks, recreation and open space</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit: <u>Destination facilities</u> <u>High-intensity recreation facilities</u> <u>High-intensity lighting</u> <u>Development of more than 20 off-street parking spaces</u> Parks, recreation and open space uses are subject to the requirements of Section 13.06.080.L, where the above features are defined.
<u>Public service facilities</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit.
<u>Religious assembly</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>School, public or private</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Work release center</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	Subject to additional requirements contained in Section 13.06.080.R.
<u>Commercial Uses</u>						
<u>Craft Production</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	Permitted or conditionally permitted subject to Live/Work – Work/Live provisions of 13.05.080.I. Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A. Conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.05.080.T. Conditionally permitted subject to Limited Mixed-Use Residential Development 13.05.080.U.
<u>Hotel/Motel</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-

<u>Uses (See Footnote 3)</u>		<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations (See Footnotes 1, 2)</u>
<u>Office</u>		<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Permitted or conditionally permitted subject to Live/Work – Work/Live provisions of 13.05.080.I.</u> <u>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.</u> <u>Conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.05.080.T.</u> <u>Conditionally permitted subject to Limited Mixed-Use Residential Development 13.05.080.U.</u>
<u>Work/Live</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Eating and Drinking Establishments</u>							
-	<u>Brewpub</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Eating and drinking</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Permitted subject to Live/Work – Work/Live provisions. 13.05.080.I.</u> <u>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions. See Sections 13.05.010.A and/or 13.05.080.T.</u> <u>Conditionally permitted subject to Pre-existing non-residential uses provisions. See Sections 13.05.010.A.</u> <u>UR3, R-4, and R-5: Permitted subject to Limited Mixed-Use Residential Development. See Sections 13.05.080.U.</u> <u>R-5: Minor eating and drinking establishments designed primarily to serve on-site residents and consistent with a restaurant use per Section 13.01.060 are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities.</u>
-	<u>Microbrewery/ winery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Entertainment and Recreation</u>							
-	<u>Adult retail and entertainment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Carnival</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.080.P.</u>
-	<u>Commercial recreation and entertainment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Golf Courses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Theater</u>	<u>CU</u>	<u>CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions. See Sections 13.05.010.A and/or 13.05.080.T.</u>

<u>Uses (See Footnote 3)</u>		<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations (See Footnotes 1, 2)</u>
<u>Retail</u>		<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Permitted subject to Live/Work – Work/Live provisions of 13.05.080.I.</u> <u>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.05.080.T.</u> <u>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.</u> <u>Permitted subject to Limited Mixed-Use Residential Development of 13.05.080.U.</u> <u>R-5: Minor retail uses designed primarily to serve on-site residents are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities.</u>
-	<u>Marijuana retailer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Nursery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Services</u>				-	-	-	
-	<u>Ambulance services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Animal sales and service</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Building material and services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Business support services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Day care center</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>P/CU</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.E.</u> <u>For UR-3, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.</u>
-	<u>Funeral home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Personal services</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P</u>	<u>Permitted subject to Live/Work – Work/Live provisions of 13.05.080.I.</u> <u>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.05.080.T.</u> <u>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.</u> <u>Permitted subject to Limited Mixed-Use Residential Development of 13.05.080.U.</u> <u>R-5: Minor retail uses designed primarily to serve on-site residents are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities.</u>
-	<u>Repair services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Storage Uses</u>							
-	<u>Warehouse/storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Wholesale or distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Self-storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-

<u>Uses (See Footnote 3)</u>		<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations (See Footnotes 1, 2)</u>
<u>Vehicle Related Uses</u>				-			-
-	<u>Commercial parking facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.090.C</u>
-	<u>Drivethrough with any permitted use</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Fueling station</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle rental and sales</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle service and repair</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Industrial</u>							
<u>Industry, heavy</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Coal facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Chemical manufacturing, processing and wholesale distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Cleaner Fuel Infrastructure</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Petroleum Fuel Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Smelting</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Industry, light</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle service and repair, industrial</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Research and development industry</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
	<u>Marijuana processor</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
	<u>Marijuana producer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Utilities, Transportation and Communication Facilities</u>							
<u>Airport</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-

<u>Uses (See Footnote 3)</u>	<u>UR-1</u>	<u>UR-2</u>	<u>UR-3</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations (See Footnotes 1, 2)</u>
<u>Communication facility</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Antennas for such facilities are subject to the additional requirements contained in Section 13.06.080.Q.</u>
<u>Heliport</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Passenger terminal</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Transportation/freight terminal</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Utilities</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Wireless communication facility</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Section 13.06.080.Q and the time limitations set forth in Chapter 13.05, Table H.</u>
<u>Accessory and Temporary Uses</u>						
<u>Seasonal sales</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to additional requirements contained in Section 13.06.080.P.</u>
<u>Temporary uses</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>See Section 13.06.080.P</u>
<u>Unlisted Uses</u>						
<u>Uses not prohibited by City Charter and not prohibited herein</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Footnotes:</u>						
<p>¹ For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.</p> <p>² Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.</p>						

F. Urban Residential Districts (UR-1, 2 and 3) Development Standards

1. Housing types, densities, scale, and lot standards.

<u>ZONE NAME</u>	<u>Urban Residential 1 (UR-1)</u>	<u>Urban Residential 2 (UR-2)</u>	<u>Urban Residential 3 (UR-3)</u>
<u>Housing Types permitted</u>	<u>Houseplexes</u> <u>Backyard Buildings</u> <u>Rowhouses</u> <u>Courtyard Housing (detached)</u>	<u>Houseplexes</u> <u>Backyard Buildings</u> <u>Rowhouses</u> <u>Courtyard Housing (all)</u>	<u>Houseplexes</u> <u>Backyard Buildings</u> <u>Rowhouses</u> <u>Courtyard Housing (all)</u> <u>Multiplexes</u>
<u>Additional Uses Permitted</u>	<u>See TMC 13.06.020.E.4</u>		<u>See TMC 13.06.020.E.4</u>
	<u>2,500 square feet (except for Unit Lots per the provisions of TMC 13.04.093)</u>		

<u>ZONE NAME</u>	<u>Urban Residential 1 (UR-1)</u>	<u>Urban Residential 2 (UR-2)</u>	<u>Urban Residential 3 (UR-3)</u>
<u>Lot Size, minimum</u>	Separate ownership of dwelling units will be permitted through Unit Lot Subdivisions. Alley lot area credit: Half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area.		
<u>Lot Width, minimum</u>	Minimum lot width is 25 feet (except for unit lots - see TMC 13.04.093).		
<u>Lot Frontage, minimum</u>	Minimum lot frontage is 25 feet (except for unit lots – see TMC 13.04.093).		
	Pipestem lots are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.		
<u>Density, maximum units per site area</u>	<u>1/1500 SF</u>	<u>1/1000 SF</u>	<u>1/750 SF</u>
<u>Density with Bonus, maximum units per site area</u>	<u>Bonus 1: 1/1000 SF</u> <u>Bonus 2: 1/750 SF</u>	<u>Bonus 1: 1/750 SF</u> <u>Bonus 2: 1/500 SF</u>	<u>Bonus 1: 1/500 SF</u> <u>Bonus 2: 1/375 SF</u>
<u>Density Notes</u>	All units on the lot count toward the maximum density or maximum bonus density, including those in separate buildings or in any combination of housing types. In no case shall the total number of units on a lot exceed the maximums in this table. Legal lots of record as of DATE OF ADOPTION which do not meet the minimum area, setbacks and/or frontage requirements are allowed a minimum of 4 dwellings and 2 additional dwellings through use of the Bonus 1 program.		
<u>Critical Areas Density Bonus</u>	Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.		
<u>Planned Residential Districts (PRDs)</u>	Existing PRDs remain in effect, minor modifications allowed. No new PRDs may be created.		
<u>Floor Area Ratio (FAR), maximum</u>	<u>1 to 2 units: 0.6</u> <u>3 or more units: 0.8</u>	<u>1 to 2 units: 0.8</u> <u>3 or more units: 1.0</u>	<u>1 to 2 units: 1.0</u> <u>3 or more units: 1.2</u>
<u>Floor Area Ratio (FAR), maximum with Bonus</u>	<u>Bonus 1: 1.0</u> <u>Bonus 2: 1.2</u>	<u>Bonus 1: 1.2</u> <u>Bonus 2: 1.6</u>	<u>Bonus 1: 1.6</u> <u>Bonus 2: 2.0</u>
<u>Height, maximum</u>	<u>35 feet</u> <u>25 feet high in rear 25 feet of lot</u>		<u>35 feet</u>
	<u>15 feet for accessory buildings.</u>		
	<u>Buildings within a View Sensitive Overlay district are subject to additional restrictions per 13.06.070.A. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.</u>		
<u>Height with Bonus, maximum</u>	<u>Bonus 1 and 2: 35 feet, including 35 feet in rear yard</u>		<u>45 feet</u>
<u>Number of Stories, maximum</u>	<u>3</u>		<u>3</u> <u>Bonus 1: 4</u> <u>Bonus 2: 5</u>
<u>Height flexibility with tree retention</u>	See TMC 13.06.020.F.3		
<u>Front Setback, minimum</u>	<u>15 feet</u>		<u>10 feet</u>
	Exception: porches, entries, and residential transition areas may be located within the front setback per the provisions of TMC 13.06.010.H.		

<u>ZONE NAME</u>	<u>Urban Residential 1 (UR-1)</u>	<u>Urban Residential 2 (UR-2)</u>	<u>Urban Residential 3 (UR-3)</u>
<u>Front Setback, minimum with Bonus</u>	<u>Bonus 1: 10 feet</u> <u>Bonus 2: 5 feet</u>		<u>Bonus 1: 7.5 feet</u> <u>Bonus 2: 5 feet</u>
<u>Front Setback Averaging</u>	<u>Refer to Diagram G.1 and G.2.</u>		
<u>Front Setback on Pedestrian Streets*</u> <u>maximum</u> <u>* as designated in TMC 13.06.010.D</u>	<p>Between 5 feet and 15 feet from the front lot line abutting the pedestrian street right-of-way for a minimum of 50 percent of the pedestrian street frontage.</p> <p><u>Exception: porches, entries and residential transition areas may be located within 5 feet of the lot line abutting the pedestrian street right-of-way per the provisions of TMC 13.06.010.H.</u></p> <p><u>Exemptions:</u></p> <ul style="list-style-type: none"> • <u>Additions to legal, nonconforming buildings are exempt from maximum setbacks, as long as the addition does not contribute to the nonconformance.</u> • <u>When a public easement precludes compliance with this standard, the setback requirement shall be measured as close as possible to the easement, while also providing entry requirements.</u> • <u>Public facilities on sites greater than 5 acres shall be exempt from maximum setbacks. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities.</u> • <u>Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.</u> 		
<u>Side Setback, minimum</u>	<p style="text-align: center;"><u>5 feet</u> <u>or 8 feet when used to access a unit or common entry on the same site</u></p> <p><u>Except side yards accessing new Backyard Buildings behind existing structures that cannot comply due to existing conditions or due to retaining existing buildings may only setback 5 feet.</u></p> <p><u>Refer to housing types in 13.06.100.F for measurement of Rowhouse side yards.</u></p>		
<u>Rear Setback, minimum</u>	<u>15 feet</u>	<u>10 feet</u>	
	<u>Refer to housing types in 13.06.100.F for exceptions to Backyard Buildings and Courtyard Housing.</u> <u>May be measured from centerline of alley where exists.</u>		
<u>Rear Setback, minimum with Bonus</u>	<u>Bonus 1: 10 feet</u> <u>Bonus 2: 5 feet</u>		<u>Bonus 1: 7.5 feet</u> <u>Bonus 2: 5 feet</u>
<u>Setback flexibility with tree retention</u>	<u>See TMC 13.06.020.F.3</u>		
<u>Pipestem Lot Setbacks</u>	<u>Pipestem lots shall provide a minimum of 5 feet on all sides; and shall provide a front and rear setback on two opposite sides.</u>		
<u>Building Separation on Lot, minimum</u>	<u>Minimum 6-foot separation between buildings, 10 feet when buildings are taller than 25 feet and for spaces oriented to the right-of-way</u>		
<u>Parking stalls per unit, minimum</u>	<u>Refer to Site Development Standards Section 13.06.090.C, Table 1, Off Street Parking Areas</u>		
<u>Bicycle Parking</u>	<u>Refer to Site Development Standards Section 13.06.090.G, Short and Long Term Bicycle Parking</u>		

<u>ZONE NAME</u>	<u>Urban Residential 1 (UR-1)</u>	<u>Urban Residential 2 (UR-2)</u>	<u>Urban Residential 3 (UR-3)</u>
<u>Amenity Space per unit/lot area</u>	<u>300 square feet/10 percent</u>	<u>200 square feet/7.5 percent</u>	<u>100 square feet/5 percent</u>
	<u>Maximum 1,000 square feet.</u> <u>See TMC 13.06.100.F.4</u>		
<u>Amenity Space per unit with bonus</u>	<u>Bonus 1: 250 square feet</u> <u>Bonus 2: 200 square feet</u>	<u>Bonus 1: 150 square feet</u> <u>Bonus 2: 100 square feet</u>	<u>Bonus 1: 75 square feet</u> <u>Bonus 2: 50 square feet</u>
<u>Amenity space flexibility with tree retention</u>	<u>See TMC 13.06.020.F.3</u>		
<u>Tree Credits, minimum (Canopy coverage of lot equivalent)</u>	<u>35 percent</u>	<u>30 percent</u>	<u>25 percent</u>
<u>Calculating Tree Credits</u>	<u>Refer to Site Development Standards Section 13.06.090.B.2.d.(1)(a), Landscaping Standards</u>		
<u>Tree Credits, minimum with Bonus</u>	<u>Bonus 1: 30 percent</u> <u>Bonus 2: 25 percent</u>	<u>Bonus 1: 25 percent</u> <u>Bonus 2: 20 percent</u>	<u>Bonus 1: 20 percent</u> <u>Bonus 2: 15 percent</u>

2. Urban Residential District Bonuses.

a. Applicability. Within UR Districts, development standards bonuses are available in exchange for the provision of public benefits with middle housing development. The bonus provisions allow for projects to be eligible to utilize more flexible and generous development standards, as specified in TMC 13.06.020.F.1, in exchange for specified public benefits – dedicated affordability or retention of existing buildings while adding additional dwellings to the lot. The bonuses are offered in two tiers, corresponding to the specific public benefits being provided. The bonus standards are not limited to the units subject to the achieving the bonus (i.e. affordable units, units located within a retained building) and they apply to the entire development.

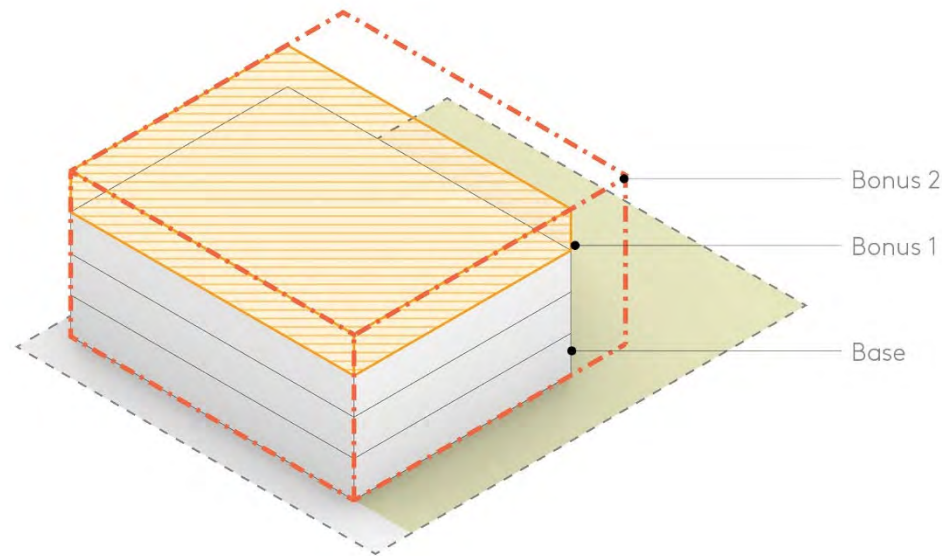


Diagram F.1. Diagram showing bonuses.

b. Purpose. The UR Districts are intended to promote a range of housing types, including middle housing, with development standards formulated to ensure reasonable compatibility with residential scale and patterns. Middle housing promotes multiple benefits in and of itself, including housing supply, choice and affordability, sustainability and transportation choices. The bonus program is intended to promote public benefits above and beyond those associated with middle housing. The two public benefits being promoted—dedicated affordability and the retention of existing buildings while adding dwellings to the lot—were selected to promote Comprehensive Plan policies, to address community priorities, and to comply with state law. In exchange for the specified public benefits, the project can utilize any and all of the development standards bonuses described in TMC 13.06.020.F.1. The bonuses have been crafted to offer significant value to middle housing development, while achieving the intended public benefits and still maintaining a reasonable balance of compatibility with neighborhood scale and residential patterns.

c. Public benefits. The following table details the public benefits options available in exchange for each bonus level:

<u>Bonus Tier 1 (meet one of the two options)</u>	<u>OPTION 1: Provision of affordability. Two units or 20 percent of total units at moderately affordable levels per the standards and requirements of TMC 1.39 Affordable Housing Bonuses Administrative Code—and specifically at the affordability levels specified in TMC 1.39.040. Fee in lieu of provision of affordable units is acceptable.</u>
	<u>OPTION 2: Retention of an existing primary building along with the addition of at least one dwelling to the site. To count as building retention, the structure may be remodeled and modified, subject to limitations, or left unremodeled or unmodified. Exterior alterations are subject to requirements in TMC 13.06.020.F.2.e</u>

<u>Bonus Tier 2</u>	<u>Provision of all units (100%) at deeper affordability levels per the standards and requirements of TMC 1.39 Affordable Housing Bonuses Administrative Code—and specifically at the affordability levels specified in TM 1.39.040. Fee in lieu of provision of affordable units will not be accepted.</u>
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d. Additional UR Bonus Program Requirements.

(1) In no case, regardless of how many bonus features are incorporated, can the additional development flexibilities exceed the maximums authorized in TMC 13.06.020.F.1.

(2) UR bonuses may be combined with other bonuses and incentives, including the Multifamily Tax Exemption Program per TMC 13.17.

(3) Public benefits are not subject to variance.

e. UR Bonus Tier 1: Option 2 requirements for exterior alterations. To ensure retained existing structures continue to contribute to the area's unique history and character, any alterations to the building's exterior must be consistent with the following standards:

(1) Exterior materials. Change of exterior materials, including cladding and roof surfaces, and colors are permitted.

(2) Windows and doors. Existing window and doors located on the front building facade may be replaced but opening locations and sizes shall be maintained, except as described below. Replacement of windows with doors for new units and de minimus variation in location and size is permitted when replacements are proposed. Addition of new window and doors where none previously existing is permitted. These limitations do not apply to the modification, including removal, of windows and doors on other facades.

(3) Porches. Existing porches and other covered entrance features located on the front building facade must be preserved. Additionally, such features may be added or expanded consistent with applicable development standards.

(4) Garages. ~~Unless deemed necessary to meet off-street parking requirements, c~~Conversion of existing garages to enclosed or semi-enclosed non-vehicular space is permitted when there is access to a paved alley or a walking path to the street.

(5) Additions.

- The design of any new addition should be harmonious with the composition of the existing building.
- Facade. Building additions shall either be distinguished from the existing building in at least one of the following ways: Setback) the addition is set at least 10 ft. behind the existing building's exterior wall that is nearest the front lot line; Modulation) the addition's front facade is separated from the existing building by a vertical modulation a minimum depth and width of at least 3 and 5 feet, respectively; or, shall be inline with the existing front facade and incorporate distinguishing architectural or building design features so as to be in character with or complementary with the existing structure.
- Height. The building's height may be increased provided that the vertical addition meets height limits and is generally consistent with or complementary with distinguishing building design features of the existing structure.

(6) Building preservation. A minimum of the following portions of the building must be retained with any alterations. These limits only apply to the portions of the building that meet the age qualifications of a building.

- At least 50% of building's footprint
- 100% of the front, street-facing facade
- 50% of the building's exterior walls shall be preserved and remain exterior wall.

3. Flexibility for Tree Retention

Flexibility for certain development standards are available when retaining an existing tree over 12 inches DBH, pursuant to the requirements of TMC 13.06.090, including the following:

a. Height flexibility for retaining at least one tree:

(1) UR-1 and UR-2 districts: 35 tall maximum in rear yard.

(2) UR-3 district: 45 feet maximum.

b. Front and rear setback flexibility:

(1) UR-1 and UR-2 districts: 10 feet minimum for retaining one tree. 5 feet minimum for retaining a tree grove.

(2) UR-3 district: 7.5 feet minimum for retaining one tree. 5 feet minimum for retaining a tree grove.

c. Side setback flexibility in all UR districts:

(1) For retaining at least one tree: side setback can be reduced to 5 feet when accessing units, provided that retaining walls, utility meters or other permanent obstructions do not reduce usable width below 4 feet.

d. Parking quantity flexibility in all UR districts:

(1) For retaining at least one tree: the number of required parking spaces may be reduced by 0.25 stalls per unit.

(2) For retaining a tree grove: the number of required parking spaces may be reduced by 0.50 stalls per unit.

e. Amenity space flexibility in all UR districts:

(1) For retaining at least one tree: the required amenity space may be reduced by 50 square feet per unit.

(2) For retaining a tree grove: the required amenity space may be reduced by 100 square feet per unit.


(3) In no case shall the minimum amenity space provided per dwelling unit be less than 25 square feet per unit.



G. Residential (R-4 and R-5) District development standards.


-	<u>R-4</u>	<u>R-5</u>
<u>1. Minimum Lot Area (in square feet, unless otherwise noted)</u>		
<u>a. Purpose.</u>		
<u>b. Single-unit detached dwellings</u>	<u>2,500</u>	<u>2,500</u>
<u>c. Two-unit dwellings</u>	<u>3,750</u>	<u>3,500</u>
<u>e. Three-unit dwellings</u>	<u>5,000</u>	<u>4,500</u>

	<u>R-4</u>	<u>R-5</u>
<u>f. Multiple-unit dwellings</u>	<u>6,000</u>	<u>6,000</u>
<u>g. Townhouse dwellings</u>	<u>1,000</u>	<u>1,000</u>
<u>i. Pre-existing lots</u>	<u>A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single-unit dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards.</u>	
<u>j. Critical Areas Density Bonus</u>	<u>Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.</u>	
<u>k. Planned Residential Districts</u>	<u>In the past, exceptions to the standard provisions of this section were permitted through the provisions of Section 13.06.070. No new PRDs may be created. Existing PRDs remain in effect, and minor modifications are allowed.</u>	
<u>2. Lot Measurements (in feet)</u>		
<u>a. Purpose.</u>		
<u>b. Minimum Average Lot Width – Standard Lots</u>	<u>25</u>	<u>25</u>
	<u>16 for townhouse dwellings; 32 for two-family dwellings</u>	
<u>d. Minimum Lot Frontage</u>	<u>25</u>	<u>25</u>
	<u>The minimum lot frontage requirement does not apply to townhouse dwellings. Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.</u>	
<u>3. Building Coverage (total building coverage / lot area x 100 = percentage)</u>		
<u>a. Purpose.</u>		
<u>b. Maximum building coverage, percent of lot</u>	<u>65</u>	<u>65</u>
<u>c. Bonus</u>	<u>Corner Lot: May add an additional 10% of the lot area to the total lot area for the purpose of calculating the maximum building coverage allowance. Alley: Lots with an alley may count 50% of the abutting alley as lot area for calculating the maximum allowable building coverage.</u>	




	<u>R-4</u>	<u>R-5</u>
<u>d. Exceptions</u>	<p><u>Usable Yard Space that is covered, but not enclosed, shall not count towards the maximum building coverage.</u></p> <p><u>Detached Accessory Dwelling units and small lot single family: Building coverage limitations do not apply to Detached ADUs, small lot single family, or cottage housing.</u></p>	
<u>4. Minimum Density (units per net acre)</u>		
<u>a. Purpose. Accessory dwelling units, conversion of existing single-family to more than one unit, and one infill single-family house on sites currently developed with one, are exempt from minimum-density requirements.</u>		
<u>b. Standard</u>	<u>18</u>	<u>22</u>
<u>5. Max. Height Limits (in feet)</u>		
<u>a. Purpose.</u>		
<u>b. Main Buildings</u>	<u>60</u>	<u>150</u>
<u>c. Accessory Buildings</u>	<u>15-feet</u>	
<u>d. Exceptions</u>	<p><u>Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.070.A.</u></p> <p><u>Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.010.</u></p>	
<u>6. Setbacks (in feet)</u>	<p><u>These residential setback requirements are designed to provide yard areas that help to minimize impacts between neighboring uses, allow space for recreational activities, allow access to light and air, serve as filtration areas for storm water run-off, provide a level of privacy and comfort, provide emergency and utility access around and into buildings, provide public view corridors, create a pleasing, rhythmic streetscape, promote consistency with existing development patterns, and promote the desired character of residential neighborhoods.</u></p> <p><u>Certain conditional uses may require different minimum setbacks. See Section 13.05.010.A.</u></p>	
<u>a. Minimum Front Setback, except where Build-to Area is required</u>	<u>15</u>	<u>10</u>

	<u>R-4</u>	<u>R-5</u>
<p><u>b. Build-to Area for lots located on a designated pedestrian street (see Section 13.06.010.D).</u></p>	<p><u>Occupied structures must be located between 5 feet and 20 feet from the front lot line abutting the pedestrian street right-of-way for a minimum of 50% of the pedestrian street frontage.</u></p> <p><u>Exception: porches, entries, landscaping and residential transition areas may be located within 5 feet of the lot line abutting the pedestrian street right-of-way.</u></p> <p><u>Exemptions:</u></p> <ul style="list-style-type: none"> • <u>Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided, the addition reduces the level of nonconformity as to maximum setback.</u> • <u>When a public easement precludes compliance with this standard, the setback requirement shall be measured from the back edge of the easement.</u> • <u>Public facilities on sites greater than 5 acres shall be exempt from Build-to Area requirements. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities.</u> • <u>Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.</u> 	
<p><u>c. Townhouse Dwelling Minimum Front Setback</u></p>	<p><u>For townhouse dwellings, the minimum front yard setback shall apply only along the front property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.020.H.</u></p>	
<p><u>d. Vehicular Doors Facing the Front Or Corner Street Property Line</u></p>	<p><u>Vehicular doors that face the front or corner street property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front or corner street property line or private road easement.</u></p>	
<p><u>e. Pipestem Lot Setback</u></p>	<p><u>Pipestem lots shall provide the required front setback along one of the property lines that abut or are nearest to the accessway/lot extension. The accessway/lot extension shall not be included when measuring the setback. The front yard setback will determine the orientation of the other required setbacks.</u></p>	
<p><u>f. Front Setback Averaging</u></p>	<p><u>For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less. Refer to Diagram G.1.</u></p> <div style="text-align: center;">  <p><u>DELETE THIS DIAGRAM AND TEXT!</u></p> </div>	

	<u>R-4</u>	<u>R-5</u>
	<p>(1) <u>Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less. Refer to Diagram G.2.</u></p>  <p>DELETE THIS DIAGRAM AND TEXT!</p> <p>(2) <u>For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house.</u></p> <p>(3) <u>In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.</u></p>	
<u>g. Minimum Side Setback (Interior Lots)</u>	<u>5</u>	<u>5 feet for buildings less than 6 stories</u> <u>Each side yard setback shall be increased 1-foot in width for each story, or part thereof, above 6 stories.</u>
<u>h. Townhouse Dwelling Minimum Side Setback</u>	<u>For townhouse dwellings, the minimum side yard setback shall apply only along the side property lines of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.</u>	
<u>i. Minimum Side Setback (Corner Lots)</u>	<p><u>On corner lots, the side yard setback regulations shall be the same as for interior lots, except where the rear lot line of a corner lot abuts the side lot line of a lot in the rear (see example below). In this case, there shall be a side yard setback on the street-side of such corner lot of not less than one-half of the front yard setback provided on the lot in the rear, but such side yard setback need not exceed half the standard front yard setback requirement for the district. In no case, however shall the side yard setback be less than five feet. Refer to Diagram G.3</u></p>  <p>DELETE THIS DIAGRAM AND TEXT!</p>	
<u>j. Minimum Rear Setback</u>	<u>25 feet</u> <u>20 feet for mobile home parks</u>	<u>20</u>
<u>k. Townhouse Dwelling Minimum Rear Setback</u>	<u>For townhouse dwellings, the minimum rear yard setback shall apply only along the rear property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.020.H.</u>	
<u>7. Minimum Amenity Space</u>		
<u>a. Purpose.</u>		

	<u>R-4</u>	<u>R-5</u>
<p><u>b. Single-Unit Dwelling</u></p>	<p>All single-unit dwellings shall provide a contiguous rear or side outdoor amenity space equivalent to at least 10% of the lot size. This amenity space shall be subject to the following limitations:</p> <ul style="list-style-type: none"> • <u>Have no dimension less than 15-feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet;</u> • <u>Not include structures, parking, alley or driveway spaces or required critical areas and buffers;</u> • <u>Not be located in the front yard, with the exception of front porches, which may be counted towards the overall outdoor amenity space requirement where meeting the design standards in f.1 below.</u> <p><u>For through lots, the required outdoor amenity space may be located within the “functional rear yard” (see Subsection G.6 for additional information about “functional rear yards”).</u> <u>Refer to Diagram G.4.</u></p>  <p><u>DELETE THIS DIAGRAM AND TEXT!</u></p>	
<p><u>c. Duplex/Triplex</u></p>	<p><u>Duplex and triplex development shall provide at least 400 square feet of outdoor amenity space for each dwelling unit. Private and common amenity space must meet the design requirements specified in f. below.</u></p>	
<p><u>d. Townhouse</u></p>	<p><u>At least 300 square feet of private outdoor amenity space and 100 square feet of common outdoor amenity space is required for each townhouse. Private and common amenity space must meet the design requirements specified in f. below.</u></p>	
<p><u>e. Multi-unit dwellings</u></p>	<p><u>At least 20% of the lot area is required to be outdoor amenity space. A minimum of 35% of the amenity space shall be provided in common. The remainder can be provided as private or common amenity space. Private and common amenity space must meet the design requirements specified in f. below.</u></p>	

-	<u>R-4</u>	<u>R-5</u>
<p><u>f. Amenity Space Design</u></p>	<p>(1) <u>Private Amenity Space. To qualify, private amenity space must meet the following standards:</u></p> <ul style="list-style-type: none"> • <u>Have no dimension less than 15-feet, except where lots are less than 3500 total SF, in which case the minimum single dimension of outdoor usable yard space shall be no less than 12 feet.</u> • <u>Private amenity space shall be direct and immediately accessible from the dwelling unit or a bedroom.</u> • <u>Private amenity space may be provided as balconies, porches, decks, patios or yards. To qualify as amenity space, such spaces shall be at least 50 square feet, with no dimension less than five feet.</u> <p>(2) <u>Common Amenity Space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children’s play areas, or other multi-purpose outdoor recreational and/or green spaces. Requirements for (and limitations on) common amenity spaces include the following:</u></p> <ul style="list-style-type: none"> • <u>No dimension shall be less than fifteen feet in width.</u> • <u>Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity.</u> • <u>Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.</u> • <u>Individual entries shall be provided onto common amenity space from adjacent ground floor residential units, where applicable.</u> • <u>Spaces should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.</u> • <u>Common amenity space shall be open to the sky, except for clear atrium roofs and shared porches. A maximum of 25% of the common amenity space may be covered but not enclosed.</u> • <u>Shared porches qualify as common amenity space provided no dimension is less than eight feet.</u> <p>(3) <u>Interior recreational space (for multi-family development only). Interior recreational space includes swimming pools, fitness centers, and other recreation spaces that are located within the primary structure or as an accessory structure. Interior recreational spaces may be used to meet up to 35% of the overall amenity space requirement.</u></p> <p>(4) <u>Rooftop decks may be used to meet the amenity space requirements. To qualify, rooftop decks must meet the following standards:</u></p> <ul style="list-style-type: none"> • <u>No more than 50% of the rooftop deck may be used to meet private amenity space requirements.</u> • <u>Must include amenities such as seating areas and landscaping.</u> • <u>Must feature appropriate hard surfacing to encourage active use.</u> • <u>Must include lighting for residents’ safety.</u> • <u>No dimension shall be less than 15 feet in width.</u> <p>(5) <u>Landscaping. Up to 35% of the amenity space may be comprised of landscaping, including groundcover and shrubs.</u></p> <p>(6) <u>Vehicular access areas shall not count as amenity space.</u></p>	

	<u>R-4</u>	<u>R-5</u>
<u>g. Amenity Space Exceptions</u>	<p>(1) <u>Critical Area Exception:</u></p> <ul style="list-style-type: none"> • <u>When the lot contains identified critical areas and/or buffers, said critical areas and/or buffer area shall be excluded from the lot size calculation for determining the required usable yard space required on site.</u> • <u>For usable yard space required on a per unit basis, critical areas and/or buffer areas may be counted towards the landscaping allowance.</u> <p>(2) <u>Proximity to Active Public Recreation:</u></p> <ul style="list-style-type: none"> • <u>When the site is located within a quarter mile accessible walking distance of a public park or school that has attractive, well-maintained outdoor recreation facilities regularly available to the public on a long-term basis, the common amenity space requirement may be waived, reducing the overall required amenity space to 13 percent of the lot area for multi-family development and 300 total square feet for townhouses.</u> 	
<u>h. Acceptable Yard Space Examples</u>	<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p><u>Balconies are a good source of private yard space.</u></p> </div> <div style="text-align: center;">  <p><u>Above: Examples of common open space.</u></p> </div> <div style="text-align: center;">  <p><u>Example of a shared rooftop deck.</u></p> </div> </div>	
<u>8. Tree Credits</u>		
<u>a. Purpose.</u>		
<u>b. Tree Credits, minimum</u>	<u>20 percent</u>	<u>15 percent</u>
<u>c. Calculating Tree Credits</u>	<u>Refer to Site Development Standards Section 13.06.090.B.2.d.(1)(a)</u>	

	<u>R-4</u>	<u>R-5</u>
<u>d. Other standards and flexibility</u>	<u>Trees planted to meet this requirement are subject to the standards in Section 13.06.090.B landscaping requirements applicable to all required landscaping. Trees may be located within private or common Amenity space. Tree retention credits from Section 13.06.090.B may be applied.</u>	
<u>e. Enforcement</u>	<u>Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.150.</u>	

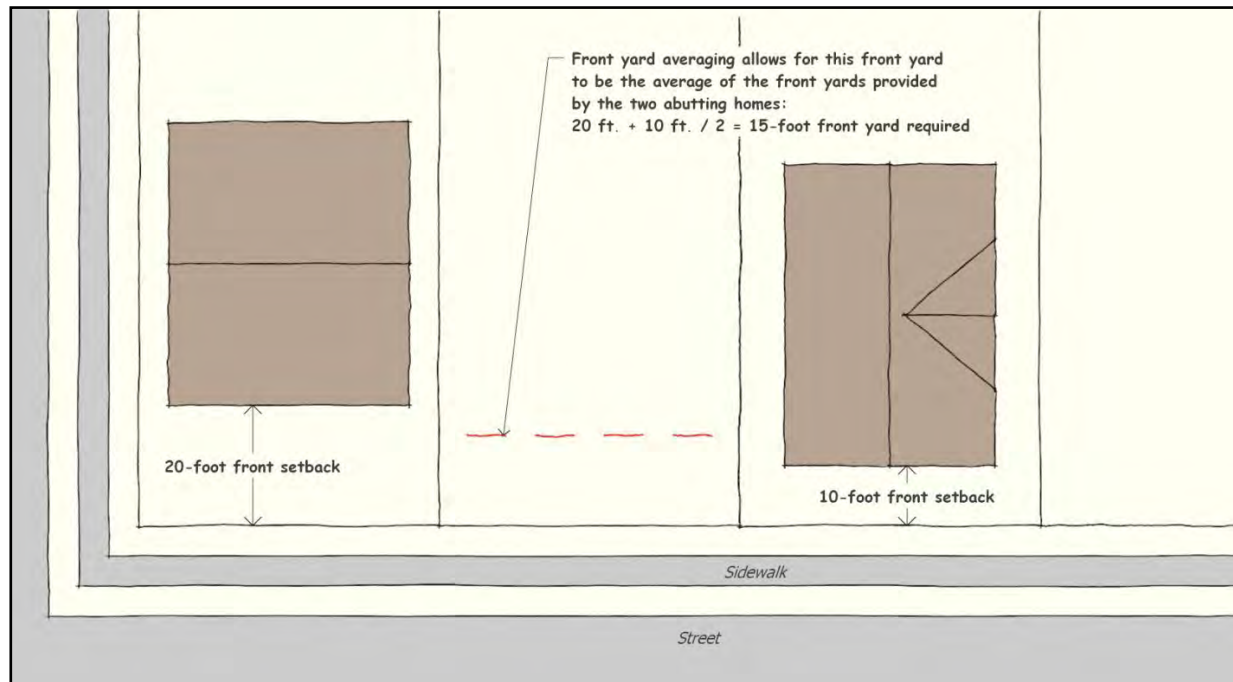


Diagram G.1 showing front setback averaging in UR and R districts.

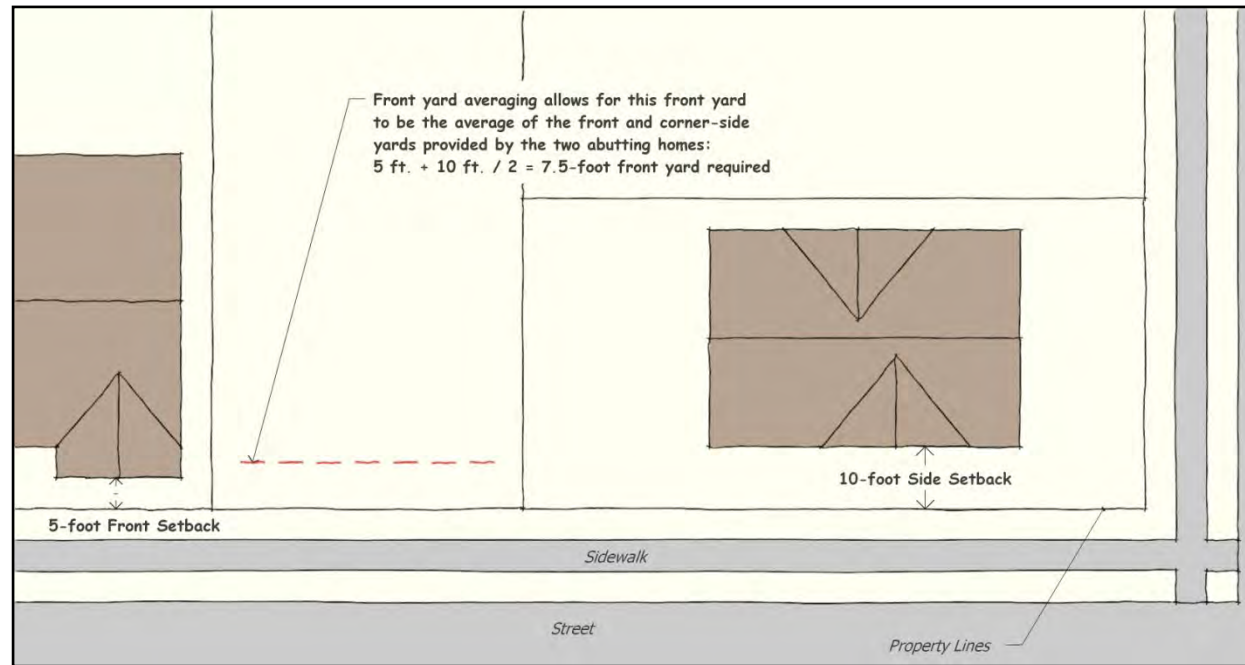


Diagram G.2 showing front setback averaging at corner lots in UR and R districts.

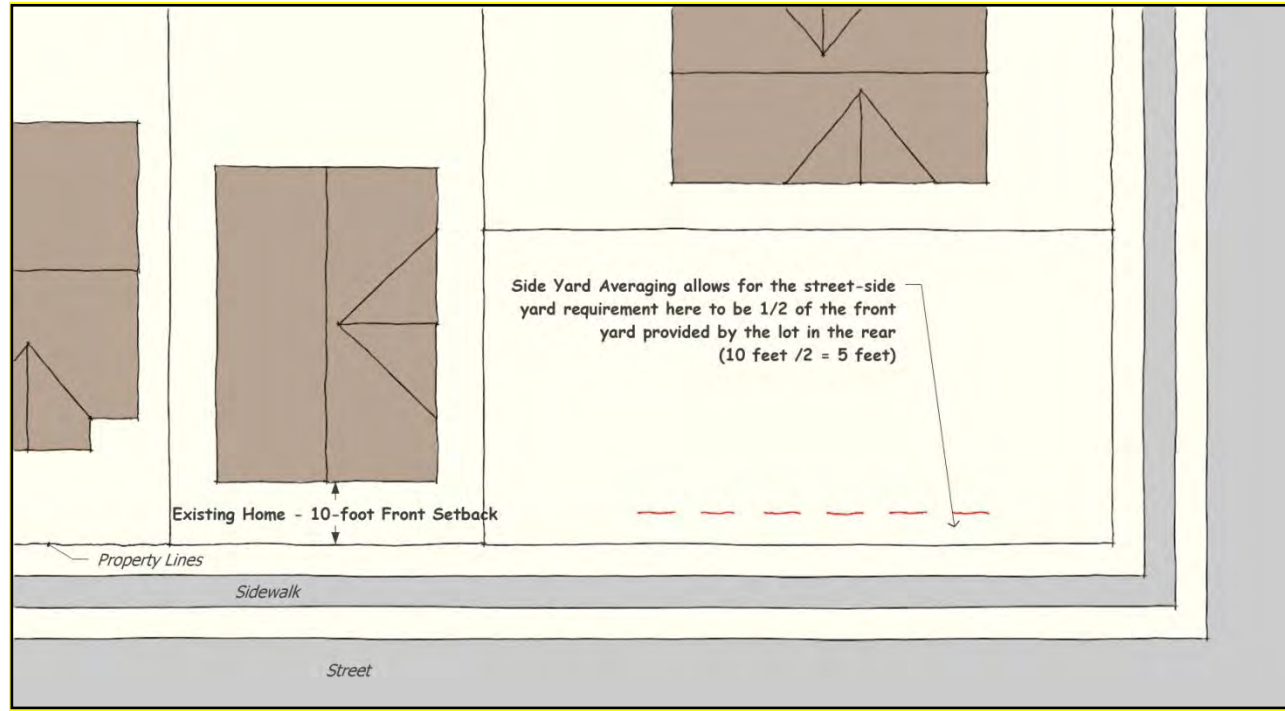


Diagram G.3 showing side setback averaging in R districts.

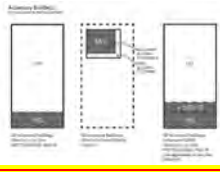


Diagram G.4 showing amenity space in R districts.

H. Accessory building standards.

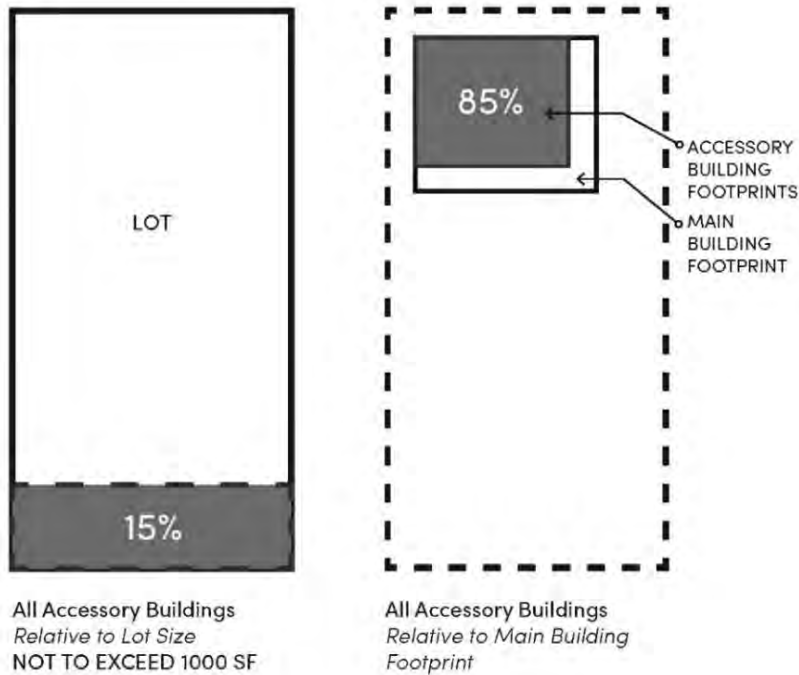
Accessory buildings permitted per Section 13.06.020, such as garages, sheds, common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-unit residential uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85 percent of the square footage of the main building footprint and no more than 15 percent of the square footage of the lot, not to exceed 1,000 square feet. For lots greater than 10,000 square feet, the total square footage of all accessory building footprints shall be no more than 10 percent of the square footage of the lot (the other limitations applicable to smaller properties outlined above shall not apply). If one of the accessory buildings is a Detached ADU, the total allowed square footage of accessory structures is increased by 500 square feet, provided that the additional 500 square feet is non-habitable and detached from all other structures.



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Accessory Buildings
(For lots under 10,000 square feet)



2. A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.

3. An accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with

habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.

4. Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.

5. Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.

a. For through lots, if there is an established pattern of "functional front and rear yards," detached accessory buildings shall be allowed in the "functional rear yard." A "functional rear/front yard" shall be defined by the established pattern of the block, based on the orientation of existing dwellings and location of existing detached buildings. If there is no defined pattern, a locational variance shall be required to allow the accessory structure in the front yard. The required front setback for such an accessory building shall be the same as for a primary building as set forth in TMC 13.06.020.F.

6. For garages that include vehicular doors facing the front or corner street property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front or corner street property line or private road easement.

7. Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line. When the rear lot line of a corner lot abuts the side lot line of the lot in the rear, no accessory building shall be located less than the interior side yard setback for the site's zoning district.

8. Except as noted below, commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district.

a. Shipping and/or storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.

b. Shipping and/or storage containers may be allowed on a site with a valid conditional use permit, subject to the following standards:

(1) On sites less than 5 acres, shipping container shall not be located between the building and street right-of-way. On corner lots, this applies to front and side.

(2) On sites less than 5 acres, on corner lots, shipping container shall be setback further than the side wall of the main building.

(3) Shipping containers shall be screened from any Residential District when adjacent to or across street and/or alley from the Residential District. The shipping container must be screened by a minimum 6-foot tall solid wood fence and/or landscaping.

(4) Shipping containers cannot be stacked.

(5) Shipping containers must meet, at a minimum, the setbacks of the main building.

(6) If any of these standards cannot be met, a shipping container may be located as a Temporary Use for a reduced time and subject to the standards for a Temporary Use. See TMC 13.06.080.P.

9. Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.090, including subsection 13.06.090.C.

-H. Townhouse Standards. Refer to Section 13.06.100 for design standards that apply to all townhouse developments in R-Districts

I. References to common requirements.

13.01 Definitions.

- 13.05.010 For Land use permits, including conditional use and variance criteria.
- 13.06.010 General provisions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area, as well as nonconforming uses/parcels/structures.)
- 13.06.070 Overlay districts (these districts may modify allowed uses and/or the development regulations of the underlying zoning district.)
- 13.06.080 For Residential Businesses and Short-term rentals.
- 13.06.090.B Landscaping standards.
- 13.06.090.C Off-street parking areas.
- 13.06.090.D Loading spaces.
- 13.06.090.F Pedestrian and bicycle support standards.
- 13.06.090.H Transit support facilities.
- 13.06.090.I Signs standards.
- 13.06.100 Building design standards.

13.06.030 Commercial Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.030. All portions of Section 13.06.030 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.030, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.030.A through Section 13.06.030.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

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4. District use table – Commercial Districts (13.06.030).¹

Uses (Table Footnote 3)	T	C-1	C-2 ¹	PDB	Additional Regulations (See Footnotes 2 and 3 at bottom of table)
Agriculture and Natural Resources					
Agricultural uses	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed.
Mining and quarrying	N	N	N	N	Existing surface mines are permitted as conditional uses, subject to specific requirements in Section 13.06.080.O.
Urban horticulture	N	N	N	N	
Residential Uses					
<u>Dwelling Types/Housing Types</u>					
- Houseplex	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Backyard Building	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Rowhouse	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Courtyard Housing	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Multiplex	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
Dwelling, accessory (ADU)	P	P	P	P	Subject to additional requirements contained in 13.06.080.A.
Dwelling, single-family One-unit detached	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G-H
Dwelling, two-familyunit	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G-H
Dwelling, three-familyunit	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G-H
Dwelling, multiple-family-unit	P	P	P	P	
Dwelling, townhouse	P	P	P	P	
Other Residential					
Adult family home	P	P	P	P	See definition for bed limit.
Day care, family	P	P	P	P	
Emergency and transitional Shelter	CU	CU	P	CU	See Section 13.06.080.N
Foster home	P	P	P	P	
Group housing	P	P	P	P	

¹ Code Reviser's note: Ord. 28906 Ex. C (Aug. 15, 2023) reorganized land use table order; due to scrivener's errors not all language from existing tables was carried over. Corrections were made during codification to re-insert language re: emergency and transitional; short-term rentals; extended care facility; commercial parking facility; and fueling station.

Uses (Table Footnote 3)	T	C-1	C-2 ¹	PDB	Additional Regulations (See Footnotes 2 and 3 at bottom of table)
Residential Business Home occupation	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.G
Live/Work	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.
Mobile home/trailer court	N	N	CU	N	
Short-term rental (1-2 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (3-9 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (entire dwelling)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Staffed residential home	P	P	P	P	See Section 13.06.080.N. See definition for bed limit.
Student housing	P	P	P	P	-
Retirement home	P	P	P	P	See Section 13.06.080.N.
Medical and Health Services					
Continuing care retirement community	P	P	P	P	See Section 13.06.080.N.
Detoxification center	N	N	N	N	
Extended care facility	P	P	P	P	See Section 13.06.080.N
Hospital	N	CU	CU	N	
Intermediate care facility	P	P	P	P	See Section 13.06.080.N.
Residential care facility for youth	P	P	P	P	See Section 13.06.080.N. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	P	See Section 13.06.080.N.

F. District development standards.

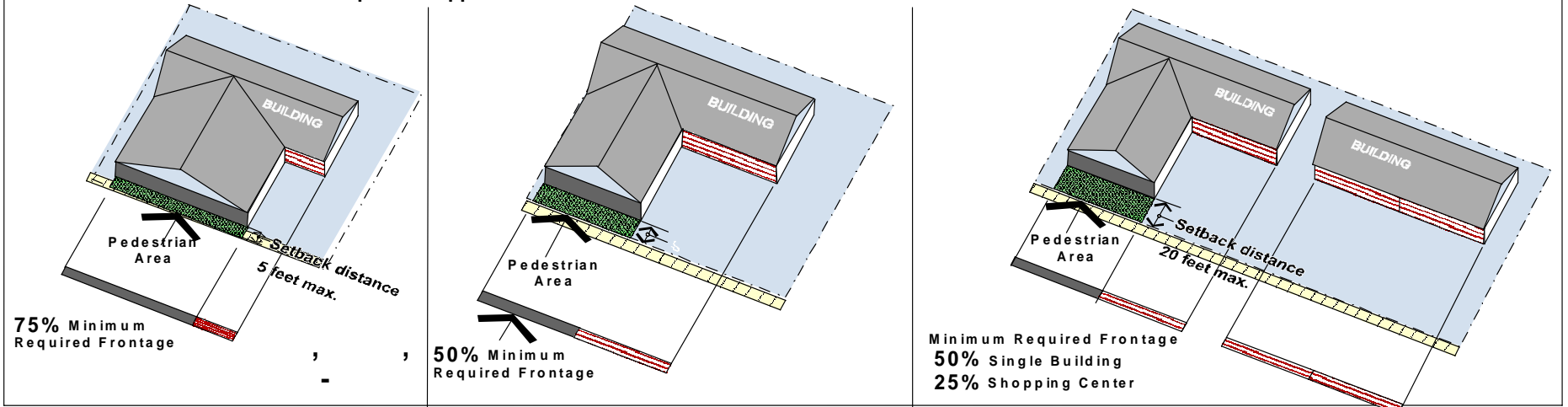
	T	C-1	C-2	PDB
1. Lot area and building envelope standards				
a. Applicability.				
b. Purpose.				
c. Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0
d. Minimum Lot Width	0	0	0	0
2. Building coverage.				
a. Applicability.	Applies to single-use multi-family residential development only.			

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	T	C-1	C-2	PDB
b. Purpose.				
c. Maximum Building Coverage	None non-residential; Residential maximum building coverage <u>in accordance with the R4 L District is 50% of the lot area, calculated in accordance with the provisions of TMC 13.06.020.G.3.</u>	None non-residential; Residential maximum building coverage <u>in accordance with the R4 L District is 50% of the lot area, calculated in accordance with the provisions of TMC 13.06.G.3.</u>	None non-residential; Residential maximum building coverage <u>in accordance with the R 4 District is 65% of the lot area, calculated in accordance with the provisions of TMC 13.06.G.3.</u>	None non-residential; Residential maximum building coverage <u>in accordance with the R 4 District is 65% of the lot area, calculated in accordance with the provisions of TMC 13.06.G.3.</u>
3. Setbacks				
a. Applicability.	See TMC 13.06.100.A for setbacks applicable to shipping containers.			
b. Purpose.				
c. Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.030.F.8) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
d. Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.090.B. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
e. Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.090.B. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
4. Height				
a. Applicability.				
b. Purpose.				
c. Maximum Height Limit	35 feet	35 feet	45 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.070.A South Tacoma. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.010.			
5. Maximum floor area.				
a. Applicability.				
b. Purpose.				
c. District standard.	20,000 square feet per building	30,000 square feet per building	45,000 square feet per business for retail uses, unless approved with a conditional use permit.	7,000 square feet per business for eating and drinking, retail and personal services uses
6. Minimum usable yard space.				
a. Applicability.	Applies to single use residential development and multi-family residential development with a commercial component, only.			
b. Purpose.				

	T	C-1	C-2	PDB
c. Minimum Usable Yard Space	Minimum usable yard space shall be provided in accordance with the residential building type requirements in 13.06.020.F.7. Duplex/triplex dwellings shall provide usable yard space in accordance with the R-3, R-4L , R-4 and R-5 Districts.			
7. Tree Canopy Coverage				
a. Applicability.	Applies to single-use residential development and multi-family residential development with a commercial component, only.			
b. Purpose.				
c. District standard (percent of lot).	30	30	20	20
	Tree canopy shall be provided in accordance with the standards in 13.06.020.F.8.			
8. Maximum setback standards on designated streets.				
a. Applicability.	Pedestrian streets as defined in TMC 13.06.010.D.1.			
b. Purpose.	To achieve a pedestrian supportive environment, where buildings are located in close proximity to the street and designed with areas free of pedestrian and vehicle movement conflicts, maximum building setbacks are required as follows:			
c. Maximum Setback Applied	<ul style="list-style-type: none"> a. 10 feet maximum front and/or corner side setback from property lines at the public right-of-way shall be provided for at least 75 percent of building facing the designated street frontage. b. When the site is adjacent to a designated pedestrian street, that street frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the façade as indicated above. c. This requirement supersedes any stated minimum setback. d. Maximum setback areas shall be designed to be sidewalk, pedestrian plaza, public open space, landscaping, and/or courtyard and to be free of motor vehicles at all times. 			
d. Exceptions	<ul style="list-style-type: none"> a. Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback.. b. Buildings that are 100 percent residential, or that have any portion of the ground floor as a residential use, do not have a maximum setback and instead shall meet the Build-to Area standard in 13.06.020.F.6. c. The primary building of a gas station, where gas stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt. d. Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards. 			

Examples for Application of Maximum Setback



13.06.040 Mixed-Use Center Districts.

A. Applicability.

All portions of Section 13.06.040 apply to all new development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts, unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.040.A through 13.06.040.E are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

E. District use restrictions.

1. Use requirements.

The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

2. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
TU	=	Temporary use consistent with Section 13.06.080.P.
N	=	Prohibited use in this district.

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3. District use table – Mixed-Use Center Districts (13.06.040).

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, and 5 at bottom of table)
Agriculture and Natural Resources									
Agricultural uses	N	N	N	N	N	N	N	N	
Mining and quarrying	N	N	N	N	N	N	N	N	
Urban horticulture	N	N	N	N	P	N	N	N	
Residential Uses									
Dwelling Types/ <u>Housing Types</u>									
- <u>Houseplex</u>	*	*	*	*	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- <u>Dwelling, accessory (ADU)</u>	*	*	*	*	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- <u>Dwelling, accessory (ADU)</u>	*	*	*	*	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- <u>Dwelling, accessory (ADU)</u>	*	*	*	*	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- <u>Dwelling, accessory (ADU)</u>	*	*	*	*	*	*	*	*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). See Section 13.06.080.A for specific Accessory Dwelling Unit (ADU) Standards. Prohibited in Commercial-only area of the UCX District.
Dwelling, single- <u>family unit detached</u>	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020. G-H .
Dwelling, two- <u>family unit</u>	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020. G-H .
Dwelling, three- <u>family unit</u>	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020. G-H .

Uses		NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, and 5 at bottom of table)
	Dwelling, multiple-family-unit unit	P	P	P	P	P	P	P	N	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). In the NRX District, multiple-family dwellings lawfully in existence on August 31, 2009, the time of reclassification to this district, shall be considered permitted uses; said multiple-family dwellings may continue and may be changed, repaired, replaced or otherwise modified, provided, however that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling at the time of reclassification to this district. Prohibited in Commercial-only area of the UCX District.
	Dwelling, townhouse	P	P	P	P	P	P	P	CU	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
Other Residential										
	Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX.2 Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
	Day care, family	P	P	P	P	N	P	P	P	
	Emergency and transitional housing Shelter	CU	P	P	CU	N	CU	CU	CU	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
	Foster home	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
	Group housing	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
	Residential Business Home occupation	P	P	P	P	P	P	P	P	Home occupations Residential Businesses shall be allowed in all X-Districts pursuant to the standards found in Section 13.06.080.G.

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Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, and 5 at bottom of table)
Live/Work	P	P	P	P	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I. Prohibited in Commercial-only area of the UCX District.
Mobile home/ trailer court	N	N	N	N	N	N	N	N	
Short-term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Subject to additional requirements contained in Section 13.06.80.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Short-term rental (3-9 guest rooms)	P	P	P	CU	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX and HMX Districts (see table footnote 2). Subject to additional requirements contained in Section 13.06.13.06.080.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Subject to additional requirements contained in Section 13.06.13.06.080.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Staffed residential home	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
- Student housing	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
Retirement home	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In NCX,CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, and 5 at bottom of table)
Medical and Health Services									
Continuing care retirement community	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
Detoxification center	N	N	N	N	CU	CU	N	N	
Extended care facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
Hospital	N	CU	CU	N	P	P	N	N	
Intermediate care facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.
Residential care facility for youth	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In CCX, NCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited in Commercial-only area of the UCX District.

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13.06.060 Industrial Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

E. District use restrictions.

The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC 13.06.070.B, which shall prevail in the case of any conflict.
3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.05.010.A.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

4. District use table – Industrial Districts (13.06.060).

Uses	M-1	M-2	PMI	Additional Regulations <small>(see table Footnote 1)</small>
Agriculture and Natural Resources				
Agricultural uses	N	N	N	
Mining and quarrying	P*/N	P*/N	P*/N	* Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
Urban horticulture	P	P	P	
Residential Uses				
Dwelling Types/ Housing Types				
- Houseplex	N*	N*	N*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Backyard Building	N*	N*	N*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
- Rowhouse	N*	N*	N*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.

Uses		M-1	M-2	PMI	Additional Regulations <small>(see table Footnote 1)</small>
-	Courtyard Housing	N*	N*	N*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
-	Multiplex	N*	N*	N*	* In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.
	Dwelling, accessory (ADU)	P/N~	N	N	Subject to additional requirements contained in 13.06.080.A. ~Not permitted within the South Tacoma M/IC Overlay District or the Port of Tacoma M/IC.
	Dwelling, single- family detached unit	P/N*~	N*	N*	In M-1 districts, single-, two- and three- family unit and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision. In M-1 districts, new multi- unit family residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC except for quarters for caretakers and watchpersons and temporary worker housing, as noted above, and except where allowed as a conditional use in the Port of Tacoma M/IC. **Conditional use in the Port of Tacoma M/IC.
	Dwelling, two- family unit	P/N*~	N*	N*	
	Dwelling, three- family unit	P/N*~	N*	N*	
	Dwelling, multiple- family unit	P/ CU**/ N*~	N*	N*	
	Dwelling, townhouse	P/ N*~	N*	N*	
Other Residential					
	Adult family home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
	Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
	Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
	Group housing	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.

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Uses		M-1	M-2	PMI	Additional Regulations <small>(see table Footnote 1)</small>
	Residential Business Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.080.G
	Live/Work	P/CU*	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. *Conditional use in the Port of Tacoma M/IC. Subject to additional requirements contained in Section 13.06.080.I.
	Mobile home/ trailer court	N	N	N	
	Short-term rental	N	N	N	
	Staffed residential home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
-	Student housing	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
	Retirement home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.

13.06.070 Overlay Districts.

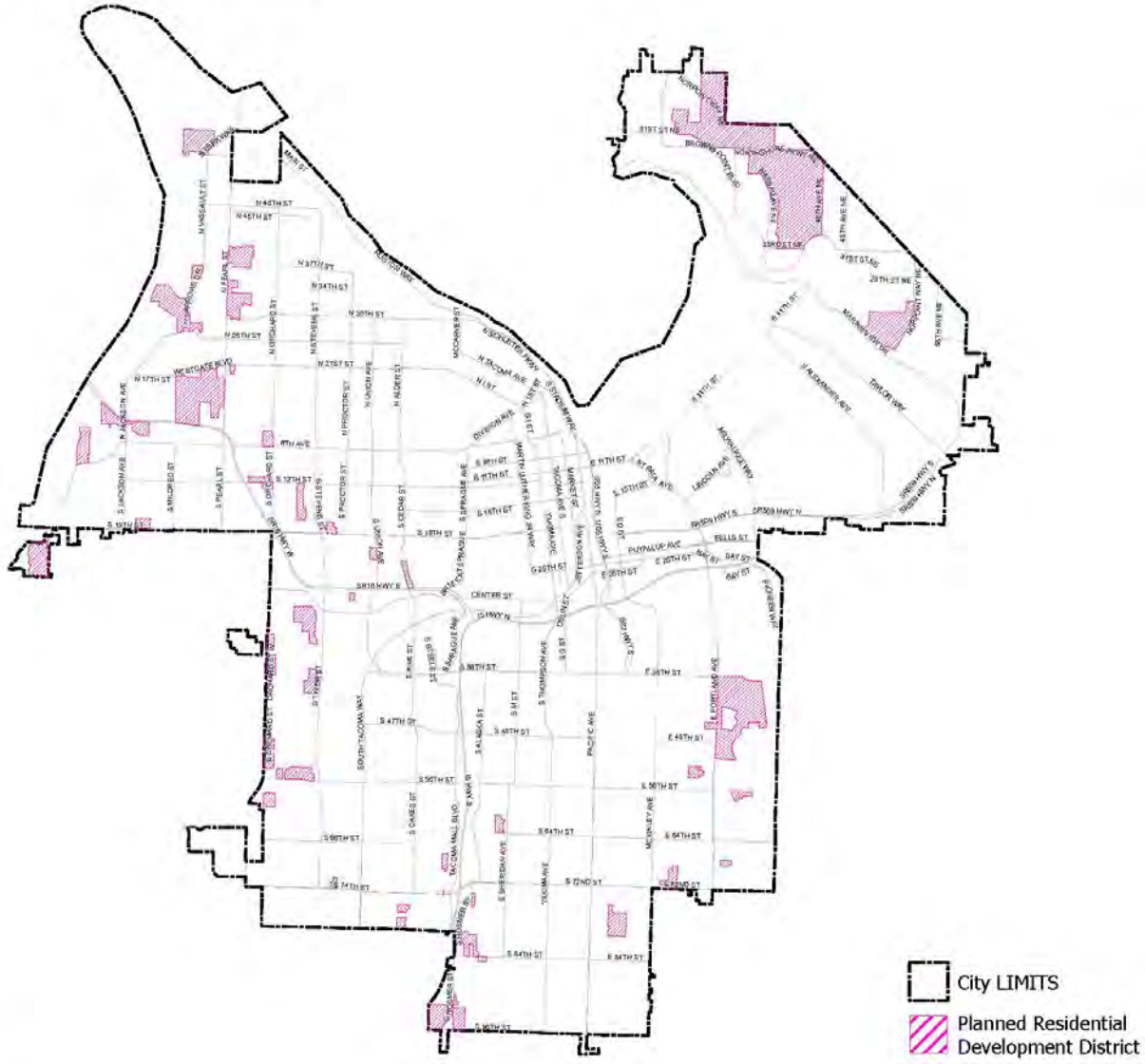
C. PRD Planned Residential Development District.

1. Applicability.

Tacoma Municipal Code

a. Map

City of Tacoma | Planning and Development Services
PRD Planned Residential Development District



0 0.75 1.5
Miles

Revised Date: 1/6/2023

2. Purpose.

At the time of the adoption of the overlay district(s) the ~~The~~ PRD Planned Residential Development District ~~is~~ was intended to: provide for greater flexibility in large scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts; encourage developers to use a more creative approach in land development and stormwater management; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and retain native vegetation; provide a high quality of urban design pursuant to creating a livable and attractive neighborhood and place-making; facilitate more desirable, aesthetic, and efficient use of open space; promote sustainable building and site design practices; and promote the voluntary incorporation of affordable housing through provision of voluntary density bonuses.

~~The PRD District is intended to be located in areas possessing the amenities and services generally associated with residential dwelling districts, and in locations which will not produce an adverse influence upon adjacent properties.~~

Land classified as a PRD District ~~shall also be~~ is also classified as one or more of the regular residential zoning districts and shall be designated by a combination of symbols (e.g., ~~R-3-PRD~~ UR-1 PRD) planned residential development district); this is known as the “underlying zoning”.

3. District procedures.

No new PRD applications will be accepted.

~~Application for reclassification to a PRD District shall be made in accordance with the provisions of Chapter 13.05, with a public hearing being conducted by the Hearing Examiner, and final action being taken legislatively by the City Council. Applications for reclassification to a PRD District shall bear the written consent of the owners of all property within the proposed PRD. Applications for a major modification to an existing PRD District shall bear the written consent of the owners of the specific properties proposed to be modified.~~

~~An application for site approval shall accompany a request for reclassification to a PRD District. Applications filed subsequent to such a reclassification shall be considered by the Director. Where only a portion of the development is submitted for site approval, a preliminary plan for the remainder of the development shall also be submitted, indicating the intended layout for the remainder of the development.~~

~~The Hearing Examiner shall conduct a public hearing on all applications for site approval which accompany a reclassification request and shall have approval authority on such site approval conditioned on City Council approval of the reclassification. In acting upon a request for site approval, the Hearing Examiner or Director shall consider, but not be limited to, the following criteria:~~

- ~~a. The site development plan shall be consistent with the goals and policies of the Comprehensive Plan.~~
- ~~b. The plan shall be consistent with the intent and regulations of the PRD District and any other applicable statutes and ordinances.~~
- ~~e. The proposed development plan for the PRD District is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The findings of the Hearing Examiner or Director shall be concerned with, but not limited to, the following:~~
 - ~~(1) The generation of noise or other nuisances which may be injurious or to the detriment of a significant portion of the community.~~
 - ~~(2) Availability and/or adequacy of public services which may be necessary or desirable for the support of the development. These may include, but shall not be limited to, availability of utilities; transportation systems, including vehicular, pedestrian, and public transportation systems; and education, police, and fire services, and social and health services.~~
 - ~~(3) Adequacy of landscaping, recreation facilities, screening, yards, setbacks, open spaces, or other development characteristics necessary to provide a sound and healthful living environment and mitigate the impact of the development upon neighboring properties and the community.~~
 - ~~(4) The compliance of the site development plan with any conditions to development stipulated by the City Council at the time of the establishment of the PRD District.~~
 - ~~(5) The demonstration of urban design excellence in site and building design through establishing Basic Neighborhood Patterns, pedestrian friendly design, de-emphasized parking, minimized scale contrasts and privacy impacts, usable outdoor spaces, sustainability features and connectivity as appropriate to the site, context and proposed development type and density.~~

Tacoma Municipal Code

~~d. An application for site approval shall include a plan or plans at a scale of not less than one inch equals 200 feet for the proposed development showing:~~

- ~~(1) Proposed name of the development, north point, scale, date, legal description, and names and addresses of the developer, engineer, surveyor, land planner, and landscape architect.~~
- ~~(2) The basic layout of the site or portion thereof, including lot design, if any, building locations, street layout, and roadway widths.~~
- ~~(3) Horizontal alignment data for all streets and vehicular accessways.~~
- ~~(4) Any areas proposed to be dedicated or reserved for public parks, schools, or playgrounds, or otherwise dedicated or reserved for public purposes.~~
- ~~(5) Other undedicated open space set aside for the use of the residents of the development in common.~~
- ~~(6) A general land use plan for the proposed district indicating the areas to be used for the various purposes.~~
- ~~(7) Types of dwellings and site locations thereof.~~
- ~~(8) Proposed locations of off-street parking areas with dimensions.~~
- ~~(9) Pedestrian walks, malls, and other trails, both public and private.~~
- ~~(10) A circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares, routes and pathways. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown.~~
- ~~(11) The stages to be built in progression, if any.~~
- ~~(12) Finished contours at a five-foot interval.~~
- ~~(13) The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.~~
- ~~(14) Land within the tract not to be developed as a part of the PRD District, with indication of existing and/or intended use or uses.~~
- ~~(15) Necessary building setback lines, including those required for sight distance purposes.~~
- ~~(16) Existing zoning boundaries.~~
- ~~(17) The intended time schedule for development.~~
- ~~(18) Tables showing the density and lot coverage of the overall development and of each zoning district within the development.~~
- ~~(19) A narrative and supporting exhibits demonstrating how the project will be consistent with the PRD intent and the provisions of this section.~~

4. General requirements.

~~a. This Section was substantially updated on December 1, 2015. Existing PRD Districts approved prior to that date are subject to the provisions of their approvals, including the amount and designation of required open space. PRD modifications are addressed in TMC 13.05.130.F. applications submitted after that date shall meet the following standards and requirements.~~

b. PRDs are permitted as an overlay in all residential districts, with the exception that PRDs are not permitted in the HMR-SRD District or within designated Historic Districts.

c. The site approval shall be binding upon the development and substantial variations from the plan shall be subject to approval by the Director.

d. No building permit shall be issued without a site approval.

e. The site approval shall expire as provided in Chapter 13.05.

~~f. In granting site approval, the Hearing Examiner and/or the Director may attach conditions as authorized in Chapter 1.23, or, in the case of approval by the Director, Chapter 13.05, and unless other arrangements are agreed to by the City, the owner and/or developers shall be responsible for paying the cost of construction and/or installation of all required on- and off-site improvements. This responsibility shall be the subject of a contractual agreement~~

between the owner and/or developer and the City. Such contract shall require that, in lieu of the actual construction of the required improvements, the owner and/or developer shall deposit a performance bond or cash deposit with Planning and Development Services, in an amount not less than the estimate of the City Engineer for the required improvements, and provide security satisfactory to the Department of Public Utilities, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the time specified in the contractual agreement. Also, such contract and recorded covenants, governing all land within the PRD District, shall provide for compliance with the regulations and provisions of the district and the site plan as approved.

g. PRDs are subject to the provisions of the underlying zoning district and other pertinent sections of the TMC, unless specifically addressed in this section or through the conditions of the PRD decision or site approval.

h. The development of the property in the manner proposed will not be detrimental to the public welfare, will be in keeping with the general intent and spirit of the zoning regulations and Comprehensive Plan of the City of Tacoma, and will not impose an abnormal burden upon the public for improvements occasioned by the proposed development.

i. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities which are compatible with the properties adjacent to the proposed development.

j. The PRD District shall be located on property which has an acceptable relationship to major transportation facilities, and those facilities within the vicinity of the PRD District shall be adequate to carry the additional bicycle, pedestrian and vehicular traffic generated by the development.

k. A PRD District shall make provisions for existing and future streets, pathways and undeveloped areas adjacent to the development to allow for the proper and logical development of such areas.

l. Fire hydrants and facilities shall be provided in accordance with the standards of the National Board of Fire Underwriters.

m. All utilities, including storm drainage, within the PRD District shall be provided as set forth by the City of Tacoma.

n. Due consideration shall be given by the developer or subdivider to the allocation of suitable areas for schools, parks, playgrounds, and other necessary facilities to be dedicated for public use or purposes.

o. The initial stage of development shall be of sufficient size and dimension to produce the intended environment of a PRD District, and shall provide an equitable amount of open space, off-street parking, and other amenities commensurate with the zoning and density of said initial stage. The requirements of any subsequent stage may be determined in conjunction with the approved standards of all previous stages in order to determine its conformance to the overall requirements of this district.

p. All nonconforming uses within a PRD District shall be removed or provisions made for their removal prior to the issuance of a building permit.

q. There shall be adequate provisions to insure the perpetual maintenance of all non-dedicated accessways and all other areas used, or available for use, in common by the occupants of the PRD District.

5. Urban design, sustainability and connectivity. The PRD site design shall demonstrate the following:

a. Establishment of high quality and context-responsive Basic Neighborhood Patterns, including the following:

- (1) Street frontage characteristics.
- (2) Rhythm of development along the street.
- (3) Building orientation on the site and in relation to the street.
- (4) Front setback patterns.
- (5) Landscaping and trees.
- (6) Backyard patterns and topography.
- (7) Architectural features.

b. Pedestrian friendly design. The proposal must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways, and must emphasize pedestrian connectivity and the high quality of the pedestrian experience within the site and in the abutting public right-of-way. Transportation infrastructure within

~~PRD Districts shall implement complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.~~

~~e. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.090.C in a manner that de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-way.~~

~~d. Minimize scale contrasts and privacy impacts. The proposal must demonstrate that it will limit scale contrasts and privacy impacts on existing adjacent parcels and buildings to a reasonable extent.~~

~~e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents. These outdoor spaces shall be provided per the open space requirements of this section.~~

~~f. Sustainable features. The proposal must provide documentation of the incorporation of both green building and site features as follows:~~

~~(1) Built Green 4 Stars or LEED Gold Certified rating for Building Design and Construction; and,~~

~~(2) Greenroads Bronze, or equivalent best available or practicable certification, if full new roadway sections are constructed.~~

~~g. Connectivity. Proposed PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, to the maximum extent feasible.~~

~~h. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:~~

~~(1) Designation of the historically significant property to the Tacoma Register of Historic Places.~~

~~(2) Avoidance of the historically significant property or minimizing exterior changes to the property.~~

~~(3) Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.~~

~~i. Not more than one third of the gross area of the site shall have a finished grade exceeding 20 percent, consist of bodies of water, or consist of tidelands, unless otherwise permitted by the decision.~~

~~6. Internal circulation and accessways.~~

~~a. The internal circulation system within the PRD District shall be designed and constructed to insure the safety and convenience of pedestrian, bicycle and vehicular traffic by providing proper horizontal and vertical alignments, widths, physical improvements, parking provisions (on and/or off street), pedestrian facilities, sight distances, necessary traffic control regulations and signs, and necessary directional and identification signs.~~

~~b. Placement and maintenance of traffic, directional, and identification signs for private vehicular accessways shall be the responsibility of the developer.~~

~~c. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.~~

~~d. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.~~

~~e. The grades and alignments and other construction details for all vehicular accessways and utilities, both public and private, shall be established and approval granted by the City of Tacoma prior to commencement of any construction within the area for which site approval was granted.~~

~~f. Subject to width variations, all vehicular accessways within the PRD District, both public and private, shall be constructed and improved to meet or exceed minimum City of Tacoma standards; except that all public and private vehicular accessways shall be paved with a hard surface with necessary base preparations, in accordance with City of Tacoma standards.~~

~~g. The developer shall guarantee, to the satisfaction of the Building Official, the improvement of all streets and accessways, both public and private, to minimum City of Tacoma standards prior to the occupancy of any dwelling units served by such streets and accessways.~~

~~h. The internal circulation within the PRD District shall permit vehicular access to each building for fire protection and such other purposes as may be necessary.~~

~~75. District use restrictions.~~

~~A building, structure, or land, and a building or structure hereafter built, altered, or enlarged, shall be used for only the following uses permitted uses as was determined and codified in the adoption of the PRD.~~

~~a. The uses of property permitted in the regular zoning district with which the PRD District is combined.~~

~~b. Townhouses in all PRD Districts.~~

~~c. Multi family dwellings in R-3 PRD Districts.~~

~~d. Indoor and outdoor recreational facilities and structures for the use of the residents of the PRD District.~~

~~e. Day care centers with an enrollment of 50 or fewer children or adults.~~

~~f. Special needs housing, in accordance with the provisions of Section 13.06.080.N.~~

~~g. Limited non-residential uses in R-3 PRD and denser Districts. Such uses shall be small in size, internally oriented within the PRD District, serve the immediate neighborhood and are prohibited from producing noise, traffic, or signage impacts incompatible with the surrounding area. Such uses shall otherwise meet the pertinent requirements of the TMC with the exception that parking requirements may be reduced or eliminated to reflect the intent of serving the immediate neighborhood. Potential examples include small cafes, live work spaces, artist lofts, and small offices.~~

~~86. Height regulations.~~

~~The height of buildings, structures, or portions thereof, shall be the same as the residential district with which the PRD District is combined.~~

~~97. District development standards.~~

~~a. Setback regulations.~~

~~(1) A minimum 20-foot building setback shall be maintained from the district property line on the perimeter of the PRD District. Setbacks from dedicated arterial streets within the PRD District shall be maintained in accordance with the requirements of the residential district with which it is combined.~~

~~(2) The distance separating buildings, exclusive of accessory buildings, shall be adequate to provide for fire safety, emergency access, maintenance and, where appropriate, pedestrian passage, except that a building on a platted lot may be attached to any building or buildings on any adjoining platted lot or lots. Accessory buildings shall not be permitted within required setback areas.~~

~~(3) Building setbacks from the PRD District boundary, from dedicated streets adjacent to and within the PRD District, and from other buildings shall be increased by one-half foot for each one foot the height of such a building or structure exceeds 35 feet.~~

~~b. Site area. The minimum gross site area for a PRD District shall be one acre of net site area, not including abutting public rights-of-way.~~

~~c. Density.~~

~~(1) PRD Base Density. The permitted density of dwelling units within a PRD District shall be approximately 1.25 times the densities permitted in the base district, as described below. Retirement home guest rooms and/or guest suites shall be construed as dwelling units for purposes of computing density.~~

~~(2) Density bonuses~~

~~(a) An additional 0.50 times the underlying district density is permitted through the provision of affordable housing units pursuant to TMC 1.39.~~

~~(b) Once the density available for the provision of affordable housing units has been utilized, an additional 0.25 times the underlying district density is permitted through the provision of both of the following features:~~

- ~~• Built Green Emerald Star or Living Building Challenge 3 Petals; and,~~
- ~~• Greenroads Gold if new full roadway sections are constructed.~~

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(c) The following table summarizes the number of dwelling units permitted in the underlying zoning districts, and the three tiers of density available through the provisions of the PRD section, provided in gross density (dwelling units per acre) of the site:

	Underlying Zoning Density	Tier 1: PRD Base Density	Tier 2: PRD Affordable Housing	Tier 3: PRD Sustainability features
R-1	5.8	7	10	12
R-2	8.7	11	15	17.5
R2-SRD	8.7	11	15	17.5
R-3	14.5	18	25	29
R-4-L	29.0	36	51	58
R-4	43.6	55	76	87
R-5	58.1	73	102	116

These dwelling units may be any combination of residential land uses permitted in the PRD District.

d. ~~Minimum dimensions. The minimum average width and depth of any PRD District shall not be less than 120 feet, except that the minimum average width and depth of an R-5 PRD District shall not be less than 200 feet.~~

e. Site coverage. Buildings and structures shall not occupy more than one-half of the area of the PRD District.

~~108.~~ Common Open Space.

a. ~~All open space shall be provided and maintained in compliance with the adopting PRD ordinance and approved Site Plan. Any modifications to open space shall be reviewed per the modification standards in TMC 13.05.130.~~

a. ~~A minimum of fifteen percent of the site area of the PRD District shall be provided as common open space. For the purpose of this section, common open space shall be defined as land which is provided or maintained for the general enjoyment of the residents of the PRD District or the general public and not used for buildings, dedicated public rights-of-way, private access/road easements, driveways, traffic circulation and roads, private yards, required sidewalks, utility areas, storm water facilities (unless also developed as a recreational area), parking areas, or any kind of storage. Common open space includes, but is not limited to woodlands, open fields, streams, wetlands, other water bodies, habitat areas, steep slope areas, landscaped areas, parks, beaches, community gardens, courtyards, or recreation areas.~~

b. ~~A minimum of one-half of this required common open space shall be devoted to recreation area for use by the residents of the PRD District or the general public. For the purpose of this section, recreation area includes, but is not limited to trails, athletic fields and courts, playgrounds, swimming pools, picnic areas or similar facilities. Such recreation area(s) shall be located in a central area of the district or spread throughout the district to provide convenient access to all residents. The recreation area(s) shall be of a size, topography and configuration so as to accommodate a variety of recreational functions for residents, with the overall intent of consolidating amenity areas to avoid fragmented areas of marginal utility. Said recreation areas shall not entirely consist of concrete or other hardscape.~~

c. ~~Common open space areas shall be located and configured to protect mature trees, native vegetation and critical areas, provide for recreational opportunities, and create open space corridors, green belts and connections between existing or planned parks, trails or open space.~~

d. ~~Such common open space shall be available for use or enjoyment by all of the residents of the PRD District or the general public. The common open space shall be dedicated, reserved or otherwise held in common by a proportional ownership interest shared among all of the property owners within the PRD, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.~~

e. ~~Permanent provisions for the maintenance and management of open space, private trails, private parks and recreation areas, and other common areas shall also be provided. These provisions shall run with the land and be recorded.~~

~~11. Parking regulations:~~

a. ~~Off street parking space shall be provided in accordance with Section 13.06.090.C. Required off street parking for dwellings shall not be located more than 100 feet from the dwelling or dwellings it is intended to serve unless otherwise permitted by the Hearing Examiner or the Director.~~

b. ~~Required parking spaces shall be surfaced with a hard surface.~~

9. All land within the Planned Residential Development District shall be subject to contractual agreements with the City of Tacoma and to recorded covenants approved by the City of Tacoma providing for compliance with the regulations and provisions of the district and the site plan or plat as approved.

~~12~~10. Modifications.

Modifications to existing PRDs shall be subject to further review and approval, in accordance with the criteria and standards contained in Section 13.05.130, including the additional provisions in subsection 13.05.130.F., and the expanded notice provisions in Sections 13.05.070.C.2 and 13.05.070.D.2.

F. Joint Base Lewis McChord Airport Compatibility Overlay District (ACD).¹

1. Applicability.

- a. The Overlay District applies to an approximately 200-acre area located in South Tacoma corresponding with the JBLM APZ II.
- b. Proposed zoning changes and Conditional Use Permit (“CUP”) applications, or major modifications to previously approved rezones and CUPs, shall demonstrate consistency with the intent of the Joint Base Lewis McChord Airport Compatibility Overlay District (ACD). If approved, such applications shall be conditioned to record Notice on Title acknowledging the presence and restrictions of the Overlay District.
- c. For parcels located partially within the Overlay District, only that portion within the Overlay District shall be subject to these provisions.

¹ Code Reviser’s note: Previously codified as 13.06.585 (Joint Base Lewis McChord Airport Compatibility Overlay District); relocated to 13.06.070 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28592 Ex. A; passed Jun. 25, 2019.

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d. Map.

City of Tacoma | Planning and Development Services

Joint Base Lewis McChord Airport Compatibility Overlay District (ACD)



2. Purpose.

The purpose of the Joint Base Lewis McChord (“JBLM”) Airport Compatibility Overlay District (“Overlay District”) is to increase safety within the JBLM Accident Potential Zone II (“APZ II”), specifically as follows:

- a. Prevent development conditions that could interfere with aircraft operations or increase the likelihood of an accident.
- b. Reduce risk to life and property in the incidence of a crash, through the following strategies.
 - (1) Limit increases in densities and congregations of people which are incompatible with the APZ II designation, which includes the density threshold goal of 50 people per acre maximum and strict limitation on any expansion of occupancy capacity of public assembly, including, but not limited to, assembly facilities, schools, religious assembly, theaters, carnivals, and cultural institutions.
 - (2) Prevent development that presents a higher risk in the incidence of a crash due to explosive or flammable characteristics.
- c. Implement the City’s policies calling for collaboration and compatibility with JBLM Airfield.
- d. Increase knowledge of aircraft accident risks in order to inform public and private decision-making.
- e. Recognize existing uses and avoid undue impacts to residents, property owners, businesses, and institutions.

3. District use restrictions.

- a. The land use standards of the underlying zoning districts apply within the Overlay District, except that the following land uses are prohibited.

PROHIBITED LAND USES WITHIN THE JBLM AIRPORT COMPATIBILITY OVERLAY DISTRICT
<p>(1) Residential uses: The following residential uses are prohibited:</p> <ul style="list-style-type: none"> • Special Needs Housing with more than six residents. • Two-familyunit, three-unitfamily, townhouse, group housing, multifamilymulti-unit, mobile home, student housing, mixed-use, or other development incorporating more than one dwelling unit (<u>excluding Accessory Dwelling Units</u>).
<p>(2) Non-residential uses: The following non-residential uses are prohibited:</p> <ul style="list-style-type: none"> • Airports; • Assembly facilities; • Brewpubs; • Carnivals; • Commercial recreation and entertainment; • Correctional facilities; • Cultural institutions; • Day care centers with more than 12 children; • Detention facilities; • Heliports; • Hospitals; • Hotels/motels; • Industry, heavy; • Parks, recreation and open space uses identified in TMC 13.06.080.L as requiring a Conditional Use Permit; • Public assembly; • Religious assembly; • Schools; and • (18) Theaters.

b. Existing residential uses.

Lawfully existing residential uses (at the time of Overlay District adoption) which do not meet the provisions of the Overlay District are permitted, and may be modified or expanded, provided there is no increase in the number of dwellings.

c. Existing non-residential uses.

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(1) Non-residential lawfully existing uses (at the time of Overlay District adoption) which are prohibited under the Overlay District are Non-conforming, and subject to the following limitations:

(2) Minor modifications under TMC 13.05.130 are allowed to existing discretionary land uses; however, major modifications must come into compliance with the Overlay District for approval.

4. District development standards.

a. The following characteristics, when proposed as part of any development, are not allowed in the Overlay District:

(1) Generation of air pollution, electronic interference, or glare that could negatively affect pilots or aircraft.

(2) Structures taller than permitted outright in the base zoning districts (i.e., no height variances).

(3) Manufacturing or processing of apparel, chemicals, petroleum, rubber, or plastic.

13.06.080 Special Use Standards

A. Accessory dwelling units.

1. Applicability.

The following standards apply to accessory dwelling units within Residential Zoning Districts in 13.02.020.

2. Purpose.

Accessory dwelling units (hereinafter referred to as “ADUs”) are intended to:

- a. Provide homeowners with a means of providing for companionship and security.
- b. Add small footprint, lower cost units to the existing housing supply.
- c. Make housing units within the City available to low and moderate income people.
- d. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young ~~families~~households, retired), environmental sustainability, and modern development technology.
- e. Contribute to neighborhood stability and protect property values by creating avenues for additional income, aging in place, and the meeting of personal and property needs.
- f. Maintain residential appearance by ensuring that ADUs are of sound quality and generally consistent with neighborhood patterns.
- g. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

3. Procedures.

Any property owner seeking to establish an ADU in the City of Tacoma shall apply for approval in accordance with the following procedures:

a. Application.

Prior to installation of an ADU, the property owner shall apply for a building permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and applicable fees.

b. Inspection.

The City shall inspect the property to confirm that zoning, minimum and maximum size limits, required parking, site development, and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.

4. Use standards, not be subject to variance.

a. Number.

~~One~~ Two ADUs shall be allowed per residential lot as a subordinate use in conjunction with any new or existing residential development in the City of Tacoma. ~~All dwellings shall be in single ownership.~~

b. Occupancy.

Maximum occupancy shall be limited by the Minimum Building and Structures Code in Title 2.

c. Composition.

~~The~~ ADUs shall include facilities for cooking, living, sanitation, and sleeping.

d. Parking.

No off-street parking is required for ~~the~~ ADUs. However, it is not permitted to remove existing required off-street parking spaces unless the required parking is replaced elsewhere on the property per City standards. It is permitted to remove existing off-street parking spaces for the purpose of siting an accessory dwelling unit. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front if there is a developable alley.

e. Addressing.

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All ADUs must have clear addressing visible from the street. If ~~the an~~ ADU is not visible from the street, an address and some form of directional notation must be along a walkway, on a fence, on the main house, or some location that differentiates the ~~main house~~ front building address from the ADU address and is visible from the main access point to the property.

f. ~~Residential Business~~ Home occupations.

~~Residential Businesses~~ Home occupations shall be allowed, subject to existing regulations. ~~However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises. Adult family homes and daycares are only permitted in one unit per site.~~

g. Short-term rental.

The use of an ADU as a short-term rental shall be allowed, subject to compliance with Sections 13.06.080.A and 13.06.080.M. The property owner is required to occupy one of the dwellings for approval of a short-term rental of either the main dwelling or the ADU.

h. Density calculations.

ADUs are counted as dwelling units in the Urban Residential zones. In all other zones, ADUs shall be exempt from density calculations.

5. Use Standards, subject to variance:

a. Minimum Lot Size.

Attached and Detached ADUs are permitted on any legally established lot, irrespective of lot size or width, provided that applicable size, location, setback, ~~open amenity~~ space, and other standards are met.

b. ADU Size.

