



WEEKLY REPORT TO THE CITY COUNCIL

September 24, 2015

Members of the City Council
City of Tacoma, Washington

Dear Mayor and Council Members:

ACTION REQUESTED

1. For the purpose of building community empowerment and creating safe communities through positive relationships with the Tacoma Police Department, **Project PEACE meetings** have been scheduled as follows:
 - **Monday, October 5th**, 5:00 p.m., Lincoln High School Cafeteria, 701 South 37th Street
 - **Wednesday, October 21st**, University of Puget Sound Wheelock Student Center, 1500 North Warner Street
 - **Thursday, October 29th**, 5:00 p.m., Centre at Norpoint Cascade Hall, 4818 Nassau Avenue NE

STUDY SESSION/WORK SESSION

2. The **City Council Study Session** of Tuesday, September 29, 2015, will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will be: (1) **Federal Legislative Updates**; (2) **Live/Work and Work/Live Proposed Code Amendment Recommendations**; (3) **Other Items of Interest**; (4) **Committee Reports**; and (5) **Agenda Review and City Manager's Weekly Report**.

At Tuesday's Study Session, **Len Simon, our Washington DC representative, will brief the City Council on what we can expect from Congress for the remainder of the year and in 2016.**

In addition at Tuesday's Study Session, **Planning and Development Services staff will share the proposed Live/Work and Work/Live Amendments to the Land Use Regulatory Code.** Live/Work and Work/Live units are types of mixed-use developments that can help eliminate the need to commute to work, provide more affordable work and housing space, and support the creation of new businesses by expanding entrepreneurial opportunities. In 2012, the City Council adopted Live/Work and Work/Live code amendments to promote these community goals, with a particular emphasis on the adaptive reuse of existing buildings in Downtown Tacoma and the City's other Mixed-use Centers. The

Planning Commissions' proposed amendments are intended to build upon the amendments that were previously adopted by identifying additional code changes that could further facilitate this type of use. Planning and Development Services Director Peter Huffman provides the attached memorandum and a packet of information, which includes proposed amendments to Title 13 – Land Use Regulatory Code, Title 2 – Building Code, and Title 6 – Tax and License Code, as well as the related letters of recommendation from both the Planning Commission and Board of Building Appeals.

3. The updated **Tentative City Council Forecast and Consolidated Standing Committee Calendars** are attached for your information.

GRANT APPLICATIONS

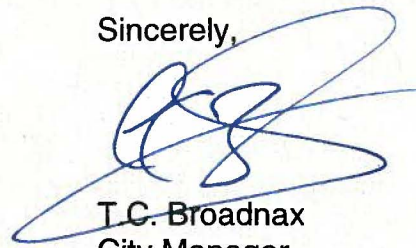
4. **Hilltop and Lincoln Neighborhoods Pedestrian Survey** – Funding from the Tacoma-Pierce County Health Department for the 2015 Walkability Grant Program with the goal of improving walkability, health equity and community engagement in Pierce County communities. The target areas for developing programs include Tacoma's Hilltop and Lincoln neighborhoods. The City's proposal for the funds is to survey residents about their transportation habits through door-to-door canvassing, organized community meetings and planned events that encourage pedestrian use of City streets for recreation and active transportation. The City is requesting \$10,000 with no match required.

MARK YOUR CALENDARS

5. You have been invited to the following events:
 - **COURAGE to End Domestic Violence**, the City's Domestic Violence Awareness Initiative, will be hosting eight discussions about healthy relationships and ending domestic violence as part of the Men's Talk Series on the **third Thursday of each month, 6:00 to 8:00 p.m., starting April 16th through November 19th**, at King's Books, located at 218 St. Helen's Avenue.
 - **Metropolitan Development Council Share Breakfast Community Celebration on Tuesday, September 29th, 7:30 to 9:00 a.m.**, at the hotel Murano, located at 1320 Broadway.
 - **Courage Domestic Violence Rally on Friday, October 2nd, Noon**, at Tollefson Plaza, located at 1548 Pacific Avenue.

- **Hilltop Artists Better Futures Luncheon on Wednesday, October 7th**, at the Hotel Murano, located at 1320 Broadway. **Silent auction begins at 10:30 and lunch program begins at 11:30 a.m.**
- **“Stories You Tell” Pierce County Center for Dispute Resolution Annual Fundraising Breakfast on Thursday, October 15th**, 7:30 to 8:30 a.m., at the STAR Center, located at 3873 South 66th Street.
- **A. Philip Randolph Institute Tacoma Chapter 2015 Fundraiser Banquet honoring Tom Dixon on Friday, October 16th**, 6:00 p.m., at the Clover Park Technical College, Sharon McGavick Student Center Conference Facility, located at 4500 Steilacoom Boulevard SW, Building 23, Lakewood.
- **Graduate Tacoma! Back-To-School Spotlight: “Reaching Higher” luncheon on Friday, October 30th**, 11:30 a.m. to 1:30 p.m., at the Bicentennial Pavilion in the Hotel Murano, located at 1320 Broadway.
- **Associated Ministries *I AM Leading the Way Home* for the homeless in our Community! Event on Thursday, November 5th**, 7:30 a.m., Freighthouse Station, located at 2501 East D Street.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T.C. Broadnax', is written over a large, stylized blue scribble or flourish.

T.C. Broadnax
City Manager

TCB:crh
Attachments



TO: T.C. Broadnax, City Manager
FROM: Peter Huffman, Director, Planning and Development Services Department
SUBJECT: Proposed Live/Work and Work/Live Code Amendments
DATE: September 23, 2015

At the Study Session on September 29, 2015, the City Council will discuss proposed code amendments designed to support the creation of live/work and work/live units. The study session will be followed by a public hearing on the proposed amendments that evening at approximately 5:30 p.m. Subsequently, the Infrastructure, Planning and Sustainability Committee is scheduled to discuss the public comments and any potential modifications to the proposal at its meeting on October 14, 2015. First reading of an ordinance adopting the proposed code amendments is tentatively scheduled for October 20, 2015, with final reading scheduled for October 27, 2015.

Live/work and work/live units are types of mixed-use development that can help eliminate the need to commute to work, provide more affordable work and housing space, and support the creation of new businesses by expanding entrepreneurial opportunities. In 2012, the City Council adopted live/work and work/live code amendments to promote these community goals, with a particular emphasis on the adaptive reuse of existing buildings in Downtown Tacoma and the City's other Mixed-Use Centers.

These proposed regulatory code amendments are intended to be incremental to and build upon the amendments that were adopted in 2012. These changes are largely based on recommendations from a recently finalized consultant study on code compatibility, which identified additional code changes that could further facilitate this type of use.

The Planning Commission conducted a lengthy public review process of the proposed amendments pertaining to the Land Use Regulatory Code. This culminated in a public hearing on July 15, 2015, after which the Commission adjusted the proposal to emphasize the importance of providing additional flexibilities with better tailoring of incentives to promote this use within older, underutilized buildings. The Commission made a recommendation for adoption to the City Council on August 19, 2015.

The Board of Building Appeals completed its review and analysis of the proposed amendments pertaining to the Building Code, and made a recommendation for adoption to the Infrastructure, Planning and Sustainability Committee on July 31, 2015.

City staff completed its review and analysis of the proposed amendments pertaining to the Tax & License Code, and recommends that a regulatory license be established that requires a \$75 license fee and a written agreement between the City and the occupants of live/work or work/live units.

To facilitate the Council's review, attached is a packet containing:

- The Planning Commission's Letter of Recommendation, Findings of Fact and Recommendations Report, and proposed Land Use Code amendments
- The Building Board of Appeals recommendation letter and proposed Building Code amendments
- Proposed Tax & License Code Amendments



If you or Council members have any questions, please contact Molly Harris, Senior Planner, at (253) 591-5383 or mharris@cityoftacoma.org or Sue Coffman, Building Official, at (253) 594-7905 or sue.coffman@cityoftacoma.org.

PH:sc

Attachments



**City of Tacoma
Planning Commission**

August 19, 2015

**The Honorable Mayor and City Council
City of Tacoma
747 Market Street, Suite 1200
Tacoma, WA 98402**

HONORABLE MAYOR STRICKLAND AND MEMBERS OF THE CITY COUNCIL,

On behalf of the Planning Commission, I am pleased to forward our recommendations regarding the proposed Live/Work and Work/Live Amendments to the Land Use Regulatory Code, as outlined in the *Planning Commission's Findings of Fact and Recommendations Report, August 19, 2015* (attached).

