



ORDINANCE NO. 28786

1 AN ORDINANCE relating to zoning; amending Title 13 of the Tacoma Municipal
2 Code by amending Chapters 13.01, 13.02, 13.05, and 13.06, and by
3 repealing and reenacting Title 19 in its entirety, to adopt the Tideflats and
4 Industrial Land Use Regulations as recommended by the Planning
5 Commission and modified by the Infrastructure, Planning, and
6 Sustainability Committee; and replacing Amended Ordinance No. 28470,
7 Tideflats Interim Regulations, as approved by the City Council, and as
8 previously extended by Ordinance Nos. 28542, 28583, 28619, 28671,
9 Amended Ordinance Nos. 28696 and 28759.

10 WHEREAS on May 9, 2017, the City Council adopted Amended Resolution
11 No. 39723, initiating a subarea planning process for the Port/Tideflats area, and
12 further, requested that the Planning Commission (“Commission”) consider the need
13 for interim regulations in the Tideflats area while the subarea planning process was
14 underway, and

15 WHEREAS on October 4, 2017, the Commission forwarded its
16 recommendations to the City Council for consideration, and

17 WHEREAS on November 21, 2017, following a public hearing and
18 substantial community input and deliberation, the City Council passed Amended
19 Ordinance No. 28470, the Tideflats Interim Regulations, and

20 WHEREAS the Tideflats Interim Regulations were subsequently extended
21 by Ordinance Nos. 28542, 28583, 28619, and 28671, and

22 WHEREAS on October 20, 2020, the City Council passed Amended
23 Ordinance No. 28696, extending the Tideflats Interim Regulations, and directing
24 the Commission to consider non-interim recommendations to replace the Interim
25 Regulations by April 2021, for City Council consideration, and

26 WHEREAS the City Council, in enacting Amended Ordinance No. 28696 to
initiate a non-interim review of the Tideflats Interim Regulations, provided direction



1 to the Commission to establish appropriate parameters for review, to include only
2 those issues identified in Amended Ordinance No. 28470; those uses impacted by
3 Amended Ordinance No. 28470; approaches that could be applied to the
4 expansion of the existing uses; and amendments that would improve the certainty
5 and predictability of the regulations, and
6

7 WHEREAS, Amended Ordinance No. 28696 directed staff and the
8 Commission to seek substantive input from the Port of Tacoma, the Puyallup Tribe
9 of Indians, and other governments and stakeholders of the Tacoma Tidelands, and
10

11 WHEREAS, the Commission conducted a listening session on January 13,
12 2021, with diverse community stakeholders, including the Port of Tacoma, and

13 WHEREAS, on February 17, 2021, staff provided a public notice and
14 request for comments to Joint-Base Lewis-McChord, and a formal invitation for
15 consultation with the Puyallup Tribe of Indians, and
16

17 WHEREAS, Pursuant to Washington Administrative Code ("WAC") 197-11
18 and Tacoma's State Environmental Policy Act ("SEPA") procedures, a Preliminary
19 Determination of Environmental Nonsignificance ("DNS") on the Tidelands and
20 Industrial Land Use Amendment was issued on February 19, 2021, (SEPA File
21 Number LU21-0035), based upon a review of an environmental checklist, and
22

23 WHEREAS, the Preliminary DNS and Environmental Checklist was
24 transmitted for public comment to adjacent jurisdictions, the Port of Tacoma,
25 Puyallup Tribe of Indians, State Department of Commerce, and other agencies and
26 community organizations, and



1 WHEREAS, staff received three public comment letters on the Preliminary
2 DNS, and

3 WHEREAS on April 7, 2021, the Commission concluded its review of public
4 comment and testimony, finalized modifications to the proposed ordinance in
5 response to public comments, and forwarded its recommendations to the City
6 Council, and
7 Council, and

8 WHEREAS based on this guidance, the Commission considered the
9 following topics: public notification requirements for permits and land use
10 amendments; conversion of industrial lands to non-industrial uses; encroachment
11 of residential developments on industrial lands; and siting of potentially
12 high-risk/high-impact heavy industrial uses, and on April 7, 2021, the Commission
13 forwarded its Findings of Fact and Recommendations Report to the City Council
14 for review and consideration, and
15 for review and consideration, and

16 WHEREAS on April 27, 2021, the City Council conducted a public hearing
17 on the Commission's Findings of Fact and Recommendations. In support of the
18 public hearing, approximately 40,000 public notices were provided to potentially
19 affected taxpayers, occupants, and interested parties, and email notices were
20 provided to over 500 other interested parties. The City Council received over 400
21 pages of public comments, and
22 pages of public comments, and
23 pages of public comments, and

24 WHEREAS on May 18, 2021, the City Council passed Ordinance No. 28759,
25 approving an extension of the Tideflats interim regulations for up to six months, and
26 referring proposed permanent regulations to the City Council Infrastructure,



1 Planning, and Sustainability (“IPS”) Committee for review and recommendation to
2 the full City Council no later than August 31, 2021, and

3 WHEREAS following the City Council public hearing, the IPS Committee
4 conducted nine meetings between May and August 2021, including opportunities
5 for written public comments on agenda topics, and panel discussions with
6 representatives from industry, environmental organizations, and residential
7 property owners potentially affected by the proposals, and on August 30, 2021, the
8 IPS Committee concluded its review and recommendations and forwarded their
9 recommended changes to this Ordinance to the City Council on August 31, 2021,
10 and
11
12

13 WHEREAS the IPS Committee accepted the Findings of Fact of the
14 Commission and this Ordinance incorporates those Findings of Fact herein, and

15 WHEREAS the IPS Committee amendments to the Commission
16 recommendations respond to public testimony expressing concern with the impact
17 of the proposal on existing uses, and potential for unintended impacts to
18 port/industrial uses, and
19

20 WHEREAS on October 5, 2021, the City Council conducted a public hearing
21 on the IPS Committee’s recommended modifications to the Commission’s
22 proposed amendments, and
23

24 WHEREAS this Ordinance gives particular attention to the potential impacts
25 of new heavy industrial use and development, particularly renewable fuel, fossil
26



1 fuel, coal facilities, and chemical manufacturing on the Puyallup Tribe of Indians
2 and Tribal Trust lands, and

3 WHEREAS this Ordinance reduces the potential risks to the health, welfare,
4 and safety of the community by prohibiting the establishment of new smelting
5 operations, coal facilities, and mining and quarrying, and

6 WHEREAS this Ordinance prohibits the primary storage, processing, or
7 refining of clean fuels, petroleum, or other chemicals associated with chemical
8 manufacturing, within lands and waters regulated under the Shoreline
9 Management Act, and
10

11 WHEREAS this ordinance prohibits uses determined to be inconsistent with
12 the use priorities of the Shoreline Management Act, Container Port Element of the
13 Growth Management Act and the One Tacoma Comprehensive Plan, and
14 preserves flexibility and land supply for priority uses, and
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16 WHEREAS this Ordinance would require conditional use permits for
17 chemical manufacturing uses to ensure appropriate siting and avoidance,
18 minimization, and mitigation of impacts, and
19

