



ORDINANCE NO. 28576

1 AN ORDINANCE relating to zoning; amending Title 2 of the Tacoma Municipal
2 Code, Buildings, and Title 13 of the Tacoma Municipal Code, Land Use
3 Regulatory Code, by amending Sections 2.09.170, 13.05.115, 13.06.100,
4 and 13.06.150 thereof to modify regulations related to accessory dwelling
5 units by allowing detached accessory dwelling units in single-family zoning
6 districts, simplifying regulatory requirements, reducing regulatory barriers,
7 and generally increasing flexibility regarding building design, size and
8 location; and declaring an effective date.

9 WHEREAS, on December 12, 2017, the City Council adopted Resolution
10 No. 39886, requesting the Planning Commission to consider amending Tacoma
11 Municipal Code ("TMC") 13.05, Land Use Permit Procedures, to modify the
12 Residential Infill Pilot Program ("Pilot Program") to allow for an increase in the
13 number of allowed Detached Accessory Dwelling Units ("DADUs"), and

14 WHEREAS accessory dwelling units are an infill housing option intended to
15 provide flexibility to homeowners and increase the range of housing options and
16 price points, while fitting harmoniously within residential neighborhoods, and

17 WHEREAS, subsequent to adoption of the resolution, staff initiated
18 discussions with the Planning Commission and the Infrastructure, Planning, and
19 Sustainability ("IPS") Committee to review the proposed scope of work and timeline
20 for review of the Pilot Program, and

21 WHEREAS the Planning Commission recommended, and the IPS
22 Committee concurred with, a proposal that would remove DADUs from the Pilot
23 Program and to permit DADUs more broadly in single-family zoning districts, and
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WHEREAS the Planning Commission conducted deliberations and
1 community outreach throughout 2018, and finalized recommendations to the City
2 Council on October 17, 2018, and

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4 WHEREAS, on December 12, 2018, the IPS Committee reviewed the
5 recommendation and on January 23, 2019, finalized the recommended
6 modifications to the Planning Commission's proposal, and

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8 WHEREAS the proposed amendments, as recommended by the Planning
9 Commission and modified by the IPS Committee, would modify the City's current
10 ADU regulations as follows: (1) allow DADUs in single-family zoning districts;
11 (2) remove a requirement that the property owners occupy one of the dwellings;
12 (3) reduce regulatory barriers and increase flexibility regarding lot size, building
13 design, size, and location; (4) include design, location, and building controls
14 intended to ensure that ADUs fit the scale and character of the residential lot and
15 surrounding neighborhood, and

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17 WHEREAS, on February 19, 2019, the City Council held a public hearing to
18 receive public testimony on the proposed TMC amendments, as required by
19 TMC 13.02, and

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21 WHEREAS the removal of the ADU owner occupancy requirement may
22 result in further opportunities for short-term rentals, which could negatively impact
23 neighborhoods, and

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25 WHEREAS ADUs are intended to be accessory structures clearly smaller
26 than the main house and smaller than typical houses, and



WHEREAS the City Council recognizes community interest and, in some cases, concerns regarding ADUs, and wishes to track implementation outcomes in support of potential future code refinements, as appropriate, to better support the policy intent, and

WHEREAS the removal of the ADU owner occupancy requirement effectively removes the administrative need for a separate ADU land use permit, which adds time and cost to ADU permitting and construction; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Title 2 of the Tacoma Municipal Code, Buildings, and Title 13, Land Use Regulatory Code, are hereby amended by amending Sections 2.09.170, 13.05.115, 13.06.100, and 13.06.150 thereof, as set forth in the attached Exhibit "A."

Section 2. That the effective date of this ordinance shall be May 1, 2019, to allow adequate time for City staff to prepare application materials and information for the public.

Section 3. That the City Manager is hereby directed to track ADUs constructed under these regulations and report to the City Council at 12 months, 18 months, three years, and six years after the effective date of these code changes. The review is intended to inform future Council consideration by providing objective data and specific examples addressing topics, including the following: number of ADU permits, number of ADUs built, geographic



1 distribution of permits, ADU size and height, affordability/rent levels, parking
2 provided, and photos and site plans of newly constructed ADUs.

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4 Passed MAR 19 2019

5 W. Woodard
6 Mayor

7 Attest:

8 Doris Soren
9 City Clerk

10 Approved as to form:

11 [Signature]
12
13 Deputy City Attorney