Over the past three months, the Commission has conducted a public process regarding a proposal to amend the existing live/work and work/live provisions within the Land Use Regulatory Code. These provisions were originally adopted in 2012 to recognize live/work and work/live as uses that promote increased local activity, reduced commuting, expanded entrepreneurial opportunities, housing affordability and community interaction, and can facilitate the reuse and rehabilitation of the many older, underutilized buildings in this community. The original amendments included development flexibilities for projects that incorporated live/work and work/live units in the context of adaptive reuse of existing buildings in Downtown Tacoma and the City's other Mixed-Use Centers.

The adoption of these Land Use Regulatory Code amendments prompted a study on code compatibility, with a particular focus on examining the City's Building Code. Recommendations were formulated as part of the study with the goal of implementing code revisions that would reduce regulatory obstacles with respect to live/work and work/live development. The recommendations focused primarily on two general objectives: (1) increasing development flexibilities in the Building Code and (2) reevaluating limitations imposed by the land use provisions adopted in 2012. The Commission's analysis focused on the latter.

The study, which was finalized early this year, served as the Commission's starting point for this effort. Recommendations from the study were reviewed and incorporated into the proposal and a public hearing was conducted on July 15, 2015. The public comments received raised some questions about whether the proposal was still sufficiently promoting this type of use in pre-existing buildings. The Commission recognizes concerns held by some members of our community and generally agrees that it is important to ensure that the proposed incentives focus on the reuse of underutilized existing buildings. In response to those concerns we have incorporated additional code language to better meet that intent. As proposed, we feel that these amendments represent a significant improvement over the existing codes by providing an expanded list of incentives to encourage this type of use and better tying those incentives to the reuse and rehabilitation of older and historic buildings.

The Commission acknowledges that land use regulations are only one component of the proposed package of amendments. The amendments to the Land Use Regulatory Code have been developed in coordination with complimentary Building Code amendments, which have undergone their own review process under the purview of the Board of Building Appeals. Minor modifications to the Tax and License Code are another component of the proposal. These amendments are proceeding together with the intent of streamlining live/work and work/live regulations throughout the Tacoma Municipal Code.

It is with that understanding and intent that the Planning Commission respectfully requests the City Council adopt the proposed live/work and work/live amendments to the Land Use Regulatory Code, as recommended.

Sincerely,



CHRIS BEALE
Chair

Enclosure



LIVE/WORK & WORK/LIVE
PROPOSED AMENDMENTS TO THE LAND USE REGULATORY CODE

TACOMA PLANNING COMMISSION
FINDINGS OF FACT AND RECOMMENDATIONS
AUGUST 19, 2015

A. SUBJECT:

Live/Work and Work/Live Code Amendments – Proposed Amendments to the Land Use Regulatory Code

B. SUMMARY OF PROPOSED AMENDMENT:

The proposed amendments, as shown in Exhibit “A”, would amend the Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma, in which modifications would be made to the live/work and work/live provisions. The existing code provides the following development flexibilities for projects that incorporate live/work and work/live units into existing buildings (those lawfully in existence as of September 25, 2012) within Downtown Tacoma and the City’s other Mixed-Use Centers:

- No additional parking spaces are required;
- Up to 10% of new floor area may be added, either internally or externally, for the purposes of creating living or working space without triggering a change in use; and,
- External additions are exempt from all prescriptive design standards contained within TMC 13.06.300 and TMC 13.06A, but external additions shall be in conformance with the character of the existing building.

The proposal would remove the section from Chapter 13.06A – Downtown, and relocate it to a newly created section within Chapter 13.06 – Zoning. The new section – 13.06.570 – would be specific to live/work and work/live uses and would include improvements to the existing provisions. The new iteration would retain the development flexibilities of the existing code, but the applicability of certain flexibilities would be reserved for buildings lawfully in existence prior to December 5, 1989, while others would be reserved only for historic buildings. Additionally, the proposal would incorporate the following modifications:

- Clarify that live/work and work/live uses are subject to business license requirements and that the residential portions of these units must be inhabited by the operator or an employee of the commercial or manufacturing activities within the unit;
- Clarify that the residential portion of the unit is limited in occupancy to one family;
- Clarify the areas where live/work and work/live uses are permitted – to include all zoning districts that allow for the associated mix of uses;

- Remove the restriction on live/work and work/live projects with more than 20 dwelling units or 12,000 square feet of commercial space, while retaining the 20 dwelling unit limitation for projects involving new construction.
- Expand the definition of “historic buildings” for the purposes of these flexibilities to include both buildings listed on historic registers and buildings that retain sufficient historic character such that they could be listed on historic registers.

The existing code also contains specific provisions that are generally not under the purview of the Land Use Regulatory Code but are more typical of Building Code considerations. Some of these provisions are already addressed in the International Building Code (IBC) while others are being incorporated into local Building Code amendments being proposed concurrently. The following provisions would be rescinded from the Land Use Regulatory Code and modified in the proposed Building Code amendments:

- Limiting the residential portion of work/live units to 33 percent of the unit (this ratio is more restrictive than the current IBC for live/work units – a 50 percent maximum residential use area is being proposed in the Building Code amendments);
- Requiring unseparated living and working quarters (the proposed Building Code amendments would provide options for separation of space).

C. FINDINGS OF FACT:

1. In 2012, the City Council adopted Ordinance No. 28088, which created regulations to incentivize the development of live/work and work/live uses in the City’s commercial centers. The amendments provided development flexibilities related to parking, design standards, and off-site improvement requirements to promote the expansion and improvement of these types of joint living/working units when incorporated into existing buildings within the Downtown and other Mixed-Use Districts. The intent was to provide new tools to help restore vibrancy in neglected and underutilized areas by allowing greater flexibility for infill development and the reuse of existing buildings.
2. Subsequently, a consultant study on code compatibility was conducted with the goal of implementing code revisions to both the Building Code and Land Use Regulatory Code that would further reduce regulatory obstacles with respect to live/work and work/live development.
3. A report, prepared by BLRB Architects, was finalized in early 2015, which included analysis of the City’s existing efforts on live/work and work/live codes, benchmarked studies in jurisdictions similar to Tacoma, case studies for a few potential buildings in Tacoma, and recommendations for further code changes.
4. Recommendations from the report were reviewed by Staff and the Planning Commission. The following City departments provided expertise and comment to the process and proposal: Planning & Development Services, Community & Economic Development, Finance, and Tacoma Fire.

5. Updates regarding the progress of the proposed amendments were presented to, and feedback solicited from, the City Council's Infrastructure, Planning, and Sustainability Committee on May 27th and August 12th in 2015.
6. The Planning Commission reviewed findings from the consultant study and the proposed Land Use Regulatory Code amendments at their meetings on May 20th, June 17th, and August 5th in 2015. All meetings were open to the public.
7. The Planning Commission conducted a public hearing on July 15, 2015 on the proposed amendments to the Land Use Regulatory Code. Notice of the public hearing was distributed to the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, the Tacoma Public Library, and other known stakeholders and interested entities. An advertisement was placed in the News Tribune on July 6, 2015; and a legal notice regarding the environmental determination was placed in the Tacoma Daily Index on July 6, 2015.
8. Environmental Review – Pursuant to WAC 197-11-340(2) and the City's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) for the proposed regulations was issued on June 25, 2015 (SEPA File Number: SEP2015-4000249187), based upon a review of an environmental checklist. The DNS and the environmental checklist was provided or made available to appropriate entities that received the Planning Commission's public hearing notice. The City did not receive any comments on the preliminary determination. The determination was not modified by the City, and became final on July 29, 2015.
9. A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was filed with the State Department of Commerce on July 1, 2015 (per RCW 36.70A.106). A notification was sent to Joint Base Lewis-McChord on July 7, 2015 (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney's Office, requesting legal review to help ensure that the proposed amendments will not result in an unconstitutional taking of private property (per RCW 36.70A.370). No concerns have been raised in response to these notices.
10. One citizen testified at the Planning Commission's public hearing on July 15, 2015, and three written comments were received by the record closing date of July 22, 2015. The public comments generally addressed the following concerns:
 - Removing the 20+ dwelling restriction may result in more live/work and work/live developments within larger, less affordable buildings, which may detract from the goal of incentivizing the reuse of older small buildings.
 - Allowing these uses in new buildings and outside of mixed-use centers and Downtown could potentially dilute the original intent, which was to incentivize this in those areas.
11. The Planning Commission reviewed oral and written comments at its meeting on August 5, 2015, and provided direction on changes to the proposal to reflect additional Commission deliberations and address some of the community concerns raised through the public process.