20 WHEREAS there are a limited number of existing petroleum fuel refining,
21 processing, and storage facilities in the City of Tacoma, including Par Pacific,
22 Seaport Sound Terminal, Puget Sound Energy Liquefied Natural Gas Facility,
23 Conoco-Phillips, NuStar, and Pacific Functional Fluids, and
24

25 WHEREAS this Ordinance prohibits the establishment of new petroleum
26 fuel refining, processing, and storage facilities in the City of Tacoma, and would



1 therefore preclude the establishment of any new liquefied natural gas production
2 and storage facilities, oil refineries, or petroleum blending and processing facilities,
3 and
4

5 WHEREAS this Ordinance limits the expansion of petroleum storage
6 associated with existing fuel facilities, and only permits expansion of petroleum
7 storage for the purposes of serving national defense interests, for the completion of
8 infrastructure that has been previously identified, studied under SEPA and fully
9 mitigated via a completed mitigation agreement, or for the purpose of producing
10 cleaner fuels subject to a 15 percent cumulative limit on petroleum tankage, and
11

12 WHEREAS this Ordinance prohibits new petroleum storage, production, or
13 transshipment as part of any new clean fuel facility, and

14 WHEREAS this Ordinance creates a permit pathway for clean fuels, such as
15 green hydrogen, that support the City's greenhouse gas reduction targets and
16 provides new economic development opportunities, and
17

18 WHEREAS this Ordinance provides greater regulatory predictability for
19 businesses currently subject to Interim Regulations, and by utilizing the City's
20 established and standard permitting processes for clean fuel infrastructure, and
21

22 WHEREAS this Ordinance would enhance the City's SEPA procedures for
23 public notice, public meetings, and comment periods, and

24 WHEREAS this Ordinance is consistent with the goals and policies of the
25 One Tacoma Comprehensive Plan, including the Shoreline Master Program and
26



1 Container Port Element, and appropriately balances economic, environmental, and
2 public health goals, and

3 WHEREAS this Ordinance improves the internal consistency between the
4 City's established goals and policies in the One Tacoma Comprehensive Plan and
5 Shoreline Master Program, and the implementing regulations, and
6

7 WHEREAS this Ordinance maintains appropriate flexibility for economic
8 development and response to emerging markets, consistent with the requirements
9 of the Growth Management Act, and
10

11 WHEREAS this Ordinance promotes the general health, welfare, and safety
12 of residents, employees, and visitors, and

13 WHEREAS this Ordinance supports the City's long-term compliance with
14 greenhouse gas emission targets, and

15 WHEREAS the regulations in this Ordinance are based on consideration of
16 the following:

17
18 1. Consistency with the Container Port Element of the One Tacoma
19 Comprehensive Plan, and, broadly, the Growth Management Act;

20 2. Consistency with the Shoreline Master Program and Shoreline
21 Management Act;

22 3. Consideration of new information, including data on existing land
23 uses, environmental conditions, employment, 2019 greenhouse gas inventory and
24 forecast, emergency response, interim permit activity, development trends, and
25 fossil fuel baseline data;
26



1 4. Consideration of potential impacts of chemical manufacturing uses,
2 fossil and renewable fuel production, smelting, coal facilities, and mining and
3 quarrying;

4 5. Use compatibility with adjacent land uses; and

5 6. Substantial community input and public comments, and

6 WHEREAS the Washington Department of Ecology has issued an initial
7 determination of consistency with Chapter 90.58 RCW and 173-26 WAC, Part III,
8 and
9

10 WHEREAS the proposed amendments to Tacoma Municipal Code (“TMC”)
11 Title 19, the Shoreline Master Program, do not take effect until approved by the
12 Department of Ecology, and
13

14 WHEREAS the Department of Ecology approval of amendments to the
15 Shoreline Master Program may come after the expiration of the current interim
16 regulations, necessitating the adoption of the amendments to Title 19 as an
17 emergency, and
18

19 WHEREAS the City, together with its partners, the Port of Tacoma,
20 Puyallup Tribe of Indians, City of Fife, and Pierce County, are working
21 collaboratively to develop a Subarea Plan and SEPA Planned Action for the Port
22 of Tacoma Manufacturing and Industrial Center, and
23

24 WHEREAS the City Council’s consideration of the future Tideflats Subarea
25 Plan may result in modifications to TMC Title 13, the Land Use Regulatory Code,
26 and TMC Title 19, the Shoreline Master Program, based on additional public



1 input, data, and environmental analysis, to be conducted as part of that process;

2 Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4 Section 1. That the foregoing Recitals are hereby adopted as the City
5 Council's legislative findings.
6

7 Section 2. That the Tideflats and Industrial Land Use Regulations, as
8 recommended by the Planning Commission and modified by the Infrastructure,
9 Planning, and Sustainability Committee, the replacement of Amended Ordinance
10 No. 28470, Tideflats Interim Regulations, as approved by the City Council, and as
11 previously extended by Ordinance Nos. 28542, 28583, 28619, 28671, Amended
12 Ordinance Nos. 28696 and 28759, are hereby approved.
13

14 Section 3. That Title 13 of the Tacoma Municipal Code, "Land Use
15 Regulatory Code," is hereby amended as set forth in the attached Exhibit "A."
16

17 Section 4. That the City Council has determined that an emergency exists
18 regarding the adoption of Title 19 of the Tacoma Municipal Code, "Shoreline
19 Master Program," and that the chapter is hereby repealed and reenacted to read
20 as set forth in the attached Exhibit "B," and shall be effective immediately upon
21 publication.
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Section 5. That in codifying this Ordinance the City Clerk is authorized to make adjustments to headings, subsections, and other adjustments necessary to organize this code in an accessible and understandable manner without changing any substantive language.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



Note: These amendments show all of the changes to 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 has been deleted is shown as ~~struckthrough~~.

TITLE 13

LAND USE REGULATORY CODE

Chapters:

Chapter 13.01	Definitions	<u>25</u>
Chapter 13.02	Planning Commission.....	<u>557</u>
Chapter 13.03	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>65</u>
Chapter 13.04	Platting and Subdivisions	<u>Error! Bookmark not defined.</u> <u>67</u>
Chapter 13.05	Land Use Permits and Procedures	<u>791</u>
Chapter 13.06	Zoning	<u>19153</u>
Chapter 13.06A	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>419</u>
Chapter 13.07	Landmarks and Historic Special Review Districts	<u>Error! Bookmark not defined.</u> <u>421</u>
Chapter 13.08	Current Use Assessment.....	<u>Error! Bookmark not defined.</u> <u>441</u>
Chapter 13.09	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>443</u>
Chapter 13.10	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>444</u>
Chapter 13.11	Critical Areas Preservation.....	<u>Error! Bookmark not defined.</u> <u>445</u>
Chapter 13.12	Environmental Code.....	<u>Error! Bookmark not defined.</u> <u>485</u>
Chapter 13.13	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>515</u>
Chapter 13.14	<i>Repealed</i>	<u>Error! Bookmark not defined.</u> <u>516</u>
Chapter 13.15	Commute Trip Reduction	<u>Error! Bookmark not defined.</u> <u>517</u>
Chapter 13.16	Concurrency Management System.....	<u>Error! Bookmark not defined.</u> <u>525</u>
Chapter 13.17	Mixed-Use Center Development.....	<u>Error! Bookmark not defined.</u> <u>529</u>
Chapter 13.18	Affordable Housing Inclusionary Development Areas	<u>Error! Bookmark not defined.</u> <u>531</u>

CHAPTER 13.01 DEFINITIONS

Sections:

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

13.01.010 Purpose.

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

* * *

13.01.060 Zoning Definitions.

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

* * *

13.01.060.C

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“Chemical Manufacturing.” The production, processing, and wholesale distribution of chemicals and allied products, including:

1. “Production and processing:” Establishments primarily engaged in the transformation of organic and inorganic raw materials by a chemical process and the formulation of products. This subsector distinguishes the production of basic chemicals that comprise the first industry group from the production of intermediate and end products produced by further processing of basic chemicals that make up the remaining industry groups.