(1) The habitable area of ADUs, excluding any garage area and other non-living areas, shall be limited to a maximum of 1,000 square feet. ~~the most restrictive of the following standards:~~

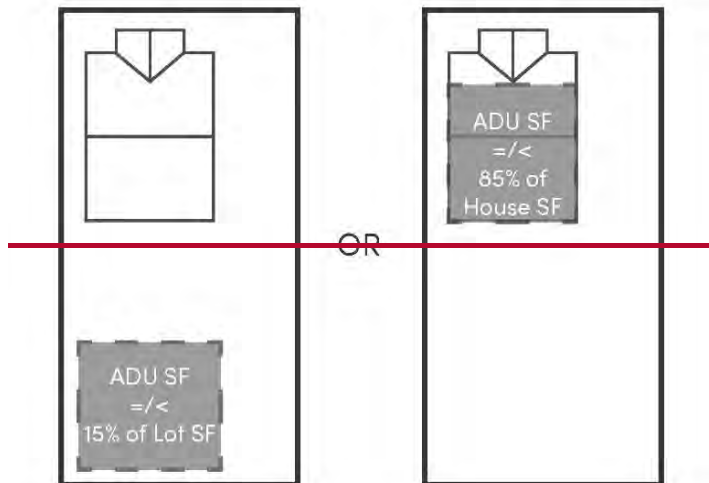
~~No more than 85 percent of the habitable area of the main building or main dwelling.~~

~~No more than 1,000 square feet for standard lots and no more than 750 square feet for small lots.~~

(2) ~~If the ADU is completely located on a single floor of an existing building, the size of that ADU may be increased in order to efficiently use the entire floor area, so long as all other standards set forth in this section are met.~~

(3) ~~In addition, detached ADUs are considered accessory buildings and thus are also subject to the standards set forth in TMC 13.06.020.G Accessory building standards.~~

~~Size of Accessory Dwelling Unit:~~



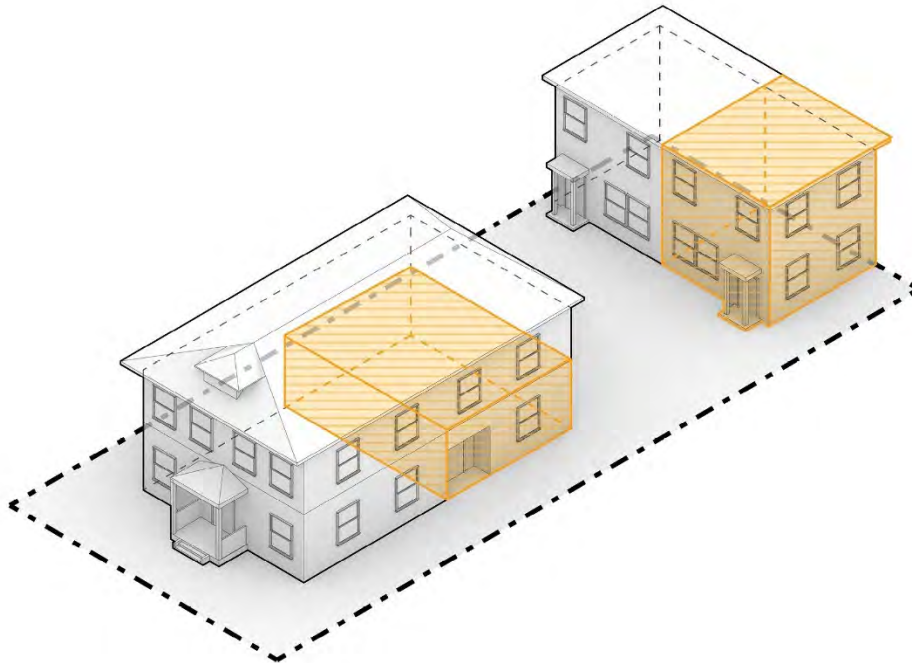
~~e. ADUs may be located within any housing type and shall meet the applicable standards of those housing types (such as Houseplex, Courtyard Housing, etc).~~

~~e. Height.~~~~(1) Attached ADUs are subject to the height limitations applicable to the main house.~~~~(2) Height shall be limited to the most restrictive of the following:~~~~The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking below or above the DADU structure (not next to), or with certification of the DADU under Built Green criteria with 4 stars, or equivalent environmental certification.~~~~The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit.~~~~In View Sensitive Districts, the maximum height shall be 15 feet, measured per TMC 13.01.060 (refer to the definition for "Building, height of"), and allowance of additional height is subject to TMC 13.05.010.B Variances.~~

c. Height. The ADU, whether attached or detached, does not have a maximum height limit in and of itself. Instead, the height provisions of the zoning district and the applicable housing type within which the ADU is incorporated shall control the maximum height. In View Sensitive Districts, the maximum height of any Backyard Building containing one or two ADUs shall be the same as that of the primary structure, as defined in TMC 13.06.070.A.

d. Location, setbacks, development standards.

The ADUs shall be permitted as a second additional dwelling units added to or created within any housing type the main building or as a detached structure located in the rear yard. ADUs may be located within any housing type and shall meet the applicable standards of those housing types (such as Houseplex, Courtyard Housing, etc.).



Illustrative diagram showing two ADUs.

~~e. Setbacks.~~~~Attached ADUs are considered part of the primary structure and thus are subject to the same setback standards applicable to the primary structure. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, excepting that no setback from the alley shall be required. Existing buildings being converted to Detached ADUs are not required to meet setbacks, but shall comply with all applicable City of Tacoma Building Codes adopted at the time of permit application.~~~~f. Open Space.~~

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~~While no additional yard space is required for sites with an ADU, the proposal must maintain or provide usable and functional outdoor or yard space consistent with TMC 13.06.020.F.7 Minimum Usable Yard Space.~~

~~gd.~~ Walkways.

For ADUs with a separate exterior entrance, a pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be composed of materials that are distinct from any adjacent vehicle driving or parking surfaces. The walkway may function as a shared pedestrian/vehicle space provided that it is constructed of distinct materials and is located along an exterior edge of a driving surface.

B. Adult uses.

1. Applicability.

2. Purpose.

3. Use standards.

a. Any new adult use may not locate or be conducted closer than the distance noted below to any of the following, whether in or out of the City:

- (1) Within 2,000 feet of any residential zone;
- (2) Within 1,000 feet of any ~~single family or multi family~~ residential use;
- (3) Within 1,000 feet of any park;
- (4) Within 1,000 feet of any library;
- (5) Within 1,000 feet of any day care center for children, nursery, or preschool;
- (6) Within 1,000 feet of any church or other facility or institution used primarily for religious purposes;
- (7) Within 1,000 feet of any public or private elementary or secondary school;
- (8) Within 2,500 feet of any other adult uses; provided, adult retail uses may locate within 1,000 feet of each other;

b. Exterior portions or window displays of any adult use shall not consist of any display of graphic adult merchandise or sexually explicit materials, as defined in subsection 13.01.060.A.

c. The separation required between an adult use and any sensitive use described above in section 3 shall be measured from the nearest edge or corner of the property of each sensitive uses or zone. The separation required between adult uses shall be measured from the point of public access among the buildings housing such uses. The portions of any parcels or buildings not included within the above-referenced buffer areas may be used for adult uses.

d. No variance shall be permitted for any of the above distance or separation requirements.

C. Reserved.

~~C. Cottage Housing.~~

~~1. Applicability.~~

~~Cottage housing developments may be proposed in all residential districts except HMR-SRD.~~

~~2. Purpose.~~

- ~~a. Add affordable units to the existing housing supply.~~
- ~~b. Provide an increased choice of housing that responds to changing needs and lifestyles (e.g., young families, retired people).~~
- ~~c. Protect neighborhood stability, property values, and the single family residential appearance by ensuring that cottage housing developments are designed in a compatible manner.~~
- ~~d. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.~~

3. Procedures.

a. Cottage housing developments require the following applications:

- (1) A complete Conditional Use Permit application, pursuant to TMC 13.05.010.A.
- (2) Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.060.
- (3) A completed Preliminary Plat application, if applicable.
- (4) A completed environmental checklist, if applicable.
- (5) A completed application for a site plan approval.
- (6) Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

b. Application.

Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit for approval under the Residential Infill Pilot Program.

4. Use standards.

a. Residential Infill Pilot Program.

Cottage housing developments shall comply with the sustainability and connectivity requirements, as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.060.

b. Minimum site size.

Cottage housing developments require a minimum net site size of 7,000 square feet.

c. Number of units.

Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.

d. Cottage housing types:

- (1) Cottage—A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.
- (2) Carriage—A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.
- (3) Two/Three dwelling Buildings—A structure containing two or three dwelling units, not to exceed 1,000 square feet per unit on average, designed to look like a detached single family house. Two/three dwelling cottage buildings are not permitted in the R-1 or R-2 Districts.

e. Maximum density.

Cottage housing developments are permitted two times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or eight cottage housing units.

f. Parking.

Parking may be contained in detached garages adjacent to dwelling units no larger than 250 square feet in floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.

g. Vehicular access.

Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.

h. Setbacks.

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~~The external setbacks of the underlying zoning district shall apply, except cottage housing shall be allowed in the rear yard when lot is located on an alley.~~

~~i. Separation between units.~~

~~All buildings must meet separation requirements as identified in applicable building codes.~~

~~j. Common open space.~~

~~A minimum of 400 square feet of common open space shall be required per unit. Each area of common open space shall be in one contiguous and central location with no dimension less than 20 feet. Common open space shall be located in a central area, that is easily accessible and visible to all dwellings within the cottage cluster. No sight-obscuring fences are permitted within common open spaces. The common open space shall be surrounded by cottage or common buildings on at least three sides, unless topography precludes this. Common open space shall be attractively landscaped and improved with gathering space, gardening, walkways or recreational features.~~

~~k. Private open space/yard.~~

~~A minimum of 300 square feet of private open space shall be required per unit.~~

~~l. Maximum height for dwellings.~~

~~Dwellings maximum height is 18 feet, or up to 25 feet with a minimum of 6:12 sloped roof.~~

~~m. Community buildings.~~

~~Community buildings in common ownership are permitted within cottage housing developments, and shall be incidental in use and size to the cottage dwellings.~~

~~n. Connectivity.~~

~~All dwelling units shall be directly connected to the public sidewalk.~~

~~o. Landscaping.~~

~~Street trees are required per the provisions of 13.06.090.B. Parking areas shall be softened or screened with landscaping. Internal landscaping shall be determined through the Residential Infill Pilot Program review process.~~

~~p. Accessory Dwelling Units.~~

~~Not permitted.~~

~~q. Floor Area Ratio.~~

~~A maximum of 0.5 FAR is required for the overall site.~~

D. Craft Production.

1. Applicability.

Establishments engaged in the craft production of alcoholic beverages including craft wineries, craft breweries, and craft distilleries not exceeding 5,000 gallons of product per year.

2. Purpose.

3. Use standards.

a. An occupancy that is below an "H" Hazard as defined by the current version of the adopted International Building Code (IBC) shall be maintained and not exceeded. Accessory "H" uses may be allowed provided the accessory use does not exceed 10 percent of the site's floor area.

b. Retail sale and onsite tasting of beverages and/or the ability for producers to act as wholesaler of its own production for off-site consumption are subject to the appropriate state and local licenses.

c. Individual tenant spaces or units within a building may constitute the site.

E. Day care centers.

1. Applicability.

2. Purpose.

It is found and declared that day care centers are facilities which perform a needed community service. The City of Tacoma recognizes the need for locating day care centers within areas which they service and ensuring, to the extent possible, that day care centers in residential districts will be compatible with the surrounding neighborhood and will not adversely affect adjacent properties.

3. Use standards.

The following development standards are hereby established for the location, design, and operation of day care centers in addition to any other requirements of law:

- a. In residential zoning districts, the lot size and setbacks for day care centers shall conform to the requirements for single-family unit dwellings/homes in the underlying zoning district. In addition, day care centers with an enrollment of more than 50 children or adults shall provide minimum side yard setbacks of 20 feet in all residential zoning districts, except that on corner lots the side yard facing the street shall provide the same setback as that required for a single-family unit dwelling (or houseplex in UR Districts).
- b. Day care centers located in ~~R-1, R-2, R-2SRD, HMR-SRD, and R-3~~ UR-1, UR-2 and UR-3 Districts shall be limited to one building face sign with a maximum area of six square feet. Sign regulations for day care centers located in PRD and multiple-family unit dwelling districts shall be the same as those specified in the R-4 Multiple-Family Residential District.
- c. No structured area for active play shall be located in a front yard. Play structures shall maintain a minimum ten-foot setback from any side or rear lot line.
- d. In ~~R-1, R-2, R-2SRD, HMR-SRD, and R-3~~ UR-1, UR-2 and UR-3 Districts, the site shall be landscaped in a manner consistent with adjacent residences. In all zoning districts, day care centers shall be landscaped in a manner approved by the Director prior to the operation of the day care center.
- e. Day care centers in existing structures which are located in residential districts shall maintain a residential appearance. Any new building, building addition, or building exterior which is remodeled shall be designed to be compatible with the residential character of the surrounding neighborhood. Elevations of the proposed structure shall be approved by the Director prior to the issuance of any building permits for the day care center.

4. Waiver.

The Director may waive any of the aforementioned development standards where a finding is made that such waiver(s) does not violate the spirit or intent of such development standards or the Comprehensive Plan. Applications for waivers shall be processed in accordance with the provisions of Chapter 13.05.

G. ~~Home Occupation~~ Residential Business 1.

1. Applicability.

~~Home occupations~~ Residential Businesses are permitted within all zoning districts provided such uses meet the following use standards. A Residential Business exceeding these standards may be requested subject to Conditional Use Permit approval as a Residential Business 2 per TMC 13.05.010.A.27.

2. Purpose.

The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; reduce traffic congestion by providing opportunities for residents to work in their homes and reduce work-related commute trips; and to protect neighborhood character by establishing criteria and standards to ensure that ~~home occupations~~ Residential Businesses are conducted in a manner that is clearly secondary and incidental to the primary use of the property as residential and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

3. Use standards.

- a. The ~~occupation~~ Residential Business must be clearly incidental and subordinate to the use of the dwelling as a residence.
- b. No outdoor display or storage of materials, goods, supplies, or equipment used in the Residential Business ~~home occupation~~ shall be permitted on the premises.

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c. There shall be no change in the outside appearance of the building or premises, or other visible evidence that the residence is being operated as a [Residential Business](#)~~home occupation~~.

d. A [Residential Business](#) ~~home occupation~~-use shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.

e. Limited on-premises sales of products or stock-in-trade may be permitted in conjunction with a ~~home occupation~~ [Residential Business](#); provided, that the product is accessory to a service offered through the ~~home occupation~~ [residential business](#), [customer visits are arranged by appointment](#), and that the applicant can clearly demonstrate that such on-premises sales will not be inconsistent with the criteria set forth above. ~~For example, a home occupation engaged in hair salon services may sell hair care products or accessories.~~

f. ~~No person other than members of the family residing~~ [No more than two people who do not reside](#) on the premises shall be engaged in the ~~home occupation~~ [residential business](#) at the dwelling. ~~Non related employees~~ [Additional people](#) are allowed to be engaged in a ~~home occupation~~ [Residential Business](#) provided they work at a jobsite other than the dwelling during the workday. [The number of people that do not reside on the premises that are engaged in the residential business at the dwelling is not limited, so long as any negative impacts are found to be sufficiently mitigated consistent with the criteria set forth above.](#)

[g. Public hours of operation. Any aspects of the business that are available to the public shall only be conducted between 8 a.m. and 8 p.m.](#)

~~g. The Director may attach additional conditions to a home occupation license to ensure that the criteria set forth above are met.~~

h. One non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building shall be allowed for each dwelling containing a [Residential Business](#)~~home occupation~~.

[i. The Director may attach additional conditions to a Residential Business license to ensure that the criteria set forth above are met.](#)

[j. A Residential Business exceeding the standards listed above may be requested subject to Conditional Use Permit approval as a Residential Business 2 per TMC 13.05.010.A.27. However, a., d. and g. of this subsection may not be exceeded through such a Conditional Use Permit.](#)

[4. Residential Business 1 and Residential Business 2 comparison.](#)

[Both Residential Business 1 and Residential Business 2 allows for limited commercial activity within a residential structure. Whereas some of these limitations are common to both types, Residential Business 2 generally allows for more intensive commercial use compared to those permitted in Residential Business 1. The table below identifies which use standards are shared and which are different.](#)

Standard	Residential Business 1	Residential Business 2	Comparison
Primary use	The business use must be subordinate to the residential use.	The business use must be subordinate to the residential use.	Same
Outdoor display	Outdoor display or storage is prohibited	Outdoor display or storage is permitted but must be screened	Different
Exterior alterations	Changes to the building's outside appearance is prohibited	Changes to the building's outside appearance is prohibited along street-facing facades, but permitted elsewhere	Different
Impacts	Must not exceed those typical for a residential neighborhood	Must not exceed those typical for a residential neighborhood	Same
On-site sales	Limited to product accessory to a service arranged by appointment	Permitted so long as other criteria are met	Different
Non-resident employees	No limit but any impacts are subject to necessary mitigation Limited to two employees	No limit but any impacts are subject to necessary mitigation	Different Same

Hours of operation	Public hours limited to 8 a.m. to 8 p.m.	Public hours limited to 8 a.m. to 8 p.m.	Same
Signage	Limited to one non-illuminated sign, max. ½ sq. ft.	Limited to one non-illuminated sign, no size limit so long as other criteria are met	Different

I. Live/Work and Work/Live.

1. Applicability.

a. Live/work and work/live units shall be permitted in accordance with the district use tables in TMC 13.06, provided that the work component of the unit is a permitted use in the underlying zoning district and subject to other limitations and standards applicable to that use. Uses that are permitted conditionally in the associated underlying zoning district may be allowed in live/work units, provided that a Conditional Use Permit is authorized.

b. Exemptions from development standards.

(1) [No parking shall be required for live/work or work/live units developed within Urban Residential Districts. In all other zoning districts, n](#)No additional parking shall be required for live/work or work/live units within buildings lawfully in existence prior to December 5, 1989.

(2) For historic buildings, up to 10 % of new floor area may be added in which external additions and alterations are exempt from all prescriptive design standards contained within TMC 13.06.050, 13.06.080, 13.06.090, and 13.06.100, but external additions and alterations shall be in conformance with the character of the existing building and shall not negatively impact or remove important character-defining features as determined by the Historic Preservation Officer. For the purposes of this section, a historic building is defined as follows: Any building or structure that is listed in the State or National Register of Historic Places; or designated as a City Landmark under Chapter 13.07 of the Tacoma Municipal Code; or certified as a contributing resource within a National Register or Tacoma Register historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer, or with an opinion from the Tacoma Historic Preservation Officer that the property appears to meet the criteria for designation as a local landmark listed in Chapter 13.07 of the Tacoma Municipal Code. However, such review by the Historic Preservation Officer shall in no case replace the review by the Landmarks Preservation Commission when otherwise required.

[c. UR-1 and UR-2 district locational requirements.](#)

[\(1\) Sites must be located along an arterial classified street or designated Pedestrian Street, and meet one of the following locational conditions:](#)

[\(a-\) Located on a corner](#)

[\(b-\) Located adjacent to a non-residential zone](#)

[\(c-\) Located adjacent to an existing non-residential use](#)

2. Purpose.

Live/work and work/live units are types of mixed-use development that can eliminate the need to commute to work, provide affordable work and housing space, and support the creation of new businesses by expanding entrepreneurial opportunities. The purpose of this section is to recognize live/work and work/live as uses that promote these community goals by facilitating economic activity in conjunction with residential uses, which is particularly appropriate within Downtown Tacoma and the City’s other Mixed-Use Centers. Furthermore, this section provides certain flexibilities to development standards in order to incentivize the development of these mixed-use units in the context of adaptive reuse of older, economically distressed, or historically significant buildings. These provisions are intended to operate in conjunction with companion flexibilities provided in the Building Code with the overall goal of promoting live/work and work/live development as a means to conserve and reuse older, smaller, and historically significant buildings to their highest and best use.

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3. Live/Work use standards.

- a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;
- b. The residential portion of the unit shall be inhabited by the business owner of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;
- c. The residential portion of the unit shall be limited in occupancy to one [familyhousehold](#);
- d. The Director may attach additional conditions to permits that are required for live/work units to ensure that the intent and standards are met as outlined above.
- e. The live/work use shall be subject to any additional requirements within the Building Code.

4. Work/Live use standards.

- a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;
- b. The residential portion of the unit shall be inhabited by the business owner of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;
- c. The residential portion of the unit shall be limited in occupancy to one [familyhousehold](#).
- d. The Director may attach additional conditions to permits that are required for work/live units to ensure that the intent and standards are met as outlined above.
- e. The work/live use shall be subject to any additional requirements within the Building Code.

5. Residential zone use limitations.

a. Sites zoned UR-1, UR-2, UR-3, R-4 and R-5 are limited to the following non-residential “work” uses.

- (1) Craft production
- (2) Eating and drinking
- (3) Office
- (4) Personal services
- (5) Retail
- (6) Short-term rental (3-9 rooms)

b. All development must conform to the following limitations.

- (1) Exterior non-residential activities are limited to outdoor seating, retail display, and may not exceed 50% of the interior space of the commercial use. Permanent outdoor storage is prohibited and items for sale and display furniture must be stored indoors outside of the associated business’s public hours of operation.
- (2) Public hours of operation. Any aspects of the business that are available to the public shall only be conducted between 8 a.m. to 8 p.m.

J. Marijuana Uses.

1. Applicability.

- a. The provisions of this Section shall apply city-wide. The specific development standards provided in this Section shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district. All licensed marijuana uses are required to fully comply with the provisions of this Section.
- b. No Marijuana use as regulated herein and in WAC 314-55, that existed prior to the enactment of Ordinance No. 28182 on November 5, 2013, shall be deemed to have been a legally established use or entitled to claim legal non-conforming status.
- c. As of July 1, 2016, in accordance with state law, collective gardens are prohibited.

N. Special needs housing.

1. Applicability.
2. Purpose.

It is found and declared that special needs housing facilities are essential public facilities which provide a needed community service. It is also recognized that these types of facilities often need to be located in residential neighborhoods. Thus, in order to protect the established character of existing residential neighborhoods, the public interest dictates that these facilities be subject to certain restrictions. The intent of these regulations is to minimize concentrations of certain types of facilities, mitigate incompatibilities between dissimilar uses, preserve the intended character and intensity of the City’s residential neighborhoods, and to promote the public health, safety, and general welfare.

3. Use Standards.

a. The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Special Needs Housing – Use Table						
(P = Permitted Outright, CU = Conditional Use Permit Required, N = Not Permitted)						
*Note: See Subsection 4, below, for additional siting restrictions						
**Note: The residency limitations indicated in this use table apply to the number of residents housed at a facility, exclusive of any support or care staff. Where specific residency limitations are provided in the definition of the use, the size information herein is provided for reference only.						
	Size (number of residents)	R-1, R-2, SRD, HMR, SRD, NRX	R-3, UR-1 and UR-2 and NRX.	R-4L, UR-3, R-4, R-5, PRD, URX, RCX, NCX, T, C-1, HM, HMX, PDB	UCX, CCX, CIX, C-2, M-1, DCC, DMU, DR, WR	M-2, PMI
Emergency and Transitional Housing	Limit 6	N	N	CU	P	N
Emergency and Transitional Housing	7-15	N	N	CU	P	N
Emergency <u>Shelter</u> and Transitional Housing	16 or more	N	N	CU	P	N
Confidential Shelter, Adult Family Home, Staffed Residential Home	Limit 6	P	P	P	P	N
Confidential Shelter , Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	7-15	N	P	P	P	N
Confidential Shelter , Residential Chemical Dependency Treatment Facility, Extended Care Facility,	16 or more	N	<u>NCU</u>	P	P	N

Tacoma Municipal Code

Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	MOF e					
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b. Within the JBLM Airport Compatibility Overlay District, maximum occupancy shall be limited to six residents.

4. Dispersion requirement.

a. Facilities lawfully in existence on the adoption date of this section, are exempt from the dispersion requirement. Such facility shall be permitted to expand from the site it lawfully occupied at the time of the passage of this section only onto contiguous property owned by or under lease to the use at the time of the adoption of this section.

b. This requirement shall apply only to development in the PRD, ~~R-4~~UR-3, R-4, R-5, URX and RCX districts.

c. The lot line of any emergency and transitional housing shall be located 600 feet or more from the lot line of any other emergency and transitional housing. Where existing proximity to a limited access highway or freeway affords comparable protection, the 600 foot distance requirement may be waived.

d. The City shall determine whether a proposed facility meets the dispersion requirement criteria from maps which shall note the location of emergency and transitional housing. Such maps shall be generated and maintained by the City as a reference document. Any person who disputes the accuracy of the maps may furnish the staff with the information and, if determined by the staff to be accurate, this information shall be used in processing the application.

5. Should the state adopt siting requirements in excess of those required by this section, this section shall be considered amended to be in compliance with state law.

T. Adaptive Reuse of a Heritage Building.

1. Applicability.

Reuse of an existing “heritage building” with a listed use shall be permitted in accordance with the district use table in TMC 13.06.020.E.4, subject to limitations and standards outlined below and applicable to that use. Reuse of an existing “heritage building” that do not conform to the limitation and standards outlined below might be eligible subject to a Conditional Use Permit in accordance with the district use table in TMC 13.06.020.E.4 and requirements in 13.05.010.A.8.

2. Purpose.

To promote the preservation and productive use of existing structures that contribute to the City’s shared history and culture. To provide new economic opportunities where they would not otherwise be available. To support economic resiliency and local entrepreneurship.

3. General standards

a. To be eligible, all of the following must be applicable to the site:

- (1) The site is located in a R-4 or R-5 zoning district.
- (2) The site is zoned UR-3 and is adjacent to a designated Pedestrian Street or arterial classified street.

b. These provisions are limited to heritage buildings. A heritage building is defined as any structure or portion thereof at least 50 years old , per TMC 13.01.060.H.

c. Exterior alterations. One of the purposes of these provisions is to encourage the retention of existing structures for their enrichment of the area’s unique history and character. For this reason, any alterations to the building’s exterior must be consistent with the following standards:

- (1) Exterior materials. Change of exterior materials, including cladding and roof surfaces, and colors are permitted.

(2) Windows and doors. Existing window and doors located on the front building facade may be replaced but opening locations and sizes shall be maintained. De minimus variation in location and size is permitted when replacements are proposed. These limitations do not apply to the modification, including removal, of windows and doors on other facades.

(3) Porches. Existing porches and other covered entrance features located on the front building facade must be preserved. Additionally, such features may be added or expanded consistent with applicable development standards.

(4) Garages. Unless deemed necessary to meet off-street parking requirements, conversion of existing garages to enclosed or semi-enclosed non-vehicular space is permitted.

(5) Additions.

- Facade Distinction. Building additions shall be distinguished from the existing building in at least one of the following ways: Setback) the addition is set at least 10 ft. behind the existing building's exterior wall that is nearest the front lot line; Modulation) the additions front facade is separated from the existing building by a vertical modulation a minimum depth and width of at least 3 and 5 feet, respectively.
- Height. The building's height may not be increased and no more than 50% of the existing roof design may be altered, including the addition of dormers or other similar features. Projections, such as chimneys and exhaust vents, as well as features that do not material alter the roof's design and shape, such as skylights, are exempt from this standard.

(6) Heritage building preservation. A minimum of the following portions of the heritage building must be retained with any alterations. These limits only apply to the portions of the building that meet the age qualifications of a heritage building.

- At least 50% of building's footprint
- 100% of the front, street-facing facade
- 50% of the building's exterior walls shall be preserved and remain exterior wall.

4. Use standards.

a. All development must conform to the following limitations.

(1) Exterior non-residential activities are limited to outdoor seating, retail display, and may not exceed 50% of the interior space per tenant. Permanent outdoor storage is prohibited and items for sale and display furniture must be stored indoors outside of the associated business's public hours of operation.

(2) Public hours of operation. Any aspects of the business that are available to the public shall only be conducted between 8 a.m. to 8 p.m.

b. The proposed use(s) shall be limited to the following:

- (1) Assembly facilities
- (2) Commercial recreation/entertainment
- (3) Craft production
- (4) Cultural institutions, including art galleries
- (5) Eating and drinking
- (6) Offices
- (7) Personal services
- (8) Retail
- (9) Theater

c. Exemptions from development standards.

(1) No additional parking shall be required for the limited uses in 4b that are less than 3,000 square feet in area.

5. Permitted Special Use and conditional use standards comparison.

Adaptive reuse of a heritage building is permitted by-right subject to Special Use standards as well as Conditional Use Permit approval. Whereas some eligibility and use standards are common to both, the CUP review provides an opportunity to request deviation from the exterior alterations (13.06.080.T.4.c) and use standards (13.06.080.T.4.a) above. See TMC 13.050.010.A.8.

U. Mixed-use residential development, limited

1. Applicability.

Mixed-use residential development, limited shall be permitted in accordance with the district use table in TMC 13.06.020.E.4, subject to other limitations and standards outlined below and applicable to that use. Development of a Mixed-use residential development, Limited that does not conform to the limitation and standards outlined below might be eligible subject to a Conditional Use Permit in accordance with the district use table in TMC 13.06.020.E.4 and requirements in 13.05.010.A.28.

2. Purpose.

These provisions permit new mixed-use structures in certain Residential zones. Mixed-use development can provide convenient access from residences to places of employment and goods and services and support community goals related to reducing automobile dependence. These uses are found to be particularly appropriate where pedestrian activity and access to transit is prioritized, which is why this use is limited to sites located along designated Pedestrian Streets and arterial classified streets.

Mixed-use residential development, limited is also permitted at sites that do not meet the locational requirements here subject to Conditional Use Permit approval (TMC 13.05.010.A.28). The use standards contained in this section are intended to mitigate negative impacts commercial uses might pose to surrounding residential uses.

Permit new mixed-use structures in certain Residential zones. Generally, mixed-use development can provide convenient access from residences to places of employment and goods and services and reduce automobile dependence. The purpose of this section is to recognize mixed-uses that promote these community goals by facilitating economic activity in conjunction with residential uses, which is particularly appropriate along designated Pedestrian Streets and arterial classified street.

3. General standards

a. To be eligible, all of the following must be applicable to the site:

- (1) The site is located in a UR-3, R-4, and R-5 zoning district.
- (2) The site is adjacent to a designated Pedestrian Street or arterial classified street.
- (3) The site is located at the corner of two intersecting streets.

4. Use standards.

a. All development must conform to the following limitations.

- (1) Residential uses must occupy more than 50% of the interior building area.
- (2) All non-residential uses are limited to the ground-floor or below.
- (3) All non-residential uses may not occupy more than 3,000 sq. ft. cumulatively.
- (~~3~~4) All non-residential uses must be within 100 ft. of a designated Pedestrian Street or arterial classified street.
- (~~5~~4) Exterior non-residential activities are limited to outdoor seating, retail display, and may not exceed 50% of the interior space per tenant. Permanent outdoor storage is prohibited and items for sale and display furniture must be stored indoors outside of the associated business's public hours of operation.
- (~~5~~6) Public hours of operation. Any aspects of the business that are available to the public shall only be conducted between 8 a.m. to 8 p.m.

b. The proposed use(s) shall be limited to the following:

- (1) Assembly facilities

- [\(2\) Commercial recreation/entertainment](#)
- [\(3\) Craft production](#)
- [\(4\) Cultural institutions, including art galleries](#)
- [\(5\) Eating and drinking](#)
- [\(6\) Offices](#)
- [\(7\) Personal services](#)
- [\(8\) Retail](#)
- [\(9\) Theater](#)

c. Exemptions from development standards.

- [\(1\) No additional parking shall be required for the limited uses in 4b that are less than 3,000 square feet in area.](#)

5. Permitted Special Use and conditional use standards comparison.

Mixed-use residential development, limited is permitted by-right subject to Special Use standards and with fewer restrictions subject to Conditional Use Permit approval. Whereas some eligibility and use standards are common to both, they differ in important ways. The table below identifies which aspects are shared and which are different.

Standard	Special Use, by-right	Conditional Use	Comparison
Eligibility	UR-3, R-4, or R-5 zoning; Pedestrian Street or arterial street frontage; and corner site	UR-3, R-4, or R-5 zoning	Different
Residential use	Must occupy more than 50% of building	Must occupy more than 50% of building	Same
Non-residential use, location	Limited to ground floor; within 100 ft. of a Pedestrian Street or arterial street	Limited to ground floor	Different
Non-residential use, area	Max. 3,000 sq. ft.	Max. 3,000 sq. ft. No specific area limit	Different
Non-residential use, exterior uses	Max. 50% of interior space, use and storage limited to public hours of operation	Max. 50% of interior space, use and storage limited to public hours of operation	Same
Hours of operation	Public hours limited to 8 a.m. to 8 p.m.	Public hours limited to 8 a.m. to 8 p.m.	Same
Non-residential uses	Limited to specified uses	Limited to specified uses	Same

Tacoma Municipal Code

13.06.090 Site Development Standards.

A. Drive-throughs.

1. Applicability.

The regulations of this section apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-throughs are not permitted in some zoning districts—see the permitted uses tables for the applicable zone. Where they are permitted, drive-through facilities are still not always feasible; the size or dimensions of the site, or the size and location of existing structures may make it impossible to meet the regulations of this section.

~~B. Landscaping standards.~~

~~1. Applicability.~~

~~a. Unless specifically exempted, landscaping shall be provided consistent with this section for all new development, including structures and/or parking lots, as well as alterations to existing development, and street improvements, as outlined below. Vegetated Low Impact Development Best Management Practices (LID BMPs) designed in accordance with the City of Tacoma Stormwater Management Manual may be counted as landscaping. Trees and landscaping provided as required under this section, may also be counted towards compliance with tree canopy and usable yard space standards.~~

~~b. Alterations.~~

~~Three thresholds are used to gauge the extent of landscaping standard compliance on alterations to existing development:~~

~~(1) Level I alterations to a site include all remodels and/or additions within a two-year period whose cumulative value is less than 50% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, for an expanded parking area, landscaping would be required for the new parking area, but the applicant would not be required to bring an existing parking area into conformance with these landscaping standards.~~

~~(2) Level II alterations to a site include all remodels and/or additions within a two-year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II.~~

~~(3) Level III alterations to a site include all remodels and/or additions within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. Such developments shall be brought into conformance with ALL of the applicable landscaping standards.~~

~~c. Remodels.~~

~~The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.~~

~~d. Alterations.~~

~~No alteration shall increase the level of nonconformity or create new nonconformities to these standards. Existing landscaping that is above and beyond the current requirements may be removed, provided that the quantity is not reduced below the current requirements for the use on the site. All required landscaping shall be preserved in a healthy and thriving condition or replaced as necessary to maintain conformance with the applicable code requirements herein.~~

~~e. Street trees.~~

~~Street trees are required per the thresholds identified above, unless exempted. In addition, street trees are required with:~~

- ~~(1) Construction of new permanent roadways, excluding residential Local Improvement Districts; alterations to the width of existing permanent roadways; construction of new sidewalk; and replacement of more than 50% of an existing sidewalk along a site's frontage (when 50 linear feet or more is being constructed). In the case of sidewalk replacement, street trees shall be required proportionate to the linear footage of sidewalks replaced.~~
- ~~(2) If street trees are required in the applicable zone, then existing street trees shall be preserved in healthy, thriving, and safe condition per the tree installation, maintenance, and preservation requirements of this section and the technical specifications of the UFM. If required street trees are improperly pruned, damaged, or removed, they shall be replaced per the provisions of this section.~~

~~2. Purpose.~~

~~To contribute to the aesthetic environment of the City; enhance livability and foster economic development by providing for an attractive urban setting; provide green spaces that can support the urban citywide tree canopy; wildlife, such as birds, in the urban environment; help reduce storm water runoff; filter pollution; buffer visual impacts of development; and, contribute to the planting, maintenance, and preservation of a stable and sustainable urban forest.~~

~~3. General Landscaping Requirements.~~

~~a. Applicability.~~

~~The following general standards are applicable to all required landscaping.~~

~~b. Landscape Plans and Landscape Management Plans.~~

- ~~(1) Landscape Plans and Landscape Management Plans demonstrating compliance with the installation, plant material, area and location, and maintenance requirements of this Section shall be submitted for all development proposals with landscaping requirements.~~
- ~~(2) Landscape Plans and Landscape Management Plans, when required, shall be prepared by a Registered Landscape Architect, Certified Landscape Technician, or Certified Professional Horticulturalist, unless otherwise approved by the City, and shall be submitted in a form specified by the City.~~
- ~~(3) Landscape Plans must be drawn to scale and show all of the following:~~
- ~~• Plant species names (common and scientific);~~
 - ~~• Plant stock sizes, condition, and quantity;~~
 - ~~• Installation location of plant materials;~~
 - ~~• Existing and proposed utilities;~~
 - ~~• Existing and proposed bus stops (as applicable);~~
 - ~~• Existing trees planned to be retained;~~
 - ~~• Finished grade; and,~~
 - ~~• Required irrigation systems (if applicable).~~
- ~~(4) Landscape Management Plans shall address the following:~~
- ~~• Entity responsible for maintenance of the landscape during the establishment period (3 years following planting);~~
 - ~~• A schedule of maintenance activities, including, but not limited to, pruning, watering, fertilization, and inspection and replacement of dead and/or damaged plant materials.~~
- ~~(5) Developments with less than 500 square feet of landscaped area are exempt from submitting a Landscape Management Plan, and may submit a Landscape Plan prepared by a non-professional. New permanent roadways involving fewer than 10 street trees are exempt from submitting a Landscape Management Plan.~~

(6) The Urban Forest Manual (UFM) provides best management practices for plant selection, design, installation, care, and other specifications. Required landscaping shall be selected, installed and maintained consistent with the technical guidance of the UFM.

(7) The Director will consider adopted neighborhood, area-specific or streetscape design specifications and/or plans for landscaping selection and location, and may modify the standard requirements of this section if such plans meet the intent of this section.

(8) Modifications to landscaping installed under this section shall be in conformance with the intent of these requirements and the technical guidance of the UFM. Regular maintenance and pruning; replacement of plant material in kind; and revisions to planting plans that are consistent with all requirements and any conditions of approved permits, are authorized without further review. Significant changes to the configuration or location of required landscaped areas require the approval of the Director.

(9) When an amount or number of trees or plants is specified, that shall be the minimum number required. Any requirement resulting in a fraction of 0.3 or greater, when applied, shall be rounded up to the nearest whole number. Any requirement resulting in a fraction of less than 0.3 shall be rounded down to the nearest whole number. In cases where the minimum is expressed as a ratio of a number of trees or shrubs per a specified amount of area or length of site frontage or buffer, the number of required trees or shrubs shall be calculated by applying the ratio to the square footage of the area or length. For example, street tree requirements of 4 Small, 3 Medium or 2 Large trees per 100 feet of street frontage can be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet. Small, Medium and Large Trees may be used in combination, according to the applicable ratios.

EXAMPLE: A site with 50 feet of street frontage would require 2 Small ($50 \times 4/100 = 2$), 2 Medium ($50 \times 3/100 = 1.5$, which rounds up to 2), or 1 Large ($50 \times 2/100 = 1$).

EXAMPLE: A site with 60 feet of street frontage would require 3 Small ($60 \times 4/100 = 2.4$ which rounds up to 3), 2 Medium ($60 \times 3/100 = 1.8$, which rounds up to 2), or 1 Large ($60 \times 2/100 = 1.2$, which rounds down to 1).

(10) Landscaping provided to meet one requirement may in some cases count toward another applicable requirement if the intent of both requirements are being fully met. When two or more landscaping requirements apply to the same portion of a site, the most stringent of the requirements shall apply.

(11) All landscaping required by this section must be planted prior to the issuance of a certificate of occupancy. If the applicant files financial security with the City, which ensures that the vegetation will be installed, the vegetation may be deferred during the summer months to the next planting season, but for no more than 6 months, unless otherwise approved by the Director.

(12) Existing trees, shrubs, and groundcover which comply with the requirements of this Section may count towards the required landscape plantings.

c. Plant Material Selection.

(1) Climate adapted:

All required landscaping shall be climate adapted. The retention and use of natives is encouraged and permitted for any and all landscaping. Invasive species, as identified in the UFM, shall not count toward meeting required plantings. Noxious weeds are prohibited from being planted in required landscaped areas.

(2) Native species:

A minimum of 50 percent of required landscaping located within Comprehensive Plan designated Open Space Corridors, and a minimum of 25 percent in adjacent areas within 20 feet of Open Space Corridors, must be native plant species. Reductions are permitted when necessary to follow coordinated plans to address slope stability, habitat health, streetscape or area wide plans.

(3) Best Management Practices (BMPs):

Required landscaping areas are encouraged to incorporate vegetated LID BMPs, as defined in the City of Tacoma Stormwater Management Manual. A vegetated LID BMP may be used to meet landscaping requirements. Limited flexibility shall be granted to specific landscaping standards as applicable to accommodate LID BMPs.

(4) Visibility and safety:

Except in cases where required landscaping is intended to provide dense visual buffers or to enhance natural conditions, trees and shrubs shall be selected and maintained to maximize visibility at eye level for safety. To meet this requirement, shrubs shall be chosen that will readily remain under 3 feet in height. Trees shall be selected and pruned (once tall enough) to maximize views below 7 feet in height.

~~(5) Shrubs and Groundcover.~~

- ~~i. Turf lawn and mulch are not considered groundcover for the purposes of complying with this section.~~
- ~~ii. Vegetated LID BMPs that incorporate trees, shrubs and/or groundcover may count as meeting tree, shrub and groundcover requirements.~~
- ~~iii. If there are more than 25 required shrubs, no more than 20 percent of them can be of one species.~~
- ~~iv. Groundcover and shrub plants must be planted at a density that will cover the entire area within three years.~~
- ~~v. Unless specified otherwise, shrubs provided to meet these requirements shall be from a minimum 2-gallon container.~~

~~d. Trees.~~

~~(1) Tree Species Selection— Small, Medium and Large species. Trees are categorized as small, medium or large based on their height and crown spread at maturity and on their growth rate. Trees size categories are determined according to the Canopy Factor, which is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees. Large Trees have a Canopy Factor greater than 90; Medium Trees have a Canopy Factor from 40 to 90; Small Trees have a Canopy Factor less than 40.~~

~~(a) Tree size categories.~~

~~Small, Medium and Large Tree lists are included in the UFM. To determine the size category of a tree not listed in the UFM, the applicant must provide an authoritative source of information about the tree's mature height, crown spread and growth rate. Objective information must come from published sources or from the nursery providing the tree growth information, often called "cut sheets".~~

~~(2) Species selection.~~

~~Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height (at 25 years of age) not greater than 25 feet. New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from a structure, 5 feet from underground utilities, and 10 feet from light standards. Distances may be reduced, with staff approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM contains additional guidelines on this subject.~~

~~(3) Tree variety.~~

~~For projects that involve the planting of between four and ten trees, at least two different kinds (Genera) of trees shall be included. For projects involving the planting of more than ten trees, at least three different kinds (Genera) of trees, and a mixture of tree types (evergreen and deciduous) shall be included. For projects that involve planting more than twenty-five trees, no more than 25 percent shall be from one Genera and a minimum of 20 percent must be evergreen.~~

~~(4) Tree size at planting.~~

~~Trees provided to meet the landscaping requirements shall be consistent with the following size requirements at the time of planting: For deciduous trees, at least 50 percent of the trees provided shall be a minimum 2 inch caliper at the time of planting, with the remaining deciduous trees a minimum 1½ inch caliper. For evergreen trees, at least 50 percent of the trees provided shall be a minimum of 6 feet tall, with the remaining evergreen trees a minimum of 5 feet tall at the time of planting. Evergreen trees provided to meet these requirements shall also be species with the ability to develop a minimum branching width of 8 feet within 5 years.~~

~~e. Installation and Maintenance.~~

~~(1) Landscaping shall be installed and maintained in a healthy, thriving, and safe condition, and replaced as necessary, during the plant establishment period and for the life of the project, consistent with the requirements, standards and specifications of this Section and the UFM.~~

~~(2) Conditions shall be provided to promote tree longevity, thus reducing the need for replacement. Considerations shall include planting species in locations and with conditions favorable to their health, and providing appropriate protection from potential damage from adjacent uses, development or activities.~~

~~(3) Minimum tree trunk setbacks, unpaved planting area per tree, soil volumes and spacing requirements shall be provided for healthy tree growth, as follows:~~

	Small Trees	Medium Trees	Large Trees
Minimum unpaved planting area (sq. ft.):	24	40	60
Minimum tree pit width (ft.):	4	5	6
Minimum tree pit length (ft.):	6	8	10
Minimum soil volume (cu. ft.):	72	120	180
Minimum spacing (ft.) between trees:	10	25	40

~~Exceptions to these minimums may be approved with staff review, upon demonstration that healthy tree growth will be achieved and infrastructure and other conflicts will be avoided.~~

~~(4) All required landscaping must be planted in the ground, where feasible. In cases where this is not feasible, the use of planters or other approaches may be authorized as long as minimum soil depth and unpaved planting area dimensions are maintained. Soil composition and volume shall be provided as appropriate to promote the health of the plants, per the specifications of the UFM. Any vegetated LID BMP shall be designed in accordance with the City of Tacoma Stormwater Management Manual.~~

~~(5) An irrigation system, which in some cases shall include hand watering, shall be provided for all required landscaping per the guidance of the UFM, to ensure survival through the plant establishment period.~~

~~(6) Pruning of required trees or shrubs shall be for the purpose of maintaining the tree or shrub in a healthy and thriving condition and/or to enhance its natural growing form. Trees and shrubs shall not be excessively pruned such that it adversely affects the healthy living condition of the plant, significantly damages the natural growing form of the plant, or eliminates or significantly reduces the purpose for the planting. Topping, an extreme form of pruning, of trees required by this Section is prohibited. This prohibition does not apply to pruning performed to remove a safety hazard, to remove dead or diseased material, or to avoid overhead power lines.~~

~~(7) Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.150.~~

~~f. Credits and Flexibility.~~

~~The following credits may be utilized separately or in combination.~~

~~(1) Tree retention.~~

~~The following tree planting credits are available for existing trees, provided a Certified Arborist's Report determines that the tree(s) is healthy and can be saved through construction activities. If retained trees are damaged during or after construction, replacement shall be based upon the same ratios. A Certified Arborist's Report and Tree Protection Plan consistent with the requirements outlined in the UFM showing existing trees, existing and proposed grading, new development on the site (such as buildings, utilities, etc.), measures taken to protect existing trees and any new trees that will be planted on the site shall be submitted if trees are being retained for credit. To be eligible for this credit, trees must be healthy and have minimal serious defects or defects that cannot be mitigated by proper pruning as indicated on the Arborist Report and Tree Protection Plan. Trees shall count according to their species as Small, Medium and Large Trees.~~

- ~~i. One required tree for every retained tree of at least equal size;~~
- ~~ii. Two required trees for every retained tree that is 8 inches to 20 inches in DBH;~~
- ~~iii. Three required trees, for every retained tree 20 inches to 32 inches in DBH;~~
- ~~iv. Four required trees, for every retained tree over 32 inches in DBH.~~
- ~~v. In order to facilitate and provide an incentive for the retention of substantial numbers of mature trees, additional flexibility is available on Parking Lot Distribution requirements.~~

~~(2) Evergreen trees.~~

Evergreen trees, above and beyond those otherwise required, shall count as 1.1 trees toward total number required. If greater than two-thirds of required trees are Evergreens, additional flexibility is available on Parking Lot Distribution requirements.