D. CONCLUSIONS:

The Planning Commission concludes that:

1. The proposed live/work and work/live code amendments to the Land Use Regulatory Code are designed to streamline the City's regulatory code to support this type of mixed-use development, particularly within the context of the reuse and renovation of existing and historic buildings. These proposed amendments will facilitate people living and working in one place and expand entrepreneurial opportunities, while at the same time supporting the safe occupation of structures;
2. As proposed, these amendments represent a significant improvement over the existing codes by providing an expanded list of incentives to encourage this type of use and better ties those incentives to the reuse and rehabilitation of older and historic buildings.
3. The proposed live/work and work/live code amendments to the Land Use Regulatory Code will work in conjunction with companion Building Code amendments to support the City's strategic goals for a safe, clean, attractive, and environmentally sustainable city while fostering economic diversity;
4. The proposed live/work and work/live code amendments to the Land Use Regulatory Code are consistent with the Growth Management Act, will benefit the City as a whole, will not adversely affect the City's public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

E. RECOMMENDATION:

The Planning Commission recommends that the City Council adopt the proposed live/work and work/live code amendments as set forth in Exhibit "A", along with the companion amendments to the Building Code.

F. EXHIBITS:

"A": Live/Work and Work/Live Code – Proposed Amendments to the Land Use Regulatory Code



Live/Work and Work/Live Code Amendments

PROPOSED LAND USE REGULATORY CODE AMENDMENTS

August 19, 2015

These proposed amendments include modifications to the following Sections of TMC Title 13, the Land Use Regulatory Code:

13.06 – Zoning

- 13.06.100 – Residential Districts.
- 13.06.200 – Commercial Districts.
- 13.06.300 – Mixed-Use Center Districts.
- 13.06.400 – Industrial Districts.
- 13.06.570 – Live/Work and Work/Live. (new section)
- 13.06.700 – Definitions and illustrations.

13.06A – Downtown Tacoma

- 13.06A.050 – Additional use regulations.

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 13.06

ZONING

* * *

13.06.100 Residential Districts.

* * *

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 13.06.635.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
N = Prohibited use in this district.

4. District use table.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
* * *									
Home occupation	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E.
Hospital	N	N	N	N	N	CU	CU	CU	
Hotel/motel	N	N	N	N	N	N	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	N	N	N	N	N	
Intermediate care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Juvenile community facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.530.
<u>Live/Work</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
* * *									
<u>Work/Live</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.550.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	
Footnotes:									
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.									

13.06.200 Commercial Districts.

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 13.06.640.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N = Prohibited use in this district.

4. District use table.

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)

Home occupation	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	N	CU	CU	P	N	
Hotel/motel	N	N	P	P	P	
Industry, heavy	N	N	N	N	N	
Industry, light	N	N	N	N	N	
Intermediate care facility	P	P	P	P	P	See Section 13.06.535.
Juvenile community facility	N	N	N	N	N	Prohibited except as provided for in Section 13.06.530.
Live-/Work-unit	NP	P	P	P	P	<u>Projects incorporating live/work in new construction shall contain no more than 20 live/work units.</u> <u>Subject to additional requirements contained in Section 13.06.570.</u>

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Work/Live	P	P	P	P	P	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570
Work release center	N	N	N	N	N	Prohibited except as provided for in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	

13.06.300 Mixed-Use Center Districts.

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 13.06.640.
TU = Temporary use consistent with Section 13.06.635.
N = Prohibited use in this district.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3,4,5} (also see footnotes at bottom of table)

Home occupation	P	P	P	P	P	P	P	P	Home occupations shall be allowed in all X-Districts pursuant to the standards found in Sections 13.06.100.E and 13.06A.050
Hospital	N	CU	CU	N	P	P	N	N	
Hotel/motel	P	P	P	N	P	P	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	N	P	N	N	N	
Intermediate care facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ²

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ³ , 4, 5 (also see footnotes at bottom of table)
Juvenile community facility	P	P	P	P/CU	P	N	P/CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² See Section 13.06.530 for additional information about size limitations and permitting requirements.
<u>Live/Work</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.</u>
* * *									
Wholesale or distribution	N	N	N	N	P	N	N	N	
Work-Live	P	P	P	P	P	P	P	NP	<u>Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570. Not subject to minimum density requirements.</u>

* * *

13.06.400 Industrial Districts.

* * *

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 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹
* * *				
Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District. ~Not permitted within the South Tacoma M/IC Overlay District.
Hotel/motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Industry, heavy	N	P	P	Animal slaughter, fat rendering, acid manufacture, smelters, and blast furnaces allowed in the PMI District only.
Industry, light	P	P	P	
Intermediate care facility	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. See Section 13.06.535.
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.
Live-/Work-unit	P	N	N	<u>Projects incorporating live/work in new construction shall contain no more than 20 live/work units.</u> <u>Subject to additional requirements contained in Section 13.06.570</u>
* * *				
<u>Work/Live</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Projects incorporating work/live in new construction shall contain no more than 20 work/live units.</u> <u>Subject to additional requirements contained in Section 13.06.570</u>
Work release center	CU	CU	P	Subject to development standards contained in Section 13.06.550.

* * *

13.06.500 Requirements in all preceding districts.

* * *

13.06.570 Live/Work and Work/Live

A. Purpose and Intent: 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.

B. Live/Work

1. Applicability. Live/work units shall be permitted in accordance with Section 13.06A.050 as well as the district use tables in Sections 13.06.100, 13.06.200, 13.06.300, and 13.06.400, 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.

2. Requirements. The following requirements shall apply to live/work units:

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 operator or an employee 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 family;

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.

3. Exemptions from development standards.

a. No additional parking shall be required for live/work units within buildings lawfully in existence prior to December 5, 1989.

b. 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 13.06.500 and TMC 13.06A, 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. Work/Live

1. Applicability. Work/live units shall be permitted in accordance with Section 13.06A.050 as well as the district use tables in Sections 13.06.100, 13.06.200, 13.06.300, and 13.06.400, 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 work/live units, provided that a Conditional Use Permit is authorized.

2. Requirements. The following requirements shall apply to work/live units:

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 operator or an employee 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 family.

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.

3. Exemptions from development standards.

a. No additional parking shall be required for work/live units within buildings lawfully in existence prior to December 5, 1989.

b. 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 13.06.500 and TMC 13.06A, 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.

13.06.700 Definitions and illustrations.

* * *

Live/work. A residential unit that is intended to function predominantly as a living space with incidental accommodations for work-related activities that are beyond the scope of a home occupation.

* * *

Work-/live. A non-residential use that includes a subordinate residential component consisting of at least a kitchen, bathroom and sleeping quarters.

* * *

Chapter 13.06A
DOWNTOWN TACOMA

* * *

13.06A.050 Additional use regulations.

* * *

D. Live-Work. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.570.

1. Purpose and Intent: The purpose of this Section is to assist with the revitalization of Downtown Tacoma and the City's other Mixed-Use Centers and with the implementation of the City's Comprehensive Plan by facilitating additional economic activity in conjunction with residential uses. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past and encourage the development of a live-work and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other. Adding a home occupation does not trigger change of use requirements under the City's land-use codes.

a. All legal residential uses within buildings lawfully in existence on September 25, 2012 in Downtown and the other mixed-use centers may, as a matter of right, add a home occupation pursuant to TMC 13.06.100 E without being subject to the limitation in TMC 13.06.100 E(6) that no employees outside the members of the family residing on the premises be involved in the home occupation.

b. No additional parking spaces are required.

c. Up to 10% of new floor area may be added, either internally or externally, for the purposes of creating living or working space without triggering a change in use.

d. External additions are exempt from all prescriptive design standards contained within TMC 13.06.300 and TMC 13.06A, but external additions shall be in conformance with the character of the existing building.

e. Non-conforming floor area, Floor Area Ratio (FAR), setbacks, height, and site landscaping are "grandparented in", meaning that a variance is not required for development that does not increase the degree of non-conformity.

f. Mezzanine spaces may be added so long as they do not exceed a 10% increase in floor area or one third the area of the floor below.

g. These provisions do not extend to adaptive reuses that involve more than 20 dwelling units or more than 12,000 square feet of commercial space in a particular building.