2. “Wholesaling:” Establishments primarily engaged in the merchant wholesale distribution of chemicals and allied products (except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes).

3. “Petrochemical Manufacturing:” Establishments primarily engaged in (1) manufacturing acyclic (i.e., aliphatic) hydrocarbons such as ethylene, propylene, and butylene made from refined petroleum or liquid hydrocarbons, (2) manufacturing cyclic aromatic hydrocarbons such as benzene, toluene, styrene, xylene, ethyl benzene, and cumene made

from refined petroleum or liquid hydrocarbons, and/or (3) manufacturing methyl alcohol (methanol) from natural gas, coal, or other petroleum based feedstock.

4. “Explosives Manufacturing:” Establishments primarily engaged in manufacturing explosives.

5. “Fertilizer Manufacturing:” Establishments primarily engaged in one or more of the following: (1) manufacturing nitrogenous or phosphatic fertilizer materials; (2) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; and (3) formulating and preparing pesticides and other agricultural chemicals.

These use classifications exclude uses that are otherwise defined herein as “Cleaner Fuels” and “Petroleum Fuel Facilities.”

* * *

“Cleaner Fuels.” shall mean carbon-free fuels that generate no carbon emissions including green hydrogen, and the following:

a. Any credit generating fuel under the Washington State Low Carbon Fuel Standard (HB 1091 2021-2022) as determined by the Washington State Department of Ecology.

b. Any Biomass Renewable Fuels approved by the federal Environmental Protection Agency under the federal Renewable Fuel Standard (40 CFR Part 80).

c. Alcohol Fuels meeting the requirements of RCW 19.112.010(1) as that statute exists or may hereafter be amended.

c. Biodiesel Fuel meeting the requirements of RCW 19.112.010(3), and Renewable Diesel meeting the requirements of RCW 19.112.010(9), as those statutes exist or may hereafter be amended.

d. E85 motor fuel which meets the requirements of RCW 19.112.010(2) exclusively for the propulsion of motor vehicles upon the roads, or RCW 19.112.010(6) for other motors, as those statutes exist or may hereafter be amended.

~~e. Alternative Fuels exclusively for the propulsion of motor vehicles upon the roads, which fuels meet the requirements of RCW 19.112.010(2) as that statute exists or may hereafter be amended.~~

~~e. Alternative Fuels exclusively for the propulsion of motor vehicles upon the roads, which fuels meet the requirements of RCW 19.112.010(2) as that statute exists or may hereafter be amended. Provided that the restrictions on petroleum including in gaseous form, and petroleum fuel facilities, shall apply to such Alternative fuels and all references to hydrogen in this chapter are limited to green hydrogen.~~

“Cleaner Fuel Infrastructure – Expanded.” The expansion of storage infrastructure including tankage constructed prior to effective date of this chapter to store petroleum, where the expansion of such petroleum storage infrastructure is for the sole purpose of blending petroleum with biomass and other cleaner fuels in the production of cleaner fuels.

“Cleaner Fuel Infrastructure – New.” New infrastructure for the production, storage, transportation and transshipment of Cleaner Fuels as defined herein, including infrastructure for blending biomass and other cleaner fuels with petroleum. New Cleaner Fuel Infrastructure shall not include new tankage for petroleum storage.

* * *

“Coal facilities.”

- Bulk coal storage: any structure, group of structures, equipment, or device that stores or transfers coal for use in the production of electricity or power, or for wholesale distribution.
- Coal power plant: a thermal power station which burns coal to generate electricity or other usable power.

* * *

13.01.060.D

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“Decorative grille.” An open framework of metal, wood, or other material arranged in a pattern that effectively obscures the views of parked cars located in an off-street parking structure from the public right-of-way.

“Department of Defense.” The United States Department of Defense (“DOD”) and any subdivision including the Defense Logistics Agency.

“Design (wireless communication facility).” The appearance of wireless communication facilities, including such features as materials, colors, and shapes.

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13.01.060.E

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“Emergency medical care.” Facilities providing emergency medical service on a 24-hour basis with no provision for continuing care on an inpatient basis.

“Enhanced SEPA Review.” Additions to the standard State Environmental Policy Act (SEPA) review process and checklist for project proposals governed by this chapter to be promulgated and updated from time to time by the Director. Such additions to the SEPA review process and checklist shall include but not be limited to; a public meeting for a SEPA application, which occurs after SEPA determination that an application is complete but prior to issuance of a preliminary threshold determination; an expanded Notice Distribution List to include direct mailing to taxpayers and occupants, consistent with Land Use Permits; expanded Public Notification Distance for Direct Mailing to 2500’ from the Manufacturing and Industrial Center, consistent with Land Use Permits; expanded Notification Period and Comment Period for SEPA to 30 days for Consistency with Land Use Permits, and a supplemental checklist specific to SEPA review of fuel production and or chemical manufacturing. To ensure application of this Enhanced SEPA review, the City of Tacoma shall be SEPA lead agency for all fuel-related projects permitted under this chapter.

“Equipment enclosure.” A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

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13.01.060.G

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“Grade.” The elevation of the ground surface around a building.

“Green Hydrogen.” Hydrogen produced through electrolysis powered by renewable electricity, specifically including hydroelectric power.

“Green roof.” See Vegetated roof.

“Greenhouse gas emissions.” Gases that trap heat in the atmosphere. "Greenhouse gas," "greenhouse gases," "GHG," and "GHGs" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and any other gas or gases designated by the federal clean air act (United States Code Title 42, Chapter 85), state clean air act (Chapter 70.94 RCW) or state limiting greenhouse gas emissions law (Chapter 70.235 RCW).

“Greenhouse gas emissions – Facility emissions.” Means greenhouse gas emissions associated with fossil fuel refineries, processing, or fossil fuel transshipment facilities based upon the refining and processing of fossil fuels located within the Port of Tacoma Manufacturing and Industrial Center.

“Greenhouse gas emissions – Lifecycle emissions.” The aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions), related to the full fuel lifecycle, including all stages of fuel and feedstock production and distribution, from feedstock generation or extraction through the distribution and delivery and use of the finished fuel to the ultimate consumer, where the mass values for all greenhouse gases are adjusted to account for their relative global warming potential.

* * *

13.01.060.M

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“Microbrewery/winery.” An establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, or wine, and which may include accessory uses such as tours of the microbrewery/winery, retail sales, and/or on-site consumption, e.g., “taproom.” This classification allows a microbrewery to sell beer/wine at retail and/or act as wholesaler for beer/wine of its own production for off-site consumption with appropriate state licenses.