(3) ~~Low Impact Development.~~

~~Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements. For sites utilizing LID BMPs as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements.~~

(4) ~~Urban Forestry Fund.~~

~~In limited instances when specific site characteristics do not support the preservation or planting of trees, funds may instead be paid into the City Urban Forestry Fund. Applicants must demonstrate to the satisfaction of the Director that specific site characteristics make the installation of landscaping on the site problematic to its reasonable use. Landscaping buffer requirements may not be modified through this provision. Landscaping must still be installed to the maximum extent practicable. Funds collected will be used by the City Urban Forestry Program to plant trees on other public or private property within the City. The required amount will be equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment, as specified in the UFM.~~

(5) ~~Self-managed Agencies.~~

~~An optional process for additional flexibility is available for public agencies with urban forestry programs and plans. This option is intended to encourage public agencies to take a leadership role in implementing urban forestry goals and policies. This flexibility can facilitate more intensive development of a particular development site, while meeting the urban forestry policies of the Comprehensive Plan and the intent of the landscaping code by planting the required landscaping at another site within the City of Tacoma in the agency's permanent control.~~

~~i. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Comprehensive Plan and landscaping code. The general landscaping requirements of this section apply. Plantings already required by a separate regulatory authority may not count toward meeting the requirements of this section. Upon review, the Director will issue a Determination regarding the consistency of the request with the Comprehensive Plan and code intent. If approved, the Determination shall grant self-managed agency status for up to ten years, subject to reevaluation. The Director reserves the right to withdraw the self-managed agency status should the intent not be met.~~

~~ii. Self-managed agencies may choose to plant landscaping required as part of a particular development proposal in another location per their urban forestry plan. This flexibility can be utilized at the agency's discretion on subsequent site-specific development proposals. Each request to utilize this process as part of a development proposal review shall make reference to the approved Determination, be supported by running totals of landscaping planted in this manner, and include status updates on ongoing health of such landscaping.~~

~~iii. Landscaping Buffers, when required, must be provided on the development site and cannot be shifted to another site. In addition, to the extent feasible, some portion of required street trees and parking lot landscaping shall be planted at the development site, or if shifted from the development site shall be planted in proximity to impervious surfaces, in order to achieve commensurate stormwater benefits.~~

4. ~~District landscaping requirements.~~

a. ~~Applicability.~~

~~(1) The landscaping standards of this table apply to new development and substantial alterations, as stipulated above. LID BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the LID BMP is compatible to the requirements.~~

(2) ~~Exemptions:~~

~~(a) Single, two and three family and townhouse developments are exempt from all landscaping requirements, with the exceptions that street trees are required in X Districts, and in all districts in association with a full plat or short plat with 5-9 lots, and per Small Lot standards of Section 13.06.020.J.~~

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~~(b) Passive open space areas are exempt from all landscaping requirements (however development activities on such sites may trigger landscaping requirements).~~

~~(c) Park and recreation uses are exempt from the Overall Site, Site Perimeter and Buffer requirements of this section.~~

~~b. Purpose.~~

~~The standards of this section are intended to implement the goals of the Comprehensive Plan and the intent of this section.~~

~~e. The following standards contain both numerical and distribution requirements for trees. In each case, whichever requirement would generate the larger number shall control and be the required number of trees.~~

~~d. Overall Site Landscaping.~~

~~(1) Purpose.~~

~~Overall Site Landscaping is intended to ensure that a minimum amount of landscaping is provided with development.~~

~~(2) Overall Site Landscaping Minimums.~~

~~This requirement may be provided anywhere on the site. The amount is determined as a percentage of the site which is not covered with structures. It may be satisfied by landscaping provided to meet other requirements.~~

- ~~● Residential Districts: 5 percent~~
- ~~● Commercial Districts: 10 percent~~
- ~~● Industrial Districts: 5 percent of parking areas over 20,000 sf~~
- ~~● X Districts: 15 percent (for single purpose residential projects)~~

~~(3) Planting requirements.~~

~~When Required, Overall Site Landscaping shall consist of a mixture of trees, shrubs and groundcover plants, as follows:~~

- ~~● At least one Small Tree per 200 square feet; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required overall site landscaped area.~~
- ~~● Shrubs and groundcover to completely cover the remaining area within 3 years.~~

~~(4) X Districts Exceptions.~~

~~Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no overall site landscaping requirement. If 50 percent of the parking is structured, then the amount of required overall site landscaping is reduced by 50 percent.~~

- ~~● Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements.~~
- ~~● Planting strips within street rights of way shall not be counted toward this requirement.~~

~~e. Site Perimeter Landscaping:~~

~~(1) Purpose.~~

~~Site Perimeter Landscaping is intended to ensure that areas abutting property lines, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.~~

~~(2) Exceptions.~~

~~Site Perimeter Landscaping is not required in Industrial or X Districts.~~

~~(3) General Standards.~~

~~(a) When applicable, a Site Perimeter is required around the entire perimeter of the site. Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to~~

and use of utility services located in alleys, but not by accessory structures, paved areas, outdoor storage or other development.

(b) A minimum 7 foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.

(c) A minimum 5 foot wide site perimeter strip shall be provided on sides with abutting street trees.

(4) ~~Planting Requirements:~~

~~The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants, as follows:~~

~~(a) At least one Small Tree per 200 sf; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required landscaped area.~~

~~(b) Trees planted shall be generally evenly distributed over the site.~~

~~(c) Place trees to create a canopy in desired locations without obstructing necessary view corridors.~~

~~(d) Shrubs and groundcover to completely cover the remaining area within 3 years.~~

~~f. Street trees:~~

~~(1) Purpose:~~

~~Street trees are intended to provide multiple benefits including aesthetics, traffic calming, environmental, shading, visual buffering and noise separation from streets.~~

~~(2) Exceptions:~~

~~In the PMI District, street trees are required with new development, alterations, and street improvements as specified in Section B., above, for development on the following gateway corridors: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street). In other locations within the PMI District, street trees are only required for street and sidewalk improvements as specified in Section I.e., above.~~

~~(3) Planting Requirements:~~

~~(a) Four Small Trees; three Medium Trees; or, Two Large Trees per 100 linear feet of site frontage.~~

~~(b) Street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, traffic signs, or other streetscape features, or if such variations are demonstrated to better achieve the intent.~~

~~(c) Street trees shall, when possible, be planted within the right of way adjacent to the curb and between the pedestrian lane/sidewalk and curb. When this is not possible or a different location would better achieve the intent, street trees may be located elsewhere within the right of way, including behind the sidewalk, in street medians, parking strips or bulbouts. If neither of these preferred locations is possible, such as when existing infrastructure prevents trees from being planted within the right of way, trees located within 10 feet of the right of way may be counted as street trees.~~

~~(4) Street Trees in Downtown Districts:~~

~~(a) Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear feet of frontage, with tree grates or alternative pervious surface materials covering the pits. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees and grates should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.~~

~~(b) The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc.~~

~~(c) Tree pits shall be covered by tree grates, or alternative pervious surface materials, to accommodate pedestrians in the planting area. The use of tree grates or alternative pervious surface materials will be determined by the presence of existing grates or surface materials in the district, and the width and function of the sidewalk.~~

(d) Residential development may substitute plantings for grates or alternative tree pit pervious surface materials.

(e) Where existing areaways, vaults or insufficient sidewalk widths prevent this form of planting, trees may be planted in planters that are generally in conformance with the Tacoma Downtown Streetscape Study and Design Concepts and the technical guidance of the Urban Forest Manual.

g. ~~Parking Lot Landscaping.~~

~~(1) Purpose.~~

~~Parking lot landscaping is intended to provide visual relief, to enhance the aesthetic appearance, screening from adjacent sites and public areas, to reduce environmental impacts of parking and other paved areas, and to provide shade and shelter for pedestrians.~~

~~(2) Exceptions.~~

~~(a) Parking Lot Perimeter Landscaping is not required in M-2 or PMI Districts.~~

~~(b) Parking lots of 15 stalls or less are not required to meet Interior Planting requirements.~~

~~(c) Parking lots of 15 stalls or less, located behind buildings and accessed by alleys, are exempt from the Site Perimeter requirement.~~

~~(3) Parking Area tree minimum—overall.~~

~~One Small Tree per 700 square feet; one Medium Tree per 1,000 square feet; or, one Large Tree per 1,400 square feet of parking lot area.~~

~~(4) Parking Lot—Interior Planting Requirements.~~

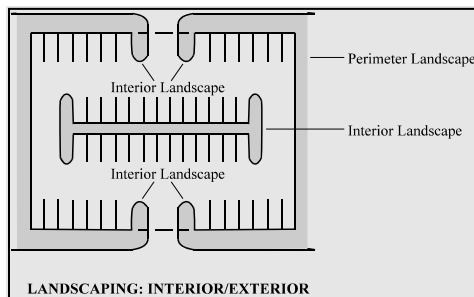
~~A mixture of trees, shrubs and groundcover meeting the following requirements:~~

~~(a) At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.~~

~~(b) Trees planted shall be generally evenly distributed over the site. Shrubs and groundcover plants as required above.~~

~~(c) Trees placed to create a canopy in desired locations without obstructing necessary view corridors.~~

~~(d) Parking lot landscaping areas example:~~



~~(5) Distribution.~~

~~(a) No stall shall be more than 50 feet from a tree trunk.~~

~~(b) Long rows of parking shall be broken by islands or peninsulas with trees, such that there are no more than eight parking stalls in a row without a tree.~~

~~(c) Planting areas with trees are required at all parking aisle ends.~~

~~(d) Trees shall be provided along walkways per 13.06.090.F.~~

~~(6) Distribution Flexibility Bonuses.~~

~~For each of the following bonuses provided, Parking Lot Distribution requirements may be modified as follows: The maximum distance from each stall may increase by 10 feet; and, maximum parking row length may increase by 1 stall.~~

- ~~Tree retention: Retention of trees at least 20 inches in diameter constitutes at least 50 percent of the number of required trees.~~
- ~~Evergreen trees: Evergreen trees constitute greater than two-thirds of required trees.~~
- ~~Low Impact Development: Sites utilizing Low Impact Development (LID) techniques as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach.~~

~~(7) Parking lot—Perimeter landscaping Planting Requirements:~~

- ~~(a) Parking Lots with more than 20 stalls are required to provide a 10-foot wide planting strip per the planting requirements below.~~
- ~~(b) Where the subject property is 150 feet or less in depth, the perimeter strip can be reduced to 5 feet in width.~~
- ~~(c) When applicable, a Parking Lot Perimeter is required around the shortest circumferential line defining the exterior boundary of a parking, loading or similar paved area, excluding primary structures, driveways or walkways providing access to the facility.~~
- ~~(d) Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements:~~
 - ~~At least one Small Tree per 200 sf, one Medium Tree per 300 sf, or one Large Tree per 400 sf of landscaped area.~~
 - ~~Trees planted shall be generally evenly distributed over the site.~~
 - ~~Shrubs and groundcover plants as required above.~~
 - ~~Trees placed to create a canopy in desired locations without obstructing necessary view corridors.~~

~~(8) Downtown Districts:~~

- ~~(a) All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees, shrubs and groundcover per the General Landscaping requirements and the Parking Lot Perimeter requirements of TMC 13.06.090.B.~~
 - ~~In no case shall fewer than three trees per 100 linear feet of frontage be provided.~~
 - ~~Masonry walls no lower than 15" and no higher than 30" may be substituted for shrubs.~~
 - ~~For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees, shrubs and groundcover.~~
 - ~~Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.~~
- ~~(b) Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.~~

~~h. X District Front Yard and Foundation Landscaping:~~

- ~~(1) Purpose. Trees, shrubs and groundcover plantings intended to soften the visual appearance of exposed foundations and building frontages in highly pedestrian areas.~~
- ~~(2) In areas where buildings are not located adjacent to the sidewalk, the area between the public sidewalk and buildings shall incorporate expanded sidewalk space, outdoor seating, plazas and/or landscaping with a combination of trees, shrubs, and/or ground cover plants.~~
- ~~(3) All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building façade that provide access for pedestrians or vehicles to the building.~~

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~~(4) The foundation landscaping must meet the following standards:~~

~~(a) The landscaped area must be at least three feet wide.~~

~~(b) There must be at least one shrub for every three lineal feet of foundation.~~

~~(c) Groundcover plants must fully cover the remainder of the landscaped area.~~

13.06.090 Site Development Standards

B. Landscaping standards.

1. Applicability.

a. Development activities: Unless specifically exempted, landscaping shall be provided consistent with this section for all new development, including structures and/or parking lots, as well as alterations to existing development, and street improvements, as outlined below. Vegetated Low Impact Development Best Management Practices (LID BMPs) designed in accordance with the City of Tacoma Stormwater Management Manual may be counted as landscaping. Trees and landscaping provided as required under this section may also be counted towards compliance with tree credits and amenity space as required in District Standards.

b. Alterations and additional structures added to a site.

Three thresholds are used to gauge the extent of landscaping standard compliance on alterations to existing development:

(1) Level I alterations to a site include all remodels and/or additions within a two-year period whose cumulative value is less than 50% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, for an expanded parking area, landscaping would be required for the new parking area, but the applicant would not be required to bring an existing parking area into conformance with these landscaping standards. For additional structures added to a site with existing retained structure(s), landscaping requirements shall be calculated based on the affected development area (including the structure, amenity space and any required access/alterations).

(2) Level II alterations to a site include all remodels and/or additions within a two-year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II.

(3) Level III alterations to a site include all remodels and/or additions within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. Such developments shall be brought into conformance with ALL of the applicable landscaping standards.

c. Remodels.

The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.

d. Landscaping alterations.

No landscaping alteration shall increase the level of nonconformity or create new nonconformities to these standards. Existing on-site landscaping that is above and beyond the current requirements may be removed, provided that the quantity is not reduced below the current requirements for the site and that provisions for tree retention are met per TMC 13.06.090.B.3.e.(3). All ~~required~~ landscaping shall be preserved in a healthy and thriving condition or replaced as necessary to maintain conformance with the applicable code requirements herein.

e. Street trees.

Street trees are required per the thresholds identified above, unless exempted. In addition, street trees are required with:

(1) Construction of new permanent roadways; alterations to the width of existing permanent roadways; construction of new sidewalk; and replacement of more than 50% of an existing sidewalk along a site's frontage (when 50 linear feet or more is being constructed). In the case of sidewalk replacement, street trees shall be required proportional to the linear footage of sidewalks replaced.

(2) Existing street trees shall be preserved in healthy, thriving, and safe condition per the tree installation, maintenance, and preservation requirements of this section, TMC 9.20, and the technical specifications of the UFM. If required street trees are improperly pruned, damaged, or removed, they shall be replaced per the provisions of this section and TMC 9.20.

f. Tree retention: The requirements of the Tree Retention section (TMC 13.06.090.B.3.e) shall be met for all sites, regardless of whether development is proposed or not both development and non-development sites.

2. Purpose.

To contribute to the aesthetic environment of the City; enhance livability and foster economic development by providing for an attractive urban setting; provide green spaces that can support the citywide tree canopy goal of 30 percent; support wildlife, such as birds, in the urban environment; help reduce storm water runoff; filter pollution; reduce the urban heat island; buffer visual impacts of development; and contribute to the planting, maintenance, and preservation of a stable and sustainable urban forest.

3. General Landscaping Requirements.

a. Applicability.

The following general standards are applicable to all required landscaping, including trees, shrubs and groundcover.

b. Urban Forest Manual

The Urban Forest Manual (UFM) provides best management practices for plant selection, design, installation, care, and other specifications. Required landscaping shall be selected, installed and maintained consistent with the technical guidance of the UFM.

c. Landscape Plans and Landscape Management Plans.

(1) Landscape Plans and Landscape Management Plans demonstrating compliance with the installation, plant material, area and location, and maintenance requirements of this Section shall be submitted for all development proposals with landscaping requirements.

(a) Developments with less than 500 square feet of landscaped area are exempt from submitting a Landscape Management Plan, and may submit a Landscape Plan prepared by a non-professional, provided that the required elements of the Landscape Plan are still provided. New permanent roadways involving fewer than 10 street trees are exempt from submitting a Landscape Management Plan for the landscaping within the right-of-way.

(32) Landscape Plans and Landscape Management Plans, when required, shall be prepared by a Registered Landscape Architect, Certified Landscape Technician, or Certified Professional Horticulturalist, unless otherwise approved by the City, and shall be submitted in a form specified by the City.

(43) Landscape Plans must be drawn to scale and show all of the following:

- Plant species names (common and scientific);
- Plant stock sizes, condition, and quantity;
- Installation location of plant materials;
- Existing and proposed utilities;
- Existing and proposed bus stops (as applicable);
- Existing tree(s) including the tree species, tree(s)' size (DBH) for all trees on site, clearly demarcating which trees are planned to be retained and which trees are proposed to be removed;
- Tree protection measures in accordance with the requirements of the UFM and the standard plans contained in the City of Tacoma Right-of-Way Design Manual for any trees that will be preserved;
- Finished grade; and,

- Required irrigation systems (if applicable).

(5) Landscape Management Plans shall address the following:

- Entity responsible for maintenance of the landscape during the establishment period (3 years following planting):
- A schedule of maintenance activities, including, but not limited to, pruning, watering, fertilization, and inspection and replacement of dead and/or damaged plant materials during the establishment period.

(6) The Director will consider adopted neighborhood, area-specific or streetscape design specifications and/or plans for landscaping selection and location, and may modify the standard requirements of this section if such plans meet the intent of this section.

(7) Modifications to landscaping installed under this section shall be in conformance with the intent of these requirements and the technical guidance of the UFM. Regular on-site maintenance and pruning; replacement of plant material in kind; and revisions to planting plans that are consistent with all requirements and any conditions of approved permits, are authorized without further review. Significant changes to the configuration or location of required landscaped areas require the approval of the Director. Street tree maintenance, including pruning, or replacement planting requires review under TMC 9.20.

(8) Landscaping provided to meet one requirement may in some cases count toward another applicable requirement if the intent of both requirements are fully met. When two or more landscaping requirements apply to the same portion of a site, the most stringent of the requirements shall apply.

(9) All landscaping required by this section must be planted prior to the issuance of a certificate of occupancy or final inspection approval. If the applicant files financial security with the City, which ensures that the vegetation will be installed, the vegetation may be deferred during the summer months to the next planting season, but for no more than 6 months, unless otherwise approved by the Director.

(10) Existing trees, shrubs, and groundcover which comply with the requirements of this Section may count towards the required landscape plantings.

d. Plant Material Selection.

(1) Climate adapted.

100 percent of all required plants for landscaping development activities in this code. All required landscaping shall be climate-adapted. The retention and use of natives is encouraged and permitted for any and all landscaping. Invasive species, as identified in the UFM, shall not count toward meeting required plantings. Noxious weeds and weeds listed as Class A, B, or C as determined by the Pierce County Noxious Weed Control Board, are prohibited from being planted in required landscaped areas.

(2) Native species. Species native to western Washington and/or western Oregon.

(a) In UR-1 and UR-2 zones, 50 percent of all plants that are not trees must be native to western Washington and/or western Oregon.

(b) A minimum of 50 100 percent of plants (excluding trees) required for landscaping located within Comprehensive Plan designated Open Space Corridors, and a minimum of 2575 percent in adjacent areas within 2050 feet of Open Space Corridors, must be native to western Washington and/or western Oregon plant species. A minimum of 50 percent of required landscaping located within 50 feet of designated Fish and Wildlife Habitat Conservation Areas must be native to western Washington and/or western Oregon plant species. Reductions are permitted when necessary to follow coordinated plans to address slope stability, habitat health, streetscape or area wide plans.

(3) Best Management Practices (BMPs).

Required landscaping areas are encouraged to incorporate vegetated LID BMPs, as defined in the City of Tacoma Stormwater Management Manual. A vegetated LID BMP may be used to meet landscaping requirements. Limited flexibility shall be granted to specific landscaping standards as applicable to accommodate LID BMPs.

(4) Visibility and safety.

Except in cases where required landscaping is intended to provide dense visual buffers or to enhance natural conditions, trees and shrubs planted within or directly adjacent to the right-of-way and other publicly accessible areas shall be selected and maintained to maximize visibility at eye level for safety. To meet this requirement, shrubs shall be chosen that will grow to a mature height under 3 feet. Tree species shall be selected and pruned (once tall enough) to maximize views below 7 feet in height.

(5) Shrubs and Groundcover.

- i. Turf lawn and mulch are not considered groundcover for the purposes of complying with this section.
- ii. Vegetated LID BMPs that incorporate trees, shrubs and/or groundcover may count towards meeting tree, shrub and groundcover requirements.
- iii. If there are more than 25 required shrubs, no more than 20 percent of them can be of one species.
- iv. Groundcover and shrub plants must be planted at a density that will cover the entire area within three years.

e. Trees.(1) Tree Size Categories

Trees are categorized as Small, Medium or Large based on the potential long-term canopy benefits of their species. Small, Medium and Large Tree lists are included in the UFM.

(a) Calculating Size Category for Unspecified Species

To determine the size category of a tree not listed in the UFM, calculate Canopy Factor of the species using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees. Large Trees have a Canopy Factor greater than 70; Medium Trees have a Canopy Factor from 40 to 70; Small Trees have a Canopy Factor less than 40. The applicant must provide an objective, authoritative source of information to support metrics used for the tree's mature height, crown spread and growth rate. This information shall be from published sources or from the nursery providing the tree growth information, often called "cut sheets".

(2) Required On-Site Tree Credits

Recognizing that not all trees offer the same amount of benefit, "Tree Credits" quantify the value of a tree's canopy for the purposes of defining how many trees are required on a site. While existing mature trees provide benefits today, new trees provide value in the future, which increases as they mature. Therefore trees are allocated credit based on their species size category (for new trees) or DBH (for existing trees). When combined, the total credits of retained trees and new trees on a site must be equal to or greater than the number of required tree credits.

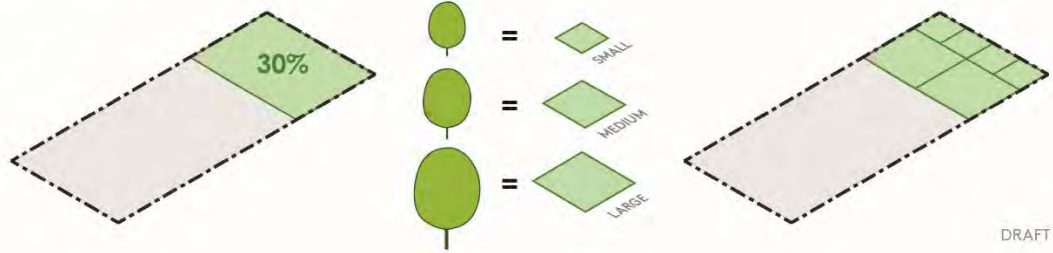
(a) Calculating Required Tree Credits

On-site tree credits are required based on the lot area of the site being developed at the percentage defined in District Standards tables, Section 13.06.020.F and Section 13.06.020.G.

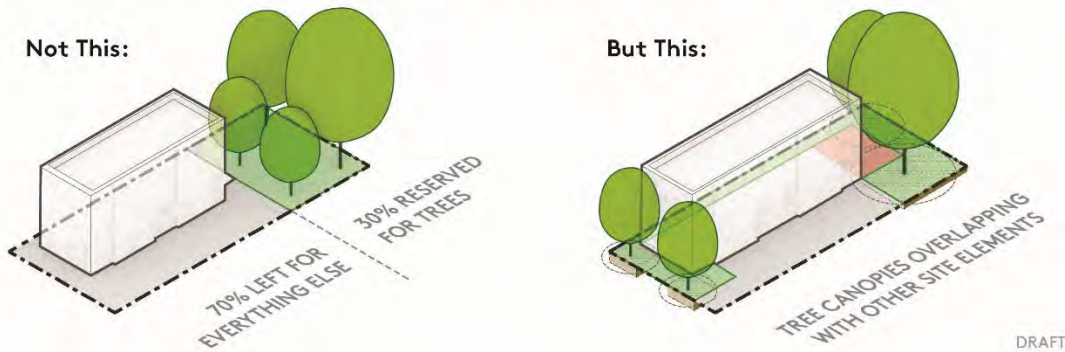
For example, a 6,000 sf lot in a district requiring 30% tree credits would be required to provide 1,800 tree credits (6,000 x 0.30 = 1,800).

District Standards define the percentage of lot area that is used to determine how many trees or "tree credits" are required on a site.

Both existing trees and new small, medium, and large trees are each worth a certain amount of credit toward this target area.



Together, these tree credit requirements work toward a Citywide tree canopy goal of 30%. However, 30% tree canopy coverage does not mean 30% of a lot is reserved for trees.



(b) Calculating Tree Credits for Retained Trees

While new tree credits are based on the potential future canopy benefits offered by that species, the age of an existing tree is a better representation of the benefit it offers. Therefore, trees retained on-site consistent with TMC 13.06.090.B.3.e.(3) count toward required tree credits based on their trunk diameter (DBH) according to the table below.

	<u>Trees less than 6" DBH</u>	<u>Trees 6" ≤ 12" DBH</u>	<u>Trees 12" ≤ 24" DBH</u>	<u>Trees over 24" DBH</u>
<u>Tree Credits for existing trees^{1*}</u>	<u>50 credits per inch DBH</u>	<u>75 credits per inch DBH</u>	<u>100 credits per inch DBH</u>	<u>125 credits per inch DBH</u>

^{1*} Any healthy retained tree of at least 2" DBH is worth not less than the tree credits offered for a new tree of that species in accordance with its designation as small, medium, or large per TMC 13.06.090.B.3.e.(2)(c).

For example:

- A retained 17" DBH tree would be worth 1,700 tree credits (17" x 100 credits per inch = 1,700 credits).
- A retained 3" DBH "small tree" species would be worth 200 credits (3" x 50 credits per inch = 150 credits). With -200 credits offered for a small species of tree, the minimum of 200 credits applies.

(c) Calculating Tree Credits for New Trees

Tree Credits for new on-site trees are allocated according to species designation as Small, Medium and Large, as listed in the UFM.

	<u>Small Trees</u>	<u>Medium Trees</u>	<u>Large Trees</u>
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<u>Tree Credits for new trees</u>	<u>200</u>	<u>500</u>	<u>1,000</u>
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(d) Flexibility to meet on-site tree credits

i. Right-of-way trees: New trees planted in the right-of-way above those required per TMC 13.06.090.B.4.f.(3) can count toward on-site tree credit requirements. To use this mechanism, separately determine required tree credits per TMC 13.06.090.B.4.f.(3) to be met in the right-of-way, and required tree credits to be met on-site per TMC 13.06.090.B.4.e.(2)(a). Any additional tree credits provided with new trees in the right-of-way above the required minimum can count toward meeting the required on-site tree credits, provided the trees planted in the right-of-way meet TMC 13.06.090.B.4.f.

ii. Tree Credits in UR-3 zones: In UR-3 zones, up to two-thirds of required on-site tree credits may be satisfied via a Tree Credit Fee. This fee shall be used to plant trees in the public right-of-way within an eighth of a mile of the project site.

iii. Multiple Co-owned Parcels: Multiple adjoining parcels under the same ownership may be combined for the purposes of calculating and meeting required tree credits, provided that the requirements are met for the overall site. The City may require legal property restrictions to ensure the required trees are protected.

(3) Tree Retention and Removal:

(a) Applicability:

i. Tree retention is required for all development in UR zones.

ii. Tree removal in UR zones, whether associated with a development permit or not, requires City review for all trees over 6" DBH.

(b) Retention Requirements

Trees provide more services as they mature, helping to reduce urban heat island, manage stormwater, provide habitat, and improve air quality. Because of the increased benefits existing trees provide over newly planted trees, on-site tree removal is regulated based on tree size (DBH) as follows:

<u>Tree Size</u>	<u>Retention Requirement</u>
<u>Trees over 2418" DBH</u>	<u>Cannot be removed^{§1,2}</u>
<u>Trees 12" < 2418" DBH</u>	<u>Can only be removed if retention would limit development capacity.^{§§2}</u>
<u>Trees 6" < 1218" DBH</u>	<u>Can be removed.^{§§2}</u>
<u>Less than 6" DBH</u>	<u>Not regulated</u>

§1 Subject to Variance per TMC 13.05.010.B.

§§2 Canopy Loss Fee may shall be assessed per 13.06.090.B.3.g.(4)(b), except for the removal of trees listed below in TMC13.06.090.B.3.e.(3)(c):

(c) Exemption from Tree Retention Requirements

An application for tree removal of one or more trees in accordance with TMC 13.06.090.B.3.e.(3)(b) is required. Provided the minimum requirements of TMC 13.06.090.B.3.e. are met, the following categories of tree removals may be permitted without regard to the tree retention sizes listed, and without incurring a Canopy Loss Fee:

i. Hazard trees. A tree shall be designated as a hazard tree by an International Society of Arboriculture (ISA) Certified Arborist who has obtained an ISA Tree Risk Assessor Course and Exam certification or Tree Risk Assessment Qualification.

ii. Significantly damaged trees. A tree that has been previously topped or significantly damaged to an extent that, if left unmanaged through extensive pruning and maintenance, could become a future Hazard Tree.

iii. Fruit trees.

iv. Conflict trees. A conflict tree is an existing tree that directly conflicts or interferes with (a) construction or installation of a utility or public right-of-way improvement; (b) activities performed to repair or maintain a utility or public right-of-way improvement; or that, (c) damages existing improvements within the right-of-way or on private property such as utility infrastructure or structural foundations. A tree conflicts or interferes when it is demonstrated that there are no reasonable alternatives available to removal of the conflict tree.

(d) Tree Credits for Tree Retention

The Tree Credits for existing trees defined in TMC 13.06.090.B.3.e.(2)(b) are contingent on tree health, and require a Certified Arborist's Report to determine that the tree(s) is healthy and can be saved through construction activities. If retained trees are damaged during or after construction, replacement trees must meet the required Tree Credits as determined in TMC 13.06.090.B.3.e.(2)(a) and any applicable Canopy Loss Fees shall be assessed. A Certified Arborist's Report and Tree Protection Plan consistent with the requirements outlined in the UFM showing existing trees, existing and proposed grading, new development on the site (such as buildings, utilities, etc.), measures taken to protect existing trees and any new trees that will be planted on the site shall be submitted if trees are being retained for credit. Trees must be healthy, or have minimal defects that can be mitigated by proper pruning as indicated on the Arborist Report and Tree Protection Plan.

To facilitate and incentivize retention of mature trees, additional flexibility is available on parking lot distribution requirements per TMC 13.06.090.B.4.g.(6) and building standards per TMC 13.06.020.F.3 Flexibility for Tree Retention.

(34) Street Trees

Street trees are required based on linear site frontage per TMC 13.06.090.B.4.f.(3) and do not count toward on-site Tree Credits, except per TMC 13.06.090.B.3.e.(2)(d)i. New street tree plantings shall be in accordance with Tacoma standard plans LS-01, LS-02, and LS-03.

(45) Species selection.

Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height (at 25 years of age) not greater than 25 feet. Evergreen trees provided to meet these requirements shall also be species with the ability to develop a minimum branching width of 8 feet within 5 years. Weeping and fastigate tree varieties, such as arborvitae, that do not meet these requirements for tree width and height are not eligible to meet tree requirements.

(56) Tree variety.

For projects that involve the planting of between four and ten trees, at least two different kinds (Genera) of trees shall be included. For projects involving the planting of more than ten trees, at least three different kinds (Genera) of trees, and a mixture of tree types (evergreen and deciduous) shall be included. For projects that involve planting more than twenty-five trees, no more than 25 percent shall be from one Genera and a minimum of 20 percent must be evergreen.

(67) Tree size at planting.

Trees provided to meet the landscaping requirements shall be consistent with the following size requirements at the time of planting: For deciduous trees, at least 50 percent of the trees provided shall be a minimum 2-inch caliper at the time of planting, with the remaining deciduous trees a minimum 1½-inch caliper. For evergreen trees, at least 50 percent of the trees provided shall be a minimum of 6 feet tall, with the remaining evergreen trees a minimum of 5 feet tall at the time of planting.

(78) Tree location at planting.

New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from structures, 5 feet from underground utilities, and 10 feet from light standards. Distances may be reduced, with City approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM contains additional guidelines on this subject. may be reduced, with staff approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM contains additional guidelines on this subject.

(9) Tree Requirements Summary

1. Calculate required on-site tree credits
 = [Lot area] x [% tree credits per TMC 13.06.020]
 Ex: [6,000 sf lot] x [.30 in UR-2] = 1,800 tree credits required

2. Calculate required right-of-way trees
 = Four Small Trees; Three Medium Trees; or Two Large Trees
 per 100 linear feet of site frontage per TMC 13.06.090.B.4.f.
 Ex: 50' linear frontage = 2 Small trees or 2 Medium trees or 1 Large tree

3. Are there existing trees on-site?

<p>A. Existing trees are retained</p> <p>Tree credits earned per inch DBH for retained on-site trees per TMC 13.06.090.B.3.e(2)(b):</p> <ul style="list-style-type: none"> - Trees less than 6" DBH = 50 credits per inch DBH - Trees 6" ≤ 12" DBH = 75 credits per inch DBH - Trees 12" ≤ 24" DBH = 100 credits per inch DBH - Trees over 24" DBH = 125 credits per inch DBH 	<p>B. Existing trees are removed</p> <p>Existing trees are regulated per TMC 13.06.090.B.3.e(3)(b):</p> <ul style="list-style-type: none"> - Trees over 18" DBH: require variance, assessed canopy loss fee - Trees 6"-18" DBH: assessed canopy loss fee - Trees under 6" DBH: not regulated
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4. Are Tree Credit requirements met?

Tree Credits for new trees are allocated per TMC 13.06.090.B.3.e(2)(c): Small = 200, Medium = 500, Large = 1,000

Tree credits provided in the right-of-way above those required can count toward on-site tree credit requirements per TMC 13.06.090.B.3.e(2)(d).

Yes.
 [Minimum tree credits from 1. above] **are less than or equal to** → [Credits from retained trees] + [Credits from new trees]
No Tree Credit fee is required

No.
 [Minimum tree credits from 1. above] **are greater than** → [Credits from retained trees] + [Credits from new trees]
A variance is required per TMC13.05.010.B.2.d.:
 - Meeting tree requirements shown to limit development capacity **and**
 - Comparable canopy benefits provided **and**
 - Minimum tree credits provided on-site per TMC13.05.010.B.2.d **and**
A Tree Credit Fee is Assessed

5. Is Canopy Lost that requires replacement?

Tree(s) under 6" DBH are removed → Trees under 6" are not regulated

Tree(s) 6" - 18" DBH are removed → **A. Calculate canopy loss per TMC 13.06.090.B.3.g(4)(b):**
 Canopy loss (inches) = [Removed tree(s) DBH (inches)] - [Planted tree(s) caliper (inches)]

Tree(s) over 18" DBH are removed → **A variance is required per TMC13.05.010.B.2.d.:**
 - Tree retention shown to be problematic to reasonable use of the site **and**
 - Comparable canopy benefits provided **and**
A Canopy Loss Fee is Assessed

B. Are minimum Tree Credits met?

<p>Yes¹</p> <p>↙ ↘</p>	<p>No</p> <p>↓</p>
<p>Housing is constructed on-site with the project and therefore the canopy loss fee is waived.</p>	<p>Housing is not constructed on-site with the project and therefore the canopy loss fee is applied at a 50% rate: Canopy Loss Fee = [.5] X [Canopy loss inches] X [\$ per inch listed in the UFM]</p>

Canopy Loss Fee = [Canopy loss inches] X [\$ per inch listed in the UFM]

¹ For a canopy loss fee waiver for the removal of regulated trees down to the required on-site minimum tree credits, only trees 6" DBH or greater may count toward achieving the required tree credits

f. Installation and Maintenance.

(1) Landscaping shall be installed and maintained in a healthy, thriving, and safe condition, and replaced as necessary, during the plant establishment period and for the life of the development, consistent with the requirements, standards and specifications of this Section and the UFM.

(2) Conditions shall be provided to promote tree longevity, thus reducing the need for replacement. Considerations shall include planting species in locations and with conditions favorable to their health and providing appropriate protection from potential damage from adjacent uses, development, or activities.

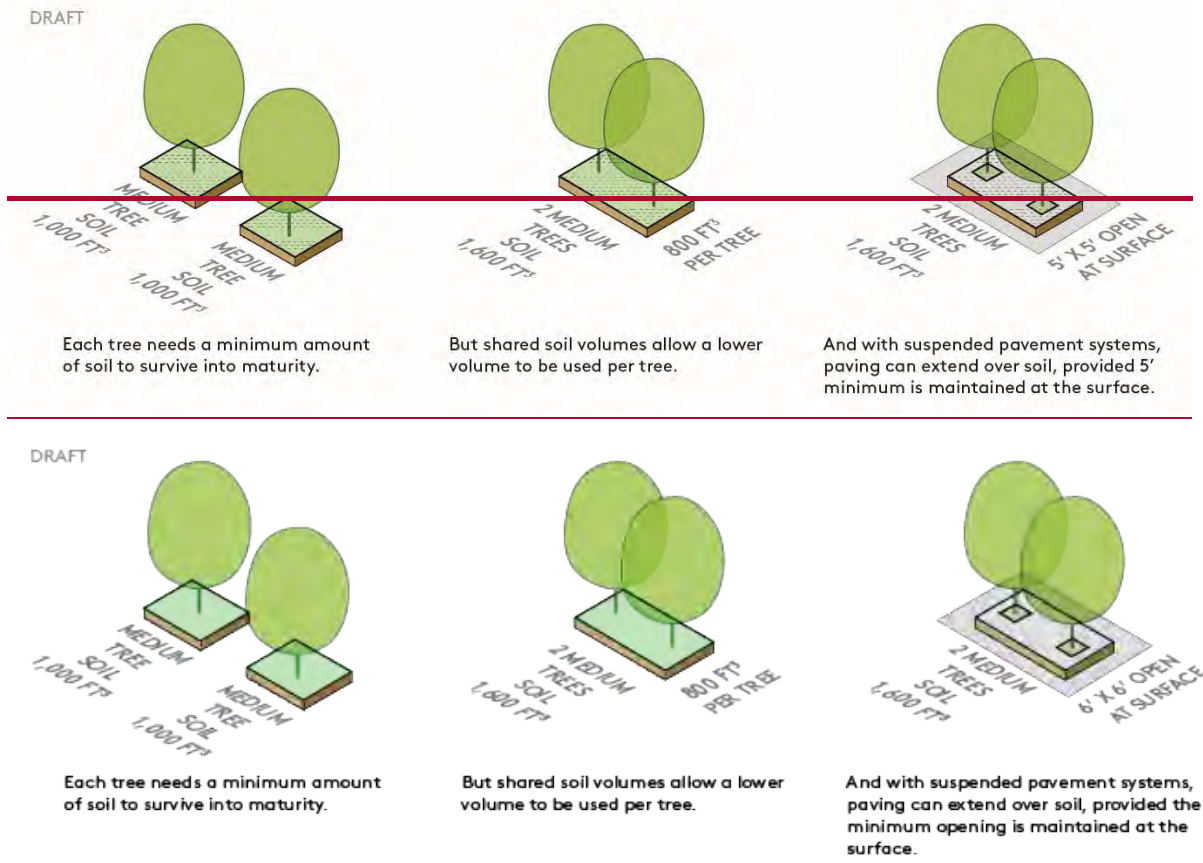
(3) Minimum tree trunk setbacks, surface planting diameter, soil volumes and spacing requirements shall be provided for healthy tree growth, as follows:

<u>Per Tree Minimum</u>	<u>Small Trees</u>	<u>Medium Trees</u>	<u>Large Trees</u>
<u>Unpaved planting area, assuming 3 ft. soil depth (sq. ft.):</u>	<u>167</u>	<u>334</u>	<u>400</u>
<u>Soil volume (cu. ft.)^{*1}:</u>	<u>500</u>	<u>1,000</u>	<u>1,200</u>
<u>Soil volume per tree if soil is shared by multiple trees (cu. ft.):</u>	<u>500</u>	<u>800</u>	<u>1,000</u>
<u>Unpaved surface planting diameter^{**2} (ft.):</u>	<u>5</u>	<u>6</u>	<u>7</u>
<u>Trunk-to-trunk spacing between trees (ft.):</u>	<u>10</u>	<u>16</u>	<u>22</u>

^{*1} Minimum soil volume shall be achieved with soil depths of 3 feet where possible, but in no case shall be less than 24 inches. Soil depth provided to meet this cubic foot minimum can increase to 4' depths only where a soil depth of 3' would not allow Tree Credits to be met on site.

^{**2} This is the minimum unpaved dimension of planting area in any direction, often referred to as a “tree pit opening”. Provided that suspended pavement systems are used to meet required soil volume underground, this diameter can be reduced to 4' if compliance with ADA accessible sidewalk width standards is otherwise infeasible.

Exceptions to these minimums may be approved by the Director of Planning and Development Services with staff review, upon demonstration if a certified arborist confirms that healthy tree growth will be achieved, and infrastructure and other conflicts will be avoided.



(4) All required landscaping must be planted in the ground, where feasible. In cases where this is not feasible, the use of open-bottom raised planters or other approaches may be authorized with the approval of a certified arborist and the Director of Planning and Development Services as long as minimum dimensions and soil volumes are maintained. Soil composition and volume shall be provided as appropriate to promote the health of the plants, per the specifications of the UFM. Any vegetated LID BMP, such as a bioretention cell, shall be designed in accordance with the City of Tacoma Stormwater Management Manual.

(5) An irrigation system, which in some cases shall include hand watering, shall be provided for all required landscaping per the guidance of the UFM, to ensure survival through the plant establishment period.

(6) Pruning of required trees or shrubs shall be for the purpose of maintaining the tree or shrub in a healthy and thriving condition and/or to enhance its natural growing form. Any street tree pruning shall be in compliance with the requirements of TMC 9.20. Trees and shrubs shall not be excessively pruned such that it adversely affects the healthy living condition of the plant, significantly damages the natural growing form of the plant, or eliminates or significantly reduces the purpose for the planting.

Topping, an extreme form of pruning, of trees required by this Section is prohibited. Pruning may be performed to remove a safety hazard, to remove dead or diseased material, or to avoid overhead power lines.

(7) Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.150.

g. Incentives and Flexibility.

The following incentives and flexibility towards required tree credits may be utilized separately or in combination.

(1) New Evergreen Trees.

New evergreen trees, above and beyond those otherwise required, shall receive an additional 10% Tree Credit (a scale factor of 1.1). For example, 2 Medium evergreen trees beyond the required number of evergreen trees =

500 credits x 2 trees x 1.1 = 1,100 tree credits. If greater than two-thirds of required trees are evergreens, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090.B.4.g.(6)

(2) Retained Tree Groves

A tree grove is comprised of 8 or more existing trees, of 12" DBH or greater, that form a continuous canopy. It excludes trees listed in the Prohibited and Not Recommended tree list in the UFM. Additional flexibility is available per TMC 13.06.020.F.3 for retention of a tree grove, which includes retention of trees and/or understory vegetation that cannot be removed without damaging the health of the grove.

(3) Low Impact Development.

LID BMPs that meet both stormwater management and tree requirements, like tree retention (BMP L615) and permeable pavement over planting soil (BMP L633 with suspended pavement systems), are encouraged. Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements. For sites utilizing LID BMPs as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090B.4.g.(6).

(4) Urban Forestry Fees.

In limited instances when specific site characteristics do not support the retention or planting of trees to meet District Standards for Tree Credits or Tree Retention requirements, funds may instead be placed into an account established to support the Urban Forestry program in planting, maintenance, and replacement of trees on public property or the right-of-way. When the minimum required tree credits cannot be met on-site and a variance is approved, applicants can pay a Tree Credit Fee as defined below. When regulated trees are removed, a canopy loss fee is charged for every inch of diameter removed below the required minimum.

(a) Tree Credit Fee. A Tree Credit fee will be assessed if the minimum onsite tree credits cannot be met. Applicants must demonstrate to the satisfaction of both a certified arborist and the Director of Planning and Development Services via a Variance per TMC 13.05.010.B, that specific site characteristics make the installation of trees on the site problematic to its reasonable use, and that comparable canopy benefits are provided on site to the extent feasible. Provision of comparable canopy benefits requires additional use of understory landscaping, green roofs, permeable surfaces, and other strategies to mimic the benefits of trees in instances where tree planting is not feasible. A minimum of 200 Tree Credits Minimum tree credits as defined in TMC 13.05.010.B must be met on site, and landscaping buffer requirements may not be modified through this provision. Landscaping must still be installed to the maximum extent practicable. The required amount will be assessed per Tree Credit as specified in the UFM, and equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment.

(b) Canopy Loss Fee.