E. Work-Live.

1. Purpose and Intent: The purpose of this Section is to assist with the revitalization of Downtown Tacoma and with the implementation of the City's Comprehensive Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to work-live units. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past and encourage the development of a work-live and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other. Adding a minor residential component to an existing or historic building does not trigger change of use requirements under the City's Land-use codes.

a. A work-live unit is a combined living and work unit that includes a kitchen and a bathroom. The residential portion of the unit, including the sleeping area, kitchen, bathroom, and closet areas, occupies no more than 33 percent of the total floor area of the legal non-residential use, and the living space is not separated from the work space. It must be located within buildings lawfully in existence on September 25, 2012 in Downtown.

b. The requirements for the "work-live" units are as follows:

i. The residential use must be clearly incidental and subordinate to the work space.

~~ii. Buildings containing "work-live" units shall not generate additional impacts to any greater extent than what is usually experienced in the surrounding area.~~

~~iii. The Director may attach additional conditions to permits that are required for "work-live" units to ensure that the criteria set forth above are met.~~

~~e. For the purposes of this chapter, 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.~~

~~d. No additional parking spaces are required.~~

~~e. Up to 10% of new floor area may be added, either internally or externally, for the purposes of creating living or working space without triggering a change in use.~~

~~f. External additions are exempt from all prescriptive design standards contained within TMC 13.06.300 and TMC 13.06A, but external additions shall be in conformance with the character of the existing building.~~

~~g. Non-conforming floor area, Floor Area Ratio (FAR), setbacks, height, and site landscaping are "grandparented in", meaning that a variance is not required for development that does not increase the degree of non-conformity.~~

~~h. Mezzanine spaces may be added so long as they do not exceed a 10% increase in floor area or one third the area of the floor below.~~

~~i. New roof structures shall not be considered as adding new floor area or trigger change of use requirements provided that: such structures are not used for living or working quarters; and, such structures are used solely for accessory uses or in conjunction with open space amenities.~~

~~j. Adding a "work-live" unit is not subject to density requirements in the underlying zone.~~

~~k. These provisions do not extend to adaptive reuses that involve more than 20 dwelling units or more than 12,000 square feet of commercial space in a particular building.~~

FE. Marijuana uses (marijuana producer, marijuana processor, and marijuana retailer). Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.565. Marijuana producers and marijuana processors shall be prohibited in all downtown districts.

* * *



July 31, 2015

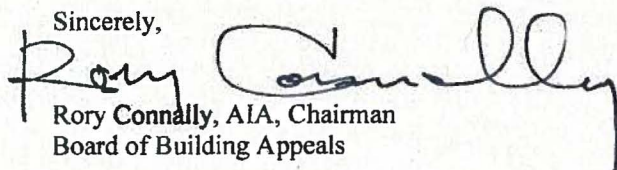
INFRASTRUCTURE, PLANNING AND SUSTAINABILITY COMMITTEE

On behalf of the Board of Building Appeals I am pleased to forward our recommendation to adopt amendments to TMC Titles 2.02 and 2.19. These amendments will incorporate the following changes:

- Work/live amendments to the 2012 International Building Code and International Existing Building Code: Creates a new work/live use, provides sprinkler alternatives for existing buildings, and does not require existing buildings to change occupancy to create work/live uses.
- Offsite improvement amendments: Defines offsite improvements and applicable code standards, sets threshold limits for types and dollar value of projects, and establishes in lieu of fund for offsite improvements.
- Low impact development amendments: provides exemptions for replacing a garden roof of same weight for single family/duplex, allows vegetated roofs to be approved as an alternate design or with alternate drainage systems, clarifies that roof drainage on public property must be city-approved.

The Board of Building Appeals met on July 15, 2015 to review the amendments to these codes that were proposed by City staff. At this meeting, the Board voted unanimously in favor of modifying the code with the recommended changes.

Sincerely,


Rory Connally, AIA, Chairman
Board of Building Appeals

cc. Board of Building Appeals



Live/Work and Work/Live Code Amendments

PROPOSED BUILDING CODE AMENDMENTS July 31, 2015

These proposed amendments include modifications to the following Sections of TMC Title 2, Buildings:

Chapter 2.02 – Building Code

Chapter 2.19 – Site Development and Off-Site Improvements

*Note – These amendments show all of the changes to the *existing* building code. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 2.02
BUILDING CODE

* * *

2.02.070 Amendment to IBC Section 102.4 – Referenced codes and standards.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. The edition of each referenced code and standard shall either be the edition listed in IBC Chapter 35 or the most current published edition if approved by the Building Official.

Exception:

Referenced National Fire Protection Association (“NFPA”) Standards 13, 13R, 13D, 14, 20, 24, and 25 shall be the most current published editions.

* * *

2.02.100 Amendment to IBC Section 202 – Definitions – D, L, and W.

* * *

Design Professional. A Washington State Licensed Architect governed by the Washington State Board of Registration for Architects, or a Washington State Licensed Engineer governed by the Washington State Board of Registration for Professional Engineers and Land Surveyors.

* * *

Live/Work Unit. A dwelling or sleeping unit in which up to 50 percent of the space includes a nonresidential use that is operated by the occupant. No more than six unrelated persons may inhabit the dwelling or sleeping unit.

* * *

Work/Live Unit. A Group A, B, F, or M occupancy in which up to 50 percent of the space is a dwelling unit. The dwelling unit shall be inhabited by the operator of the licensed business occupying the work/live unit. No more than six unrelated persons may inhabit the dwelling unit.

* * *

2.02.135 Amendment to IBC Section 419 – Live/Work Units.

SECTION 419 – LIVE/WORK AND WORK/LIVE UNITS.

419.1 Live/Work Units

419.1.1 General A live/work unit shall comply with Sections 419.1.1 through 419.1.9.

Exception: Dwelling or sleeping units that include an office that is less than 10 percent of the area of the dwelling unit are permitted to be classified as dwelling units with accessory occupancies in accordance with Section 508.2.

419.1.1.1 Limitations. The following shall apply to all live/work areas:

1. The live/work unit is permitted to be not greater than 3,000 square feet (279 m²) in area; and
2. The nonresidential area of a live/work unit is permitted to be not more than 50 percent of the area of each live/work unit; and
3. The nonresidential area function shall be limited to the first or main floor only of the live/work.

419.1.2 Occupancies. Live/work units shall be classified as a Group R-2 occupancy. Separation requirements found in Sections 420 and 508 shall not apply within the live/work unit where the live/work unit is in compliance with Section 419.1. Nonresidential uses which would otherwise be classified as either a Group H or S occupancy, or occupancies related to marijuana growing, processing or retail sales shall not be permitted in a live/work unit.

Exception: Storage shall be permitted in the *live/work unit* provided the aggregate area of storage in the nonresidential portion of the *live/work unit* shall be limited to 10 percent of the space dedicated to nonresidential activities.

419.1.3 Means of egress. Except as modified by this section, the *means of egress* components for a *live/work unit* shall be designed in accordance with Chapter 10 for the function served.

419.1.3.1 Egress capacity. The egress capacity for each element of the *live/work unit* shall be based on the *occupant load* for the function served in accordance with Table 1004.1.1.

419.1.3.2 Spiral stairways. *Spiral stairways* that conform to the requirements of Section 1009.12 shall be permitted.

419.1.4 Vertical openings. Floor openings between floor levels of a *live/work unit* are permitted without enclosure.

[F] 419.1.5 Fire protection. The *live/work unit* shall be provided with a monitored *fire alarm system* where required by Section 907.2.9 and an *automatic sprinkler system* in accordance with Section 903.2.8.

419.1.6 Structural. Floor loading for the areas within a *live/work unit* shall be designed to conform to Table 1607.1 based on the function within the space.

419.1.7 Accessibility. *Live/work units* shall be accessible in accordance with Chapter 11 for the function served. For the residential portion of the *live/work unit*, accessibility requirements for R-2 occupancies in Chapter 1107.6 shall apply.

419.1.8 Ventilation. The applicable ventilation requirements of the *International Mechanical Code* shall apply to each area within the *live/work unit* for the function within that space.

419.1.9 Plumbing facilities. The nonresidential area of the *live/work unit* shall be provided with minimum plumbing facilities as specified by Chapter 29, based on the function of the nonresidential area. Where the nonresidential area of the *live/work unit* is required to be *accessible* by Section 1103.2.13, the plumbing fixtures specified by Chapter 29 shall be *accessible*.

419.2 Work/Live Units

General A *work/live unit* shall comply with Sections 419.2.1 through 419.2.13.