“Mining and Quarrying.” The Mining, Quarrying, and Oil and Gas Extraction sector comprises establishments that extract naturally occurring mineral solids, such as coal and ores; liquid minerals, such as crude petroleum; and gases, such as natural gas. The term mining is used in the broad sense to include quarrying, well operations, beneficiating (e.g., crushing,

screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. This use category includes all industry sectors identified under NAICS Code 21 Mining, Quarrying, and Oil and Gas Extraction as well as surface mining as defined in TMC 13.01.060.S.

“Mixed-rate housing.” Includes both affordable and market-rate housing units in the same housing or mixed-use development.

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13.01.060.P

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“Personal services.” Provision of recurrently needed services of a personal nature. This classification includes services such as barber and beauty shops, tanning, seamstresses, tailors, shoe repair, dry cleaning agencies (excluding plants), photocopying, and self-service laundries; provision of instructional services or facilities such as photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, and fitness studios.

“Petroleum.” Crude oil, petroleum products and byproducts, and gaseous hydrocarbons and byproducts.

“Petroleum Fuel Facility.” This definition includes the following facilities:

- Petroleum fuel refinery;
- Terminals engaged in the bulk movement of petroleum fuels (excluding railyards and marine fueling facilities);
- Natural gas processing: any facility which (i) separates natural gas components to recover usable natural gas liquids (i.e., liquefied petroleum or natural gas), or (ii) produces natural gas suitable for transport (i.e., pipeline quality dry natural gas), or (iii) processes natural gas to create methanol or other chemical products.
- Bulk storage and processing of one type of petroleum fuel, or a combination of multiple types of petroleum fuels, in excess of one million gallons.

“Petroleum – Storage Capacity.” Gallons of petroleum capable of being stored within the entirety of the applicant’s facility for purposes of measuring expansion as allowed herein.

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13.01.060.S

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“Sign, warning.” Any sign which is intended to warn persons of prohibited activities such as “no hunting” and “no dumping.”

“Sign, window.” A sign painted on, affixed to, or installed inside a window for purposes of viewing from outside the premises.

“Smelting.” Smelting is a process of applying heat to ore in order to extract a base metal. It is a form of extractive metallurgy. It is used to extract many metals from their ores, including silver, iron, copper, and other base metals. This use category includes all smelting activities identified in NAICS codes 331411, 331313, and 331410.

“Special needs housing.” A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.

* * *

CHAPTER 13.02
PLANNING COMMISSION

Sections:

13.02.010	Creation – Appointment.
13.02.015	Establishment of advisory committees.
13.02.016	<i>Repealed.</i>
13.02.020	Meetings – Officers – Records.
13.02.030	Expenditures – Budget.
13.02.040	Duties and responsibilities.
13.02.043	<i>Repealed.</i>
13.02.050	Quorum.
13.02.053	<i>Repealed.</i>
13.02.057	<i>Repealed.</i>
13.02.060	Comprehensive Plan.
13.02.070	Comprehensive Plan amendment procedures.

* * *

13.02.070 Comprehensive Plan amendment procedures.

A. Adoption and amendment by ordinance.

* * *

G. Planning Commission review.

1. The Department will present the proposed amendment along with analysis conducted pursuant to Section 13.02.070.F to the Planning Commission for review and direction. The Commission will conduct public meetings and hearings, and solicit comments from the general public, organizations and agencies, other governmental departments and agencies, and adjacent jurisdictions as appropriate.
2. In formulating its recommendations to the City Council concerning adoption or amendment of the Comprehensive Plan, the Planning Commission shall provide public notice and conduct at least one public hearing.
3. Advisory committees established in accordance with Section 13.02.015 may also conduct one or more public hearings prior to making recommendations to the Planning Commission.
4. Planning Commission public hearings for adoption or amendment of development regulations and processes, moratoria, or interim zoning may be, but are not required to be, held at the same time as and in conjunction with the public hearing(s) for adoption or amendment of the Comprehensive Plan.
5. For land use designation changes, the Department shall ensure that a special notice of the acceptance of the application by the Planning Commission for consideration in the current amendment cycle is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, and occupants, within, and within ~~2500~~400 feet of, the subject area. This special notice will inform property taxpayers that an application has been filed, identify where the application and background information may be reviewed, describe in general terms the review and public comment process, establish a time and place for an informational meeting with City staff, and solicit preliminary comments.
6. After a public hearing, the Department will prepare a report summarizing the public hearing comments, provide a response to comments and make further recommendations, if appropriate, and forward the report and all comments to the Planning Commission for consideration.

* * *

CHAPTER 13.05
LAND USE PERMITS AND PROCEDURES

Sections:

13.05.010	Land use permits.
13.05.020	Application requirements for land use permits.
13.05.030	Zoning and land use regulatory code amendments.
13.05.040	Historic preservation land use decisions.
13.05.050	Development regulation agreements.
13.05.060	Residential infill pilot program.
13.05.070	Notice process.
13.05.080	Director decision making authority.
13.05.090	Decision of the director.
13.05.100	Appeals of administrative decisions.
13.05.105	<i>Repealed.</i>
13.05.110	Applications considered by the Hearing Examiner.
13.05.120	Expiration of permits.
13.05.130	Modification/revision to permits.
13.05.140	Director approval authority.
13.05.150	Enforcement.

13.05.010 Land Use Permits.

A. Conditional Use Permits.

1. Purpose.

In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit. These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in this Chapter and the applicable criteria outlined below.

* * *

23. Chemical Manufacturing, Processing, and Wholesale Distribution.

a. Decision: Hearing Examiner

b. In addition to the general conditional use criteria, Chemical manufacturing, processing, and wholesale distribution must demonstrate the following when a conditional use permit is required:

(1) Consultation:

- Planning and Development Services staff will seek input from the Tacoma Fire Department, Tacoma-Pierce County Health Department, Tacoma Community and Economic Development Department, Puyallup Tribe of Indians, and any other subject matter expert necessary to determine the potential risks and impacts of the proposed facility, as well as appropriate mitigation measures.

(2) Public health and safety:

- The property on which the proposed facility is to be located must not expose large concentrations of people, particularly in residential and commercial areas, to unreasonable adverse impacts. In applying this criteria the City shall consider impacts to employee-dense businesses in the Tideflats as well as to detention/correctional facilities and people detained within those facilities.

- The lot is located, or the use can be appropriately mitigated, to avoid any adverse impacts on receipt or utilization of federal funding for affordable housing and community development in adjacent residential and mixed-use areas, with particular attention given to Trust Lands of the Puyallup Tribe of Indians. The City will consider the current methodology for Acceptable Separation Distances as published by the Department of Housing and Urban Development in determining appropriate separation distances and on-site mitigation measures for this purpose.
- The applicant shall submit a management plan. The City will determine the level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the effects. Discussion of materials handling and storage, odor control, transportation, spill prevention, and other factors may be required.
- The City may impose conditions of approval limiting the nature of the materials produced and/or the scale of manufacturing operations in order to minimize the degree and severity of risks to public health and safety.