A canopy loss fee will be assessed for removal of trees above 6" DBH, except for those listed in TMC 13.06.090.B.3.e.(3)(c). For removal of trees above 18" DBH, Applicants must demonstrate to the satisfaction of both a certified arborist and the Director both a certified arborist in the City's Urban Forestry department and the Director of Planning and Development Services via a Variance per TMC 13.05.010.B, that specific site characteristics make the retention of trees per TMC. 13.06.090.B.3.e.(3) on the site problematic to its reasonable use, and that comparable canopy benefits are provided on site to the extent feasible.

The Canopy Loss Fee is determined by a cost per inch of DBH removed, as specified in the UFM. The total caliper inches of replacement trees at the time of installation are subtracted from the total DBH in inches of removed tree(s) to calculate the total inches to be mitigated by a Canopy Loss Fee:

- Removed tree(s) DBH (inches) - Planted tree(s) caliper (inches) = Canopy loss (inches)
- Total Canopy Loss Fee = (Canopy loss) X (\$ per inch)

All Canopy Loss Fees shall be paid pursuant to TMC 13.06.090.B.3.f.(4).

Reference District Standards TMC13.06.020.F and 13.06.020.G for required minimum tree credits. A canopy loss fee may be reduced or waived under certain circumstances, as described below. A waiver for

canopy loss fees will not be considered if tree removals reduce the on-site tree credits to below the required minimum. Removal of trees over 1824" DBH cannot be waived from the canopy loss fee.

i. Exceptions:

- If a project is removing trees down to the required on-site minimum tree credits and building housing, no canopy loss fee will be assessed
- If a project is removing trees down to the required on-site minimum tree credits and not building new housing, a canopy loss fee will be assessed at a rate of 50%.
- To be considered for a canopy loss fee waiver for the removal of regulated trees down to that exceed the required on-site minimum tree credits, only trees 6" DBH or greater may count toward achieving the required tree credits.
- Removal of trees exempted from tree retention requirements per TMC13.06.090.B.3.e.(3)(c) will not be assessed a Canopy Loss Fee.

(5) Prioritization of Tree Retention and Tree Canopy

(a) Purpose

If complying with both tree requirements and onsite vehicular parking requirements would result in it being infeasible to achieve the maximum FAR permitted in the zone, then the tree credit and tree retention requirements shall prevail and the parking requirements will be reduced or waived, as required by RCW 36.70A. This reduction in parking requirements may occur during permit review as described below.

(b) Criteria:

A development is exempt from residential off-street vehicle parking requirements, both surface and structured, if the applicant demonstrates that without such an exemption, at least one of the following would be necessary:

- i. Removal of a tree exceeding 18 inches in diameter at breast height (DBH) despite exploring reasonable site layout alternatives;
- ii. Removal of trees exceeding 6 inches in diameter to create space for vehicle driveways, parking, or pedestrian access;
- iii. Removal of trees in the public right of way for driveway construction; or
- iv. Purchase of off-site tree canopy credits to meet tree canopy requirements, if such a system is established by the City.

(c) Tree preservation

Variances for tree removal shall not be granted if an alternative site plan that preserves the maximum Floor Area Ratio (FAR), with fewer off-street vehicle parking spaces, would preserve trees >18" in diameter or tree groves.

Specifically:

- i. No variance shall be granted for trees exceeding 18 inches in DBH where parking reductions could enable their retention.
- ii. No variance shall be granted for the removal of tree groves if reducing parking would suffice to preserve them.
- iii. Tree removal in public right-of-ways for driveways will not be permitted if feasible alternatives involving reduced parking are available.

(5) Self-managed Agencies:

An optional process for additional flexibility is available for public agencies with urban forestry programs and plans. This option is intended to encourage public agencies to take a leadership role in implementing urban forestry goals and policies. This flexibility can facilitate more intensive development of a particular

development site, while meeting the urban forestry policies of the Comprehensive Plan, the intent of the landscaping code, and guidance of the UFM, by planting the required landscaping at another site within the City of Tacoma in the agency's permanent control.

i. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Comprehensive Plan and landscaping code. The general landscaping requirements of this section apply. Plantings already required by a separate regulatory authority may not count toward meeting the requirements of this section. Upon review, the Director will issue a Determination regarding the consistency of the request with the Comprehensive Plan and code intent. If approved, the Determination shall grant self-managed agency status for up to ten years, subject to reevaluation. The Director reserves the right to withdraw the self-managed agency status should the intent not be met.

ii. Self-managed agencies may choose to plant landscaping required as part of a particular development proposal in another location per their urban forestry plan. This flexibility can be utilized at the agency's discretion on subsequent site-specific development proposals. Each request to utilize this process as part of a development proposal review shall make reference to the approved Determination, be supported by running totals of landscaping planted in this manner, and include status updates on ongoing health of such landscaping.

iii. Landscaping Buffers, when required, must be provided on the development site and cannot be shifted to another site. In addition, to the extent feasible, some portion of required street trees and parking lot landscaping shall be planted at the development site, or if shifted from the development site shall be planted in proximity to impervious surfaces, in order to achieve commensurate stormwater benefits.

4. Landscaping Requirements for Districts.

a. Applicability.

(1) The landscaping standards of this section apply to new development and substantial alterations, as specified in TMC 13.06.090.B.1. LID BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the LID BMP is compatible to the requirements.

(2) Exemptions:

(a) Passive open space areas, including City-owned forests, wetlands, streams and habitat areas, are exempt from all landscaping requirements (however development activities on such sites may trigger landscaping requirements).

(b) Park and recreation uses are exempt from the Overall Site, Site Perimeter and Buffer requirements of this section.

b. Purpose.

The standards of this section are intended to implement the goals of the Comprehensive Plan.

c. Determining Required Trees

The following standards contain both numerical and distribution requirements for trees. In each case, whichever requirement would generate the larger number shall control and be the required number of trees. Trees that meet the requirements of this section count toward required Tree Credits.

d. Overall Site Landscaping.

(1) Purpose.

Overall Site Landscaping is intended to ensure that a minimum amount of landscaping is provided with development per TMC 13.06.090 B.2.

(2) Overall Site Landscaping Minimums.

This requirement may be provided anywhere on the site. The amount is determined as a percentage of the site which is not covered with structures. It may be satisfied by landscaping provided to meet other requirements.

- Residential Districts and Urban Residential Districts: 5 percent
- Commercial Districts: 10 percent
- Industrial Districts: 5 percent of parking areas over 20,000 sf
- X Districts: 15 percent (for single-purpose residential projects)

(3) Planting requirements.

When Required, Overall Site Landscaping shall consist of a mixture of trees, shrubs and groundcover plants. Shrubs and groundcover shall be designed to completely cover the remaining area within 3 years.

(4) X Districts Exceptions.

Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no overall site landscaping requirement. If 50 percent of the parking is structured, then the amount of required overall site landscaping is reduced by 50 percent.

- Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements.
- Planting strips within street rights-of-way shall not be counted toward this requirement.

e. Site Perimeter Landscaping:

(1) Purpose.

Site Perimeter Landscaping is intended to ensure that areas abutting property lines, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.

(2) Exceptions.

Site Perimeter Landscaping is not required in Industrial, Urban Residential or X Districts.

(3) General Standards.

(a) When applicable, a Site Perimeter is required around the entire perimeter of the site. Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys, but not by accessory structures, paved areas, outdoor storage or other development.

(b) A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.

(c) A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.

(4) Planting Requirements.

The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants, as follows:

(a) At least one Small Tree per 200 sf; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required landscaped area.

(b) Trees planted shall be generally evenly distributed over the site.

(c) Place trees to create a canopy in desired locations without obstructing necessary view corridors.

(d) Shrubs and groundcover to completely cover the remaining area within 3 years.

f. Street trees:

(1) Purpose.

Street trees are intended to provide multiple benefits including aesthetics, traffic calming, environmental, shading, visual buffering and noise separation from streets.

(2) Exceptions.

In the PMI District, street trees are required with new development, alterations, and street improvements as specified in ~~Section B.TMC 13.06.090.B~~, above, for development on the following gateway corridors: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street). In other locations within the PMI District, street trees are only required for street and sidewalk improvements as specified in Section 1.e, above.

(3) Planting Requirements.

(a) Four Small Trees; Three Medium Trees; or Two Large Trees per 100 linear feet of site frontage. This can also be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet of site frontage. Small, Medium and Large Trees may be used in combination, according to the applicable ratios. When dividing linear frontage to determine required tree quantities, a fraction of 0.3 or greater must be rounded up to the nearest whole number.

EXAMPLE: A site with 50 feet of street frontage would require 2 Small (25×2), 2 Medium ($50 \times 3/100 = 1.5$, which rounds up to 2), or 1 Large ($50 \times 2/100 = 1$).

EXAMPLE: A site with 60 feet of street frontage would require 3 Small ($60 \times 4/100 = 2.4$ which rounds up to 3), 2 Medium ($60 \times 3/100 = 1.8$, which rounds up to 2), or 1 Large ($60 \times 2/100 = 1.2$, which rounds down to 1).

(b) Street trees should generally be evenly spaced to create or maintain a rhythmic pattern but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, traffic signs, or other streetscape features, or if such variations are demonstrated to better achieve the intent.

(c) Street trees shall, when possible, be planted within the right-of-way adjacent to the curb and between the pedestrian lane/sidewalk and curb. When this is not possible or a different location would better achieve the intent, street trees may be located elsewhere within the right-of-way, including behind the sidewalk, in street medians, parking strips or bulbouts. If neither of these preferred locations is possible, such as when existing infrastructure prevents trees from being planted within the right-of-way, trees located within 10 feet of the right-of-way may be counted as street trees. In this case, such trees only count toward the street tree requirement and do not count toward on-site Tree Credits.

(d) Installation and maintenance of street trees shall adhere to the provisions in TMC 13.06.090.B.3.e.

(4) Street Tree Retention

Trees within the right-of-way that are retained consistent with TMC 13.06.090.B.3.f.(1) and TMC 9.20 count as required Street Trees according to their species as Small, Medium and Large Trees.

(5) Street Trees in Downtown Districts.

(a) Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear feet of frontage. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.

(b) The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc.

(c) When the minimum sidewalk width standards for the roadway designation and ADA compliance cannot be met with the minimum surface planting diameter, alternative pervious surface materials may be used to cover the tree pits, such as a porous, rubberized pavement, to accommodate pedestrians in the planting area.

g. Parking Lot Landscaping.

(1) Purpose.

Parking lot landscaping is intended to provide visual relief, to enhance the aesthetic appearance, screening from adjacent sites and public areas, to reduce environmental impacts of parking and other paved areas, and to provide shade and shelter for pedestrians.

(2) Exceptions.

(a) Parking Lot Perimeter Landscaping is not required in M-2 or PMI Districts.

(b) Parking Lot Perimeter Landscaping is required only between parking lots and streets in UR Districts.

(c) Parking lots of 16 stalls or less are not required to meet Interior Planting requirements.

(d) Parking lots of 16 stalls or less, located behind buildings and accessed by alleys, are exempt from the Interior Planting and Site Perimeter requirements.

(3) Parking Area tree minimum – overall.

One Small Tree per 700 square feet; one Medium Tree per 1,000 square feet; or, one Large Tree per 1,400 square feet of parking lot area, including drive lanes.

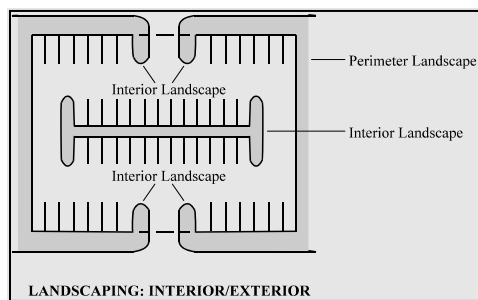
(4) Parking Lot – Interior Planting Requirements.

A mixture of trees, shrubs and groundcover meeting the following requirements:

(a) At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.

(b) Trees planted shall be generally evenly distributed over the site. Shrubs and groundcover plants as required above.

c) Parking lot landscaping areas example:



(5) Distribution.

(a) No stall shall be more than 50 feet from a tree trunk.

(b) Long rows of parking shall be broken by islands or peninsulas with trees, such that there are no more than eight parking stalls in a row without a tree.

(c) Planting areas with trees are required at all parking aisle ends.

(d) Trees shall be provided along walkways per 13.06.090.F.

(6) Distribution Flexibility Bonuses.

For each of the following bonuses provided, Parking Lot Distribution requirements may be modified as follows: The maximum distance from each stall may increase by 10 feet; and, maximum parking row length may increase by 1 stall.

- Tree retention: Retention of trees at least 20 inches in diameter constitutes at least 50 percent of the number of required trees.

- Evergreen trees: Evergreen trees constitute greater than two-thirds of required trees.
- Low Impact Development: Sites utilizing Low Impact Development (LID) techniques as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach.

(7) Parking lot - Perimeter landscaping Planting Requirements.

(a) Parking Lots with more than 20 stalls are required to provide a 10-foot wide planting strip per the planting requirements below.

(b) Where the subject property is 150 feet or less in depth, the perimeter strip can be reduced to 5 feet in width.

(c) When applicable, a Parking Lot Perimeter is required around the shortest circumferential line defining the exterior boundary of a parking, loading or similar paved area, excluding primary structures, driveways or walkways providing access to the facility.

(d) Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements:

- At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.
- Trees planted shall be generally evenly distributed over the site.
- Shrubs and groundcover plants as required above.
- Trees placed to create a canopy in desired locations without obstructing necessary view corridors.

(e) When site constraints do not allow for the full 10 feet of perimeter width, the perimeter landscaping can be accommodated elsewhere on site, adjacent to the parking lot.

(8) Downtown Districts.

(a) All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees, shrubs and groundcover per the General Landscaping requirements and the Parking Lot Perimeter requirements of TMC 13.06.090.B.

- In no case shall fewer than three trees per 100 linear feet of frontage be provided.
- Masonry walls no lower than 15" and no higher than 30" may be substituted for shrubs.
- For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees, shrubs and groundcover.
- Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.

(b) Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed subject to approval from a certified arborist and the Director of Planning and Development Services to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard. 168F171F±

h. X District Front Yard and Foundation Landscaping:

(1) Purpose. Trees, shrubs and groundcover plantings intended to soften the visual appearance of exposed foundations and building frontages in highly pedestrian areas.

(2) In areas where buildings are not located adjacent to the sidewalk, the area between the public sidewalk and buildings shall incorporate expanded sidewalk space, outdoor seating, plazas and/or landscaping with a combination of trees, shrubs, and/or ground cover plants.

(3) All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building façade that provide access for pedestrians or vehicles to the building.

(4) The foundation landscaping must meet the following standards:

(a) The landscaped area must be at least three feet wide.

(b) There must be at least one shrub for every three lineal feet of foundation.

(c) Groundcover plants must fully cover the remainder of the landscaped area.

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C. Off-street parking areas.

1. Applicability.

Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas.

2. Purpose.

To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land, and to ensure that required parking areas are designed to perform in a safe and efficient manner. Additionally, to minimize impacts to adjacent uses from areas used for storage of vehicles and other materials, specific design and development standards for such areas are provided in Subsection D.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

3. Off-street parking spaces- quantity.

The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

a. Fractions.

Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.

b. Multiple uses.

Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.

c. Use not listed.

In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.

d. Historic buildings and sites.

Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

e. For buildings in existence prior to the adoption of the Tacoma Municipal Code on May 18, 1953, no additional parking shall be required for changes in use. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

f. In Commercial Districts (T, C-1, C-2, HM, and PDB), no additional parking shall be required for a change of use in a structure that existed prior to September 25, 2012. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

g. If a new use would have required more parking before October 8, 2012, the accessible parking requirements shall be based on the standards in place before October 8, 2012, except in cases where, after consulting with the City's ADA coordinator, the Building Official approves an alternative to providing on-site accessible parking upon a determination that the alternative is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.

h. The following parking quantity standards apply to the Zoning Districts established in 13.06.020 Residential Districts, 13.06.030 Commercial Districts, and 13.06.060 Industrial Districts.

i. Where no alley is present to provide vehicular access to the rear of the site, and where one (1) onsite stall is required, the development is exempt from onsite parking requirements (unless the stall is a required accessible stall).

TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)

Use	Unit ¹	Required parking spaces
		Minimum
Residential		
UR-1 District	Dwelling unit	1.00 ^{17, 18, 19}
UR-2 District	Dwelling unit	0.75 ^{17, 18, 19}
UR-3 District	Dwelling unit	0.50 ^{17, 18, 19}
R-4, C-1, C-2, PBD, M-1 Districts	Dwelling unit	1.25 ^{17, 18, 19}
R-5 District	Dwelling unit	1.00 ^{17, 18, 19}
Group housing	Guest room, suite or dwelling unit	0.75 (0.5 in UR-3) ^{17, 18, 19}
Single family detached dwelling, Adult family home, Staffed residential home^{+2, +12}	Dwelling-	2.00
Two family dwelling in all districts^{+2, +12}	Dwelling-	2.00
Townhouse dwelling in all districts^{+2, +12}	Dwelling-	1.00
Three family dwelling in all districts^{+2, +12}	Dwelling-	2.00
Two or Three family dwelling via Conditional Use Permit	Dwelling-	1.00
Group housing — up to 6 residents		2.00
Group housing — 7 or more residents⁺¹⁶	Room, suite or dwelling-	1.00
Small Lots, Cottage Housing and lots not conforming to area/width³	Dwelling-	1.00
Mobile home park^{+2, +12}		
Senior housing-	Guest room, suite or dwelling unit-	0.75
Multiple family dwelling^{+2, +12, +16}		
Located in R-3, R-4-L, T, HMR-SRD, and PRD Districts⁺²	Dwelling-	1.50
Located in R-4, C-1, C-2, PDB, and M-1 Districts⁺²	Dwelling-	1.25
Located in R-5 District⁺²	Dwelling-	1.00
Mixed-Use Center District	See TABLE 2 (next table).	
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club⁴	Guest room, suite, or dwelling-	Same as for multiple family-
Residential in DR, DCC, DMU, and WR Districts	See Section 13.06.050 Downtown.	
Retail¹⁰		
Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area	1,000 square feet of floor area.	2.50
Shopping Center	1,000 square feet of floor area.	4.00
Retail commercial establishments, except as otherwise herein	1,000 square feet of floor area.	4.00
Eating and drinking establishments ¹¹	1,000 square feet of floor area.	6.00
Office		
Business and professional offices	1,000 square feet of floor area.	3.00
Medical and dental clinics	1,000 square feet of floor area.	3.00
Lodging		
Hotel or Motel ¹	Guestroom or suite.	0.50
Institutional		

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TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)		
Use	Unit¹	Required parking spaces
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
Special needs housing, as listed in 13.06.080.N, and not otherwise listed in this table	Bed.	0.10 plus one per employee
Extended care facilities	Bed.	0.33
Religious assembly	Seat. ⁴	0.20
Elementary, middle, and junior high schools	Classroom.	1.20
High school	Student.	0.40
College and university	Student.	0.75
Work release or juvenile rehabilitation	Employee.	1.00 ⁵
Recreational		
Auditoriums, stadiums, and theaters	Seat. ⁴	0.25
Miniature golf course	1,000 square feet of lot area, excluding parking.	2.50
Skating rink	1,000 square feet of floor area.	6.00
Bowling establishment	Lanes.	5.00
Public dance halls and private clubs	1,000 square feet of floor area.	7.50
Marina	Moorage space.	0.50
Boat launch	Ramp.	25.00 ⁶
Recreational uses not listed elsewhere	Same as retail, based on size.	
Warehouse/Industrial¹³		
Self-service storage	Storage unit.	See note 7.
Warehousing	2,000 square feet of floor area.	1.00
Industrial/manufacturing	1,000 square feet of floor area.	1.00
Services		
Laundromat	Washing and dry-cleaning machine.	0.50
Car wash	Wash stall or 25 feet of wash lane.	4.00 ⁸
Day-care centers	Each 10 children in care.	2.00

TABLE 2 – Exceptions to quantity requirements.
1. Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required.
2. For purposes of this regulation, a mobile home shall be construed to be a single-family-unit dwelling. Tandem parking is permitted for single-family, two-family, and three-family dwellings.
<u>3. Tandem parking is permitted for single-unit, two-unit, and three-unit dwellings.</u>
3. Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.020.J, Cottage Housing Dwellings approved per TMC 13.06.080.C, including 13.05.060, and Lots which were a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.
4. Seat, 18 inches of bench or 25 square feet of floor space.
5. There shall be 2 visitor-parking stalls provided for each 10 required employee stalls.
6. Parking spaces shall be minimum 10 feet wide and 40 feet long.
7. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide when storage facilities open onto one side of the lane only and at least 25 feet wide when storage facilities open onto both sides of the lane. Driving lanes shall be designed to accommodate single unit vehicles. Two parking spaces shall be provided adjacent to the manager's quarters. One parking space for every 200 storage spaces or fraction thereof shall be located adjacent to, or within 100 feet of, the office. A minimum of two such spaces shall be provided. Required parking spaces may not be rented as, or used for, long-term vehicular storage.
8. The required stalls may include waiting and finishing or drying space.
9. The number and size of required handicapped accessible parking spaces shall be consistent with the applicable Building Code.
10. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 3,000 square feet of retail space.
11. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 750 square feet of eating and drinking establishments.
12. Additional off-street parking for existing residential uses, including those nonconforming as to off-street parking, in all "R" Residential Dwelling Districts shall only be required if the number of dwelling units is increased.
13. Storage warehousing, distribution warehousing, and industrial uses. <ol style="list-style-type: none"> a. The off-street parking requirements, set forth in Table 1 of this section, shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed utilizing the requirements set forth in Table 1. b. In determining whether to apply the parking standard based on floor area or the standard based on the number of employees, the City shall consider the following: <ol style="list-style-type: none"> (1) The extent to which automation is utilized in the operation of the facility; (2) The long-term versus the short-term nature of the use; (3) The means of product delivery and distribution; (4) The need for storage of company vehicles on-site; (5) The availability of accurate employee counts; (6) Future expansion plans; (7) The amount of available area which could be converted to additional off-street parking should the need arise; for example, due to an increase in the work force or change in use. <p>If, after reviewing the project in light of the above factors, the City finds that the off-street parking standard based on number of employees more accurately reflects the parking needs of the facility while still protecting the general health, safety, and welfare of the community, such standards shall be applied.</p>
14. In instances where the parking requirement is based on number of employees and the employees work in shifts, the number of regular employees in the largest shift shall be used for the purpose of determining the required number of parking stalls.
15. For purposes of calculating parking quantity requirements, "floor area," when used, shall not include space devoted to parking.

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| 16. Parking requirements in Commercial Zoning Districts may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (TMC 13.06.090.C.4, below), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table. |
| 17. Accessory Dwelling Units: No parking is required for Accessory Dwelling Units which meet the provisions of TMC 13.06.080.A. |
| 18. Bonuses – UR Districts: Required parking quantities may be reduced through the bonus options of the UR Districts. For projects with Tier 1 bonuses, the additional units allowed through the bonus program are exempt from parking requirements. For Tier 2 bonuses, the entire development is exempt from parking requirements. |
| 19. Reduced Parking Area: See j. below |

j. [Reduced Parking Areas.](#)

[\(1\) Applicability.](#)

[The following standards apply within the Reduced Parking Areas \(RPA\), as defined both in Downtown and in Urban Residential Districts.](#)

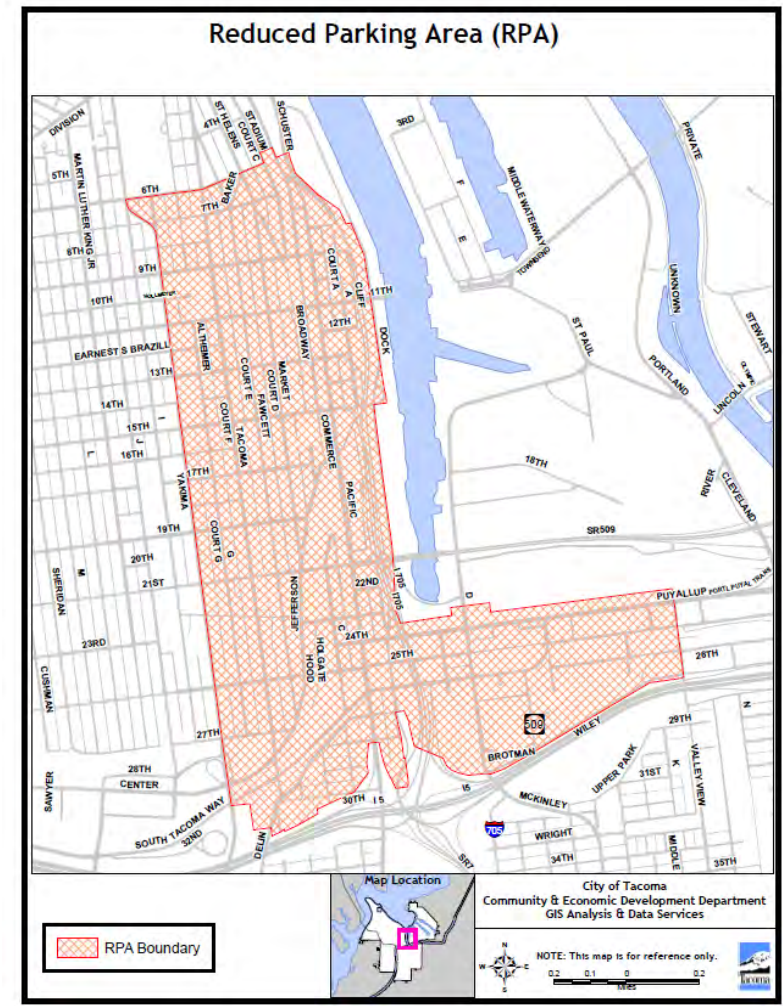
[\(2\) Purpose.](#)

[The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land both within Downtown Tacoma and in Urban Residential Districts that is dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environment.](#)

[\(3\) Geography.](#)

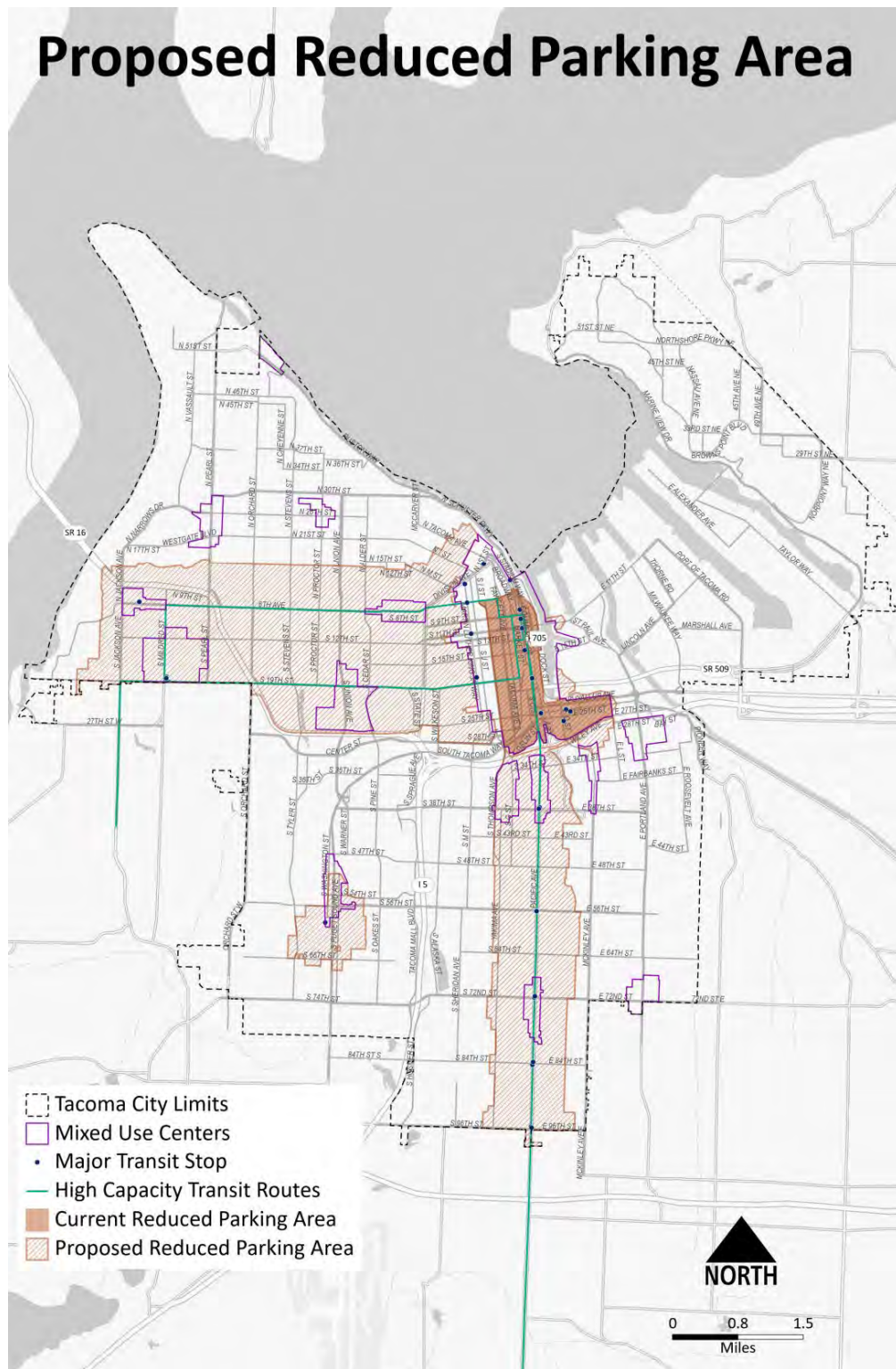
[\(a-\) The Downtown Tacoma RPA is generally bounded by Yakima Avenue, 6th Avenue, Dock Street, Puyallup Avenue, East 'L' Street, and Interstate 5 \(the specific boundary of the area is shown in Figure 2, below\).](#)

Figure 2: Downtown Reduced Parking Area (RPA)



(b.) Urban Residential Districts RPA. The Urban Residential RPA is generally delineated by areas within a one-half mile radius walking distance of Major Transit Stops, Stations and of Pacific Avenue, 6th Avenue and South 19th Street (the specific boundary of the area is shown in Figure 2, below):

Figure 3: Urban Residential Reduced Parking Area (RPA)



[\(4\) Quantity requirements in the Reduced Parking Areas \(RPAs\).](#)

[\(a.\) Downtown Tacoma RPA.](#)

[There are no minimum off-street parking stall quantity requirements within the Reduced Parking Area \(RPA\), as delineated above, unless accessible parking is required per TMC 13.06.090.C.5.](#)

Residential Parking (stalls/ unit)	Non-Residential Parking (stalls/ floor area sf)
---------------------------------------	--

	Minimum	Maximum	Minimum	Maximum
RPA	Not Applicable	Not Applicable	Not Applicable	Not Applicable

(b.) Urban Residential Districts RPA.

There are no minimum off-street parking stall quantity requirements within the Urban Residential Districts Reduced Parking Area (RPA), as delineated above, unless accessible parking is required per TMC 13.06.090.C.5.

13.06.050. Required off-street parking for Downtown Districts.

(1) Applicability.

The following standards apply within the Downtown Zoning Districts in 13.06.050.

(2) Purpose.

The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land in downtown that is currently dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environment.

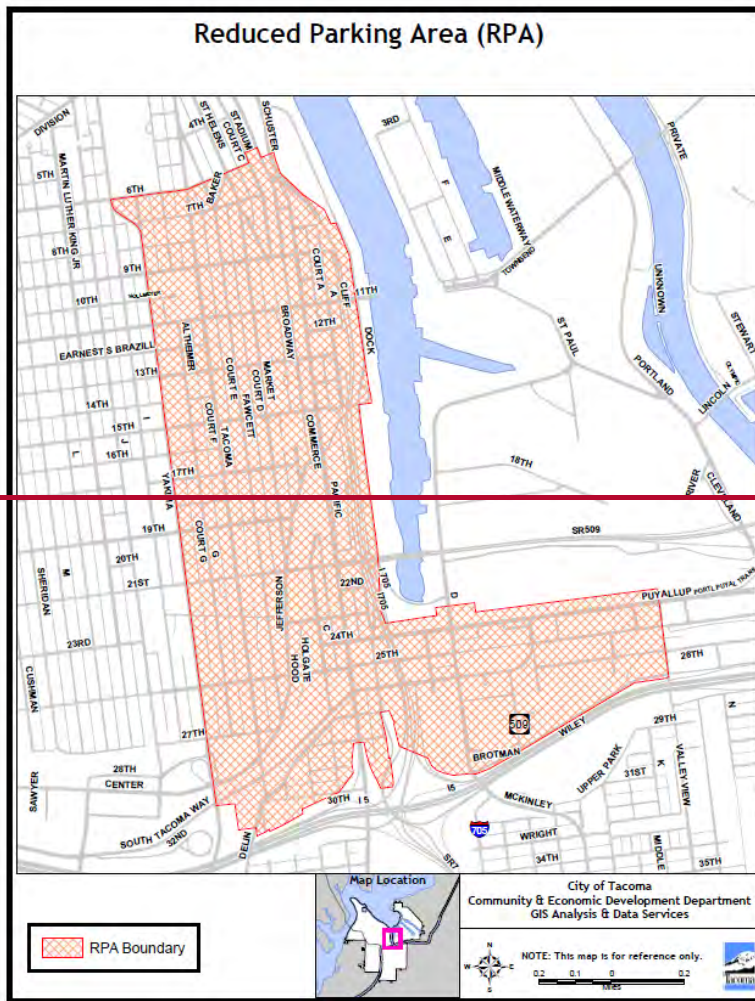
(3) Quantity requirements in the Downtown Reduced Parking Area (RPA).

See above.

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Minimum off-street parking stall quantity requirements do not apply within the Reduced Parking Area (RPA), which is generally bounded by Yakima Avenue, 6th Avenue, Dock Street, Puyallup Avenue, East 'L' Street, and Interstate 5 (the specific boundary of the area is shown in Figure 2, below).

Figure 2: Reduced Parking Area (RPA)



	Residential Parking (stalls/ unit)		Non-Residential Parking (stalls/ floor area sf)	
	Minimum	Maximum	Minimum	Maximum
RPA	Not Applicable	Not Applicable	Not Applicable	Not Applicable

(4) Parking Quantity Standards Outside of the RPA.

	Residential Parking (stalls/unit)		Non-Residential Parking (stalls/floor area sf)	
	Minimum	Maximum	Minimum	Maximum
DMU	1	Not Applicable	2/1000	3/1000
DR	1	Not Applicable	1/1000	3/1000
WR	1	Not Applicable	1/1000	3/1000

(a) Minimum parking ratios for non-residential development located east of Jefferson Avenue from South 23rd to South 28th Street shall be reduced by 50 percent in recognition of the availability of transit.

(b) The first 3,000 square feet of each street level establishment is exempt from parking requirements.

(c) Special needs housing, including, but not limited to, seniors, assisted living, congregate care, licensed care, or group care homes may provide less than one stall per residence upon a showing that a lesser parking requirement will reasonably provide adequate parking for residents, staff, and visitors, subject to the approval of the City Engineer.

(d) Required parking for hotels shall be .5 stalls per room inclusive of all accessory uses.

(e) Telecommunications exchange facilities may provide less than the required parking stalls upon a showing that a lesser parking requirement will reasonably provide adequate parking for operational, vendor, and transient service staff, subject to the approval of the City Engineer.

(f) Group housing; ~~student housing; and, efficiency multi-family dwellings (250-450 sf in size)~~ are is exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following:

- Within a single building, no more than 20 dwelling units may utilize this bonus. For buildings that are greater than 40 dwelling units, 50% of the total dwelling units may utilize this bonus.

(5) No parking is required for structures lawfully in existence on January 10, 2000, the time of reclassification to the above districts; however, new development and additions shall provide parking as required. No addition to a building or parking area can increase nonconformity to these standards or create new nonconformity.

(6) Maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of any building. Ample signage at the facility must be provided to inform users that the excess parking stalls are available for public use at no charge or by fee.

(7) For buildings that contain multiple types of uses, the required number of parking spaces shall be equal to the total number of spaces determined by computing each use type separately, except where specifically stated otherwise herein.

(8) Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

(9) Variances to the required standards may be authorized pursuant to Section 13.05.010.B Variances.

jk. Mixed-Use Centers – Required Off-Street Parking Spaces.

(1) Applicability.	<p>(a) The following off-street parking requirements apply to mixed-use zoning districts as established in 13.06.040 Mixed-use Center Districts.</p> <p>(b) Accessible parking shall be provided for people with physical disabilities as part of all new buildings and additions to existing buildings in accordance with the standards set forth in Chapter 2.02 Building Code, based on the parking provided. However, after consulting with the City’s ADA Coordinator, the Building Official may approve an alternate to providing, or a reduction of, on-site accessible parking when it is determined that the alternate is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.</p>
(2) Quantity.	<p>Residential Uses. Minimum 1.0 stall per unit.</p> <p>Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area.</p> <p>Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1.</p> <p>See Section 13.06.090.C for use of compact stalls.</p> <p>For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.</p> <p>In the Tacoma Mall Center, the following parking quantities are required:</p> <p>(1) Residential uses. Minimum 0.5 stalls per unit.</p> <p>(2) Non-residential uses. Exempt from vehicular parking requirements, except for loading spaces pursuant to TMC 13.06.090.C, and accessible spaces pursuant to the provisions of 13.06A.090.C.5.i.</p>

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(3) Exemptions.	<p>(a) No parking is required for any structure in existence upon the date the Mixed Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required.</p> <p>(b) In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated pedestrian streets (see Section 13.06.040).</p> <p>(c) In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.</p> <p>(d) Small, affordable housing types: Group housing <u>is</u>; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided that within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption.</p> <p>(e) Affordable housing units required through the Tacoma Mall Center Inclusionary Zoning provisions or certified as affordable through the Multifamily Tax Exemption Program, 12-year option, are exempt from providing vehicular parking.</p>
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4. Parking Quantity Reductions.

a. Mixed-use Centers and Downtown.

The parking requirements for mixed-use, multi-family unit, group housing, commercial, institutional and industrial developments within Mixed-use Center Districts as established in TMC 13.06.040 and Downtown Districts as established in 13.06.050 may be reduced as follows:

(1) Transit Access	<p>Parking requirement shall be reduced by 25% for sites located within 500 feet accessible walking distance of a transit stop and 50% for sites located within 500 feet accessible walking distance of a transit stop at which a minimum of 20-minute peak hour service is provided (routes which serve stops at least every 20 minutes during peak hours). Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 500 feet of the site.</p>
(2) Trip Reduction Plan	<p>Parking requirement shall be reduced by 25% for developments that create and implement a site-specific Trip Reduction plan and program that includes features such as employer-provided transit passes, telecommuting, ridesharing, carpooling, car-sharing, bicycling, flexible work schedules, etc. The trip reduction plan shall be reviewed and approved by the City’s CTR Coordinator and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.</p>
(3) Car-Sharing Stalls	<p>Parking requirements shall be reduced by one stall for each stall that is dedicated and designated for use by a locally-operating car sharing program, such as “Zipcar.”</p>
(4) Mixed-Use/Shared Parking Credit	<p>No parking shall be required for the residential units in a mixed-use project where at least 50 percent of the floor area is designed for commercial or institutional use.</p>
(5) On-Street Parking Credit	<p>Parking requirements shall be reduced ½ stall per each new public, on-street parking stall provided as part of the project (through the installation of angled or perpendicular spaces with bulb-outs and curbs or other methods). Any modifications to the right-of-way are subject to the acceptance and approval of the Public Works Department. This one-time credit applies at the time of the development and shall not be affected by any future changes to the right-of-way configuration, design or alignment.</p>
(6) Bicycle Parking Credit	<p>For every five non-required bicycle parking spaces provided on the site (beyond the standard requirements, as found in Section 13.06.090.F), the automobile parking requirement shall be reduced by one space. This credit is limited to a maximum of 5 automobile spaces, or 15% of the standard parking requirement for the development, whichever is less. Vehicle parking for residential uses shall be replaced by long-term bicycle parking. For all other uses, a combination of long- and short-term bicycle parking shall be used for each vehicle space replaced.</p>

(7) Motorcycle/Scooter Parking Credit	For every 4 motorcycle/scooter parking spaces provided, the automobile parking requirement shall be reduced by one space. Each motorcycle/scooter parking space must be at least 4 feet wide and 8 feet deep and may be located in areas that are otherwise unusable for automobile parking (such as in corners, at aisle ends and near pillars). This credit is limited to a maximum of 5 automobile spaces, or 5% of the standard automobile parking requirement for the development, whichever is less.
The Director or designee shall have the authority to require any and all necessary agreements or documentation, as they deem appropriate, to ensure that projects utilizing this parking quantity reduction program maintain all required features for the life of the project. Any such agreements or documentation shall be in a format acceptable to the City Attorney and shall be recorded on the title of the property.	

b. 13.06.020 Residential Districts, 13.06.030 Commercial Districts, and 13.06.060 Industrial Districts.

(1) Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required. The parking requirements may be reduced to one parking space every three dwelling units; provided, the following conditions exist:

- The use will provide residency for retirement age persons with an estimated average persons-per-dwelling unit factor of 1.5 or less, low-income individuals or households, or a combination thereof;
- ~~Yard~~ Amenity space is available on the same lot the use is to be located upon or an adjoining lot, where off-street parking at a future time could be provided should the use be converted to an apartment or for other reasons additional parking is needed to serve the premises.
- If these conditions do not exist, a variance of the number of parking spaces to be provided is required.

(2) Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options, up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through (1), above.

5. Accessible parking quantities.

a. Accessible parking shall be provided for people with physical disabilities as part of all new buildings and additions to existing buildings in accordance with the standards set forth in the ~~building code as adopted by the City of Tacoma in TMC Chapter 2.02~~ Building Code as adopted and amended by the City of Tacoma, Title 2, based on the parking provided. The minimum number of accessible parking stalls to be provided shall be based on the following criteria:

- For non-residential development, accessible parking shall be calculated as if one general parking space were provided for each 1,000 square-feet of gross floor area of the development, minus the first 3000 square-feet of each street level establishment.
- For hotels, accessible parking shall be calculated as if one-half (0.5) a general parking space was provided for each guest room, inclusive of all accessory uses.
- For residential development, accessible parking shall be calculated as if one general parking space was provided for each dwelling unit.
- In no case shall these provisions result in fewer accessible stalls than would be required per the Building Code.

~~b. After consulting with the City's ADA Coordinator, the Building Official may approve an alternate to providing on-site accessible parking, as outlined above, when it is determined that the alternate is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.~~

6. Development standards – Downtown Districts.

a. Applicability.

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Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.090.C, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.

b. Tandem parking.

Tandem parking is permitted only for residential development subject to approval of the City Engineer.

c. Lighting.

Where pedestrian light standards or parking lot light standards are provided, they shall be placed a minimum of 10 feet from trees. However, limited flexibility in the placement of light standards shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

d. Surface parking lots on Primary Pedestrian Streets within the RPA boundary.

(1) The following regulations are intended to promote a walkable, dense, urban environment on Primary Pedestrian Streets which is both aesthetically pleasing and commercially vibrant. The use of landscaping and publicly accessible amenities should be used to create harmony between vehicle and pedestrian areas.

(2) Construction of a new surface parking lot to serve as commercial parking facility is prohibited.

(3) Dedicated surface parking areas shall be located on the same site as the principle use.

(4) The location of on-site surface parking areas is limited to the area behind the front wall line of the structure, within, or under the structure; and for corner sites surface parking shall not be located at the corner.

(5) The maximum width of on-site surface parking areas along the frontage of Primary Pedestrian Streets, including driveways, is limited to 60 feet. Portions of surface parking that are more than 40 feet back from the property line along a Primary Pedestrian Street can exceed this width limitation. If the remaining area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06.090.C.6.d(7).

(6) The expansion of an existing surface parking area located along the frontage of a Primary Pedestrian Street is prohibited. However, surface parking areas can be expanded as long as any such expansion is located at least 40 feet back from the property line along the Primary Pedestrian Street. If this remaining setback area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06.090.C.6.d(7) below.

(7) A minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; vegetated Low Impact Development Best Management Practices (LID BMPs), public art as coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator¹; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City.

(a) The setback area shall be clearly identified with signage placed at a visible location with lettering visible to passersby indicating the nature of the setback area and, if appropriate, its availability to the general public.

(b) The maintenance of the setback area shall be the responsibility of the property owner for the life of the associated building or the parking area, or until such time as the setback area is developed with a structure that is in conformance with this chapter.

(c) If intended to be publicly accessible, the area shall be clearly and directly connected from the adjacent sidewalk meeting Accessibility Standards.

7. Development Standards – X-Districts and Multi-family-unit Residential.

a. Applicability.

The following standards apply to all X-Districts and ~~multi-family~~multi-unit residential development, except where otherwise noted.

b. Purpose.

The size and placement of vehicle parking areas and access are regulated in order to enhance the appearance of neighborhoods, to break up monotonous street frontages with active uses, and to create a well-defined public realm.

c. Off-street Parking Location:

(1) NCX, RCX, NRX, and URX Districts

(a) Parking shall be located to the rear, side, within, or under a structure, or on a separate lot.

(b) Surface parking located to the side of a structure shall not exceed a maximum of 60 feet in width for paved vehicular area along designated pedestrian street frontages.

(2) CCX, UCX, HMX and CIX Districts

(a) Parking may be located on any side provided maximum setback requirements are met.

(3) Multi-Family-unit Development Parking

(a) In multi-family-unit residential developments with multiple buildings, off-street surface parking and circulation areas shall, to the extent practicable, be located on the sides and rear portions of the development site. In X-Districts, areas between buildings and along street frontages shall be used to fulfill yard space requirements.