419.2.1 Limitations. The following shall apply to all *work/live areas*:

1. A *work/live unit* shall be located within a building that complies with the provisions of Chapters 5, 9, and 10.
2. A *work/live unit* is permitted to be not greater than 3,000 square feet (279 m²) in area;

Exception: *Work/live units* shall not be limited in size for the following:

- Buildings classified as A, B, F-2, or M occupancy, and
- Buildings compliant with height and area requirements in Table 503, and
- Buildings with an *approved automatic sprinkler system* installed in accordance with 903.3.1.1 throughout, and
- Where the nonresidential uses are separated from the residential uses in accordance with Section 508.4.4.

3. The residential area of the *work/live unit* is permitted to be not greater than 50 percent of the total area of the *work/live unit* and shall not exceed 1,500 square feet (139 m²);

4. A *work/live unit* shall not be located on a floor that is greater than 75 feet above the lowest level of fire department vehicle access.

Exception: *Work/live units* located in *high-rise buildings* complying with Section 403.

5. The nonresidential area function shall be limited to the first or main floor only of the *work/live unit*.

6. For the purposes of this section, the residential area is considered a Group R occupancy.

419.2.2 Occupancies. *Work/live units shall be classified in accordance with Chapter 3 for the type of nonresidential occupancy. Permitted occupancies for work/live units are A, B, F, and M. Nonresidential uses which would otherwise be classified as either a Group H or S occupancy, or occupancies related to marijuana growing, processing or retail sales shall not be permitted in a work/live unit. For the purposes of this section, requirements in the International Building, Mechanical Code, Fuel Gas, Uniform Plumbing Code, or Washington State Energy Code related to residential occupancies shall be applied to the residential portion of the unit where applicable.*

Exception: Storage shall be permitted in the *work/live unit* provided the aggregate area of storage in the nonresidential portion of the *work/live unit* shall be limited to 10 percent of the space dedicated to nonresidential activities.

419.2.3 Fire and smoke protection features.

419.2.3.1 Separations within work/live units. Separations between and within *work/live units* shall be accordance with Sections 419.2.3.1.1 or 419.2.3.1.2

419.2.3.1.1 *The residential use area within the work/live unit shall be separated from the nonresidential use by 1-hour fire barriers walls and/or horizontal assemblies.*

Exception: For work live units of A, B, F-2, and M occupancies, separation between the residential use and the nonresidential use is not required where the building is fully equipped with an automatic sprinkler system installed in accordance with 903.3.1.1.; however, the residential use must be clearly delineated from the nonresidential use.

419.2.3.2 Separations between work/live units and between work/live units and other occupancies. *Work/live units shall be separated from other work/live units and other occupancies in accordance with Section 508 or with 1-hour fire partition walls and/or horizontal assemblies, whichever is more restrictive.*

419.2.4 Hazardous Materials. The maximum allowable quantities per control area for the storage and use of hazardous materials shall be reduced to 25 percent of those values in IFC Tables 5003.1.1(1) and 5003.1.1(2). Additional requirements may be imposed by the Building or Fire Code Official depending on the specific hazardous materials associated with the nonresidential use.

419.2.5 Fire Protection Systems

419.2.5.1 Automatic Sprinkler Systems. Buildings containing *work/live units* shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

Exception: Buildings lawfully in existence prior to December 5, 1989 may alternatively comply with Sections 419.2.5.1.1 through 419.2.5.1.3.

419.2.5.1.1 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and the following:

1. All stories containing *work/live units* and all stories below *work/live units*, including basements, shall be equipped with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
2. The means of egress shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.2 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 and the following:

1. *The residential use within the work/live unit shall be separated from the nonresidential use in accordance with Section 419.2.3.1.1.*
2. *The residential space within the work/live unit shall not be required to exit through the nonresidential space.*
3. *Work/live units shall be located on a level of exit discharge.*

4. The means of egress for the residential use area shall be provided with an automatic sprinkler system installed in accordance with Section 903.3.1.2.

5. A building shall contain no more than four work/live units.

Exception: Work/live units of F-1 occupancy shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.3 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.3 and the following:

1. The residential use within the work/live unit shall be separated from the nonresidential use in accordance with Section 419.2.3.1.1.

2. The residential space within the work/live unit shall not be required to exit through the nonresidential space.

3. Buildings containing work/live units shall be single-story without basements.

4. The residential use area shall be provided with direct access to an exit and shall not be required to exit through the nonresidential area of the work/live unit.

5. A building shall contain no more than one work/live unit.

Exception: Work/live units of F-1 occupancy shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.4 Water Supply. Automatic sprinkler systems installed in accordance with Sections 419.2.5.1.2 or 419.2.5.1.3 are permitted to be connected to the domestic service. Such combination services shall comply with the following requirements:

1. Valves shall not be installed between the domestic water riser control valve and the sprinkler system.

Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13D or NFPA 13R.

419.2.5.2 Alarm and Detection Systems.

419.2.5.2.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout work/live occupancies.

Exception: Manual fire alarm boxes shall not be required where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification system or emergency voice/alarm communication system will activate throughout the notification zones upon sprinkler water flow.

419.2.5.2.2 Automatic smoke detection system. In addition to those required by Chapter 9, area smoke detectors shall be provided throughout buildings with a work/live use. The activation of any detector required by this section shall activate the occupant notification system in accordance with Section 907.5.

Exception: Area smoke detection shall not be required in rooms/areas where an approved automatic sprinkler system has been provided and the occupant notification system or emergency voice/alarm communication system will activate throughout the notification zones upon sprinkler water flow.

419.2.5.2.3 Single- and multiple-station smoke alarms. Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 419.2.5.2.3.1 through 419.2.5.2.3.3 and NFPA 72.

419.2.5.2.3.1 Location. Single- or multiple-station smoke alarms shall be installed in the following locations:

1. In each room used for sleeping purposes.
2. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
3. In each story within a *dwelling unit*, including basements but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

419.2.5.2.3.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon the activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

419.2.5.2.3.3 Power Source. Smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system.

419.2.5.2.4 Carbon monoxide alarms. *Work/live* occupancies shall be provided with single station carbon monoxide alarms installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* and on each level of the dwelling. The carbon monoxide alarms shall be listed as complying with UL 2034 and installed and maintained in accordance with NFPA 720-2012 and the manufacturer's instructions.

419.2.5.2.4.1 Carbon monoxide detection systems. Carbon monoxide detection systems, that include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720-2012 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

419.2.6 Means of egress. Except as modified by this section, the *means of egress* components for a *work/live unit* shall be designed in accordance with Chapter 10 for the function served.

419.2.6.1 Egress capacity. The egress capacity for each element of the *work/live unit* shall be based on the *occupant load* for the function served in accordance with Table 1004.1.1.

419.2.6.2 Spiral stairways. *Spiral stairways* that conform to the requirements of Section 1009.12 shall be permitted only for the residential portion of the *work/live unit*.

419.2.7 Vertical openings. Floor openings between floor levels of a *work/live unit* are permitted without enclosure where the residential and nonresidential uses are permitted to be nonseparated.

419.2.8 Structural. Floor loading for the areas within a *work/live unit* shall be designed to conform to Table 1607.1 based on the function within the space.

419.2.9 Accessibility. *Work/live unit* shall be accessible in accordance with Chapter 11 for the function served. For the residential portion of the *work/live unit*, accessibility requirements for R occupancies in Chapter 1107.6 shall apply. Where there are other R occupancy units within the building, *work/live units* shall be considered R-2 occupancy and shall be combined with other R-2 occupancy units in determining accessibility requirements for the residential units within the building.

419.2.10 Ventilation. The applicable ventilation requirements of the *International Mechanical Code* and Section 1203 shall apply to each area within the *work/live unit* for the function within that space. Mechanical ventilation systems shall be separate for the residential and commercial portions where separated by a fire barrier wall.

419.2.11 Plumbing facilities. The nonresidential area of the *work/live unit* shall be provided with minimum plumbing facilities as specified by Chapter 29, based on the function of the nonresidential area. Where the nonresidential or residential area of the *work/live unit* is required to be *accessible* by Section 1103.2.13, the plumbing fixtures specified by Chapter 29 shall be accessible. Toilets and bathrooms shall also meet requirements in Section 1210.

419.2.12 Sound insulation. Common interior walls and floor/ceiling assemblies between adjacent *work/live units* or between *work/live units* and other occupancies shall have sound transmission in accordance with Chapter 1207.

419.2.13 Interior Space Dimensions. Habitable and occupiable spaces within *work/live units* shall meet the minimum requirements for interior space dimensions in Section 1208.