(3) Emergency services and risk management:

- The project shall not result in any increased risk of spill within the waters of Puget Sound and Commencement Bay. Updated spill response and emergency response plans shall be provided with the application, for review by all appropriate agencies;
- Plans and sufficient, realistic performance bonding for decommissioning and failure incidents are provided to ensure that the site will be rehabilitated after the use or activity is completed, terminated, or abandoned;
- Permit applicant to provide proof of insurance naming City of Tacoma as additional insured.
- Any adverse impacts to emergency services or increased demands for emergency services necessary to ensure the health and safety of employees and surrounding communities shall be mitigated concurrently with the proposed use or development.

(4) Shoreline Resources and Shorelines of Statewide Significance.

For uses within the shoreline, with a shoreline facility, or that propose to transport products and materials via marine vessel, the following criteria apply, with consideration given to the potential off-site impacts resulting from transport:

- There will be no likely long-term significant adverse impacts to shoreline resources or uses, or shorelines of statewide significance;
- All feasible steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
- All feasible steps are taken to avoid and minimize adverse impacts to fish and wildlife, including impacts on migration routes and habitat areas of species listed as endangered or threatened, environmentally critical and sensitive habitats such as breeding, spawning, nursery, foraging areas and wetlands. All impacts that cannot be avoided can be sufficiently mitigated or compensated so as to achieve no net loss of ecological functions over time.

24. Non-Industrial Uses in the Port of Tacoma Manufacturing and Industrial Center.

a. Decision: Hearing Examiner

b. In addition to the general conditional use criteria in TMC 13.05.010.A, non-industrial conditional uses in the Port of Tacoma Manufacturing and Industrial Center shall meet the following criteria. In considering conditional use permit applications, the City will consult with the Puyallup Tribe of Indians and Port of Tacoma to determine potential off-site impacts on port/industrial facilities and operations, and to identify appropriate mitigation measures.

(1) The location will not significantly interfere with container shipping facilities. Mitigation may be required to avoid and minimize disruptions to nearby industrial activity.

(2) The location is buffered from potentially high-impact industrial facilities.

(3) The use will incorporate design elements to reduce impact on employees and customers from adjacent or nearby industrial activities.

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13.05.030 Zoning and land use regulatory code amendments.

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B. Area-Wide Rezoning Reclassifications

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9. Planning Commission Review.

- a. The Department will present the proposed amendment along with analysis conducted pursuant to this Section to the Planning Commission for review and direction. The Commission will conduct public meetings and hearings, and solicit comments from the general public, organizations and agencies, other governmental departments and agencies, and adjacent jurisdictions as appropriate.
- b. In formulating its recommendations to the City Council concerning a proposed area-wide zoning reclassification, the Planning Commission shall provide public notice and conduct at least one public hearing.
- c. Advisory committees established in accordance with Section 13.02.015 may also conduct one or more public hearings prior to making recommendations to the Planning Commission.
- d. For area-wide zoning reclassifications, the Department shall ensure that a special notice of the acceptance of the application by the Planning Commission for consideration in the current amendment cycle is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, and occupants, within, and within ~~2500~~400-feet of, the subject area. This special notice will inform property taxpayers that an application has been filed, identify where the application and background information may be reviewed, describe in general terms the review and public comment process, establish a time and place for an informational meeting with City staff, and solicit preliminary comments.
- e. The Planning Commission shall conduct a public hearing to consider an area-wide zoning reclassification and to determine the consistency of the reclassification with the Comprehensive Plan and its elements and RCW 36.70A. In making its recommendation to the City Council, the Planning Commission shall make findings and conclusions to demonstrate the manner in which the area-wide reclassification carries out and helps implement the goals and policies of the Comprehensive Plan.

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13.05.070 Notice process.

A. Purpose.

The purpose of this section is to provide notice requirements for land use applications.

B. Administrative Determination.

1. A public notice of application is not required for Administrative Determinations. Examples of Administrative Determinations are minor variances, reasonable accommodation requests, review of non-conforming rights, zoning verification requests, and information requests.
2. Determinations of the Director shall be mailed to the applicant and the property owner (if different than the applicant) by first class mail and/or electronic mail.
3. At the discretion of the Director, notice of the Determination and/or summary of Determination may be provided to other qualified or interested parties.

C. Process I – Minor Land Use Decisions.

1. A public notice of application shall be provided, and a notice of application published, within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.E. Examples of minor land use decisions are variances, Conditional Use Major Modifications, temporary shelters, wetland/stream/FWHCA Verifications, and wetland/stream/FWHCA Minor Development Permits.
2. Public notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils pursuant to TMC 1.45 and business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); and the Puyallup Tribe of Indians ~~Tribe for~~

~~“substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ~~;~~ and to~~ Notice shall also be mailed by first-class mail to occupants and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H.

3. Parties receiving ~~public notice of application~~ shall be given 14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department. ~~The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 14 days of the mailing of such notice, or who requests receipt of a copy of the decision.~~

4. Decisions of the Director shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Director requiring environmental review pursuant to the State Environmental Policy Act, WAC 197-11, and the provisions of TMC Chapter 13.12, shall also include a Threshold Determination by the Responsible Official for the Department.

~~(a) A full copy of the decision shall be provided to any party who commented on the proposal during the comment period.~~

~~(b) A notice of decision shall be mailed by first-class mail to: all recipients of the initial public notice, as described above. owners of property and/or taxpayers of record as indicated by the Pierce County Assessor/Treasurer’s records within the distance identified in Section 13.05.020.H; neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; and the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988.~~

~~5. A neighborhood or community organization shall be qualified to receive notice under this section upon a finding that the organization:~~

~~(a) has filed a request for a notification with the City Clerk in the form prescribed by rule, specifying the names and addresses of its representatives for the receipt of notice and its officers and directors;~~

~~(b) includes within its boundaries land within the jurisdiction of the permit authority;~~

~~(c) allows full participating membership to allow property owners/residents within its boundaries;~~

~~6. More than one neighborhood or community organization may represent the same area.~~

~~7. It shall be the duty of the neighborhood group to advise the City Clerk’s office in writing of changes in its boundaries, or changes in the names and addresses of the officers and representatives for receipt of notice.~~

~~5~~8. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.070.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and ~~where~~ how additional information can be obtained.

D. Process II – Administrative Decisions Requiring an Environmental Determination and Height Variances, Shoreline Permits, Conditional Use, Special Development Permits, Wetland/Stream/Fish & Wildlife Habitat Conservation Area (FWHCA) Development Permits, Site Approvals.

1. A ~~public notice of application~~ shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.E.

2. ~~Public notice of application~~ shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations consistent with the requirements set forth for Process I land use permits; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); ~~and~~ the Puyallup Tribe of Indians ~~Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ~~;~~ and to~~ Notice shall also be mailed by first-class mail to occupants and owners

of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all occupants and owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. from the boundary of the PRD District.

3. Parties receiving public notice of application shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department, unless a Public Meeting is held, as provided by Section 13.05.070.G. ~~The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 30 days of the mailing of such notice, or who requests receipt of a copy of the decision.~~

4. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.070.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection H of this section.

6. Decisions of the Director shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Director requiring environmental review pursuant to the State Environmental Policy Act, WAC 197-11, and the provisions of TMC Chapter 13.12, shall also include a Threshold Determination by the Responsible Official for the Department.