(b) Non-X-Districts: In multi-family-unit residential developments, including multi-family residential development with a commercial component, all on-site parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed the following:

- Surface parking and access thereto shall not occupy more than 50% of the front yard and corner street side yard street frontages and more than 80 feet in continuous street level frontage.
- Surface parking located to the side of a structure meeting the maximum setback shall not exceed a maximum of 60 feet in width for paved vehicular area.
- Surface parking shall not be located between a structure meeting the “build-to area” maximum setbacks and the pedestrian street right-of-way.

(4) UR Districts

(a) [In UR districts, refer to housing types in Section 13.06.100.F.3 for parking locations.](#)

d. Loading Spaces.

In NCX and RCX Districts, off-street loading spaces for retail sales and service uses shall only be required in shopping centers.

8. Development Standards – Compact Stalls.

a. Compact Stalls.

A maximum ~~30-50~~ percent of the parking spaces provided may be composed of compact stalls, ~~except that for any parking provided in excess of the minimum quantity requirements, up to 50% of those excess stalls may be composed of compact stalls.~~

9. Development Standards – Driveways.

a. Applicability.

b. Purpose.

Driveways shall be located and developed in a manner that recognizes the overall goals for promoting pedestrian activity over vehicle orientation. They shall be limited in size and number and located in the preference order described below:

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c. General Standards.

(1) New driveways in Mixed-Use Center Districts are subject to review and approval by the City Engineer pursuant to Chapter 10.14, taking into account safe traffic flow, existing and planned transit operations, the objectives and requirements of this chapter, and the efficient functioning of the development.

(2) In addition to these standards, the driveway standards contained in Chapter 10.14 shall apply. When portions of Chapter 10.14 or this chapter are in conflict, the more restrictive shall apply.

d. Exceptions may be allowed by the City Traffic Engineer for public safety or if strict application of these standards would prohibit vehicular access to a development, pursuant to Chapter 10.14.

e. Any proposed exception to the standards and/or requirements for driveways in Chapter 10.14 or this chapter shall be forwarded to Pierce Transit for review and comment.

f. Location and frequency standards.

(1) Driveways shall meet the location requirements of TMC 10.14.050.

(2) Pedestrian streets.

(a) Driveways shall be no closer than 150 feet to another driveway as measured from centerlines on designated pedestrian streets.

(b) The centerline of a driveway shall be no closer than 50 feet to a designated pedestrian street corner.

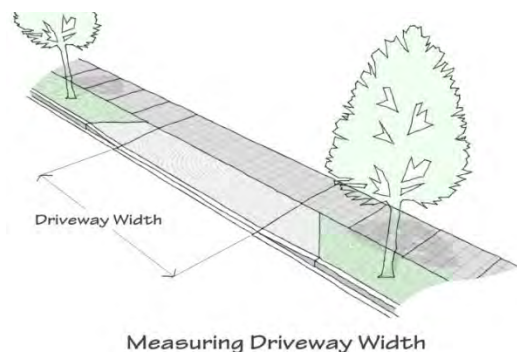
(3) The total width of all driveways on a street for any one parcel shall not exceed 50 percent of the frontage of that parcel along the street, and shall not be more than two in number except as allowed under TMC 10.14.050.B.6.e.

(4) UR Districts

(a) In UR districts, refer to housing types in Section 13.06.100.F.3 for driveway locations.

g. Drive way width.

- (1) Except as otherwise provided by TMC 10.14.050, the width of any driveway shall not exceed 30 feet and shall not be less than ~~10-9~~ feet.
- (2) ~~For two and three family and townhouse dwellings, driveway approach widths on streets are limited to 14 feet when serving one unit and 20 feet in width when serving multiple units. For driveways serving one dwelling unit, the minimum width shall be 9 feet and the maximum shall be 14 feet.~~
- (3) Except for single-unit dwellings, for driveways serving between 1 and 8 parking stalls, the minimum width shall be 10 feet, unless the driveway access is directly to an arterial street in which case the minimum width shall be 10 feet for 1 parking stall and 20 feet for 2 to 8 stalls. The maximum driveway width shall be 20 feet.
- ~~(3) All driveways for other than single family residences and duplexes shall be a minimum of 20 feet in width. For driveways serving 9 to 20 parking stalls, the minimum width shall be 16 feet, unless the driveway access an arterial street in which case the minimum width shall be 20 feet.~~
- (4) For driveways serving 21 or more parking stalls, the minimum width shall be 20 feet.
- (5) In all cases, the access aisle will need to be designed to accommodate turning movements. This may require wider driveway widths. For driveways more than 100 feet in length serving more than one stall, turnarounds or passing lanes will be required.
- ~~(6) (4)~~ The maximum driveway approach width shall be 25 feet on designated pedestrian streets and 30 feet on all other streets.
- ~~(5) (7)~~ The radius of all driveway returns shall be a minimum of 10 feet, except on non-arterial streets for single ~~family unit~~ residences or duplexes, which shall have a minimum radius of five feet.
- ~~(6) (8)~~ In all cases, the driveway approach width limitations indicated are exclusive of the radii of the returns (see graphic below). The measurement of the driveway approach width shall be made parallel to the center line of the street.



13. Other limitations on parking areas.

- a. Where the principal use is changed and additional parking space is required as a result, it is unlawful and a violation of this chapter to begin or maintain such altered use until such time as the required off-street parking provisions of this chapter are complied with.
- b. Where the minimum number of required off-street parking spaces has been provided to serve a use, such parking area shall not be subsequently reduced in the number of parking spaces provided.
- c. Where off-street parking areas are developed and operated as a business and where a parking fee is charged, the parking area shall be located only in a commercial or industrial district.

14. Vehicle access and parking for all single, two and three dwelling residential uses and townhouses, and all non-residential development in R-Districts, and all residential uses in UR-Districts.

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- a. All on-site parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed.
- b. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed.
- c. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed a total of 50 percent of the front yard or 50 percent of a corner street side yard.

~~d. In the case of Small Lots, see the additional provisions of Section 13.06.020.J.~~

15. Off-street parking area development standards.

a. Intent.

In order to assure proper and uniform development of safe parking areas, protect adjoining property from undue invasion of privacy and peace, provide for pedestrian circulation, minimize nuisance factors, and maintain in appropriate locations a landscaped setting in keeping with accepted, sound standards of residential landscaping practice, every parcel of land hereafter used as an off-street parking area, as defined in this chapter, shall be developed in accordance with the following minimum standards.

b. Minimum standards.

A parking area for five or more motorized vehicles, trailers, or a combination thereof, shall be developed in accordance with the following requirements:

(6) Parking space standards.

(a) Standard parking spaces shall have a minimum width of ~~eight and one-half feet~~ **eight feet**, a minimum length of 16.5 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code.

(b) Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code. A maximum 30 percent of the total parking spaces provided may be composed of compact stalls. The parking area shall be arranged such that a row of compact stalls has an exclusive aisleway or shares an aisleway with full size stalls. In no case shall two rows of compact stalls share the same aisleway. Aisleway widths shall conform to the requirements of full size parking. All compact stalls shall be clearly marked "COMPACT."

(c) Parking stalls accessed directly from alleys shall be a minimum depth of 20 feet to prevent vehicle overhang into the alley.

(7) Landscaping.

Provide landscaping consistent with Section 13.06.090.B.

F. Pedestrian and bicycle support standards.

1. General Applicability.

- a. The pedestrian and bicycle support standards fully apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein.
- b. Through-block connections are required with 60,000 square feet of new construction, provided that there are public rights-of-way abutting the site which can feasibly be connected. In Residential and Urban Residential

Districts. Through-block connections may be required for projects with 40 dwelling units or more, subject to a review under TMC 13.12.

c. Alterations that, within a two year period, exceed 15 percent of the value of existing development or structures, as determined by the Building Code, shall comply with the following requirements of this subsection related to Bicycle and Pedestrian Connections:

- (1) ~~13.06.090.G.F~~ Connection between streets and entrances;
- (2) ~~13.06.090.G.F~~ Minimum Connection Frequency;
- (3) ~~13.06.090.G.F~~ Route Directness;
- (4) ~~13.06.090.G.F~~ Facility Design, as applicable.

d. The standards do not apply to remodels that do not change the exterior form of the building or involve construction of paved areas. However, if a project involves both exterior and interior improvements, with exterior improvements amounting to 50 percent or more of the project valuation, then the project valuation shall include both exterior and interior improvements.

e. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.

f. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.

g. In areas with steep topography, limited access points, or other barriers are present, the Director or designee may consider alternate approaches that meet the intent of this section.

h. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

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4. Bicycle and Pedestrian Connections.

Purpose: Pedestrian and bicycle standards encourage a safe, direct, attractive, and usable multimodal circulation system in all developments as well as connections between abutting streets and buildings on the development site, and between buildings and other activities within the site.

a. Interior Access Roads.

Interior access roads in multi-building developments shall be designed to provide safe, comfortable, and attractive multi-modal travel and shall include features such as planting strips and street trees, sidewalks on one or both sides, and perpendicular or parallel parking on one or both sides.

b. Connection between streets and entrances.

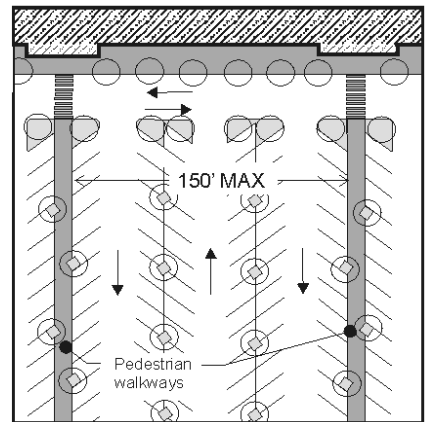
There must be a connection between one main entrance of each building on the site and the adjacent street. The route may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less. Where there is more than one street frontage, an additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance of each building.

c. Minimum connection frequency.

(1) Commercial, Office, Mixed-Use and **Multifamily Residential** uses. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 150 feet of street frontage or every three parking aisles, whichever is less.

(2) Industrial uses and uses which require controlled site access for essential operational or public safety reasons. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 300 feet of street frontage or every six parking aisles, whichever is less.

(3) Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street frontage greater than 500 feet in length (unless topography, critical areas or public safety issues preclude reasonable provision of such additional access points).



d. Route directness.

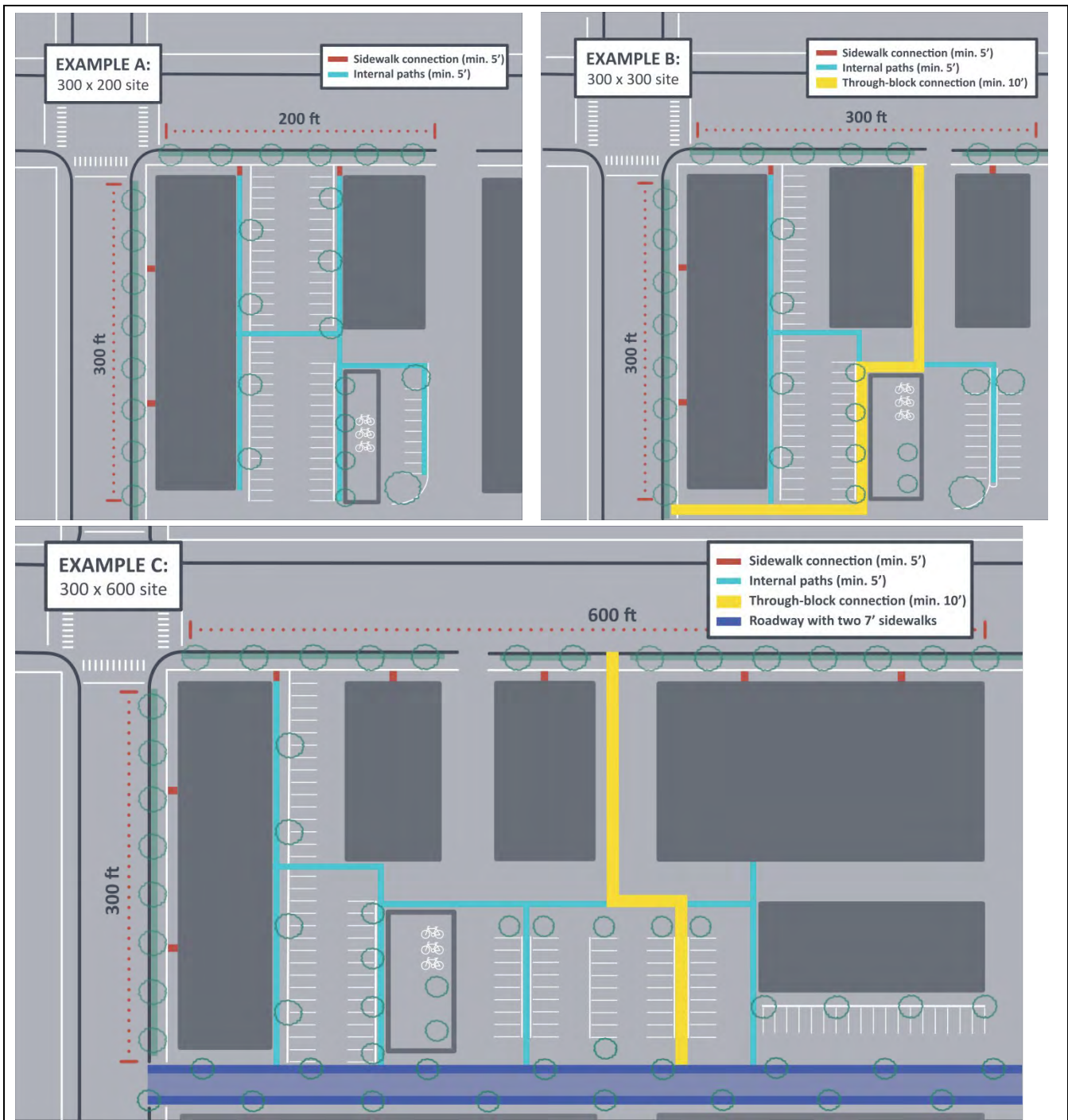
Connections to streets shall be designed and located to facilitate direct travel to all abutting public sidewalks, bus stops, transit stations/centers, schools, public bicycle facilities, trails, or shared-use paths in proximity of the development site. Walkways shall be located to provide the shortest practical route from the public sidewalk or walkway network to customer and/or public building entrances.

e. Internal pedestrian system.

(1) On sites larger than 10,000 square feet, and with multiple buildings or uses, an internal pedestrian connection system must be provided. The system must connect all main entrances on the site that are more than 20 feet from the street, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, pedestrian amenities and adjacent sidewalks.

(2) On sites with two or more street frontages 300 feet or more in length, and with multiple buildings or uses, a through-block connection is required providing a continuous pedestrian pathway between the abutting street frontages.

(3) On sites requiring three or more pedestrian connections, and with multiple buildings or uses, the most centrally located connection shall be an enhanced through-block connection that provides a continuous pedestrian pathway between the abutting street frontages.



f. Facility Design.

(1) Lighting and landscaping. For walkways that are longer than 25 feet, trees shall be provided adjacent to the walkways at a rate equivalent to the linear requirements for street trees in 13.06.090.B, and pedestrian-scaled lighting shall be provided at a ratio of 2 per 100 feet. Trees shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards.

(2) Size and materials.

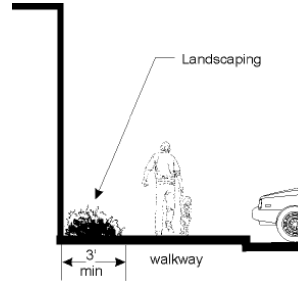
(a) Required walkways must be hard-surfaced and at least five feet wide, excluding vehicular overhang, except for walkways accessing less than **four** residential dwelling units **and residential development in Urban Residential Districts**, where the minimum width shall be four feet. When more than one walkway is required, at least one walkway must be 10 feet wide. Permeable pavement surfaces are encouraged where feasible.

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(b) Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least four inches high.

(c) Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least four inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than five feet on center.

(d) Internal pathways in multi-building residential developments shall be separated from structures at least three feet by landscaping, except where adjacent to usable yard spaces or other design treatments are included on or adjacent to the wall that add visual interest at the pedestrian scale. Examples include the use of a trellis with vine plants, sculptural, mosaic, bas-relief artwork, or other decorative wall treatments. Review of any proposed public art shall be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.



Above left and center: Parking lot pathway examples. Above right: Separate walkway from structures with at least 3' of landscaping.

(3) Bicycle facilities. At least one driveway and travel lane on site shall be designed to accommodate bicycles in accordance with the Public Works Design Manual. Where a ten-foot walkway is provided, it may be used as a shared-use path for both pedestrians and bicyclists. The route shall include signage to direct bicyclists to on-site bicycle parking facilities.

(4) Through-block connections.

(a) Through-block connections shall be a minimum of ten feet in width.

(b) Enhanced through-block connections, required for larger sites as described above, shall meet one of the following design options:

i. Minimum seven-foot wide sidewalks on both sides of a private roadway designed to provide safe, comfortable and attractive multi-modal travel with features such as planting strips, street trees and perpendicular or parallel parking on one or both sides.

ii. A pedestrian pathway a minimum of ten feet in width.

(c) Through-block connection design. Through-block connections shall meet the lighting and landscaping, size and materials standards above, and provide street furniture, per the design specifications below, at a frequency of one seating area every 250 feet. Enhanced through-connections shall provide street furniture at a frequency of one seating area every 150 feet.

G. Short and Long-Term Bicycle Parking.

1. Applicability.

The following standards apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein.

2. Purpose.

To promote bicycling as an important and integral mode of transportation, which enables healthy lifestyles, is affordable, and reduces greenhouse gas emissions, and to provide the necessary bicycle parking facilities for a bicycle friendly community. The following requirements and standards are intended to provide for safe and efficient bicycle parking at the trip origin and destination and to serve the needs of specific uses that generate bicycle traffic by residents, customers, guests and employees.

3. Bicycle parking shall be provided as follows:

- a. The minimum number of ~~off-street~~ parking spaces for bicycles required for specified uses is set forth in Table 13.06.090.G. ~~In the case of a use not shown on Table 13.06.090.G,~~
~~there is no minimum bicycle parking requirement.~~In the case of a use not specifically mentioned in this section, the requirements for bicycle parking shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use.
- b. After the first fifty cumulative (50) spaces for bicycles are provided, additional spaces are required at one half (1/2) the ratio shown in Table 13.06.090.G, except for rail transit facilities; residential uses, passenger terminals; and park and ride lots. ~~Spaces within dwelling units or on balconies do not count toward the bicycle parking requirement.~~
- c. Vehicle parking spaces, other than spaces required for electric vehicles and accessible parking, shall be permitted to be used for the installation of required long-term bicycle parking spaces.
- d. Table 13.06.090.G: Minimum Quantity Requirements for Short and Long-Term Bicycle Parking.

Minimum Quantity Requirements for Short and Long-Term Bicycle Parking			
Bicycle parking shall be provided at the following rates.			
For uses identified with an * (asterisk), bicycle parking quantity requirements shall be applied at one-half the rate identified below when the use is located outside of designated Mixed-Use Centers and Downtown.			
Minimum Requirements: Identified uses shall provide no less than 1 long-term and 2 short-term bicycle parking space, except <u>where indicated as "none" below. Also, that</u> no long-term bicycle parking is required on a site where there is less than 2,500 square feet of gross building area and where indicated below. Where the calculation results in a fraction, the fraction shall be rounded to the nearest whole number, <u>with 0.5 rounding up.</u>			
Use		Long-term	Short-term
Commercial Uses			
1.	Business and professional offices*	1 per 4,000 sq. ft.	1 per 40,000 sq. ft.
2.	Medical and dental clinics*	1 per 12,000 sq. ft.	1 per 40,000 sq. ft.
3.	Lodging*	1 per 20 rentable rooms	2 per business
4.	Shopping Center*	1 per 12,000 sq. ft.	1 per 8,000 sq. ft.
5.	Eating and Drinking establishments*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
6.	Retail*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
Residential Uses			
7.	Dwellings with 1-4 units	1 per unit	None
7.	Multi-family d Dwellings with 5 or more units	1 per unit	1 per 20 units
8.	Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club Group housing & Special Needs Housing (except as listed below)	1 per 20 residents 0.75 per bedroom (or bed if there are not individual bedrooms)	2 1 per 240 bedrooms
8a.	Extended care facilities, residential chemical dependency treatment facilities, and intermediate care facility.	A number of spaces equal to ten (10) percent of employees.	1 per 20 bedrooms
8b.	Continuing care retirement communities and retirement homes	0.2 per independent living or assisted living bedrooms plus a number of spaces equal to ten (10) percent of employees	1 per 20 bedrooms
Institutional Uses			
9.	Libraries, museums, art galleries	1 per 4,000 sq. ft.	1 per 2,000 sq. ft.
10.	Religious Assembly*	1 per 12,000 sq. ft.	1 per 40 seats or 1 per 1,000 sq. ft. of non-seat area

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Minimum Quantity Requirements for Short and Long-Term Bicycle Parking			
11.	Elementary schools	1 2 per classroom	2 4
12.	Secondary (middle, junior and high) schools	2 3 per classroom	2 8
13.	College and university	A number of spaces equal to ten (10) percent of the maximum students present at peak hour plus five (5) percent of employees	1 per 40,000 sq. ft.
14.	Hospitals*	1 per 12,000 sq. ft.	1 per 40,000 sq. ft.
Warehouse/Industrial			
15.	Warehousing*	1 per 40,000 sq. ft.	None
16.	Industrial/Manufacturing*	1 per 15,000 sq. ft.	None
Recreational			
17.	Auditoriums, stadiums, theaters	1 per 12,000 sq. ft.	10, or 1 per 40 seats
18.	Miniature golf course*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
19.	Skating rink and bowling alley*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
20.	Public dance halls and private clubs*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
21.	Marina	1 per 40 slips	At least 2
22.	Open Space/Habitat Areas with Trailhead or Passive Recreation	None	1 per 10 acres, but not less than 2
23.	Active Parks Community gardens, Neighborhood Parks , and Community/Urban Parks Neighborhood Park Community/Urban Park Regional Park	None None None None A number of spaces equal to ten (10) percent of employees who work on-site	2 1 per 40,000 sq. ft. of maintained area, plus 2 per outdoor recreation facility provided at the park 2 1 per 40,000 sq. ft. of maintained area, plus 2 per outdoor recreation facility provided at the park 1 per 40,000 sq. ft. of maintained area, plus 2 per outdoor recreation facility provided at the park
24.	Community center	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
25.	Other recreation facilities not listed	None A number of spaces equal to ten (10) percent of employees.	1 per 4,000 sq. ft. 2
Transportation Facilities			
26.	Rail transit station, bus transit centers , and passenger terminals	At least 10 5% of projected a.m. peak period daily ridership.	At least 10 At least 1.5% of projected a.m. peak period daily ridership.
27.	Principal use parking and park and ride lots	1 per 40 auto spaces If the park & ride lot provides parking for a rail transit station, bus transit center or passenger terminal:	1 per 40 auto spaces

Minimum Quantity Requirements for Short and Long-Term Bicycle Parking			
		<p>1- Required long-term bike parking may be provided at the rail transit station, bus transit center or passenger terminal in lieu of at the parking location in order to improve convenient access to transit.</p> <p>±2- No additional long-term bike parking is needed if the rail transit station, bus transit center or passenger terminal already meets or exceeds the bike parking requirements above.</p>	
Services			
28.	Day-care centers*	1 per 10,000 sq. ft.	At least 2

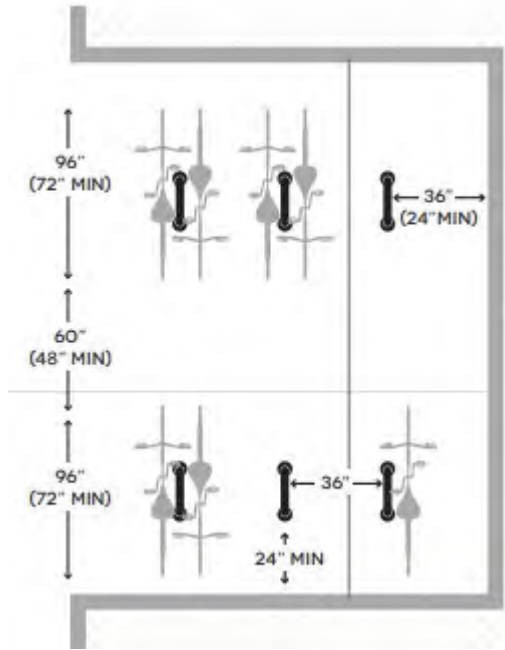
4. Development Standards – Short-Term Bicycle Parking Facilities.

a. Location standards.

- (1) Short-term bicycle parking shall be located within 50 feet of, and visible from, the primary building entrance for individual sites. [When there are multiple public entrances and more than four short-term spaces are required, bike parking should be distributed near multiple entrances, proportionate to the amount of bicycle traffic expected at each entrance. Developers are encouraged to consider likely bike routes to their location, visibility, weather protection, and security when siting bike parking.](#)
- (2) Short-term bicycle parking may be shared at a common location on the same block and same side of the street, provided the quantity meets the total requirement and is no more than 100 feet from any site served.
- (3) Where directional signage is provided at the main building entrances, short-term bicycle parking shall be permitted to be provided at locations not visible from the main entrance.
- (4) Short-term bicycle parking may be grouped near an owner designated primary entrance in shopping centers.
- (5) Short-term bicycle parking shall not block pedestrian use of a walkway and shall be located where there is sufficient space to allow bicycle maneuvering and allow access to the rack without moving another bicycle.
- (6) Short-term bicycle parking shall be located at the same grade as the sidewalk or at a location reachable by ramp or accessible route.
- (7) Short-term bicycle parking serving parks and open space/natural areas may be located and distributed throughout the park to serve multiple access points and outdoor recreation facilities.

b. Design of short-term bicycle parking facilities:

- (1) Bicycle parking facilities shall be consistent with [professional best practices as well as](#) any applicable, adopted business area improvement plan, streetscape design plan, or other applicable design guidelines.
- (2) If the location is not currently lighted, it shall be provided with illumination of not less than 1 footcandle at the parking surface. Lighting is not required for park and open space/natural areas where the use is limited to daylight hours.
- (3) It shall have an area of not less than 24 inches by ~~72~~ [60](#) inches for each bicycle, [with a minimum of 36 inches between parallel racks. 24 inches between each rack and wall or curb, and 48 inches minimum between rows of bicycle racks.](#)


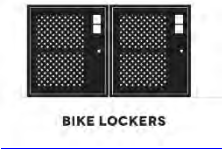


[\(Image Source: Association of Pedestrian and Bicycle Professionals \(APBP\). Essentials of Bike Parking. 2015\)](#)

(4) It shall be provided with a rack or other facility for locking or securing each bicycle in an upright position and to allow for the frame and at least one wheel to be secured with a standard U-lock or, in the case of bike lockers, provide a locking door-








(5) To increase visibility to pedestrians, racks should have a minimum height of 33 inches or be indicated or cordoned off by visible markers.

(6) ~~Examples of short term bicycle parking (from the Pedestrian and Bicycle Design Guidelines):~~ [The following rack types are acceptable for short-term bicycle parking:](#)

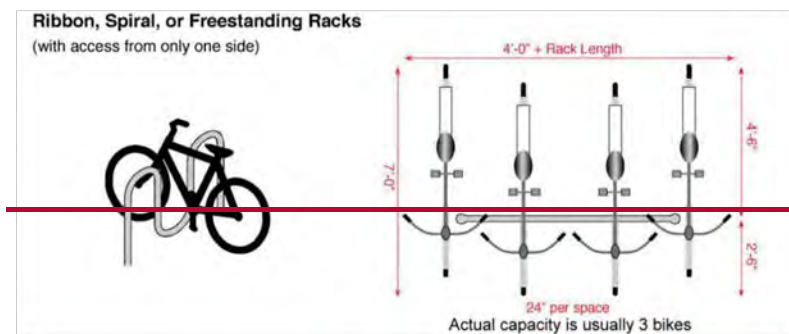
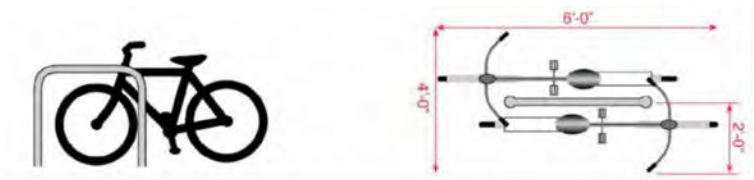
<p><u>Inverted U Rack</u> (also called hoop or staple rack). <u>These may be installed individually or on rails in a series.</u> <u>Each Inverted U rack provides two bicycle parking spaces.</u></p>	
<p><u>Bike lockers.</u> Each secure segment holds one bicycle and can be securely locked. For short-term bike parking, bike lockers must free to use and cannot require a membership, cell phone, or code to access.</p>	
<p><u>Art racks or custom designs may be allowed as long as they meet the following criteria from the Association of Pedestrian and Bicycle Professionals “Essentials of Bike Parking Guide”</u></p> <ul style="list-style-type: none"> • <u>Support bike upright without putting stress on wheels</u> • <u>Accommodate a variety of bicycles and attachments</u> • <u>Allow locking of frame and at least one wheel with U-lock</u> • <u>Provide security and longevity features appropriate for the intended location</u> • <u>Rack use is intuitive</u> 	

(Image Source: Association of Pedestrian and Bicycle Professionals (APBP). Essentials of Bike Parking. 2015)

(7) The following rack types are not acceptable for short-term bicycle parking:

<p>WAVE also called undulating or serpentine</p> 	<p>BOLLARD</p> 
<p>SCHOOLYARD also called comb, grid</p> 	<p>SPIRAL</p> 
<p>COATHANGER</p> 	<p>SWING ARM SECURED</p> 
<p>WHEELWELL</p> 	

(Image Source: Association of Pedestrian and Bicycle Professionals (APBP). Essentials of Bike Parking. 2015)



Post-and-ring rack



Coat hanger rack



Inverted-U rack



Wheel-well with support arm

5. Development Standards – Long-Term Bicycle Parking Facilities.

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a. Location standards.

- (1) Long-term bicycle parking facilities for residential uses shall be located on site and within 100 feet of the building they serve.
- (2) Non-residential long-term bicycle parking shall be located on-site or within a shared bicycle parking facility within three-hundred (300) feet of the lot, except as provided in subsection (5) below.
- (3) Long-term bicycle parking shall be in a secure location where access to the bicycles is limited and is not available to the general public.
- (4) Long-term bicycle parking shall be located at the same grade as the sidewalk or at a location reachable by ramp or accessible route. When co-located with vehicular parking or crossing driveways, special care should be taken to ensure safe bicycle and pedestrian access to the bike parking.
- (5) Long-term bicycle parking shall not block pedestrian use of a walkway and shall be located where there is sufficient space to allow bicycle maneuvering and allow access to the rack without moving another bicycle.
- ~~(6)~~ If garage racks are accessible to the general public they must be directly adjacent to an attendant booth that is occupied 24-hours a day.
- ~~(7)~~ Bicycle parking for non-residential uses may be located in a facility within three hundred (300) feet of the lot that is not a shared bicycle parking facility, if the Director determines that safe, accessible and convenient bicycle parking accessory to a nonresidential use cannot be provided on-site or in a shared bicycle parking facility within three-hundred (300) feet of the lot without extraordinary physical or financial difficulty.
- ~~(8)~~ In a residential or mixed-use building For residential uses, in unit, ~~and private garage, and patio or deck bike parking counts~~ may count toward the required long-term bike parking minimums, if they meet the following:
 - (a-) There is a barrier-free route from the public right-of-way to the unit and to the long-term parking space. This can include ground floor units and units with an elevator that is suitable for bikes.
 - (b-) The bike parking area and the route to the bike parking area must have appropriate finishes to minimize damage and wear and tear from bringing bike in or through the unit and any shared building spaces.
 - ~~(c-)~~ For in-unit or private garage spaces, there is a 32x72 inch clear space provided per bike with appropriate finishes. No bike rack is required for in unit or private garage bike parking spaces as long as they are only accessible to one unit.
 - (d-) All bike parking spaces on patios or decks must be covered and have side weather protection. Ground floor to 2nd floor outdoor spaces and all outdoor spaces accessible to more than one unit must provide a bike locker or be otherwise fully and securely enclosed. One of the approved long-term rack or locker options must be provided for secure locking of the bicycle. Private outdoor spaces above the third floor that cannot be accessed from the ground floor or another unit are not required to install a bike rack.
 - ~~(e-)~~ The space must be accessible from the unit's entrance and not block entrances/exits when the bike is parked there.
 - (f-) For buildings with less than 10 units or where all units have private garages, up to 100% of bike parking may be provided in unit, in private garages or on patios/decks. For buildings with 10 or more units, where not all units have a private garage, a maximum of 75% percent of bike parking may be provided in-unit or on patios/decks.

b. Facility Type.

~~Bicycle~~ Long-term bicycle parking facilities may include, but are not limited to, the following:

- (1) Designated indoor bike room with locking system;
- (2) Bike cage with locking system in a parking garage;
- (3) Uncaged bike parking in a garage or area with 24-hour secured access (protect bike parking areas not in a cage from autos with bollards, curbs, or other means);
- (4) Individual bicycle lockers with locking system; ~~provided the lockers are partially transparent or include a view hole to discourage improper use;~~

- (5) Designated bike space with racks inside an office area which can be locked when it is not occupied.
- (6) Limited access areas and areas monitored by a security camera, with weather protection.

(7) Covered outdoor enclosures with a locking system, roof, and walls.


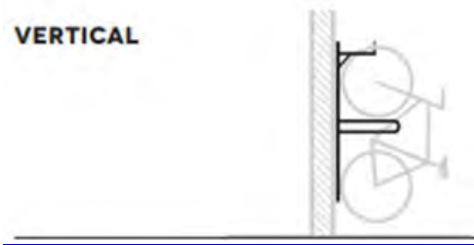


(8) ~~In a residential building~~ For residential uses, in unit, private garage, and patio or deck bike parking which meets the location standards outlined above.

c. Design Standards.

(1) Long-term bicycle parking shall be designed per accepted professional best practices.

(2) The following rack types are acceptable for long-term bicycle parking:

- ~~• Post and Ring~~
- ~~• Inverted U (single or fastened in series)~~
- ~~• Wall Mounted Racks with fixed attachment points~~
- ~~• Wheel well Secured, with arm or feature that supports frame~~
- ~~• Modified Coat hanger~~
- ~~• Two-Tier or Double-Decker~~








<u>At least 50% of racks must be ground level racks:</u>	<u>Up to 50% of racks may be vertical or two tier racks:</u>
 <p style="text-align: center;">INVERTED U</p> <hr/> <p><u>Inverted U (single or fastened in series)</u></p>	 <p style="text-align: center;">VERTICAL</p> <hr/> <p><u>Vertical racks must allow locking of frame and at least one wheel with U-lock</u></p>
 <p style="text-align: center;">BIKE LOCKERS</p> <hr/> <p><u>Ground-level bike lockers</u> <u>Bike lockers are not required to include a rack as long as they can be securely locked.</u></p>	 <p style="text-align: center;">TWO-TIER</p> <hr/> <p><u>Two-Tier or Double-Decker</u> <u>Two-tier or double decker bike lockers are also allowed. All two-tier bike parking must have lift assist.</u></p>

(Image Source: Association of Pedestrian and Bicycle Professionals (APBP). Essentials of Bike Parking. 2015)

~~(2)~~

Tacoma Municipal Code

(23) The following rack types are not acceptable for long-term bicycle parking:

<p>WAVE also called undulating or serpentine</p> 	<p>BOLLARD</p> 
<p>SCHOOLYARD also called comb, grid</p> 	<p>SPIRAL</p> 
<p>COATHANGER</p> 	<p>SWING ARM SECURED</p> 
<p>WHEELWELL</p> 	

(Image Source: Association of Pedestrian and Bicycle Professionals (APBP). Essentials of Bike Parking. 2015)

(34) Long-term bicycle parking shall be provided with a permanent cover including, but not limited to, parking structure, roof overhang or awning.

(543) A minimum 3 feet parallel spacing between conventional ground-level bicycle racks (e.g. inverted-U racks) to allow access to bicycles parked adjacent to each other.

(564) A minimum 5 feet perpendicular access aisle between rows of bicycle parking to allow users to safely move and park their bicycles.

(675) A minimum 2 feet 6 inches perpendicular spacing between a row of conventional ground-level bicycle racks (e.g. inverted-U racks) and walls or obstructions to allow the bike to be placed correctly on the rack.

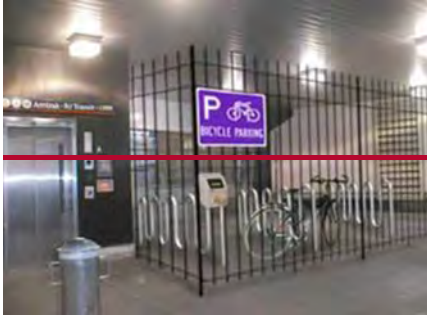
(786) Allow 24" minimum clearance for user access between a wall or other obstruction and the side of the nearest parked bicycle (may use 18" minimum for some rack types such as wall-mount).

(897) ~~Provide~~ For spaces not in-unit, in patio or in private garages, provide at least 50 percent ~~25%~~ ground-level bicycle parking spaces, to allow for use by those unable to lift their bicycles to higher racks and those with bicycle types that may not fit in upper-level or wallhanging racks (e.g. recumbents, folding bicycles, cargo bicycles, or those with trailers). Two-tier or double-decker racks must have lift assist.

(9108) For in-building bicycle parking facilities and where more than five (5) long-term bicycle parking spaces are required, lockable clothing/gear storage lockers must also be provided. However, residential buildings and facilities that already provide personal lockers are not required to provide additional locker space for bicycle clothing/gear.

(9-110) For long-term bicycle parking located within in parking garages, there must an electric outlet accessible to 10% of required long-term spaces. ~~All in-unit or private garage spaces shall have 1~~ All in-unit, private garage, or patio/deck bike parking spaces shall have an ~~accessible~~ accessible electric outlet.

Examples of long-term bicycle parking facilities:



Bike cage in Penn Station



Bike Station



Bike lockers at a transit station

6. Changing and shower facilities.

At a minimum, a single changing and shower facility shall be provided when a new use is required to provide at least ten (10) long-term bicycle parking spaces. Additional shower and changing facility shall be provided for each additional twenty (20) required long-term bicycle parking spaces, according to Table 13.06.090.G.6. Where more than one changing and shower facility is required, separate facilities shall be provided for each sex. Multifamily residential and transportation facilities are exempt from this requirement.

Table 13.06.090.G.6: Quantity Requirements for Changing and Shower Facilities	
Number of Long Term Bicycle Parking Spaces	Number of Changing and Shower Facilities Required
0-9	N/A
10-20	1
21-40	2
41-60	3
61-80	4
81+	No additional facilities required

H. Transit support facilities.

1. Applicability.

a. These provisions apply Citywide to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, on streets where regularly scheduled transit service is provided. The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.

b. Projects required to provide transit support facilities. Any ~~single family or multiple family~~ residential, commercial, industrial, or park or recreation project that will be located on, or within 500 feet of, a street where regularly scheduled transit service is provided, and meets the project size thresholds in Table 13.06.090.H.3 below, shall be required to provide a concrete pad(s) for the required transit support facilities and pay to Pierce Transit the costs of providing and installing such facilities, unless mutually agreeable alternative arrangements for providing support facilities that conform to Pierce Transit’s standards are agreed to between the project applicant and Pierce Transit. In addition, for parks, recreation and open space uses required to obtain a Conditional Use Permit, the Director shall determine the appropriate transit support facilities based on the methodology outlined below. For projects subject to the transit support facilities standard, evidence of compliance with this requirement shall be provided to Planning and Development Services prior to issuance of a certificate of occupancy.

c. Exemptions. Projects shall be exempt from these requirements when the required transit support facility(ies) (a bench or shelter) already exist(s) at the nearest bus stop pair (the closest stops on both sides of the street) or when Pierce Transit determines that the required facilities would not enhance the capacity or function of the transit system, such as when there are accessibility issues or pending route changes.

Tacoma Municipal Code

2. Purpose.

It is found and declared that new development and redevelopment in the City of Tacoma creates a need for transit support facilities, namely benches and shelters, and that such development should provide for such facilities based on existing or potential transit ridership and Pierce Transit standards. Such seating and weather protection, where warranted, are needed for those who depend on transit for daily transportation; these facilities also help encourage use of the transit system, which is consistent with the Comprehensive Plan.

3. Facility standards.

Two benches and foundation pads are to be provided at a bus stop within 500 feet of the proposed project where at least five transit riders are expected to board buses on an average weekday. Two foundation pads and shelters are to be provided at a bus stop within 500 feet of the proposed project where at least ten transit riders are expected to board buses on an average weekday. Where there are multiple transit stops within 500 feet of the project site, Pierce Transit shall be consulted as to the need for an appropriate location for the transit support facilities.

TABLE 13.06.090.H.3	2 Benches and Foundation Pads (for future transit provided shelters)	2 Foundation Pads and Shelters
Office	16,000–32,000 square feet of floor area	Over 32,000 square feet
Retail and service	5,000–10,000 square feet of floor area	Over 10,000 square feet
Shopping center	4,000–8,000 square feet of floor area	Over 8,000 square feet
Convenience market	2,000–4,000 square feet of floor area	Over 4,000 square feet
Fast-food restaurant	1,000–2,000 square feet of floor area	Over 2,000 square feet
Manufacturing	45,000–90,000 square feet of floor area	Over 90,000 square feet
Single Family Housing	60–120 dwelling units	More than 120 dwelling units
Duplexes, Triplexes and Multi-family Housing Residential	30–60 dwelling units	More than 60 dwelling units
Parks and recreation (as defined in Section 13.06.560.C)	High-intensity recreation facilities	Destination facilities

Note: These project thresholds are generally based on trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition, and Pierce Transit data showing 3% of weekday vehicular trips are on transit.

I. Sign Standards.

1. Applicability.

- a. The provisions and requirements of this section shall apply to signs in all zones as set forth in this chapter. Applicable sign regulations shall be determined by reference to the regulations for the zone in which the sign is to be erected.
- b. The regulations of this section shall regulate and control the type, size, location, and number of signs. No sign shall hereafter be erected or used for any purpose or in any manner, except as permitted by the regulations of this section.
- c. The provisions of this code are specifically not for the purpose of regulating the following: traffic and directional signs installed by a governmental entity; signs not readable from a public right-of-way or adjacent property; merchandise displays; point of purchase advertising displays, such as product dispensers; national flags, flags of a political subdivision, and symbolic flags of an institution or business; legal notices required by law; historic site plaques; gravestones; structures intended for a separate use, such as Goodwill containers and phone booths; scoreboards located on athletic fields; lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business; and barber poles.
- d. Regulations pertaining to signs in Shoreline Districts are found in Title 19.

4. Residential Districts sign regulations.

a. ~~R-1 Sign regulations~~ UR-1, UR-2, UR-3 and NRX.

One non-illuminated temporary sign, not exceeding 12 square feet in area shall be allowed pertaining to the lease, rental, or sale of a building or premises on which it is located. One non-illuminated nameplate, not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each adult family home, staffed residential home, group home, residential care facility, and family day care home. One ground sign shall be allowed, with a maximum area of 30 square feet identifying a subdivision. A subdivision identification sign shall be approved by the Director. A 32-square-foot temporary sign advertising a subdivision during construction shall be allowed adjacent to each street abutting the site, in conformance with Chapter 13.04.

Parks, recreation and open space uses on sites that are under one acre in size or which have less than 100 feet of street frontage are allowed the following non-illuminated signs:

- One ground sign with a maximum area of 30 feet;
- Interpretive or directional signs not more than 7 feet in height and 20 feet in sign area.

Parks, recreation and open space uses on sites over one acre in area that have a minimum of 100 feet of street frontage shall be allowed the following:

- One freestanding sign, not exceeding 40 square feet in area per face and not greater than 8 feet in height (or, up to 15 feet in height in association with conditional parks and recreation uses);
- One building face sign, of the same maximum dimension. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.
- One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage.
- Interpretive or directional signs, not to exceed 7 feet in height and 30 square feet in sign area.
- All signs shall meet the lighting, materials and location requirements applicable to signs for conditional uses in residential districts, as contained in this section.

b. ~~R-2 Sign Regulations.~~

~~Sign regulations shall be the same as stated for the R-1 Single Family Dwelling District, except that one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each boarding home.~~ Residential developments of four or more dwelling units are permitted one ground sign not exceeding six square feet in area for each face and not greater than five feet in height. Maximum sign area for each sign shall be one additional square foot for each dwelling unit, not to exceed 25 square feet in area. Indirect floodlighting shall be the only allowable means of illumination of ground signs. The base and/or support structures shall incorporate stone, brick, or masonry or shall relate to the architecture of the development that it is associated with.

c. ~~R-2SRD, NRX and HMR SRD Sign Regulations.~~

~~Sign regulations shall be the same as stated for the R-2 Single Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building.~~

d. ~~R-3 Sign regulations.~~

~~Sign regulations shall be the same as stated for the R-2 Single Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building.~~

e.b. R-4, R-5 and Planned Residential Districts Sign Regulations.

- (1) One freestanding sign not exceeding 30 square feet in area for all faces and not greater than six feet in height, or one building face sign of the same maximum dimensions, shall be allowed for each development site. For PRDs, a single identification sign for the overall development shall be allowed at each major access to the PRD District; provided, only one overall development sign shall be allowed adjacent to each frontage of the PRD District.

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(2) Indirect illumination, floodlighting, or internal illumination shall be the only allowable means of illumination of signs. All external lighting shall be directed away from adjacent properties to minimize the effects of light and glare upon adjacent uses. No bare bulb or neon illumination of signs shall be allowed. No flashing or animated signs shall be allowed. No electrical wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.

(3) Signs shall only identify the name of the development or business and may contain secondary information related to rental or sale of units. Public identification signs may be placed upon public service structures such as telephone booths and bus shelters.