* * *

2.02.160 Amendment to IBC Section 1503.4 – Roof Drainage.

1503.4.1 General. Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2% slope) for drainage unless designed for water accumulation in accordance with Chapter 16, and approved by the Building Official. Vegetated roofs may be approved as an alternate design.

1503.4.2 Roof Drains. Unless roofs are sloped to drain over roof edges, roof drains shall be installed at each low point of the roof. Vegetated roofs may be designed with alternate drainage systems as approved by the Responsible Public Official.

Roof drains shall be sized and discharged in accordance with the Uniform Plumbing Code. Roof drainage shall be directed away from the building and discharged to the storm sewer or to other approved disposal systems. Roof drainage shall not be connected to, or allowed to infiltrate into, the footing drain system.

1503.4.3 Overflow Drains and Scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located two inches above the low point of the roof, or overflow scuppers having three times the size of the roof drains and having a minimum opening height of four inches may be installed in adjacent parapet walls with the inlet flow line located not more than two inches above the low point of the adjacent roof.

Overflow drains shall discharge to an approved location and shall discharge at a point above the ground, which can be readily observed. Overflow drains shall not be connected to roof drain lines.

1503.4.4 Concealed Piping. Roof drains and overflow drains, where concealed within the construction of the building, shall be installed in accordance with the Uniform Plumbing Code.

1503.4.5 Over Public Property. Roof drainage water from a building shall not be permitted to flow over public property unless part of a City approved dispersion system and where an easement has been obtained.

Exception:

Group R-3 and Group U Occupancies.

1503.4.6 Gutters. Gutters and leaders placed on the outside of buildings other than Group R-3, private garages, and buildings of type V construction shall be of noncombustible material or a minimum of Schedule 40 plastic pipe.

* * *

2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit.

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²).

1. 2. Reroofing of single family or duplex residential buildings, provided the existing roof coverings are removed

prior to reroofing and ~~that the following conditions are met:~~

- The new roofing material does not exceed five (5) pounds per square foot, or
- For a vegetated roof, where it is the same weight as the previous roof and a vegetated roof was previously approved through a building permit.

3. Fences not over seven feet (1829 mm) high.
4. Retaining walls that are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, driveways, and on grade concrete patios with an aggregate area not exceeding 2,000 Sq. Ft. (185.81 sq-M).
7. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
8. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
9. Swings and other playground equipment.
10. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Decks not exceeding 200 square-feet (18.58 m²) in area that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4.

Gas:

1. Portable heating, cooking, or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
9. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
10. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

R105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

R105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any,

water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping or mechanical or other work affecting public health or general safety.

R105.2.3 Public service agencies. A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, metering, or other related equipment that is under the ownership and control of public service agencies by established right.

* * *

2.02.760 Amendment to IEBC Section 202 – General Definitions – ~~by addition of a definition of substantial renovation or construction. L, S, and W.~~

* * *

Live/Work Unit. A dwelling or sleeping unit in which up to 50 percent of the space includes a nonresidential use that is operated by the occupant. No more than six unrelated persons may inhabit the dwelling or sleeping unit.

* * *

~~Substantial renovation. Renovation or Construction, shall be defined as meaning R~~remodeling, alteration, or reconstruction of, and/or addition to, an existing building within a two-year period, the cost of which exceeds 50 percent of the value of the building as calculated using the latest Building Valuation Data published by the International Code Council. The two-year period shall be measured from the issuance date of the initial building permit for the project.

* * *

Work/Live Unit. A Group A, B, F, or M occupancy in which up to 50 percent of the space is a dwelling unit. The dwelling unit shall be inhabited by the operator of the licensed business occupying the work/live unit. No more than six unrelated persons may inhabit the dwelling unit.

* * *

2.02.770 Amendment to IEBC Section 407.1 – Change of Occupancy.

EB407.1 Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the *International Building Code* for such division or group of occupancy. Subject to the approval of the Building Official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of the *International Building Code* for those groups, provided the new or proposed use is less hazardous, based on life, fire risk, and seismic risk, than the existing use. ~~Minimum standards for fire, life, and seismic safety requirements required for the new occupancy, but not required for the old occupancy, under TMC 2.01 Minimum Building and Structures Code shall be provided regardless of whether the new occupancy or new use is considered less hazardous than the old occupancy. The relative hazard of occupancies shall be determined using IEBC Chapter 10 as amended in this chapter.~~

407.1.1 Work/Live Use. A change to a work/live use is not a change of occupancy for the building or space provided the following conditions are met:

1. The buildings containing work/live units shall comply with IBC Section 419.2; and
2. The occupancy classification of the work/live unit conforms to the existing permitted use; and
3. All buildings with work/live uses shall comply with the standards for fire, life, and seismic safety in TMC 2.01 Minimum Building and Structures Code; and

Additional conditions may imposed by the Building Official or Fire Code Official where deemed necessary for the general safety and welfare of the occupants and the public depending on the specific hazards and hazardous materials associated with the nonresidential use.

2.02.775 Amendment to IEBC Section 504.1 – Alteration – Level 2

EB504.1. Scope. Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment below the threshold of a Level 3 alteration.

2.02.776 Amendment to IEBC Section 505.1 – Alteration – Level 3

EB505.1. Scope. Level 3 alterations apply where the work is Substantial Renovation or Construction as defined in 2.02.760.

2.02.780 Amendment to IEBC Section 603 – Fire Protection – by addition of a new subsection EB603.2.

EB603.2 Group R-1 and R-2 occupancies. Where Repairs, as defined by the International Existing Buildings Code, are undertaken to buildings of Group R-1 or Group R-2 occupancies, automatic fire sprinkler systems shall be provided when required by the International Fire Code (“IFC”) as adopted and amended in TMC Chapter 3.02.

2.02.790 Amendment to IEBC Section 703 – Fire Protection – by addition of a new subsection EB703.2.

EB703.2 Group R-1 and R-2 occupancies. Where Repairs, as defined by the International Existing Buildings Code, are undertaken to buildings of Group R-1 or Group R-2 occupancies, automatic fire sprinkler systems shall be provided when required by the International Fire Code (“IFC”) as adopted and amended in TMC Chapter 3.02.

2.02.805 Amendment to IEBC Section 1001.1 – Change of Occupancy - Scope. – by addition of an exception to EB1001.1.

EB1001.1 Scope. The provisions of this chapter shall apply where a *change of occupancy* occurs, as defined in Section 202, including:

1. Where the occupancy classification is not changed; or
2. Where there is a change in occupancy classification or the occupancy group designation changes.

Exception: The addition of *work/live units* complying with IBC Section 419.2 where the occupancy classification of the *work/live unit* conforms to the existing permitted use and the building complies with TMC 2.01 Minimum Building and Structures Code.

* * *

Chapter 2.19

SITE DEVELOPMENT AND OFF-SITE IMPROVEMENTS

* * *

2.19.040 Off-site improvements.

A. Authority. The authority for this section is held by the Planning and Development Services Director or designee.

B. Scope and Intent.

1. The intent of this code is to consider the health, safety and general welfare of the public. Development shall not impact adjacent and/or downstream property owners in a detrimental manner compared to the pre-developed condition.

2. This code is intended to assist, but not to substitute, competent work by professional engineers. It is expected that the professional engineers will bring to each project the best of their skills and abilities to see that the project is thoroughly analyzed and designed correctly, accurately, and in compliance with generally accepted engineering practices. This code is not intended to address all situations or to unreasonably limit any innovative or creative effort in design and construction which may result in better quality, cost savings, or improved performance.

A. C. Off-site Improvements and Development Standards.

1. Off-site improvements and corresponding development standards (2.19.040.C.2) shall be required for all new building construction, site uses, change of occupancies, moved buildings, and alterations/additions New Construction, Additions, Site Uses, Change of Occupancies as defined in Chapter 3 of the International Existing Building Code, Moved Buildings, and Remodels/Alterations to existing buildings, with the exception of the following: Off-site improvements as defined in TMC 2.19.020 shall conform to the City of Tacoma Standards and be constructed in accordance with the Design Manual, Right of Way Restoration Policy, and the City of Tacoma Stormwater Management Manual.

The maximum level of off-site improvements that may be imposed by project type is shown in Table 2.19.1, however, this limit shall not apply to projects that have requirements imposed by a SEPA, CUP, or other conditioning documents. The City shall determine the order of preference when determining off-site improvement requirements, considering general health, safety, and welfare as the primary objectives.