(a) A full copy of the decision shall be provided to any party who commented on the proposal during the comment period.

(b) A notice of decision shall be mailed by first-class mail to all recipients of the initial public notice, as described above.

E. Process III – Decisions Requiring a Public Hearing.

1. A public notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.020.C.

2. Public notice of application, including the information identified in Section 13.05.070.F, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47 in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); ~~and the Puyallup Indian Tribe of Indians for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988. Any of the above groups may be notified by electronic means instead of, or in addition to, first-class mail, upon written notification to the Department that electronic transmittal is the preferred method. ; and to~~ Notice shall also be mailed by first-class mail to residents and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to ~~residents~~ occupants and all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.070.H from the boundary of the PRD District.

3. The notified parties shall be allowed 21 days from the date of mailing to comment on the pre-threshold environmental determination under provisions of Chapter 13.12, after which time the responsible official for SEPA shall make a final determination. Those parties who comment on the environmental information shall receive notice of the environmental determination. If an appeal of the determination is filed, it will be considered by the Hearing Examiner at the public hearing on the proposal.

4. A public information sign (or signs), provided by the Department, indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The notice shall contain, at a

minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection H of this section.

F. Content of Public Notice and Notice of Application.

1. At a minimum, the Public Notice shall contain the following elements:

a. A clear statement that a full Notice of Application as described below is available, and how to access that Notice;

b. A project description, including type of permit requested, proponent, location, and vicinity map;

c. Preliminary environmental determination (or exemption);

d. Project contact information, including comment method and deadline and, as applicable, the following:

i. Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);

ii. A provision which advises that a “public meeting” may be requested by any party entitled to notice.

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

~~a.1.~~ Date of application;

~~b.2.~~ Date of notice of completion for the application;

~~c.3.~~ Date of the notice of application;

~~d.4.~~ Description of the proposed project action;

~~e.5.~~ List of permits included in the application;

~~f.6.~~ List of studies requested;

~~g.7.~~ Other permits which may be required;

~~h.8.~~ A list of existing environmental documents used to evaluate the proposed project(s) and where they can be reviewed;

~~i.9.~~ Public comment period (not less than 14 nor more than 30 days), statement of right to comment on the application, receive notice of and participate in hearings, request a copy of the decision when made, and any appeal rights;

~~j.10.~~ Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);

~~k.11.~~ Statement of preliminary determination of development regulations that will be used for project mitigation and of consistency;

~~l.12.~~ A provision which advises that a “public meeting” may be requested by any party entitled to notice;

m. Notice that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 14 days of the mailing of such notice, or who requests receipt of a copy of the decision.

~~n.13.~~ Any other information determined appropriate, e.g., preliminary environmental determination, applicant’s analysis of code/policy applicability to project.

G. Public Comment Provisions.

Parties receiving public notice ~~of application~~ shall be given the opportunity to comment in writing to the department. A “public meeting” to obtain information, as defined in Section 13.01.050, may be held on applications which require public notification under Process II, and Conditional Use Major Modifications, when:

1. The Director determines that the proposed project is of broad public significance; or
2. The neighborhood council pursuant to TMC 1.45 or the neighborhood business district pursuant to TMC 1.47 in the area of the proposed project requests a “public meeting”; or
3. The owners of five or more parcels entitled to notice for the application make a written request for a meeting; or
4. The applicant has requested a “public meeting.”

Requests for a meeting must be made in writing and must be in the Planning and Development Services office within the comment period identified in the notice. One public meeting shall be held for a permit request regardless of the number of public meeting requests received. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting. Notice of the “public meeting” shall be mailed at least 14 days prior to the meeting to all parties entitled to original notice, and shall specify the extended public comment period; however, if the Director has determined that the proposed project is of broad public significance, or if the applicant requests a meeting, notification of a public meeting may be made with the notice of application, and shall allow the standard 30-day public comment period.

The comment period for permit type is identified in Section 13.05.070.H. When a proposal requires an environmental determination under Chapter 13.12, the notice shall include the time within which comments will be accepted prior to making a threshold determination of environmental significance or non-significance.

H. Notice and Comment Period for Specified Permit Applications.

Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

Table H – Notice, Comment and Expiration for Land Use Permits

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years ³
Binding site plan	Required	No	No	No	No	Director	No	No	5 years ³
Environmental SEPA DNS* (see TMC 13.05.070.I)	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
Environmental Impact Statement (EIS)* (see TMC 13.05.070.I)	Required for scoping, DEIS and FEIS	1000 feet	Yes	Yes	Minimum 30 days	Director	No, unless part of associated action. Public scoping meeting(s) required	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years
Open space classification	Required	400 feet	No	Yes	2	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	1000 feet	Yes	Yes	21 days SEPA ²	Hearing Examiner	Yes	Final Plat	5 years ⁶
Rezones	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA ²	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance* (see TMC 13.05.070.I)	Required	400 feet	No	Yes	30 days ⁵	Director	No ¹	No	2 years/ maximum ⁶
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years ³
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No ¹	No	5 years ⁶

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Site approval	Required	400 feet	No	Yes	30 days ⁵	Director	No	No	5 years
Conditional use* (see TMC 13.05.070.1)	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days ⁵	Director	No	No	5 years ⁴
Conditional use, correctional facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, detention facilities (new or major modification)	Required	2,500 feet from the edge of the zone	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days ²	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days ⁵	Director	No	No	5 years
Temporary Shelters Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet ⁷	No	No	14 days	Director	No ¹	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No ¹	No	5 years
Wetland/Stream/FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years*
Wetland/Stream/FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years*
Wetland/Stream/FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

* Programmatic Restoration Projects can request 5 year renewals to a maximum of 20 years total.

When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.110.C).

- 1 Conditional use permits for wireless communication facilities, including towers, shall expire two years from the effective date of the Director’s decision and are not eligible for a one-year extension.
- 2 Comment on land use permit proposal allowed from date of notice to hearing.
- 3 Must be recorded with the Pierce County Auditor within five years.
- 4 Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director’s decision.
- 5 If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.
- 6 Refer to Section 13.05.120 for preliminary plat expiration dates.
- 7 Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

I. Expanded Notification for Heavy Industrial Uses.

1. Applicability.

The following expanded notification standards apply to the following permit applications and SEPA determinations:

a. Uses classified as “heavy industry” where a shoreline permit, conditional use permit, or variance is required.