(4) All signs shall be of permanent materials (no cardboard, cloth, paper, etc.). No flags, banners, or other devices shall be displayed for the purpose of attracting attention to a development or site. No temporary or portable signs shall be allowed. The display of the national flag, state flag, and flags of other political subdivisions shall not be restricted.

(5) No sign shall be placed in a location which obstructs sight distance for an adjacent driveway or street right-of-way. No signs for a development shall be placed in any public right-of-way. No sign shall be erected which imitates or resembles any official traffic sign, signal, or device. Incidental public service signs less than four square feet in area, which contain no advertising but are intended for the convenience of the public and provide such messages as "entrance," "exit," "emergency entrance," "no parking," or other incidental service messages, shall be allowed.

(6) All signs shall be submitted for review by Planning and Development Services, as required by the Building Code and the Electrical Sign Code. Additionally, the proposed design of all signs shall be submitted to Planning and Development Services prior to construction for review to ensure conformance with the standards listed hereinabove.

~~f. R-4-L sign regulations.~~

~~Sign regulations shall be the same as stated for the R-4 Multiple Family Dwelling District.~~

~~g. R-5 sign regulations.~~

~~Sign regulations shall be the same as stated for the R-4 Multiple Family Dwelling District.~~

~~h. PRD sign regulations.~~

~~Sign regulations shall be the same as specified herein for the R-4 Multiple Family Dwelling District. Design of signs shall be submitted with development plans at the time of site approval for review and approval of the Hearing Examiner. A single identification sign for the overall development shall be allowed at each major access to the PRD District; provided, only one overall development sign shall be allowed adjacent to each frontage of the PRD District, irrespective of the fact that more than one major access may enter said right of way.~~

~~i.c. Sign regulations for conditional uses in residential districts and specified uses in all districts.~~

(1) Application. The following regulations apply to conditional uses as designated. These regulations also apply to the uses noted as permitted uses in any district when the provisions below provide the greater sign allowance, in whole or in part.

J. Residential transition standards.

1. Applicability.
2. Purpose.

To help ensure appropriate transitions between non-residential and/or higher intensity development and adjacent residential districts, in terms of building bulk and scale, location of activity areas for privacy and noise reduction, provision of greenspace, and visual separation.

3. Development Standard - Upper Story Stepback.

a. Structures shall not intercept a 25-degree daylight plane inclined into the ~~C, T, PDB, HM, M,~~ or PMI District from a height of 25 feet above existing grade at any R-District ~~/C, T, PDB, HM, M, or PMI District~~ boundaries,

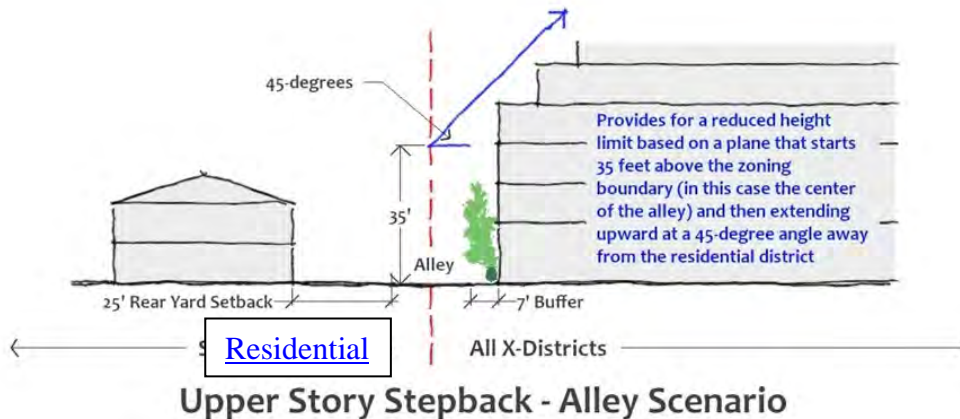
excluding boundaries with ~~R-4 Districts, R-5 Districts, and/or~~ non-residential uses in any R District. For purposes of this provision, vacant land located in an R_-District shall be considered a residential use.

b. The following requirements apply in all ~~X-Districts~~ non-residential districts, except for M and PMI districts, where Where a Mixed Use Center zoning district boundary is adjacent to ~~single family zoning (R-1, R-2 and R-2SRD Districts)~~ an Urban Residential zone, except where the adjacent use within the ~~single family~~ Urban Residential zone is a park, permanent open space, undevelopable steep slope, public facility or freeway.

(1) Projects abutting a ~~single family~~ Urban Residential zone at a street, alley or rear or side property line shall not intercept a 45-degree daylight plane inclined into the ~~X-District~~ non-residential zone from the applicable height of 35 feet described below above existing grade, measured from the zone transition line (example of the alley scenario below).

(a-) UR-1 and UR-2: 35 feet

(b-) UR-3: 45 feet



c. Storage and/or Service Openings Vehicle ingress, vehicle egress, and/or loading bay doors of self-storage uses and/or vehicle service uses shall not face any residentially-zoned property.

4. Lighting.

(1) Light trespass. Light trespass from sites in non-residential zoning districts shall not exceed 3 lux (0.3 foot candles) at parcel boundaries with residential zoning districts. This luminance value shall be measured at the eye in a plane perpendicular to the line-of-sight when looking at the brightest source in the field of view at any point on the property line of any residential parcel.

(2) Residential light pollution. To ensure control of and to minimize glare, any lighting within 100 feet of an R District shall use luminaires which meet the Illuminating Engineering Society's cutoff light distribution specification.

(3) General light pollution. To control and minimize glare, all other luminaires for area and/or off-street parking shall meet the Illuminating Engineering Society's semi-cutoff light distribution specification. Lighting shall be directed toward the site, with cutoff shields or other means, to prevent spillover glare to adjacent properties or vehicular traffic. Luminaires with a light source not greater than 1800 lumens (100 watt incandescent) are exempt from this requirement.

5. Landscaping Buffers:

a. Applicability.

b. Purpose.

Landscaping buffers are intended to function as a substantial vegetative screening providing physical and visual separation between dissimilar districts in order to soften visual and aesthetic impacts. Buffers also provide the aesthetic and environmental benefits of vegetation.

c. Exceptions.

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(1) When there is a 20 foot vertical grade difference between a development site that is located across the street or alley or is abutting a residential ~~R-District~~ residential district property, no Landscape buffers are required along the affected property line if such grade difference is demonstrated to provide comparable protection.

(2) ~~When the~~ Wherever a development site is separated from a residential district by a ~~across an arterial~~ arterial street or highway, or alley, ~~from the R-District residential district property being screened, it is not required to provide a Landscape buffer along the affected property line abutting the arterial street or highway~~ is not required.

(3) The Director may waive the requirement for a screening if equivalent screening is provided by existing parks, parkways, recreation areas, or by topography or other natural conditions.

(4) The Director may waive the requirement for a screening if the R-District property being screened is in long-term use for a purpose other than residential, and which would not be negatively impacted by adjacency to a more intensive use.

(5) The continuous landscaping buffer may be interrupted to the minimum extent necessary to accommodate walkway access and preferred driveway access to and from the property and to allow limited access to and use of necessary utilities.

(6) A buffer is not required between the front of a residential building and the street.

(7) Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.

d. Buffer standards - More intensive district abutting an R-District property.

(1) In Industrial zoning districts:

(2) In all other zoning districts:

- A continuous planting area that has a minimum width of 15 feet shall be provided on the property, along the boundary with the ~~R-District~~ residential district.
- Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to the minimum 10-foot wide buffer listed below.
- Where the property required to provide a buffer is 60 feet or less in depth measured perpendicularly from the residential parcel, the buffer can be reduced to a minimum of 7 feet in width and designed consistent with the site perimeter standards in Section 13.06.090.B.4.e.(4).

(3) Planting requirements for landscaping strips 10 to 15 feet wide:

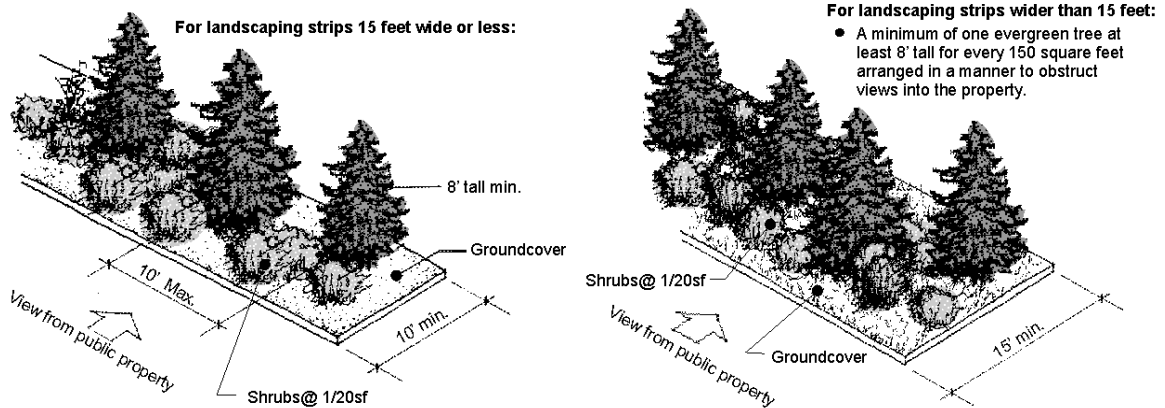
- At least one row of evergreen trees, minimum 8 feet in height at the time of planting and 10 feet maximum separation.
- Shrubs at a rate of one shrub per 20 square feet of landscaped area. In addition to being from minimum 3-gallon sized containers, shrubs shall be at least 16 inches tall at planting and have a mature height of at least 3 feet.
- Groundcover plants.
- Note: These provisions supersede the standard height, spacing and visibility provisions of the General Section, above.

(4) Planting requirements for landscaping strips wider than 15 feet:

- A minimum of one evergreen tree for every 150 square feet arranged in a manner to obstruct views into the property.
- Shrubs and groundcover as required above.

(5) This Landscaping Buffer is not subject to landscaping credits or flexibility provisions of TMC 13.06.090.B.

- (6) Alternative species selection and spacing plans demonstrated to substantially meet the Buffer intent may be approved with staff review.
- (7) Buffer planting examples.



e. Buffer standards – More intensive district across the street ~~or alley~~ from R-District property

- (1) A continuous planting area that has a minimum width of 7 feet shall be provided on the property, across from the R-District.
- (2) In cases where there is a demonstrated site constraint, the minimum buffer width may be reduced to a minimum 4 feet, with the integration of a continuous site-obscuring vegetated fence or wall.
- (3) Buffer Planting requirements
 - At least one Medium Tree per 300; or one Large Tree per 400 square feet of landscaped area.
 - Trees to be spaced at an average of 20 feet on-center, but may be grouped in asymmetrical arrangements.
 - At least 50 percent of trees must be evergreen conifers.

K. Fences and Retaining Walls.

1. Applicability.

These fence and retaining wall regulations apply to all zoning districts. Regulations within specific zones are set forth below.

5. Residential District Fence and Wall Standards.

a. Fencing Type Limitations.

- (1) Barbed or razor wire. The use of barbed or razor wire is prohibited.
- (2) Electrified fences are prohibited.
- (3) Chain link. Chain link is permitted; except
 - (a) In the case of a ~~4-plex, multi family, or single family attached (townhouse) development~~ residential development, chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses; and
 - (b) chain link, with or without slats, is prohibited for required screening.

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b. Fence and Wall Height.

(1) ~~Except as specifically set forth below, fences in residential districts for residential development are exempt from height and transparency set forth below. In UR Districts, the maximum height of free-standing walls, fences, or hedges between any public street and building are allowed up to 4 feet in height above sidewalk grade. Exceptions for decorative fences are as follows:~~

(i) Up to 5 feet in height provided the fence or wall is semi-transparent or includes decorative features, and features a planting strip at least 1 foot wide.

(ii) Up to 7 feet in height provided the fence or wall is at least 50% transparent above 5 feet, and features a planting strip at least 2 feet wide planted with shrubs or groundcover.

(2) In ~~the case of single family attached (townhouse)~~R-4 and R-5 districts, the maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with trees, shrubs and groundcover ~~Type C or D landscaping~~ to soften the view of the fence and contribute to the pedestrian environment.

(3) See TMC 13.06.090.M for fence limitation specific to Building Transition. In the case of conflicts, the most restrictive section will apply.

6. Standards for Residential Buildings and Developments.

a. Standards for all residential development ~~single, two, three family, and multi family dwellings in X Districts, and to all two, three family, and multi family dwellings~~ in all districts.

(1) Utility meters, electrical conduit, and other service utility apparatus shall not be located on street-facing facades, and shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.

(2) Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.

~~b. Townhouses in all districts and Rowhouses in UR Districts.~~

~~(1) Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.~~

~~(2) Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.~~

(3) The City may require a consolidated location for storage of solid waste containers, direct street access pickup, or a shared waste collection service if necessary for efficient solid waste collection in developments with more than four units.

c. ~~Multifamily~~ Residential development with 4 or more units in Residential and Urban Residential Districts.

(1) Mechanical or utility equipment, loading areas, dumpsters and other utility apparatus shall be located and/or designed to minimize their visibility from the street, including highways, and other pedestrian areas and residences.

- (2) If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features.
- (3) Items that exceed 4 feet in height must use fencing, structure, or other form of screening, except landscaping.
- (4) Items that do not exceed 4 feet above ground level may be screened with landscaped screening.
- (5) All landscape screening should provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting.

7. Examples.



Well-designed service enclosure example.



Landscaping helps to minimize the negative visual impacts of utility meters.



Exposed utility meters like this will not be allowed where visible from common open spaces, streets or pedestrian areas.

M. Street Level Building Transitions

1. Applicability.
2. Purpose.
3. Standards.

a. Residential buildings meeting the “build-to” requirements along designated pedestrian streets shall provide a transition area between the public right-of-way and the ground floor dwelling units.

- (1) Transitions can be accomplished through grade changes that elevate the ground floor units and main entry or through landscaping and other design elements, such as plazas, artwork, fountains, bioswales, or other amenities. Review of any proposed public art shall be coordinated with the City’s Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.
- (2) Fences, walls, and gateways may be used to provide some visual separation of private residences, but not to hide the transition area.
- (3) Fences over 3 feet in height must be transparent and cannot exceed 5 feet in height.
- (4) The transition area may be used to meet ~~usable yard~~ Amenity Space requirements.
- (5) Parking may not be used as a feature of the transition area.

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(6) Examples.



The above examples use trees and landscaping, elevation changes, transparent fencing, and arbors to create an effective transition between public and private spaces.

b. In Mixed-use Zoning Districts the maximum height of free-standing walls or hedges between any public street and building shall be 3 feet.

13.06.100 Building design standards.

A. Commercial District Minimum Design Standards.

1. General applicability.

The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development as outlined below, except as follows:

e. Residential and/or mixed-use ([outside of Urban Residential Districts](#)).

(1) Single, two, and three-~~family-unit~~ dwellings- are subject only to the design standards in Subsection E. Townhouses are subject only to the design standards in Subsection ~~HG~~. For other residential uses, such as mixed-use buildings and multi-~~family-unit~~ dwellings of 4 units or more, the standards herein apply unless otherwise noted.

(2) Multi-~~family-unit~~ residential development with a commercial component located within the C1, C2, T, and PDB zoning districts, and within the Neighborhood Commercial [Future Land Use Map \(FLUM\)](#) (as defined in Figure 2 of the Urban Form chapter of the Comprehensive Plan) are subject to the requirements in Section 13.06.100.B Mixed-Use District Minimum Design Standards.

(3) Single-~~family-unit~~ dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-~~unit~~~~family~~ dwellings shall not increase the level of nonconformity.

C. Multi-~~family-unit~~ Residential Minimum Design Standards ([in non-Urban Residential Districts](#)).1. ~~General applicability.~~ [Purpose](#)

The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma.

[2. Applicability](#)

The building design standards apply to all new development [of mixed-use or multi-unit residential consisting of four or more units](#), as outlined below, except as follows:

a. Standards.

Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

e. Residential and/or mixed-use.

(1) Single, two, and three-~~family-unit~~ dwellings [and townhomes are subject to design standards as noted elsewhere in this Chapter.](#) ~~-are subject only to the design standards in Subsection E. Townhouses are subject only to the design standards in Subsection HG. For other residential uses, such as mixed-use buildings and multi-family dwellings of 4 units or more, the standards herein apply unless otherwise noted.~~

(2) ~~Single family unit dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single family unit dwellings shall not increase the level of noneonformity.~~

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[\(3\) Middle housing developments in Urban Residential Districts are subject only to the design standards in Subsection F of this Chapter.](#)

2. Zoning District Applicability.

The following requirements apply to multi-[family-unit](#) residential developments in all districts, except, see Section 13.06.100.B Mixed-Use District Minimum Design Standards for X-District requirements, 13.06.100.D for Downtown Minimum Design Standards, [13.06.100.F for UR District requirements](#), and multi-[family-unit](#) residential development with commercial ground floor uses are subject to the requirements of 13.06.100.A Commercial District Minimum Design Standards.

D. Downtown District Minimum Building Design Standards.

1. Applicability.

The basic design standards, except as otherwise noted, shall apply to all new construction, additions, and substantial alterations. Additional standards are applicable to the DCC and DR Districts, see below.

a. A variance to the required standards may be authorized, pursuant to Section 13.05.010.B.

b. If a building is being renovated in accordance with the Secretary of Interior's Standards for Treatment of Historic Properties, and a conflict between the basic design standards or additional standards and the Secretary's Standards occurs, then the Historic Preservation Criteria and Findings made by the Tacoma Landmarks Preservation Commission shall prevail.

E. Single, Two, and Three-Family Unit Dwelling Minimum Design Standards in non-Urban Residential Zones.

1. Applicability.

The following requirements apply to all single, two, and three-family unit dwellings in all districts except Urban Residential.

(2) Single-unit dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-unit dwellings shall not increase the level of nonconformity.

7. Corner duplexes (Two-unit Dwellings).

Duplexes located on corner lots shall be designed with pedestrian entries located on opposite street frontages so that the structure appears to be a single-family unit dwelling from each street, or with a single shared entrance that presents the appearance of one single-family unit house. Where no alley is available for vehicular access, separate driveways for each

~~F. Small Lot Single Family Residential Development Minimum Design standards.~~

~~1. Applicability.~~

~~a. The following standards apply within all R-1 Districts.~~

~~b. New single family dwellings on new lots that are less than the Standard Lot dimensions, and no less than the minimum Level 1 Small Lot dimensions in Section 13.06.020.J (for example, in the R-2 District Small Lots are between 5,000 and 4,500 square feet and/or between 50 and 35 feet in width) shall be subject to the design requirements found in Section 13.06.100.F.2.~~

~~c. New single family dwellings on lots that are smaller than the applicable Level 1 Small Lot standards in Section 13.06.020.J (including Level 2 Small Lots, legally pre-existing lots and lots where a variance has been approved) shall be subject to the design requirements found in Sections 13.06.100.F.3.~~

~~d. Proponents of new Small Lots located within designated Historic Districts shall provide a site plan and massing study demonstrating consistency with the provisions of this section and with the pertinent historic design standards. No subdivision shall be permitted which would lead to the demolition of an historically contributing structure.~~

~~2. Design Standards—Level 1.~~

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The following design standards shall be met for all new single family dwellings on new Small Lots, and on all pre-existing lots that are smaller than the current, applicable minimum lot size and/or width requirements in Section 13.06.020.J:

a. Clear building entries:

Dwellings shall provide a clearly defined building entrance that faces the street, which is on the wall nearest to the street frontage, and provides weather protection that is at least 4 feet deep along the width of the building entry. A porch may serve to comply with this provision.

b. Within designated Historic Districts, covered porches (projecting or alcove) a minimum of 60 square feet and no dimension less than 6 feet, with decorative piers, columns, railings or other architectural features are required.

c. Garages:

(1) The garage shall be located in the rear with rear access if suitable access is available, such as abutting right-of-way that is or can be practicably developed. Side loaded garages are only permitted in the rear half of corner lots.

(2) Where vehicular access is not available from an alley or side street, garages or carports shall be setback at least 5 feet behind the front façade of the house or the front of a covered porch (where the porch is at least 48 square feet and contains no dimension less than 6 feet). In addition, vehicular doors and carports (measurement based on width of canopy) shall not occupy more than 50% of the width of the front façade. For narrower lots, this requirement may preclude development of a garage or carport.

(3) Within Designated Historic Districts, garages located in the rear yard shall be detached from the house, unless an alternate design is approved by the Landmarks Preservation Commission.

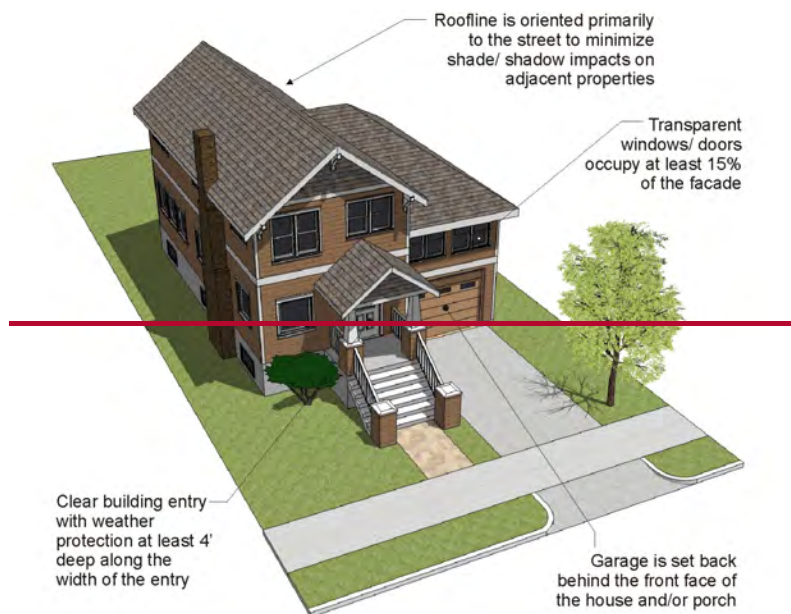
d. Façade transparency:

At least 15% of any façade (excluding exposed foundations and unfinished attic space) facing a street shall be transparent. The façade shall include all vertical surfaces of the façade of the dwelling.

e. Roofs:

For two story houses with peaked roofs, the primary roofline(s) shall be oriented towards the front of the lot, running perpendicular to the street or front property line to minimize shade and shadow impacts to adjacent properties. Exceptions to this standard are allowed for projects involving multiple, adjacent single family dwellings on small lots where alternating roofline orientation is being used to meet the Housing Style Variety requirement in Subsection g., below, or for lots that measure less than 80 feet in depth. Roof pitches shall be designed to achieve architectural balance with the scale of the house. Two story houses with peaked roofs shall provide a minimum roof pitch of 6:12, excluding dormers and excluding vegetated roofs. Eave overhangs a minimum of 2 feet shall be provided.

f. All street facing windows and doors shall be finished with decorative molding / framing details.

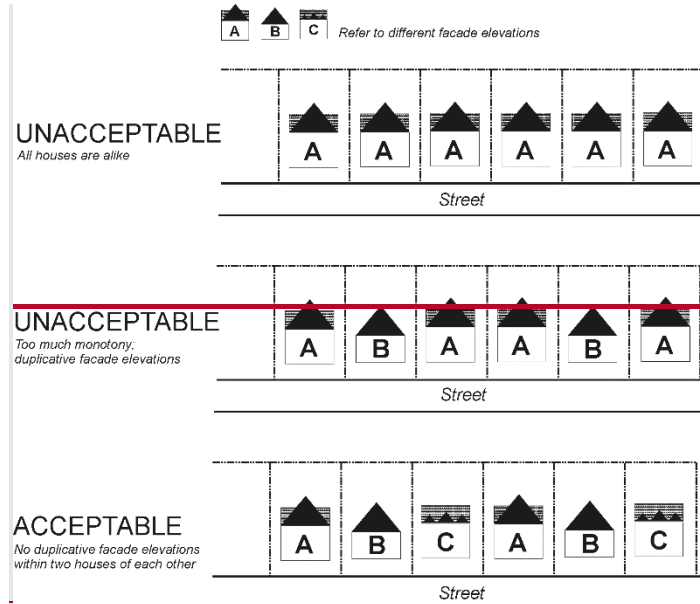


g. Housing style variety:

Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation on adjacent lots are not sufficient to meet this requirement. In addition, a minimum of two of the following alternatives shall be utilized:

- (1) Different window opening locations and designs,
- (2) One and two-story dwellings,
- (3) Different exterior finish materials and finishes, or
- (4) Different garage location, configuration and design.
- (5) Example Layouts:

These single-family dwellings employ different rooflines, material treatments, porch design, windows, and details to add visual interest and differentiate the dwellings from each other.



h. Prohibited materials:

Plywood and other similar sheet siding materials, such as T1-11 siding, shall not be used for front façades and façades facing streets, except that board and batten siding shall be allowed for façade variation up to 40 percent of the front façade facing the street.

i. Within designated Historic Districts, whenever the applicable historic design standards conflict with the provisions of this section, the historic design standards shall control. The Landmarks Preservation Commission has the authority to provide direction in such cases.

3. Design Requirements — Level 2:

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~~In addition to meeting all the design requirements listed in Subsection 2, above, all new single family dwellings on lots that are smaller than the applicable Level 1 Small Lot minimum lot size and/or width requirements in Section 13.06.020.F (including Level 2 Small Lots, legally pre-existing lots and lots where a variance has been approved), shall meet the following design standards:~~

~~a. Architectural details.~~

~~At least three of the following architectural details shall be incorporated into the street-facing façades of the dwelling:~~

- ~~(1) Decorative porch or entry design, including decorative columns or railings,~~
- ~~(2) Bay windows or balconies,~~
- ~~(3) Decorative door design including transom and/or side lights or other distinctive feature,~~
- ~~(4) Decorative roofline elements, such as brackets, multiple dormers, and chimneys,~~
- ~~(5) Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,~~
- ~~(6) Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or~~
- ~~(7) Other decorative façade elements or details that meet the intent of the criteria~~

~~b. At least one of the following must be provided:~~

- ~~(1) Dwelling(s) shall meet Built Green or other equivalent environmental certification for new construction, or~~
- ~~(2) Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.~~

F. Urban Residential Minimum Design Standards.

1. General applicability.

The Housing Type Standards and Additional Standards (together called design standards) of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development in the UR districts as outlined below, except as follows:

a. Standards.

Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

b. These Design Standards work together with the other code sections to regulate buildings, open space, trees, parking and other elements on a site. Standards in one section are not repeated in another section. Refer to the following sections for other standards applicable to lots within the Urban Residential Districts:

- (1) TMC 13.06.020.F. District Development Standards and Table: Housing Types allowed, Uses permitted, Lot area & measurements, Density, Floor Area Ratio, Maximum height, Number of stories, Setbacks, Building separation, Floor area ratio, Amenity space.
- (2) TMC 13.06.090 Site Development Standards: Landscaping standards, Off-street parking areas, Pedestrian and bicycle support standards, Fences and retaining walls, Utilities, Street level building transitions.

c. Refer to TMC 13.07 (Landmarks and Historic Special Review Districts) for applicable standards for entries and other building elements in Historic Districts. When conflicts in the code exist, Historic Standards take priority over Building Design Standards.

d. When applying for a permit, the applicant must indicate which Housing Type is being proposed, and must comply with Building Design Standards for that type.

e. Multiple buildings and different Housing Types may be combined on a site, especially on large sites. These are often, but not always, platted for separate ownership. Backyard Buildings, by definition, are anticipated behind many of the other Housing Types. When combining Housing Types on a site, the applicable Housing Standards will be applied individually to each portion of the site as appropriate and indicated on the permit application. In no case shall the maximum density standards for a site be exceeded.

f. Alterations.

(1) Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:

Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.

Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.

Level III alterations include all remodels and/or additions within a two year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code. Such alterations shall conform to ALL standards.

(2) The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.

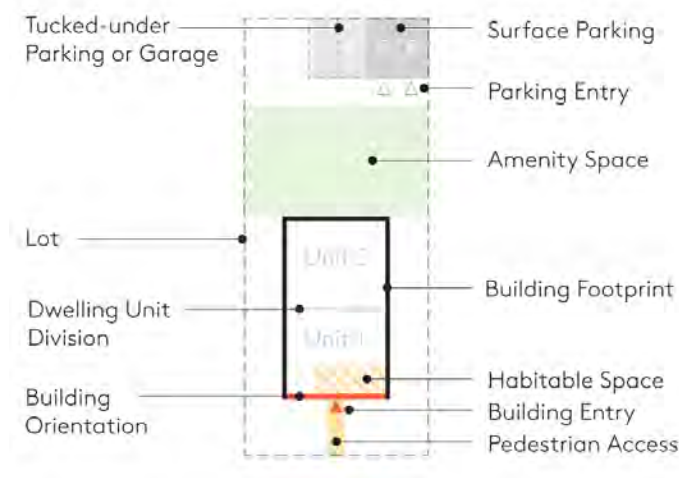
(3) No addition or remodel shall increase the level of nonconformity or create new nonconformities to the development or design standards.

2. Overview

a. Description. Walkable, vibrant, inclusive and healthy residential neighborhoods are often made up of a variety of "Middle Housing" types that provide different building, yard and dwelling unit configurations to meet a variety of living preferences, family sizes and budgets. Middle Housing neighborhoods can also promote pedestrian access, compatibility with existing residential neighborhoods, building orientation to the street, and minimize the impacts of vehicular access.

These Building Design Standards for the Urban Residential districts illustrate a number of Housing Types to provide both the predictability and variety of successful Middle Housing neighborhoods.

Housing Types Key



3. Housing Type Standards

a. Houseplex - House, Duplex, Triplex, 4-plex, 5-plex, 6-plex

(1) **Description**

A single building containing 1 to 6 units, which may be in a “side-by-side” or “stacked” configuration. At least one private or shared entry is required from the street, and a private or shared yard is often included behind the building. Multi-story units that are oriented perpendicular to the street and where vehicular and/or pedestrian access is provided from a shared facility along the side (often called “slot homes”) are included in this type.

(2) **Applicability**

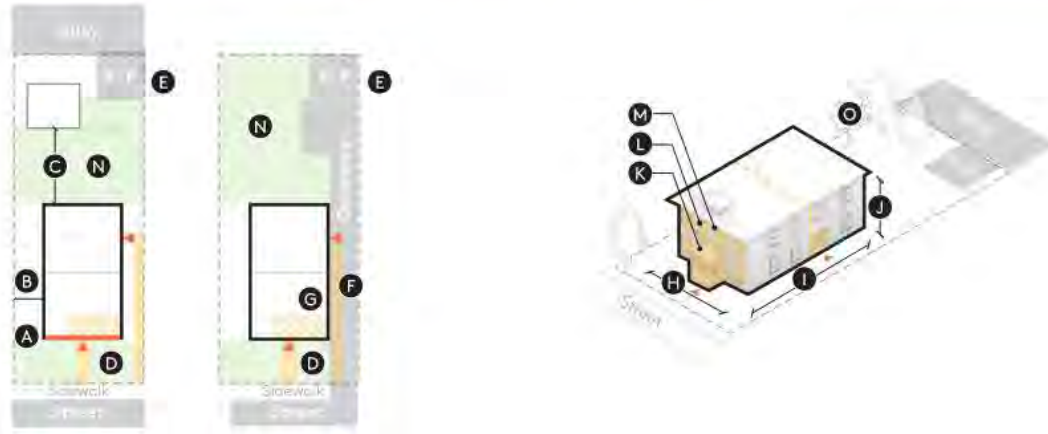
The following requirements apply to all Houseplex dwellings in all Urban Residential districts, as well as to new units added to or built within existing houses. The total number of units per lot is subject to District Development Standards density maximums.

(3) **Purpose.** Houseplexes are intended to continue the existing pattern of lowscale neighborhoods with detached homes along the street, generous backyards, as well as sideyards creating a rhythm of light and air between buildings. This housing type enables “house scaled” structures with higher densities that allow more people to enjoy a traditional house and yard arrangement.

Character examples for Houseplexes



Houseplex - House, Duplex, Triplex, 4-plex, 5-plex, 6-plex Design Standards



(4) Building Placement

A Building Orientation*	Must have primary orientation to street; Corner buildings may orient to two streets.
B Setbacks	Refer to District Standards TMC 13.06.020.F.
C Separation Between Buildings On Same Site	10' 6' if building height of both buildings is less than 25' or existing tree is retained.

(5) Access and Parking

D Pedestrian Access	Primary Entry: One entry required at primary street. Additional Entries: Allowed from street, side yard or rear yard. Sidewalks or pedestrian path required from the street.
E Parking	Required access from an alley if exists. Prohibited between building and street. Prohibited within front setback (except in front of garages). Garages must be setback 20' from lot line. Refer to Site Development Standards TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.
F Driveway	Max number: 1 per 12,000 SF of lot area. Limited to access from alley if exists. Refer to Site Development Standards TMC 13.06.090.C.
G Habitable Space*	10' deep along 75% of street-facing facades.

(6) Building Size

H Building Width	UR-1 and UR-2: 50' max UR-3: 75' max
I Building Depth	UR-1 and UR-2: 75' max UR-3: 90'
J Height Limits	Refer to District Standards TMC 13.06.020.F.

(7) Building Articulation

K Covered Entry*	Covered entries required: 3' deep min. Single unit entry: 20 SF min Shared entry: 30 SF min
L Transparency/Windows & Openings*	15% transparent to street; 10% transparent to alleys, shared open space, and surface parking courts
M Articulation*	Street-facing facades may be articulated to look like a single dwelling or to emphasize distinct dwelling units: One feature required for facades over 40' wide. Two features required for facades over 60' wide.

(8) Open Space

N Amenity Space*	Private, common or mix. Refer to District Standards TMC 13.06.020.F.
O Tree Credit	Refer to District Standards TMC 13.06.020.F.

* Refer also to Additional Standards TMC 13.06.100.F.4 at the end of this chapter.

b. Backyard Building

(1) Description

A building located behind another structure at the rear of a lot. The building may contain a garage. The building may be accessed from a shared or private path from the front sidewalk or from a secondary street on a corner lot. A small yard and parking space can be included. This housing type can include detached accessory dwelling units (DADU), but also includes any structure containing no more than six units.

(2) Applicability

The following standards apply to all Backyard Buildings in all Urban Residential districts. The total number of units per lot is subject to District Development Standards density maximums.

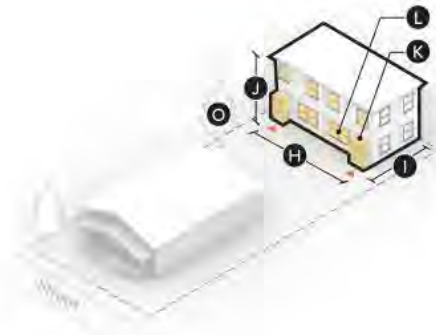
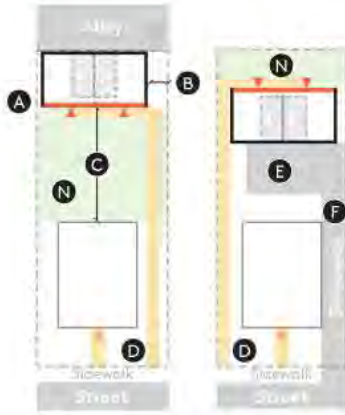
(3) Purpose

Backyard Buildings are intended to create additional housing on infill lots, while maintaining neighborhood character and promoting retention of existing buildings, with "gentle density" that is less visible from the street. Backyard buildings can provide homeowners with a means to provide for companionship and security nearby, and they can also contribute to neighborhood stability and protect property values by creating avenues for additional income, aging in place, and the meeting of personal and property needs. With smaller footprints, these buildings can also be lower cost units that are more affordable to low- and moderate-income people.

Character examples for Backyard Buildings



Backyard Building Design Standards



(4) Building Placement

A Building Orientation*	May orient to a backyard, alley, or a street on a corner lot based on site conditions.
B Setbacks	0' rear setback from alley. Refer to District Standards <i>TMC 13.06.020.F.</i>
C Separation Between Buildings On Same Site	10' 6' if building height of both buildings is less than 25' or existing tree is retained.

(5) Access and Parking

D Pedestrian Access	Sidewalk or pedestrian path required from street.
E Parking	Limited to access from an alley or existing driveway if exists. Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to <i>Site Development Standards TMC 13.06.090.C</i> for vehicle and <i>TMC 13.06.090.G</i> for bike parking ratios.
F Driveway	Max number: 1 per 12,000 SF of lot area shared with street-facing buildings. Required to be shared with driveways serving street-facing buildings, or must occur from alley if one exists. Refer to <i>Site Development Standards TMC 13.06.090.C.</i>
G Habitable Space*	N/A

(6) Building Size

H Building Width	UR-1 and UR-2: 40' max UR-3: 75' max
I Building Depth	40' max
J Height Limits	Refer to District Standards <i>TMC 13.06.020.F.</i>

(7) Building Articulation

K Covered Entry*	Covered entries required: 3' deep min Single unit entry: 20 SF min Shared entry: 30 SF min
L Transparency/Windows & Openings*	15% transparent to street if one exists. 10% transparent to alleys. Placement should endeavor to provide privacy from adjacent units.
M Articulation*	N/A

(8) Open Space

N Amenity Space*	Private, common or mix, Refer to District Standards <i>TMC 13.06.020.F.</i>
O Tree Credit	Refer to District Standards <i>TMC 13.06.020.F.</i>

* Refer also to *Additional Standards TMC 13.06.100.F.4* at the end of this chapter.

c. Courtyard Housing

(1) Description

A group of buildings or units arranged around a shared courtyard. Depending on the zone, units may be detached or attached. The courtyard is entered from the street, provides pedestrian access to the units, and is a shared social space which takes the place of private back yards. Detached buildings within Courtyard Housing developments may include up to six dwelling units per building.

(2) Applicability

The following standards apply to Courtyard Housing developments in all Urban Residential districts where allowed. The total number of units per lot is subject to District Development Standards density maximums.

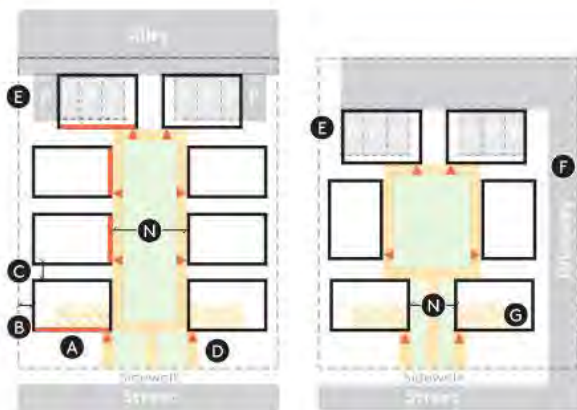
(3) Purpose

Courtyard housing offers an alternative spatial arrangement, while fitting the scale and adjacency to open spaces enjoyed in detached housing neighborhoods. The courts can contribute aesthetically to the street, or provide social spaces that foster children's play. The central courts allow residents to look in on each other occasionally, or to organize into semi-communal "co-housing" arrangements.

Character examples for Courtyard Housing



Courtyard Housing Design Standards



(4) Building Placement

- A Building Orientation*** Buildings along a street must have primary orientation to the street. Internal buildings must orient to courtyard.
- B Setbacks** 0' Rear Setback from alley when parking is provided directly from alley. Refer to District Standards TMC 13.06.020.F.
- C Separation Between Buildings On Same Site** 10' 6' if building height of both buildings is less than 25' or existing tree is retained.

(5) Access and Parking

- D Pedestrian Access** Entry from common courtyard to each building and/or unit; Entry from street ok at front units.
- E Parking** Required access from an alley if exists. Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to Site Development Standards TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.
- F Driveway** Max number: 1 per 12,000 SF of lot area. Limited to access from alley if exists. Refer to Site Development Standards TMC 13.06.090.C.
- G Habitable Space*** 10' deep along 100% of street-facing facades.

(6) Building Size

- H Building Width** 40' max for a detached building or the wing of an attached building
- I Building Depth** N/A
- J Height Limits** Refer to District Standards TMC 13.06.020.F.

(7) Building Articulation

- K Covered Entry*** Covered entries required: 3' deep min
Single unit entry: 20 SF min
Shared entry: 30 SF min
- L Transparency/Windows & Openings*** 15% transparent to street and courtyard. 10% transparent to alleys and surface parking lots.
- M Articulation*** N/A

(8) Open Space

- N Amenity Space*** Shared courtyard required. Min width: 20' Refer to District Standards TMC 13.06.020.F.
- O Tree Credit** Refer to District Standards TMC 13.06.020.F.

* Refer also to Additional Standards TMC 13.06.100.F.4 at the end of this chapter.

d. Rowhouse

(1) Description

Typically a multi-story building with access to the street from its front door and a private yard. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouse buildings, which together create a "Rowhouse Cluster" of 3 to 6 Rowhouses.

(2) Applicability

The following requirements apply to all Rowhouse dwellings in all Urban Residential districts. The total number of units per lot is subject to District Development Standards density maximums.

(3) Purpose

Rowhouses are intended to provide housing at a scale between detached housing and multiplexes. With immediate street access to the units and to private backyards, this housing type can work well for families. Often provided for sale, they can create home ownership opportunities, and usually at a lower cost than detached houses because the buildings are connected and on smaller lots.

Character examples for Rowhouses



Source: Cheryl Juetten



Source: City of Tacoma

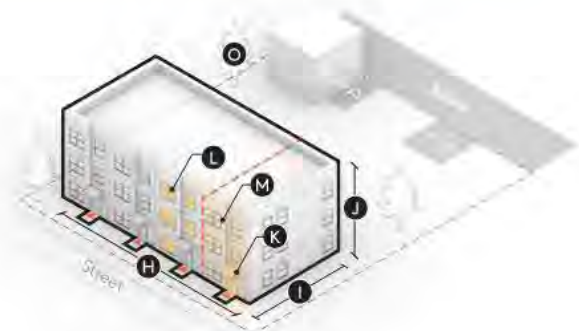
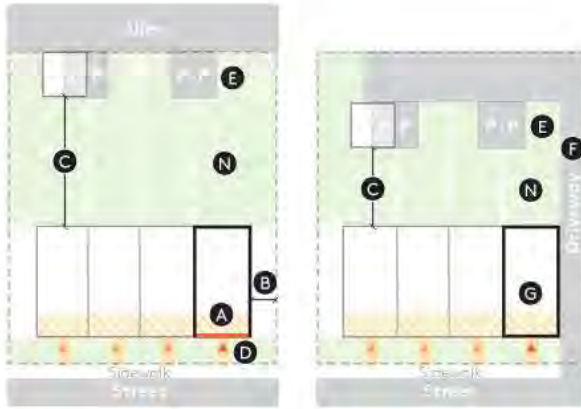


Source: City of Tacoma



Source: H+dIT Collaborative

Rowhouse Design Standards



(4) Building Placement

- A Building Orientation*** Must have primary orientation to street; Rowhouse Clusters on corner lots may choose to orient to two streets.
- B Setbacks** Refer to District Standards TMC 13.06.020.F, which measure to Rowhouse Clusters.
- C Separation Between Buildings On Same Site** 0' between Rowhouses
10' between each Rowhouse Cluster
6' if building height of both buildings is less than 25' or existing tree is retained.

(5) Access and Parking

- D Pedestrian Access** Individual access via a sidewalk or pedestrian path is required to each Rowhouse from the street. Rowhouses on corner lots may select which street to orient to.
- E Parking** Required access from an alley if exists. Prohibited between building and street. Prohibited within front setback. Garages prohibited on front facades. Garages must be setback 20' from lot line. Refer to Site Development Standards TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.
- F Driveway** Max number: 1 per 12,000 SF of lot area. Rowhouse Clusters must share a driveway if parking from alley is not available. Limited to access from alley if exists. Refer to Site Development Standards TMC 13.06.090.C.
- G Habitable Space*** 10' deep along 100% of street-facing facades.

(6) Building Size

- H Building Width** UR-1 and UR-2: 75' max, 40' min (for each Rowhouse Cluster)
UR-3: 90' max, 40' min (for each Rowhouse Cluster)
- I Building Depth** UR-1 and UR-2: 60'
UR-3: 80'
- J Height Limits** Refer to District Standards TMC 13.06.020.F.

(7) Building Articulation

- K Covered Entry*** Covered entries required:
3' deep min
Single unit entry: 20 SF min
Shared entry: 30 SF min
- L Transparency/Windows & Openings*** 15% transparent to streets,
10% transparent to alleys, shared open space, and parking drives or lots
- M Articulation*** Street-facing facades must be articulated to emphasize each individual Rowhouse using at least one Articulation Feature.

(8) Open Space

- N Amenity Space*** Private. Common open space of the same area is allowed. Refer to District Standards TMC 13.06.020.F.
- O Tree Credit** Refer to District Standards TMC 13.06.020.F.

*Refer also to Additional Standards TMC 13.06.100.F.4 at the end of this chapter.

e. Multiplex

(1) Description

A building consisting of 7 or more stacked units, with the appearance of a large house or a small apartment building. Access is often from one shared entry at the street leading to a central corridor accessing all units, but other configurations are possible (including a few single-stair buildings connected together).

(2) Applicability

The following standards apply to Multiplex developments in all Urban Residential district. The total number of units per lot is subject to District Development Standards density maximums. Refer to Tacoma Municipal Code Section 13.06.100 C. for multi-family developments in other zones.

(3) Purpose

Multiplexes are intended to provide housing at an intermediate scale between detached houses and the larger apartments buildings in mixed use centers. Located nearer transit and anticipated to contain smaller units, they can provide naturally occurring affordable housing.