Projects involving more than one project type (New Construction, Additions, Change of Occupancy, and Remodel/Alteration), shall apply the most restrictive criteria in Table 2.19.1. The Planning and Development Services Director or his designee is authorized to establish, and modify or eliminate the off-site improvement requirements shown in Table 2.19.1 for individual cases where there are practicable difficulties involved in implementation of the requirements of this code.

Table 2.19.1 Off-site Improvement Determinations⁽¹⁾

Project Type	Threshold	Off-site Improvement Requirement ⁽²⁾
New Construction		
Commercial ⁽³⁾	All new and moved buildings	No limit defined. Off-site improvements per 2.19.040.C.2 and as determined by the Planning and Development Services Director, plus all utility construction or relocation and installation of safety mitigation measures.
Single Family and two family dwellings	All new and moved buildings	No limit defined. Offsite improvements as determined by the Planning and Development Services Director. Fee In-lieu available per 2.19.040.D.2.
Garage and Utility buildings (Group U occupancy).		None required; Access to property shall be in accordance with 2.19.C.2(c)
Additions		

<u>Commercial - Large⁽³⁾</u>	<u>50% or greater than building area</u>	<u>No limit defined. Off-site improvements per 2.19.040.C.2, and as determined by the Planning and Development Services Director, plus all utility construction or relocation and installation of safety mitigation measures.</u>
<u>Commercial - Small⁽³⁾</u>	<u>Less than 50% of building area</u>	<u>Off-site Improvement Requirements up to approximately 10% of Addition Valuation.</u>
<u>Single Family and two family dwelling</u>	<u>Additions</u>	<u>None required; Access to property shall be in accordance with 2.19.040.C.2(c), and compliance with 2.19.040.C.2(d).</u>
<u>Change of Occupancy</u>		
<u>Large⁽³⁾</u>	<u>Change of Occupancy to 50% or greater of the building area</u>	<u>Off-site Improvement Requirements up to the greatest of either:</u> <input type="checkbox"/> <u>10% of Remodel Valuation⁽⁴⁾</u> <input type="checkbox"/> <u>10% of the change to the building valuation based on the most current ICC Building Valuation table.</u>
<u>Small⁽³⁾</u>	<u>Change of Occupancy to greater than 10% but less than 50% of the building area</u>	<u>Off-site Improvement Requirements up to the greatest of either:</u> <input type="checkbox"/> <u>5% of Remodel Valuation⁽⁴⁾</u> <input type="checkbox"/> <u>5% of the change to the building valuation based on the ICC Building Valuation.</u>
<u>Exceptions</u>	<u>Change of use to:</u> <input type="checkbox"/> <u>Live/work occupancy for up to 10 dwelling units;</u> <input type="checkbox"/> <u>Work/live use for buildings less than 30,000 square feet (2787 m2)</u>	<u>None required</u>
<u>Remodel/Alterations</u>		
<u>Large⁽³⁾</u>	<u>Remodel Valuation 50% or greater than ICC Building Valuation</u>	<u>Off-site Improvement Requirements up to approximately 10% of Remodel Valuation⁽⁴⁾</u>
<u>Small⁽³⁾</u>	<u>Remodel Valuation greater than 10% but less than 50% of ICC Building Valuation</u>	<u>Off-site Improvement Requirements up to approximately 5% of Remodel Valuation⁽⁴⁾</u>
<u>Exception</u>	<u>Remodel Valuation less than 10% of ICC Building Valuation</u>	<u>Off-site improvements may be required at the discretion of the Planning and Development Services Director</u>

<u>Exception</u>	<u>Water or Fire Damages repairs that are valued at less than 50% of the ICC Building Valuation</u>	<u>None required</u>
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- (1) Limits listed are approximate, and the Planning and Development Services Director or his designee may impose additional requirements as needed to protect the health, safety, and general welfare of the public.
- (2) Costs for utility construction or relocation and safety mitigation measures shall not be included in the owner's/developer's percentage of off-site improvement requirements. Off-site improvement requirements contributing to the percentage shall include, but not be limited to: street paving, concrete curbs and gutters, asphalt wedge curb, sidewalks, driveways, and curb ramps.
- (3) For Campus sites, the City Engineer, or designee, shall determine the required frontage improvements.
- (4) The Remodel Valuation limit shall be defined as the estimated construction cost of the project submitted by the contractor or owner at time of permit submittal as a percentage of the most recent version of the International Code Council Building Valuation Data. The estimate shall detail all major cost elements of the project. The remodel valuation limit shall not apply to projects that have requirements imposed by a SEPA, CUP, or other conditioning document.

1. Change of use to Group R for Live/Work or Work/Live units which are exempt from land use regulatory requirements under TMC 13.06A.050.

2. Alterations to buildings presently existing on the building site for Live/Work or Work/Live uses exempt from land use regulatory requirements under TMC 13.06A.050.

3. Alterations and additions to buildings presently existing on the building site for:

- a. Buildings undergoing alterations/additions less than 50 percent of the existing aggregate floor area.
- b. Single family and two family dwellings.
- e. Garage and Utility buildings (Group U occupancy).

B. Access to Property. Driveway approaches shall be in accordance with TMC 10.14 (Driveway Ordinance).

C. Existing Off-site Improvements: Where a site has existing improvements such as sidewalks, curbs, gutters, and paving, these improvements shall be replaced if they are broken, damaged or hazardous. Pavement shall also be required to be replaced when it does not meet the current standard pavement section for residential or arterial streets contained in the Public Works Department Design Manual. Live/Work and Work/Live exempt from offsite improvements per Section 2.19.040.A are only required to replace unsafe sidewalks along the street frontage.

D. Development Standards: All new off-site Improvements, where required, shall conform to the Public Works Department Standards and be constructed in accordance with the Public Works Department Design Manual and the City of Tacoma Surface Water Management Manual (COTSWMM). When a lot adjoins an alley or street intersection, improvements shall also be installed at the alley or street intersection. Alleys shall be improved to City of Tacoma standards when any access to the site is provided from the alley.

1. Single Family and Two Family dwellings: New Single Family or Two Family Dwelling buildings require the development of cement concrete curb and gutter, paving, and drainage of all dedicated streets along the lot frontages, except, in cases where the topography or other conditions make it impractical. Sidewalks shall be required when any of the following criteria applies:

- a. Sidewalks exist on the site, or sites, adjacent to the site to be built on, or
- b. Sidewalks exist on the majority of the developed sites in the area, or
- e. There is sufficient undeveloped property in the street frontages on both sides of the street that, when developed either by itself or when added to lot frontages already containing sidewalks, the majority of the street frontages on both sides of the street will have sidewalks, or
- d. The development involves more than one site and warrants sidewalks as part of the overall development.

2. The following development standards and related off-site improvements shall apply to all applicable project types listed in Table 2.19.1.

(a) Alleys: When a lot adjoins an alley or street intersection, improvements shall also be installed at the alley or street intersection. Alleys shall be improved to City of Tacoma Standards when any access to the site is provided from the alley.

(b) Off-site improvements are dependent on the project type and threshold listed in Table 2.19.1, and shall require the development of cement concrete curb and gutter, sidewalks, curb ramps, paving, safety measures, other right-of-way elements and drainage of all dedicated streets along the lot frontages, except, in cases where the topography or other conditions make it impractical.

(c) Access to Property. Driveway approaches shall be in accordance with TMC 10.14 (Driveway Ordinance). Public roads fronting the property shall be comprised of an all-weather surface, or will need to be paved to provide an all-weather surface.

(d) Where a site has existing improvements such as sidewalks, curbs, gutters, and paving, these improvements shall be replaced if they are broken, damaged or hazardous. Pavement shall also be required to be replaced when it does not meet the current standard pavement section for residential or arterial streets contained in the City of Tacoma Standards. Live/Work and Work/Live developments which are exempt from off-site improvements per Table 2.19.1 are only required to replace broken, damaged, or hazardous sidewalks along the street frontage.

D. Fee In Lieu of. Upon approval of the Planning and Development Services Director or his designee, a fee may be paid in lieu of construction of the required Off-site improvements. In addition, the Director or his designee shall determine the eligible off-site improvements and fee in lieu amount. The fees shall be paid at the time of permit issuance and deposited in the Fee In Lieu Of Off-site Improvements Fund.

FE. Covenant and Easement Agreement: Where development has been exempted from off-site improvement requirements for Live/Work or Work/Live uses, a covenant/use restriction shall be recorded on title of the exempt property as a covenant running with the land that the use giving rise to the exemption must be maintained for a minimum of 10 years. If Live/Work or Work/Live use changes within the 10 year covenant/restriction period, off-site improvement requirements may be imposed at the time of change of use.