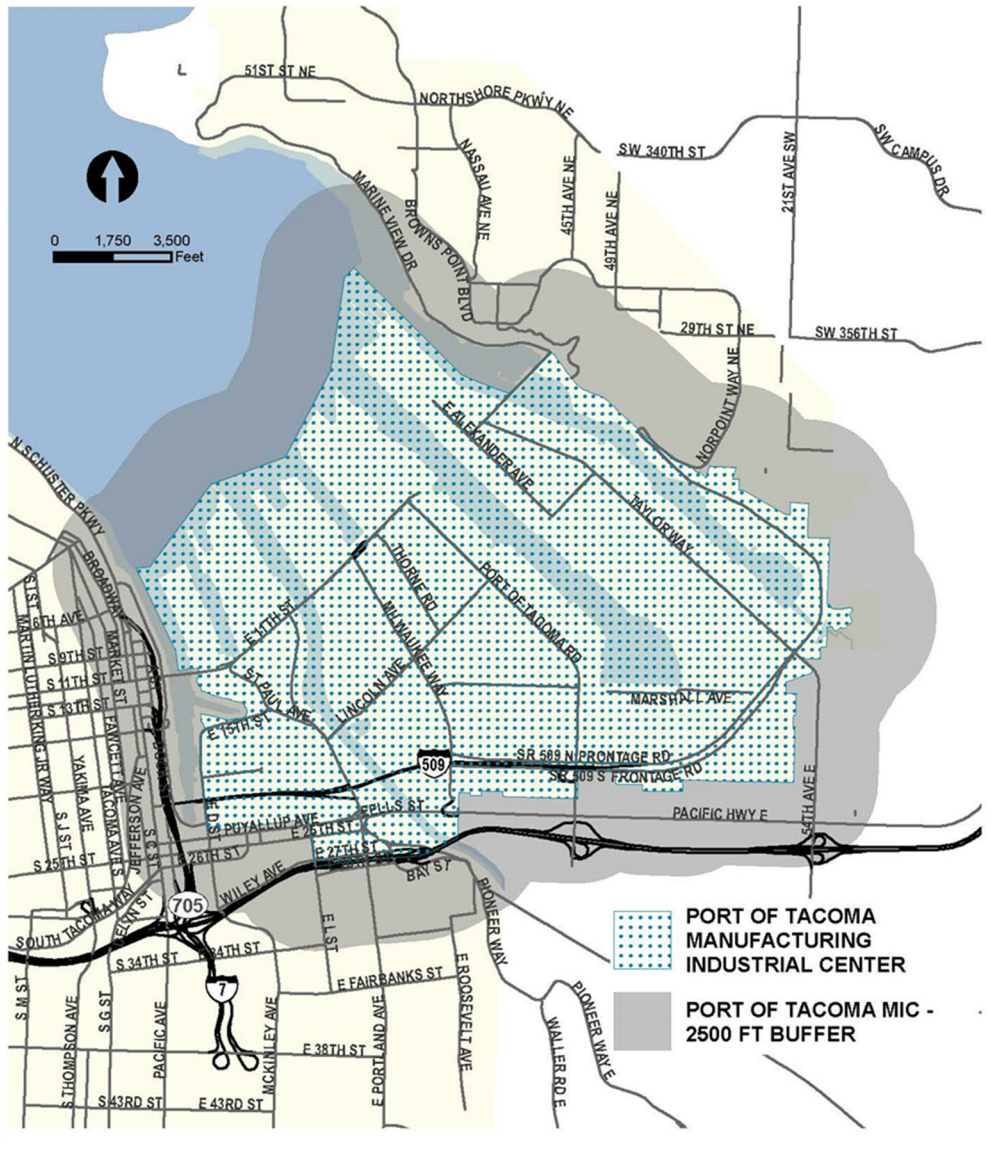
b. SEPA determinations for uses classified as “Petroleum Fuel Facility,” “Cleaner Fuel Infrastructure (new and expanded),” and “Chemical Manufacturing.”

2. Notice for designated projects will be emailed to all Neighborhood Councils and Business Districts, as well as the Community Council. In addition, notice will be sent to the SEPA contact for all adjacent jurisdictions (Federal Way, Fife, Fircrest, Lakewood, Pierce County, and University Place). This is in addition to all typically-notified parties and the Puyallup Tribe of Indians.

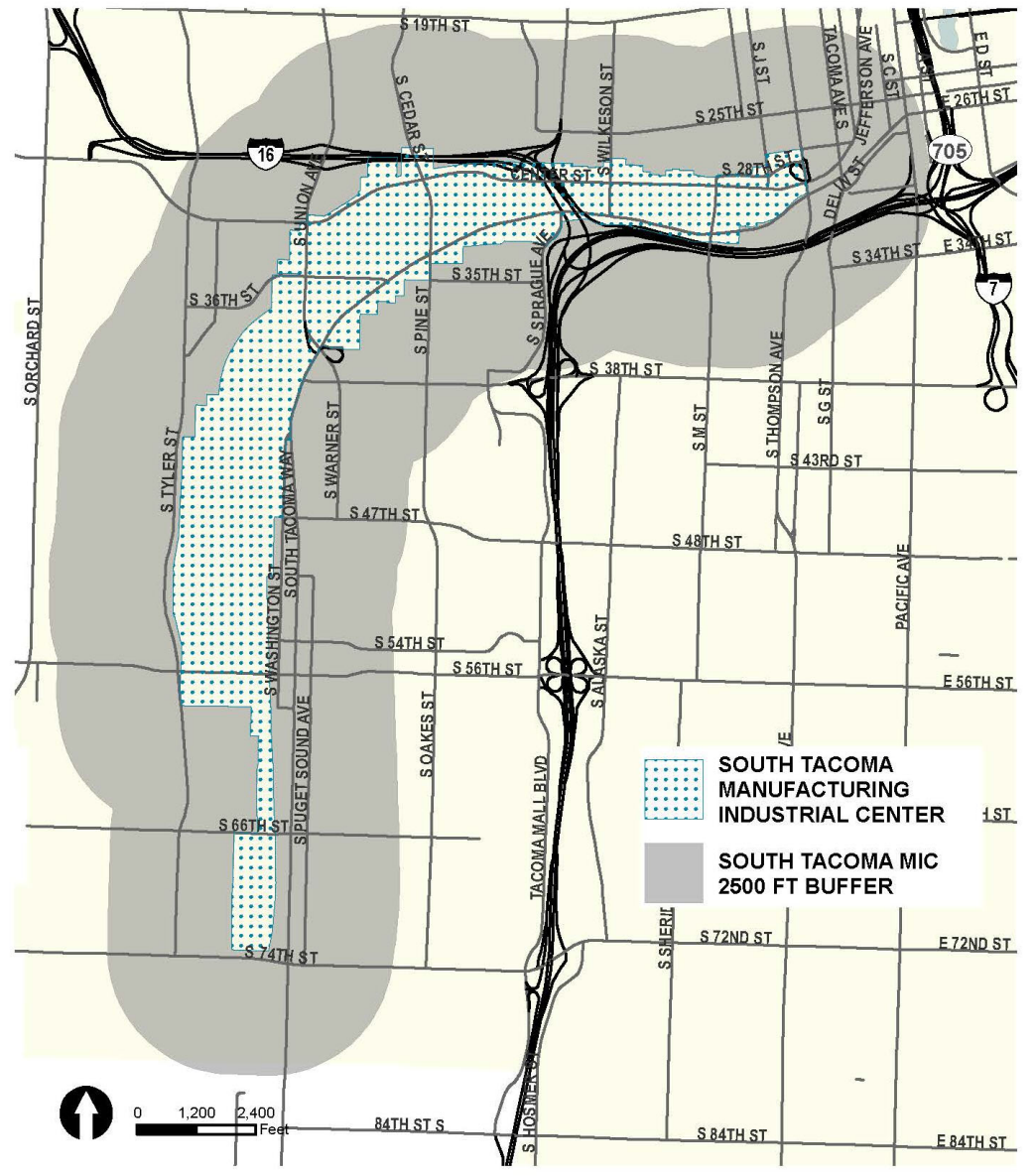
3. Notification of designated projects will be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils and business districts; qualified neighborhood or community organizations; the Puyallup Tribe of Indians; Local Governments in Pierce County; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer.