Character examples for Multiplexes



Source: Mithun



Source: City of Tacoma

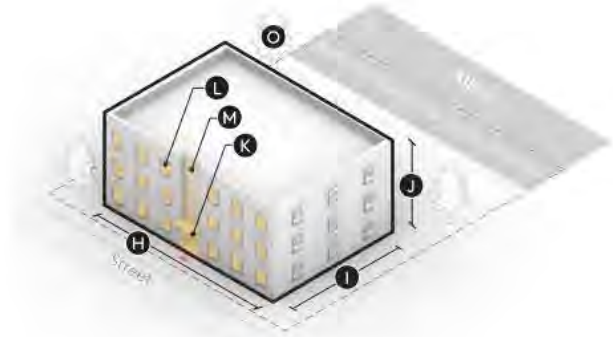


Source: Blueprint Capital



Source: Courtyard 8

Multiplex Design Standards



(4) Building Placement

A Building Orientation*	Must have primary orientation to street.
B Setbacks	Refer to District Standards TMC 13.06.020.F.
C Separation Between Buildings On Same Site	10' 6' if building height of both buildings is less than 25' or existing tree is retained.

(5) Access and Parking

D Pedestrian Access	At least one shared entry to the building is required from the street within 15' of the sidewalk. Individual entries to ground floor units are permitted.
E Parking	Required access from an alley if exists. Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to Site Development Standards TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.
F Driveway	Limited to access from alley if exists. Refer to Site Development Standards TMC 13.06.090.C.
G Habitable Space*	10' deep along 75% of street-facing facades.

(6) Building Size

H Building Width	90' max
I Building Depth	100' max
J Height limits	Refer to District Standards TMC 13.06.020.F.

(7) Building Articulation

K Covered Entry*	Covered entries required: 3' deep min Single unit entry: 20 SF min Shared entry: 30 SF min
L Transparency/Windows & Openings*	15% transparent to street, 10% transparent to alleys, shared open space, and surface parking lots.
M Articulation*	Required for street facing facades: One feature for facades up to 60' wide. Two features for facades over 60' wide.

(8) Open Space

N Amenity Space*	Private amenity space may count for no more than 25% of total required. Refer to District Standards TMC 13.06.020.F.
O Tree Credit	Refer to District Standards TMC 13.06.020.F.

* Refer also to Additional Standards TMC 13.06.100.F,4 at the end of this chapter.

Tacoma Municipal Code

4. Additional Building Design Standards

a. Building Orientation

(1) A building shall have a front elevation with a primary entrance oriented to the adjacent street, right of way, or other space required by the Housing Type. Front setbacks are calculated to this front elevation, and Building Width is measured along this elevation. Refer to Habitable Space requirements required at the primary building elevation.

(2) Other building entries are allowed on other building facades in addition to the required entry on the front elevation.

(3) This front elevation and all street-facing facades shall not contain elements commonly associated with a rear elevation appearance, such as utility meters, refuse containers, loading docks, and/or dumpsters.

b. Habitable Space

(1) Purpose: To promote active, welcoming, neighborly activities along streets and sidewalks.

(2) Spaces include: residential spaces such as foyers, entries, living rooms, dining rooms, kitchens, bedrooms, dens, lofts, home offices, lobbies, mailrooms, common amenity spaces, playrooms, and mudrooms. Also includes non-residential spaces such as lobbies, mailrooms, cafes, or commercial spaces, except garages, loading and services spaces associated with those uses. Excludes utility spaces such as garages, storage spaces, loading, mechanical, electrical, or other utility rooms.

(3) Location: The floor of a Habitable Space must be within 5 feet of sidewalk grade elevation, unless site conditions prohibit such a relationship. This is to allow garages or other utility spaces to be located partially underground along the street-frontage without counting against the Habitable Space requirements.

c. Articulation Features

(1) Applicability. As required in Building Design Standards for Houseplexes, Rowhouses and Multiplexes.

(2) Required articulation features. These may combined:

(a) Brick used as the cladding material on a majority of the façade. Brick must be standard-sized bricks, approximately 3 5/8" thick. "Thin brick", which is often less than 1" thick, does not meet this requirement.

(b) Windows recessed at least 2.5 inches from the cladding material, or windows with decorative window trim or deep metal "flashing" surrounds.

(c) Repeated balconies or bay windows.

(d) Vertical building modulation with a depth of 2 feet. Must be at least 4 feet wide if repeated as in Rowhouses.

(e) Roofline modulation.

(f) Articulating a building's base to contrast and complement its upper levels, including: distinctive window configurations and cladding material, or a change of plane at least 2 feet deep.

(g) Articulating a building's top to contrast and complement its lower levels, including: distinctive sloped roof, strong cornice line, expressive roof overhang, distinctive window configurations and cladding material on the upper floor, and/or upper level stepbacks (provided the top of the building is visible from the centerline of the adjacent street).

(h) Change of cladding material. (Counts as 0.5 articulation features)

(i) Repeated distinctive window patterns. (Counts as 0.5 articulation features)

(j) Repeated stoops at least 36" above sidewalk grade to individual units, especially in Rowhouses.

(a) Modulation.

(i) Articulating a building's roofline. May include sloping, stepping back or forward, a strong cornice line, or an expressive overhang.

(ii) Articulating a building's top to contrast and complement its lower levels. May include upper level stepbacks (provided the top of the building is visible from the centerline of the adjacent street), and/or façade and window features below.

(iii) Articulating a building's base to contrast and complement its upper levels. May include a change of plane at least 2 feet deep, and/or façade and window features below.

(iv) Articulating a building's elevation. May include vertical changes of plane at least 2 feet deep, and/or façade and window features below.

(v) Repeated stoops at least 3 feet above sidewalk grade to individual units.

(b) Facades and windows.

- (i) Significant changes of cladding material.
- (ii) Real brick used as the cladding material on a majority of the façade.
- (iii) Repeated balconies or bay windows. Maximum spacing of 16 feet.
- (iv) Windows with deep or detailed frames. May include windows recessed at least 2.5 inches from the cladding material, decorative window trim, or deep metal “flashing” surrounds.

d. Transparency / Windows & Openings

(1) Vertical façade surfaces facing a street, alley, courtyard, plaza, drive aisle, parking court, or surface parking lot shall incorporate transparent doors and windows equal to the amount required by the Housing Type. Rough openings are used to calculate this requirement. Windows in garage doors or walls do count toward meeting this standard.

(2) Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or parking lot. These walls shall use modulation, windows, openings, landscaping to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.

(3) Placement of windows on facades facing neighboring buildings, or units or buildings on the same lot, shall endeavor to create appropriate levels of privacy between neighbors.

e. Prohibited Materials (1) Plywood and other similar sheet siding materials, such as T1-11 siding, shall not be used for street-facing facades, except that board and batten siding shall be allowed for façade variation up to 40 percent of the front façade facing the street.

Tacoma Municipal Code

fe. Covered Entries

- (1) Applicability: Covered entries are required for primary entries to buildings and units. They are not required for additional entries such as side doors or back doors.
- (2) May include: porches, canopies, alcoves beneath upper story overhangs, and other elements or combinations that protect pedestrians from the weather.
- (3) May be included as part of Amenity Space requirement.
- (4) Awnings made of canvas or non-permanent construction do not count towards meeting this requirement.
- (5) Refer to TMC 13.05.040 for porch requirements in Historic Districts.

gf. Amenity Space

(1) All units shall have access to either private or common amenity space.

(2) Private Amenity Space: This includes ground-related spaces such as yards, patios, gardens, and decks. Requirements include the following:

- (a) No dimension shall be less than ~~10~~7 feet.
- (b) Must be directly accessible from the dwelling unit.
- (c) May also be provided as balconies or porches of at least 50 SF, and no dimension less than 5 feet.

~~(43)~~ Common Amenity Space: This includes ground-related spaces such as yards, patios, courtyards, decks, community gardens, children's play areas, or other multi-purpose outdoor recreational and/or green spaces. Requirements include the following:

- (a) No dimension shall be less than ~~15~~7 feet.
- (b) Must be positioned near a shared path, shared building entry, or other pedestrian activity.
- (c) Must feature paths, appropriate hard surfacing, landscaping, seating, lighting and other pedestrian amenities to make the area functional and enjoyable.
- (d) Should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.
- (e) Must be open to the sky, except a maximum of 25% of the common amenity space may be covered but not enclosed by porches, gazebos, pergolas, or other such structures, provided no dimension is less than 8 feet.

~~(34)~~ Rooftop decks may be used to meet up to 50% of the Amenity Space requirements if they include the same minimum dimensions and amenities required of ground-related amenity space.

~~(45)~~ Landscaping: Up to 35% of the amenity space may be comprised of landscaping. Tree canopy may overlap any amount of amenity space. Refer to Landscaping Standards TMC 13.06.090.B.

~~(56)~~ Vehicular access areas shall not count as amenity space.

gh. Non-Residential Use

(1) Applicability: Refer to District Standards TMC 13.06.020.F. for uses allowed per zone. Non-residential uses except garages, loading and utility spaces count towards "Habitable Space Requirements".

(2) Location:

- (a) Must be on ground level, and include a front entry within 2' of sidewalk grade elevation.
- (b) Commercial uses must be on a corner lot
- (c) Must be in street-facing building and in a street-facing space within the building.

(3) Area and number:

- (a) Maximum area of 3,000 SF.
- (b) No limit to number of businesses.

(4) Setbacks: Comply with District Standards, except commercial uses have 0' front setback min, and 10' front setback max.

(5) Transparency: 25% min transparent facade between 2-10' above sidewalk grade.

ih. Corner Sites

(1) Applicable to sites with two or more street frontages. On non-alley sites, an applicant may choose which street to use as the primary street for the purposes of determining Building Orientation, and Building Width and Depth.

(2) Garages are only allowed within the rear portion of corner lot, at least 70' from the front property line, unless directed otherwise by City engineer..

(3) Backyard Buildings and Courtyard Housing on corner lots must have primary or secondary pedestrian entries accessed from the secondary street. Secondary pedestrian entries are also encouraged in other Housing Hypes.

(4) Standards for Windows & Openings apply to both street-facing facades on corner lots.

ii. Large Sites

(1) Applicable to sites 60,000 SF or larger

(2) Connectivity: Must meet the connectivity standards in TMC 13.06.090.F. Pedestrian and Bicycle support standards.

(3) Standards: Large Sites must comply with District Standards, Building Design Standards, and Site Design Standards, with the following exceptions:

(a) When complying with Housing Type Building Design Standards for 4. Building Placement and 5. Access & Parking, the following connections may be used in place of Streets:

(i) Though-Block Connections

(ii) Interior Access Roads

(iii) Walkways, Pathways

(iv) Pedestrian Connections 10' or wider

(b) Backyard Buildings: One row of Backyard Buildings is allowed behind each street-fronting Houseplexes, Rowhouses or Multiplexes.

4. Nonconforming large sites permitted before (March 2024) may allow renovations and additions to existing buildings

kj. Addressing. All buildings must have clear addressing visible from the street. If Backyard Buildings or any Courtyard Housing buildings are not visible from the street, an address and some form of directional notation must located be along a walkway, on a fence, on a front building, or in some location that differentiates the front building address from the rear building address and is visible from the main access point to the property.

~~G. Accessory Dwelling Unit Minimum Design Standards.~~

~~1. Applicability.~~

~~The following standards apply to accessory dwelling units in all zoning districts. When a Detached ADU is proposed on a site with housing other than single family, the larger structure shall be considered the main dwelling for purposes of determining ADU design and other standards.~~

~~2. Purpose.~~

~~3. Design standards for attached ADUs.~~

~~a. Attached ADUs shall be designed either to generally match the exterior architectural style, appearance and character of the main house through use of similar materials, window, façade and roof design, or to complement the main house through use of materials and design of equal or better quality.~~

~~4. Design standards for Detached ADUs.~~

~~a. Detached ADUs shall be designed either to generally match the exterior architectural style, appearance and character of the main house through use of similar materials, window, façade and roof design, or to complement the main house through use of materials and design of equal or better quality.~~

~~b. The main entrance to a Detached ADU shall be at least eight feet from side property lines shared with a neighboring residential property if that entrance faces the neighboring property.~~

Tacoma Municipal Code

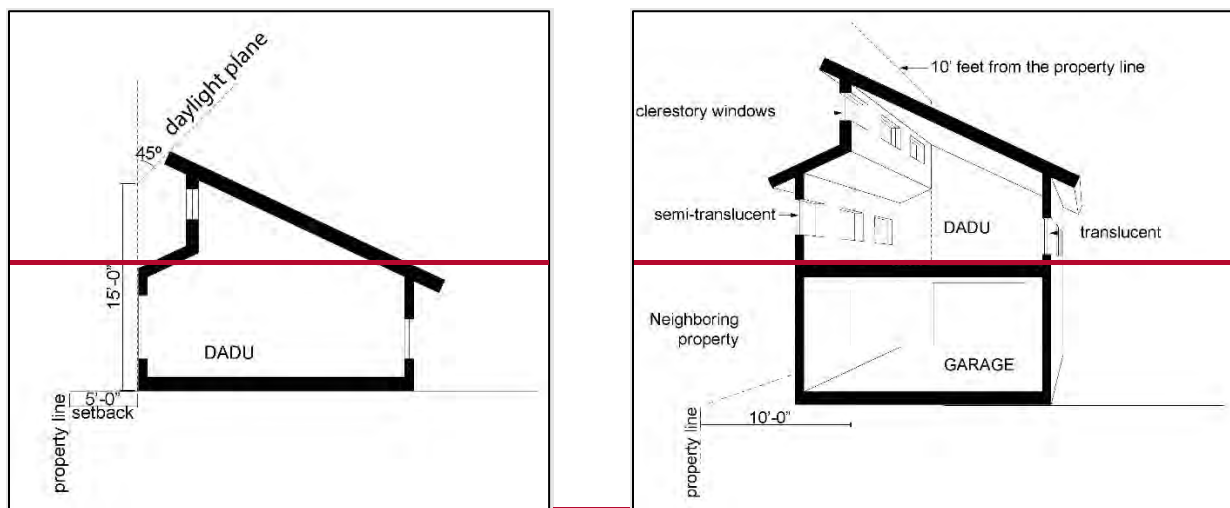
~~e. Second story windows facing abutting residential properties and within ten feet of the property line shall be constructed in a manner that reduces direct views into the neighboring property through such methods as clerestory windows or semi-opaque glass.~~

~~d. The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required five-foot setback line.~~

~~5. Any ADU proposed within an historic district is subject to the requirements and standards set forth in TMC 13.07, Landmarks and Historic Special Review Districts.~~

~~6. The Director shall provide an illustrated ADU design guide to assist in implementation and review of these standards.~~

~~Detached ADU window and roof design:~~



~~HC. Townhouse Minimum Design Standards.~~

~~1. Applicability.~~

~~The following requirements apply to all townhouse dwellings in all districts [except for Urban Residential districts](#).~~

~~2. Purpose.~~

~~The following standards are intended to implement the urban form, housing and aesthetic goals of the Comprehensive Plan by providing façade articulation that emphasizes individual units and reduces the apparent mass of structures, minimizing impacts of vehicular access and service elements, and emphasizing pedestrian access and building orientation to the street.~~

~~***~~

~~I. Cottage Housing Minimum Design Standards:~~

~~1. Applicability.~~

~~The following standards apply to cottage housing developments in all zoning districts where allowed.~~

~~2. Purpose.~~

~~3. Design Standards:~~

~~a. Each cottage building is required to have an attached covered porch a minimum of 50 square feet in size with no dimension less than 5 feet.~~

~~b. Each carriage unit shall have a deck or balcony, oriented toward the common open space.~~

~~e. Buildings adjacent to the public right of way must orient entrances toward the public right of way, provide a minimum of 15 percent façade transparency, and provide an inviting façade through façade modulation, roofline variation or other design features.~~

~~d. Cottage projects shall establish building and site design that is attractive and promotes visual interest. All structures shall be designed according to a coherent design concept that allows for variation in style, features, materials and colors.~~

~~e. Cottage developments shall provide for variation in unit sizes, building and site design. A variety of building styles, features, colors and site design elements are required within a cottage housing development.~~

~~f. Cottage developments shall be stick built.~~

CHAPTER 13.12
ENVIRONMENTAL CODE

Sections:

- 13.12.004 *Repealed.*
 13.12.010 *Repealed.*
 13.12.020 *Repealed.*
 13.12.025 *Repealed.*
 13.12.045 *Repealed.*
 13.12.055 *Repealed.*

Part One – Purpose and Authority

- 13.12.100 Purpose of this part and adoption by reference.
 13.12.120 Authority.
 13.12.130 Purpose, applicability, and intent.
 13.12.140 Environmental policy.
 13.12.150 Severability.

Part Two – General Requirements

- 13.12.200 Purpose of this part and adoption by reference.
 13.12.210 Lead agency – Responsibilities.
 13.12.220 Designation of responsible official.
 13.12.230 Designation and responsibility of the City’s SEPA public information center (SEPA PIC).
 13.12.240 Timing of the SEPA process.

Part Three – Categorical Exemptions

- 13.12.300 Purpose of this part and adoption by reference.
 13.12.305 *Repealed.*
 13.12.310 Flexible thresholds for categorical exemptions.
 13.12.315 *Repealed.*
 13.12.320 Emergencies.
 13.12.340 *Repealed.*
 13.12.350 *Repealed.*
 13.12.355 *Repealed.*

Part Four – Categorical Exemptions And Threshold Determination

- 13.12.400 Purpose of this part and adoption by reference.
 13.12.408 *Repealed.*
 13.12.410 Categorical exemptions.
 13.12.420 Environmental checklist.
 13.12.430 Determination of non-significance (DNS).
 13.12.440 Mitigated DNS.
 13.12.450 Optional DNS process.
 13.12.460 *Repealed.*

Part Five – Environmental Impact Statement (EIS)

- 13.12.500 Purpose of this part and adoption by reference.
 13.12.510 Scoping.
 13.12.520 Expanded scoping (optional).
 13.12.530 EIS preparation.
 13.12.540 Issuance of final environmental impact statement (FEIS).
 13.12.550 SEPA Planned Action EIS.
 13.12.560 Optional Plan Elements and Development Regulations.
 13.12.570 Archaeological, Cultural, and Historic Resources.
 13.12.580 Traffic Impact Assessment.

Part Six – Commenting

- 13.12.600 Purpose of this part and adoption by reference.
- 13.12.610 Public notice.
- 13.12.620 Responding to SEPA Requests for Comment from Other Lead Agencies.
- 13.12.660 *Repealed.*
- 13.12.680 *Repealed.*
- 13.12.685 *Repealed.*

Part Seven – Using Existing Environmental Documents

- 13.12.700 Purpose of this part and adoption by reference.

Part Eight – SEPA and Agency Decisions

- 13.12.800 Purpose of this part and adoption by reference.
- 13.12.801 *Repealed.*
- 13.12.810 Substantive authority and mitigation.
- 13.12.820 Appeals of SEPA threshold determination and adequacy of final environmental impact statement.
- 13.12.880 *Repealed.*

Part Nine – *Repealed.***Part Ten – Agency Compliance**

- 13.12.920 Purpose of this part and adoption by reference.
- 13.12.923 *Repealed.*
- 13.12.930 Critical areas.

Part Eleven – Forms

- 13.12.940 Purpose of this part and adoption by reference.
- 13.12.950 *Repealed.*

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Part One – Purpose and Authority

13.12.100 Purpose of this part and adoption by reference.

The purpose of this section is to set forth the purpose of this Chapter, the authority under which the City has adopted this Chapter, and to adopt the following section of the Washington Administrative Code by reference.

197-11-030 Policy.

13.12.310 Flexible thresholds for categorical exemptions.

The City of Tacoma establishes the following exempt levels for minor new construction as allowed under WAC 197-11-800(1)(c), and RCW 43.21C.410 except when the action is undertaken wholly or partly on lands covered by water and the action requires a development permit under Chapter 13.11 of this title.

A. The construction or location of any residential structure of twenty or fewer dwelling units.

In the UR-1, UR-2, and UR-3 Districts, the construction or location of any residential structure of ~~twenty~~ forty or fewer dwelling units, provided, developments of more than twenty units must demonstrate that soil testing per Department of Ecology and/or Tacoma-Pierce County Health Department requirements has been completed and appropriate mitigation is incorporated into the development;

B. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 30,000 square feet or less, and to be used only by the property owner or their agent in the conduct of farming the property. This exemption shall not apply to feed lots;

C. The construction of an office, school, commercial, recreational, service, or storage building with 12,000 square feet or less of gross floor area, and with associated parking facilities designed for no more than 40 automobiles;

D. The demolition of an office, school, commercial, recreational, service, or storage building with 12,000 square feet or less of gross floor area;

E. The construction of a parking lot designed for no more than 40 automobiles;

F. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder.

G. The construction of an individual battery charging station or an individual battery exchange station, that is otherwise categorically exempt shall continue to be categorically exempt even if part of a larger proposal that includes other battery charging stations, other battery exchange stations, or other related utility networks.

13.12.570 Archaeological, Cultural, and Historic Resources.

A. Regional Growth Centers and Urban Residential Districts.

1. Applicability. This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located within the following areas. The Planning and Development Services Department will use this process and any required assessments to evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.

a. Regional Growth Centers. the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed. ~~The Planning and Development Services Department will use this process and any required assessments to evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.~~

b. Urban Residential Districts. Sites within the UR-1, UR-2, and UR-3 districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.

2. Cultural Site Assessment Requirements.

a. All applications for a permit shall indicate whether the property is within 500 feet of a site known to contain an historic, cultural or archaeological resource(s) based upon historic registers and records. Locations of known archaeological sites are restricted and consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.

(1) If there are no known historically designated or significant sites within 500 feet of the subject property, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the research methods used and resources consulted.

(2) If the property is determined to be within 500 feet of a site known to contain historic, cultural, or archaeological resources, the City shall require a cultural resource site assessment; provided that, the provisions of this section may be waived if the Director determines that the proposed development activities do not include any ground disturbing activities and will not impact a known historic, cultural or archaeological site. The intent of the site assessment is to identify potentially affected historic or cultural significant properties near the project area, and to provide a general assessment of the potential impacts to these properties. The site assessment shall contain the following elements:

(a) The Cultural Resource Assessment shall catalog known significant historic or cultural sites in the vicinity (500 feet) of the proposed project, and assess whether there are any probable impacts to those sites resulting from the development activity. This assessment shall include photographs and a brief description of significant sites, a description of anticipated impacts (if any) and a map showing locations relative to the proposed development.

(b) Where there is a large planned development that may affect numerous historically significant properties, and for any project that includes demolitions of structures 50 years of age or older, the documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.

(c) Demolition of historically significant structures or the disturbance of documented archaeological sites will automatically require the preparation of a Cultural Resource Management Plan (see below).

(d) Waivers of the Cultural Site Assessment. Applicants may request that the provisions of this section be waived by submittal of a written request stating the basis for such a waiver, including the resources consulted and research conducted.

(e) The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party, if needed.

(3) From the date of receipt of the Cultural Resource Assessment, the Historic Preservation Officer shall have thirty (30) days to review the document. The Historic Preservation Officer may accept the assessment as presented, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, a Cultural Resource Management Plan should be completed.

3. Cultural Resource Management Plan.

a. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, for which there is an anticipated adverse effect resulting from the proposed development activity, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional archaeologist or historic preservation professional paid by the landowner or responsible party. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended conditions of the CRMP to the maximum extent practicable.

b. The CRMP is intended to provide documentation that allows a thorough assessment of the anticipated adverse impacts to historic and culturally significant properties resulting from development activities within the regional growth center or subarea. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the

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Washington State Department of Archaeology and Historic Preservation, and shall contain the following minimum elements and information:

- (1) A Description of the Area of Potential Effect (“APE”) for the project, defined as geographic area or areas within which the development project may directly or indirectly cause changes in the character or use of historic or culturally significant properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of the project and may be different for different kinds of effects caused by the project. The justification for the APE shall include a general description of the scope of work for the project and the extent and locations of ground disturbing activities (ground disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground disturbances that may occur as a result of construction activities);
- (2) An inventory and assessment of all historically and culturally significant/designated properties within the APE, including citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included, such as the Washington State Department of Archaeology and Historic Preservation, the City of Tacoma Historic Preservation Office, and the Puyallup Tribe of Indians;
- (3) An assessment of probable direct and indirect impacts within the APE resulting from development activities, including:
 - (a) Demolition of any buildings or structures over 50 years of age.
 - (b) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.
- (4) An examination of project on-site design alternatives, including an explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and
- (5) A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Subject to review and approval of the City’s Historic Preservation Officer, appropriate mitigation may include, but is not limited to:
 - (a) Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks Commission.
 - (b) Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction.
 - (c) Avoidance of historic/cultural resources;
 - (d) Retention of all or some of a historic structure into a new development;
 - (e) Interpretive/educational measures;
 - (f) Off-site/on site preservation of another historic resource;
 - (g) Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic register formally adopted by the City of Tacoma;
 - (h) Preservation in place;
 - (i) Reinternment in the case of grave sites;
 - (j) Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);
 - (k) Excavation and recovery of archaeological resources;
 - (l) Inventorying prior to covering of archaeological resources with structures or development; and
 - (m) Monitoring of construction excavation.

c. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.

d. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.

e. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.

B. Demolition of Historic Resources – Citywide.

1. Scope and Applicability.

This section sets forth provisions for review of demolition permits that affect structures that are 50 years of age or greater at the time of permit application, and that involve demolition of 4,000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:

a. Demolition of single-unit dwellings ~~family homes~~ that are not located within National Register Historic Districts or listed on the National Register of Historic Places;

b. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers.

2. Demolitions affecting designated City Landmarks. All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.040.E and TMC 13.07.110.

3. Requirements. Applications for a demolition permit shall include a summary report that identifies all affected structures that are fifty years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:

a. Current photographs of all elevations of all affected structures

b. Historical photographs of the affected structures, if available from public sources

c. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events)

4. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.

a. Demolition affecting properties that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of designation to the Tacoma Register of Historic Places, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.

b. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040.

5. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant will be directed to prepare a Historic Property Assessment Report, which shall be prepared at the expense of the applicant by a qualified historic preservation consultant, and which shall contain:

a. A narrative statement which assesses the historical or cultural significance of the property, in terms of the Designation Criteria listed in TMC 13.07.050; and

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- b. A narrative statement which assesses the physical condition of the property and includes an architectural description; and
- c. Specific language indicating which improvements on the site are eligible for historic designation according to the Designation Criteria, including any significant interior features within publicly owned buildings; and
- d. A complete legal description; and
- e. A description of the character-defining features and architectural elements that contribute to the historic character of the property.

6. The Historic Property Assessment Report shall be forwarded to the Landmarks Preservation Commission for its review. If the Commission finds that the affected properties should be included in the Tacoma Register of Historic Places, it shall transmit such a recommendation to the appropriate Council Committee for concurrence.

7. If no concurrence from the Committee is received within 60 days of the Committee's initial consideration of the recommendation, the Commission's recommendation is rejected. In all cases, the Committee's concurrence by vote shall be required for further consideration by the Commission; however, this does not preclude consideration of the property for designation to the Tacoma Register of Historic Places if a formal nomination for the same property is received from a private individual.

8. Upon receiving concurrence from the Committee, the Landmarks Preservation Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.

9. During the demolition review process, all requirements of TMC 13.05.040.C relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.

C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.

All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.

(Ord. 28725 Ex. A; passed Dec. 8, 2020; Ord. 28611 Ex. D; passed Sept. 24, 2019; Ord. 28511 Ex. B; passed May 15, 2018; Ord. 28222 Ex. C; passed May 13, 2014)

13.12.580 Traffic Impact Assessment.

A. Purpose and Applicability.

1. This section sets forth provisions for Traffic Impact Assessments for projects located within ~~the following areas: the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed.~~ Transportation impacts generally relate to the size of the development, the number of trips generated, and their effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.

The Department of Public Works will use the Traffic Impact Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable sub-area plans. In those cases where the Department of Public Works identifies potential impacts to State Highways, they will consult with the Washington State Department of Transportation ("WSDOT") in identifying mitigation measures.

[a. In the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement \("EIS"\) have been completed.](#)

[b. Urban Residential Districts. Sites within the UR-1, UR-2, and UR-3 districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units.](#)

2. Exemptions. The Director of Public Works may be able to provide an exemption from this impact analysis if a proposal has no meaningful potential for significant and adverse transportation or traffic impacts. This may occur if the proposal has characteristics that may limit its net new vehicle traffic generation, or if only non-congested roadways and

intersections are nearby, or if the net increase in traffic would not be significant compared to traffic from existing development.

B. Definitions.

For definitions, see Section 13.01.

C. Traffic Impact Assessments.

Transportation information is required to be prepared and submitted to the Public Works Department at the time of permit intake. If such information is not submitted, the Public Works Department may delay completing the application process until such time as the information is made available. After the application is accepted, permit review by Public Works Department staff may result in a request for additional information, which will be detailed in a correction notice. The type and extent of analysis required, which is outlined below, is based on the project size, as follows:

1. [Within the Downtown Tacoma RGC.](#)

DOWNTOWN TACOMA RGC		
USE	“Level 1” Analysis	“Level 2” Analysis
Residential	100 to 199 dwelling units	Over 199 dwelling units
Commercial	30,000 – 59,999 sq. feet	Over 59,999 sq. feet
If the residential unit count in a mixed-use development is less than the listed size ranges, but the non-residential use exceeds 20,000 square feet:	20,000 – 59,999 sq. feet	Over 59,999 sq. feet

2. [Within the Tacoma Mall Neighborhood RGC.](#)

TACOMA MALL NEIGHBORHOOD RGC		
USE	“Level 1” Analysis	“Level 2” Analysis
Residential	Development that exceeds SEPA categorical exemptions as defined in TMC 13.12.310	Over 199 dwelling units
Commercial		Over 59,999 sq. feet
Mixed-use or industrial		Over 59,999 sq. feet
Large block developments as defined in TMC 13.05.010 Site Approval.	Optional: Analyze Site Approval connections as part of TIA	Required: Analyze Site Approval connections as part of TIA

3. [In Urban Residential Districts.](#)

[\(a.\) Residential development from 21-40 units shall perform a Level 1 TIA as described in this section. Residential development above 40 dwellings as well as non-residential or mixed-use development shall submit an Environmental Checklist and otherwise follow the review process laid out in this Chapter.](#)

~~4.1.~~ Level 1: The following information must be provided by a qualified expert in the form of a transportation impacts study:

- a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

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- b. Number of additional “peak hour” vehicle trips generated by the development in the afternoon peak hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition
- c. The proposed ingress/egress routes, such as alleys and streets, on which vehicles will enter and leave the site’s parking garage or lot, and whether or not new curb-cuts will be proposed.
- d. An estimate of what proportion of the development’s traffic is likely to use which streets.
- e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of traffic control.
- f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity, ~~using the City’s Comprehensive Plan.~~
- g. Describe any pedestrian or bicycle facility improvements proposed, [using the City’s Comprehensive Plan.](#)
- h. Describe any impacts to state highways.
- i. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development.
- j. Assessment of existing transportation network conditions, level of service, planned capital improvement projects, and potential effect on mode choice shift in the Subarea.
- k. Additional information determined by the Public Works Department to be necessary to identify the impacts of the proposal and to determine the appropriate mitigation actions pursuant to City policies and standards.

25. Level 2: The following information must be provided by a qualified expert in the form of a transportation impacts study:

- a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle trips generated by the development, specifically:
 - (1) Information to describe the local streets and state highways, existing traffic volumes and turning movements, and traffic control devices on affected streets, state highways, and intersections;
 - (2) Level of service information or alternate equivalent measures of traffic operation, delay, volume-to-capacity (“v/c”) ratio for affected intersections and/or streets/highway;
 - (3) Traffic safety information – accident/collision history, latest 3 years;
 - (4) Trip Generation: use the ITE Trip Generation Manual, 8th Edition (or successor), or alternate method to provide the following:
 - (a) Calculate reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g., proportion likely to use modes other than single-occupant vehicle travel), at the applicant’s discretion.
 - (b) Calculate any other reductions justifiable due to the nature of the development or site.
 - (c) Summarize the resulting trip calculations for residential and commercial uses.
- b. Number of additional “peak hour” vehicle trips generated by the development in the afternoon peak hours, specifically:
 - (1) Using comparable methods described under Subsection C.1. above, calculate peak hour vehicle trip generation; and
 - (2) Providing the proposed ingress/egress routes, such as alleys and streets, on which automobiles will enter and leave the site’s parking garage or lot, and whether or not new curb-cuts will be proposed.
- c. The applicant’s estimate of “trip distribution” and assignment – what proportion of the development’s traffic is likely to use which streets.
- d. Identify the probable extent of traffic impacts on affected streets, highways, and intersections as follows:
 - (1) Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the potential magnitude of impact, including roadway level of service, intersection level of service, and/or other methods of evaluating impacts on street and intersection operations.
 - (2) Site access operations, including information such as peak hour volumes, delay and/or level of service, and relationship to freight operations if relevant.

e. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development, including:

- (1) Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity.
- (2) Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities, and whether it would contribute traffic to a high accident location.
- (3) Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the development site.

f. Describe any impacts to state highways.

CHAPTER 13.17
RESIDENTIAL TARGET AREAS

Sections:

- 13.17.010 *Repealed.*
13.17.020 Residential target area designation and standards.
13.17.030 Tax exemptions for multi-family housing in residential target areas.

13.17.010 Repealed by Ord. 28613. Definitions.

Relocated to 13.01.170.

(Repealed and relocated by Ord. 28613 Ex. G; passed Sept. 24, 2019; Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 27710 Ex. A; passed Apr. 29, 2008; Ord. 27466 § 43; passed Jan. 17, 2006; Ord. 26386 § 39; passed Mar. 23, 1999; Ord. 25789 § 3; passed Nov. 21, 1995)

13.17.020 Residential target area designation and standards.

A. Criteria.

Following a public hearing, the City Council may, in its sole discretion, designate one or more residential target areas. Each designated target area must meet the following criteria, as determined by the City Council:

1. As outlined in subsection C below, the target area is located within a designated mixed-use center, a designated Neighborhood Commercial Node along Transit, an Existing Mid-Scale Residential on Corridors, or a site that is approved by the City Council for a Development Regulatory Agreement meeting the provisions of TMC 13.05.050.B.6 and also approved by the City Council as a residential target area;
2. The target area lacks sufficient available, desirable, and convenient residential housing to meet the needs of the public who would likely live in the residential target area if desirable, attractive, and livable places were available; and
3. The providing of additional housing opportunity in the target area will assist in achieving the following purposes:
 - a. Encourage increased residential opportunities within the target area; or
 - b. Stimulate the construction of new multi-family-unit housing and the rehabilitation of existing vacant and underutilized buildings for multi-family-unit housing.

In designating a residential target area, the City Council may also consider other factors, including, but not limited to: whether additional housing in the target area will attract and maintain a significant increase in the number of permanent residents; whether an increased residential population will help alleviate detrimental conditions and social liability in the target area; and whether an increased residential population in the target area will help to achieve the planning goals mandated by the Growth Management Act under RCW 36.70A.020. The City Council may, by ordinance, amend or rescind the designation of a residential target area at any time pursuant to the same procedure as set forth in this chapter for original designation.

B. Target Area Standards and Guidelines.

For each designated residential target area, the City Council shall adopt basic requirements for both new construction and rehabilitation supported by the City's property tax exemption for multi-family-unit housing program, including the application procedures specified in Section 6A.110.020. The City Council may also adopt guidelines including the following:

1. Requirements that address demolition of existing structures and site utilization; and
2. Building requirements that may include elements addressing parking, height, density, environmental impact, public benefit features, compatibility with the surrounding property, and such other amenities as will attract and keep permanent residents and will properly enhance the livability of the residential target area.

The required amenities shall be relative to the size of the proposed project and the tax benefit to be obtained.

C. Designated Target Areas.

1. The proposed boundaries of the "residential target areas" include the boundaries of the 16 mixed-use centers listed below and as indicated on the Mixed-use Centers Map of the Comprehensive Plan and in the Comprehensive Plan legal descriptions which are incorporated herein by reference and on file in the City Clerk's Office.

The designated target areas do not include those areas within the boundary of the University of Washington Tacoma campus facilities master plan (per RCW 84.14.060).

MIXED-USE CENTER	CENTER TYPE	ORIGINALLY ADOPTED
South Tacoma Way	Neighborhood	November 21, 1995
Downtown Tacoma (including Stadium and Hilltop)	Regional Growth Center	November 21, 1995
Proctor	Neighborhood	November 21, 1995
Tacoma Mall	Regional Growth Center	November 21, 1995
Westgate	Crossroads	November 21, 1995
Lincoln	Neighborhood	November 21, 1995
6th Avenue	Neighborhood	November 21, 1995
Tacoma Central	Crossroads	November 21, 1995
Upper Pacific	Crossroads	November 21, 1995
Upper Portland Avenue	Crossroads	November 21, 1995
James Center	Crossroads	November 21, 1995
Lower Portland Avenue	Crossroads	January 16, 1996
Lower Pacific	Crossroads	December 11, 2007
McKinley	Neighborhood	December 11, 2007
Narrows	Neighborhood	December 11, 2007
Point Ruston	Crossroads	July 1, 2014

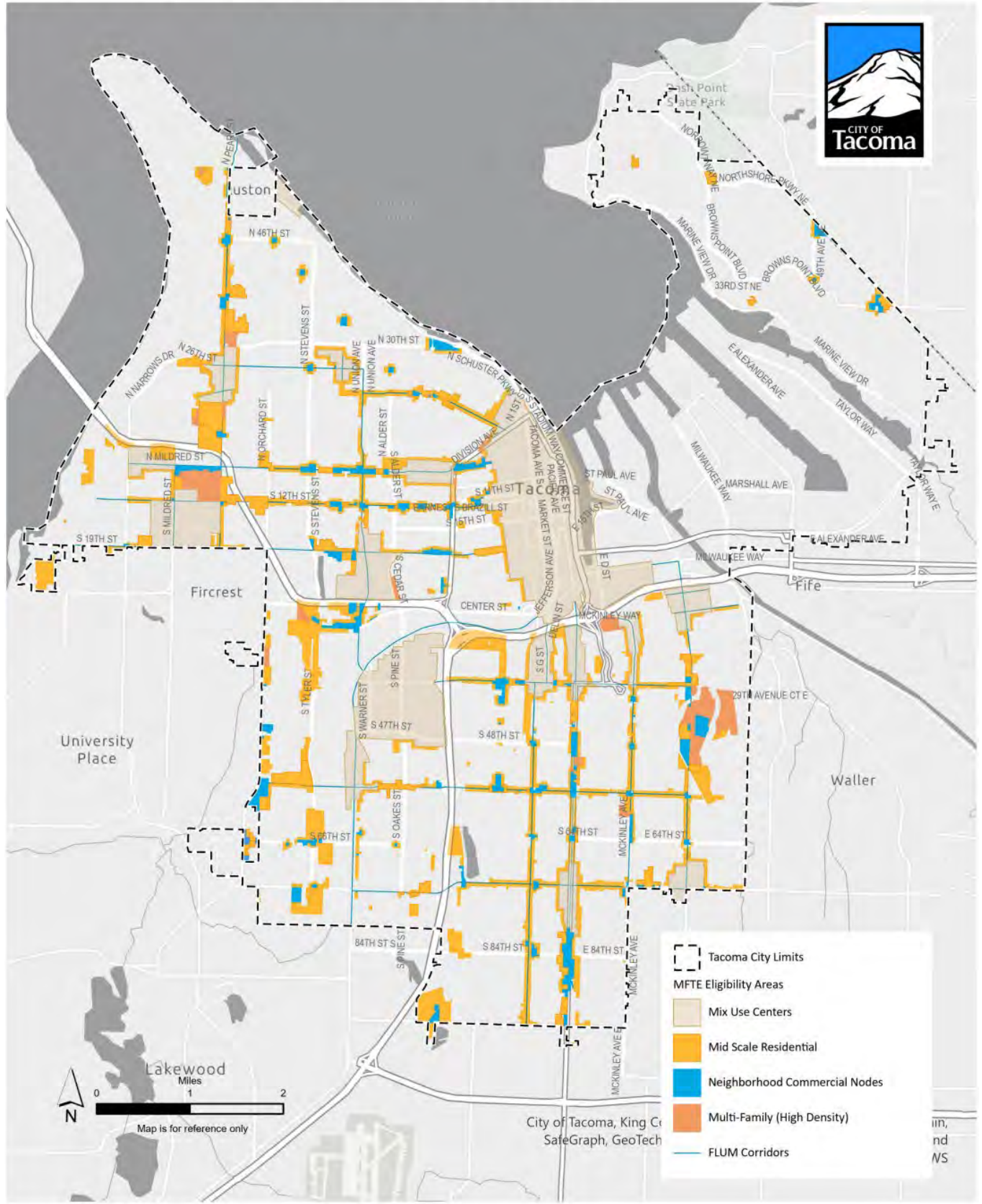
2. ~~Designated~~ Neighborhood Commercial Nodes ~~along Transit outlined in the map below~~—[areas designated Neighborhood Commercial on the Comprehensive Plan, Urban Form Chapter: Future Land Use Map which are over 20,000 square feet in size and located on a transit route.](#)

3. [Areas designated Multifamily High-Density on the Comprehensive Plan, Urban Form Chapter: Future Land Use Map.](#)

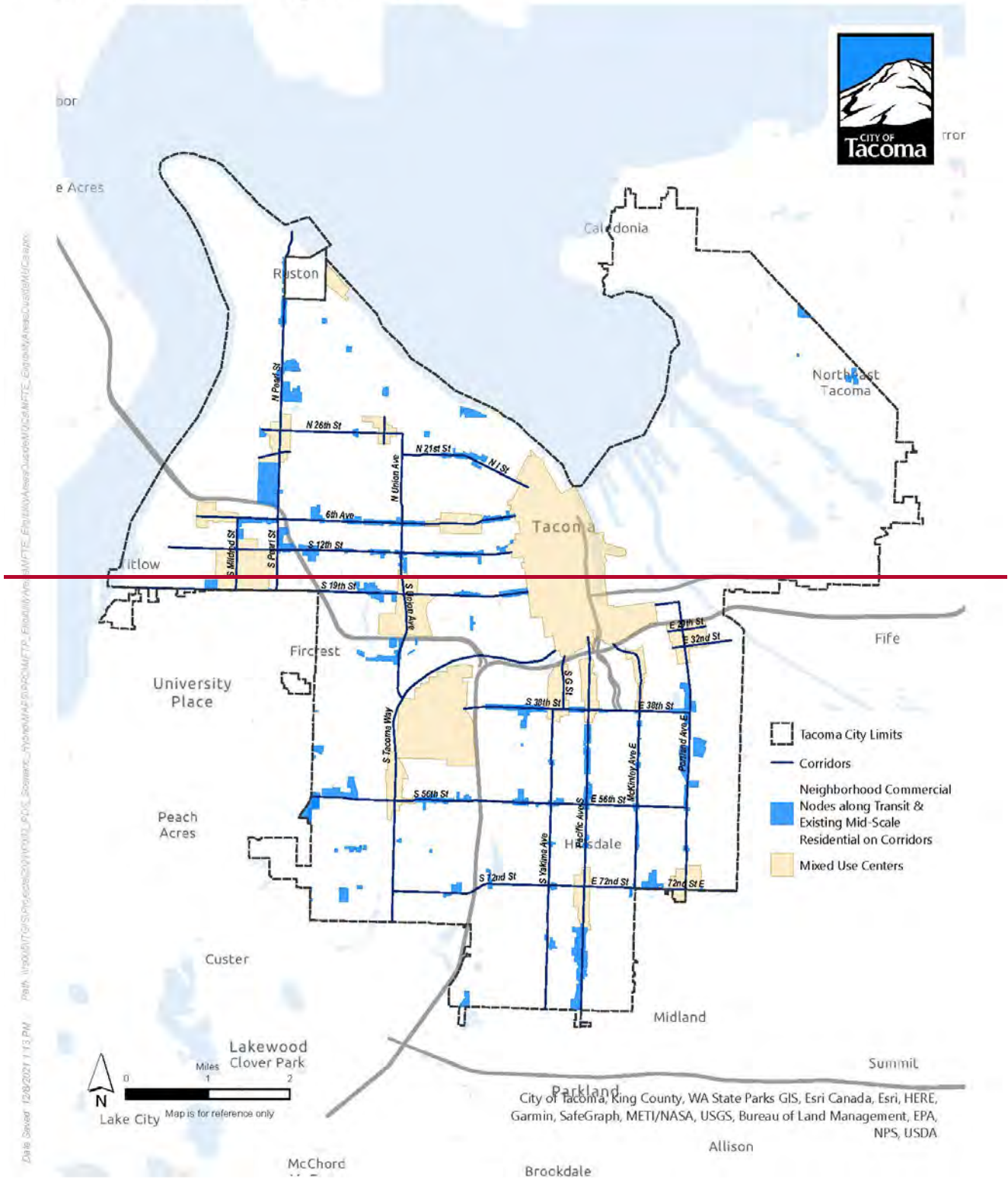
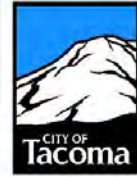
~~3-4. Areas designated Existing~~ Mid-Scale Residential ~~on Corridors as outlined in the map below~~ [on the Comprehensive Plan, Urban Form Chapter: Future Land Use Map.](#)

Residential Target Areas Map:

Residential Target Areas - Proposed



Residential Target Areas



- Tacoma City Limits
- Corridors
- Neighborhood Commercial Nodes along Transit & Existing Mid-Scale Residential on Corridors
- Mixed Use Centers

City of Tacoma, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

Tacoma Municipal Code**13.17.030 Tax exemptions for multi-family-unit housing in residential target areas.**

A. The application, review, and decision guidelines and procedures for multi-family-unit housing property tax exemptions are contained in TMC Title 6, Tax and License Code, Section 6A.110.