Live/Work and Work/Live Code Amendments

PROPOSED TAX & LICENSE CODE AMENDMENTS
September 23, 2015

These proposed amendments include modifications to the following Sections of TMC Title 6, the Tax & License Code:

*Note – These amendments show all of the changes to the *existing* tax & license regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 6B.145
LIVE/WORK AND WORK/LIVE

Sections:

- 6B.145.010 License Required – Special agreement.
- 6B.145.020 License Fee.
- 6B.145.030 Exemptions.

6B.145.010 License Required – Special agreement.

A. It is unlawful for any person to operate or engage in business activities within live/work or work/live units, as defined in TMC 13.06.700, without first obtaining a license pursuant to the provisions of this chapter. Prior to the issuance of said license, the Director must be satisfied that the applicant will be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC 13.06.570 and TMC 2.02, and the applicant must also manifest his or her assent to comply with all applicable laws and regulations by entering into a Conditional Live/Work and Work/Live Agreement.

B. Both the license and the Conditional Live/Work and Work/Live Agreement are personal to the original applicant, and may not be assigned. If there is a change of location of the licensed business to another live/work or work/live unit, the license holder need not obtain a new license, but is required to enter into a new Conditional Live/Work and Work/Live Agreement. Should the nature of the business change, the license holder must obtain a new license and enter into a new Conditional Live/Work and Work/Live Agreement.

6B.145.020 License Fee.

The license fee for a live/work or work/live is a one-time fee and is hereby fixed as follows:

<u>Live/Work or Work/Live license</u>	<u>\$75</u>
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6B.145.030 Exemptions.

The fee assessed by the provisions of this chapter shall not apply to:

A. Any charitable organization.

B. Day cares, bed and breakfasts, and boarding homes.

C. Business of renting or leasing real property.

**City of Tacoma 2015-2016
City Council Forecast**

Date	Meeting	Subject	Department
September 29, 2015	Study Session	Federal Legislative Updates	GRO/Len Simon
	City Council Meeting	Live-Work & Work-Live Proposed Code Amendments	PDS
October 6, 2015	Study Session		
	City Council Meeting		
October 13, 2015	Study Session		
	City Council Meeting		
October 20, 2015	Study Session	Tacoma Public Library Updates	Library
	City Council Meeting		
October 27, 2015	Study Session	2015 Comprehensive Plan Update	PDS
	City Council Meeting		
November 3, 2015	Study Session		
	City Council Meeting		
November 10, 2015	Study Session		
	City Council Meeting		
November 17, 2015	Study Session	Billboard Regulations	PDS
	City Council Meeting		
November 24, 2015	Study Session	Mid-Biennial Budget Adjustments	Finance/Budget
	City Council Meeting		
December 1, 2015	Study Session		
	City Council Meeting		
December 8, 2015	Study Session		
	City Council Meeting		
December 15, 2015	Study Session		
	City Council Meeting		
December 22, 2015	CANCELLED		
December 29, 2015	CANCELLED		

Council Committee Report

(Subject to Change)

Economic Development Committee		
Committee Members: Campbell (Chair), Boe, Walker, Mello, Alternate -Thoms	2nd, 4th, and 6th Tuesdays	
Executive Liaison: Andy Cherullo; Staff Support - Brad Forbes	10:00 a.m. Room 248	
CBC Assignments:	<ul style="list-style-type: none"> • Tacoma Arts Commission • Greater Tacoma Regional Convention Center Public Facilities District 	<ul style="list-style-type: none"> • Foss Waterway Development Authority • City Events and Recognition Committee
September 29, 2015 Q2 Dashboard Presentation	<i>Debbie Bingham, Program Development Specialist, Community and Economic Development</i>	
Office Retention, Expansion, and Recruitment in Tacoma	<i>Elly Walkowiak, Business Development Manager, Community and Economic Development; Pat Beard, Project Manager, Community and Economic Development</i>	
Future:		
October 13, 2015 CERC Interviews	<i>Doris Sorum, City Clerk</i>	
Go Local Update	<i>Carol Wolfe, Program Development Specialist, Community and Economic Development; Patricia-Lecy Davis and Judi Hyman, Go Local Tacoma</i>	
Food Truck Pilot Program Final Report to Include Rules and Regulations	<i>Kala Dralle, Economic Development Specialist, Community and Economic Development Department</i>	
October 27, 2015 IERE Update	<i>Kristi Lynett, Manager, Office of Sustainability, Environmental Services; Colleen Barta, Director of Development, Institute for Environmental Research and Education</i>	
Foss Waterway Development Authority Interviews	<i>Su Dowis, Executive Director, Foss Waterway Development Authority</i>	
Destination Point Defiance Development Regulation Agreement recommendation	<i>Ian Munce, Special Assistant to the Director, Planning and Development Services</i>	
Government Performance and Finance Committee		
Committee Members: Lonergan (Chair), Campbell, Thoms, Strickland, Alternate-Ibsen	1st, 3rd, and 5th Wednesdays	
Executive Liaison: Andy Cherullo; Staff Support - India Adams	4:30 p.m. Room 248	
CBC Assignments:	<ul style="list-style-type: none"> • Public Utility Board • Board of Ethics 	<ul style="list-style-type: none"> • Audit Advisory • Civil Service Board
September 30, 2015 Cancelled		
Future:		
October 7, 2015 Tacoma Information Management System (TIMS)	<i>Jack Kelanic, Information Technology Director</i>	
ISP Update on Charging Methods	<i>Jack Kelanic, Information Technology Director</i>	
Accela Implementation	<i>Peter Huffman, Planning and Development Services Director</i>	
October 21, 2015 <i>Audit Advisory Board Meeting</i>		
Infrastructure, Planning and Sustainability Committee		
Committee Members: Mello (Chair), Boe, Walker, Ibsen, Alternate-Campbell	2nd and 4th Wednesdays	
Executive Liaison: Mark Lauzler; Staff Support - Anita Gallagher	4:30 p.m. Room 16	
CBC Assignments:	<ul style="list-style-type: none"> • Sustainable Tacoma Commission • Planning Commission 	<ul style="list-style-type: none"> • Board of Building Appeals • Transportation Commission
October 14, 2015 Live/Work- Work/Live Code Recommendations	<i>Brian Boudet, Division Manager, and Sue Coffman, Building Official, Planning and Development Services</i>	
2015 Comprehensive Plan Update	<i>Stephen Atkinson, Senior Planner, Planning and Development Services</i>	
Future:		
October 28, 2015 Billboards Regulations	<i>John Harrington, Principal Planner, Planning and Development Services</i>	
PSRC Household Travel Survey	<i>Diane Wiatr, Active Transportation Coordinator, Environmental Services</i>	
November 11, 2015 <i>Veterans Day Holiday</i>		

Council Committee Report

(Subject to Change)

<i>Neighborhoods and Housing Committee</i>	
Committee Members: Walker (Chair), Boe, Ibsen, Lonergan, Alternate-Woodards Executive Liaison: Mark Lauzier; Staff Support - Monica Ghosh	1st and 3rd Mondays 4:30 p.m. Room 248
CBC Assignments:	• Tacoma Community Redevelopment Authority
October 5, 2015 Cancelled	
Future:	
October 19, 2015 Interviews, Tacoma Community Redevelopment Authority Board	
2015 Annual Amendment-Affordable/Infill Housing	Brian Boudet, Planning and Development Services
November 2, 2015 Multigenerational Housing Presentation; Many Lights Foundation Martha Anderson, Community and Economic Development	

<i>Public Safety, Human Services, and Education Committee</i>	
Committee Members: Woodards (Chair), Campbell, Lonergan, Strickland, Alternate-Mello Executive Liaison: Nadia Chandler-Hardy; Staff Support - Genesis Gavino	2nd and 4th Thursdays 4:30 p.m. Room 248
CBC Assignments:	<ul style="list-style-type: none"> • Citizen Review Panel • Human Services Commission • Human Rights Commission • Commission on Disabilities • Library Board
October 8, 2015	Gang Reduction Plan Gun SafeT Program Student Government Day Melissa Cordiero, Neighborhood and Community Services Melissa Cordiero, Neighborhood and Community Services India Adams, City Manager's Office and Syaz Sazali, Office of Management and Budget
Future:	
October 22, 2015	Human Services Commission Interviews Doris Sorum, City Clerk's Office
November 12, 2015	Tacoma Public Schools - Innovative Programs Dan Voelpe, Tacoma Public Schools