4. Notification distance.

(a) The notification distance for a project within the Port of Tacoma Manufacturing/Industrial Center (M/IC) shall extend to 2,500 feet from the boundaries of that center, as generally depicted in the following map:



[\(b\) Notification distance for a project within the South Tacoma Manufacturing/Industrial Overlay District shall extend to 2,500 feet from the boundaries of the Overlay District as generally depicted in the following map:](#)



(c) Notification distance for a qualifying industrial project in any other zoning district, outside either of the above areas, will be 2,500 feet from the boundaries of the project site.

5. Upon determination of a Complete Application, the City will hold a public meeting to provide notification that a significant project has been applied for. Further, the meeting will provide clarity on the public process (from all permitting agencies) and opportunities for public review and comment.

(a) For projects with an associated land use permit and public notice, this meeting will take place approximately two weeks after the start of the public notice period. Public notice will be extended to 30 days in the rare case that the TMC-required notice period is not already 30 days.

(b) For projects not associated with a land use permit, the meeting will take place after determination that a SEPA application is complete, but prior to issuance of a preliminary SEPA determination. The meeting will include a proposed SEPA timeline, including issuance of the preliminary determination, opportunity for comment, and the appeal process for this type of SEPA determination.

(c) This required public meeting is in lieu of the optional public meeting in Subsection F above.

6. Upon determination of a Complete Application, the City will post the permit package and all relevant studies on the City’s permitting website.

7. Additional notification may be done as necessary (i.e., social media posts or separate project web pages) or as appropriate for the project type.

J. Notice for public hearings.

1. The Department shall give public/legal notice of the subject, time and place of the Planning Commission, or its advisory committee, public hearings in a newspaper of general circulation in the City of Tacoma prior to the hearing date. The Department shall provide notice of Commission public hearings on proposed amendments to the Comprehensive Plan and development regulations to adjacent jurisdictions, other local and state government agencies, Puyallup Tribal Nation, the applicable current neighborhood council board members pursuant to TMC 1.45, neighborhood business districts pursuant to TMC 1.47, and other individuals or organizations identified by the Department as either affected or likely to be interested.

2. For Comprehensive Plan land use designation changes, area-wide zoning reclassifications, and interim zoning of an area-wide nature, the Department shall ensure that a special notice of public hearing is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, and occupants, within, and within 2500~~1000~~ feet of the subject area.

3. For land use designation amendments, area-wide zoning reclassifications, or center boundary modifications affecting a designated regional growth center or manufacturing and industrial center, the Department shall ensure that a special notice of public hearing is mailed to all property taxpayers and occupants within, and within 2500 feet, of the designated center.

4.3. For a proposed amendment to the Comprehensive Plan land use designations or area-wide zoning classifications within a focused geographic area, the Department shall require that a public information sign(s), provided by the Department, is posted in the affected area at least 14 calendar days prior to the Planning Commission public hearing. The sign shall be erected at a location or locations as determined by the Department, and shall remain on site until final decision is made by the City Council on the proposed amendment. The applicant shall check the sign(s) periodically in order to make sure that the sign(s) remains up and in a readable condition. The sign shall contain, at a minimum, the name of the applicant, a description and location of the proposed amendment, and where additional information may be obtained.

5.4. The City Clerk shall give public notice of the subject, time and place of public hearings for actions by the City Council in a newspaper of general circulation in the City of Tacoma prior to the hearing date.

**CHAPTER 13.06
ZONING**

Sections:

- 13.06.010 General Provisions.
- 13.06.020 Residential Districts.
- 13.06.030 Commercial Districts.
- 13.06.040 Mixed-Use Center Districts.
- 13.06.050 Downtown.
- 13.06.060 Industrial Districts.
- 13.06.070 Overlay Districts.
- 13.06.080 Special Use Standards.
- 13.06.090 Site Development Standards.
- 13.06.100 Building Design Standards.

* * *

13.06.020 Residential Districts.

* * *

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
3. Use table abbreviations.

P = Permitted use in this district.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
N = Prohibited use in this district.

4. District use table. (see next page for table)

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Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.020.F
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N
Adult retail and entertainment	N	N	N	N	N	N	N	N	
Agricultural uses	CU	CU	CU	CU	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.
Airports	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	N	N	N	N	N	N	N	
Animal sales and service	N	N	N	N	N	N	N	N	
Assembly facility	N	N	N	N	N	CU	CU	CU	
Brewpub	N	N	N	N	N	N	N	N	
Building materials and services	N	N	N	N	N	N	N	N	
Business support services	N	N	N	N	N	N	N	N	
Carnival	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.080.P.
Cemetery/internment services	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A.
Chemical manufacturing, processing, and wholesaling	N	N	N	N	N	N	N	N	
Cleaner Fuel Infrastructure	N	N	N	N	N	N	N	N	
Coal facilities	N	N	N	N	N	N	N	N	

Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Commercial parking facility	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.090.C.
Commercial recreation and entertainment	N	N	N	N	N	N	N	N	
Communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Antennas for such facilities are subject to the additional requirements contained in Section 13.06.080.Q.
Confidential Shelter	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Continuing care retirement community	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Correctional facility	N	N	N	N	N	N	N	N	
Craft Production	N	N	N	N	N	N	N	N	Prohibited except as provided for in Section 13.06.020.E
Cultural institution	N	N	N	N	N	N	N	N	
Day care, family	P	P	P	P	P	P	P	P	Must be licensed by the State of Washington.
Day care center	CU	CU	CU	CU	CU	P/CU	P	P	Subject to additional requirements contained in Section 13.06.080.E. For R-4-L, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.
Detention facilities	N	N	N	N	N	N	N	N	Side yards shall be provided as specified in Section 13.06.602.
Detoxification center	CU	CU	CU	CU	CU	CU	CU	CU	
Drive-through with any use	N	N	N	N	N	N	N	N	
Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one dwelling unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process.

Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Dwelling, two-family	N	CU ²	P/CU	P/CU	P	P	P	P	<p>In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit.</p> <p>In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit.</p> <p>Subject to additional requirements contained in Section 13.06.100.</p>
Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	<p>In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit.</p> <p>For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district.</p> <p>Subject to additional requirements contained in Section 13.06.100.</p>
Dwelling, multiple-family	N	N	N	P/N	CU ²	P	P	P	<p>In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005.</p> <p>In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit.</p>

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Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Dwelling, townhouse	N	CU ²	CU	CU	P	P	P	P	Subject to additional requirements contained in Section 13.06.020.G. In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit. In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.060).
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	ADUs are only allowed in association with single-family development. Subject to additional requirements contained in Section 13.06.080.A.
Dwelling, Cottage Housing	CU2	CU2	CU2	N	CU2	CU2	CU2	CU2	Cottage Housing developments require the issuance of a Conditional Use Permit and are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.060.
Eating and drinking	N	N	N	N	N	N	N	P	For R-5, minor eating and drinking establishments are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities, are designed primarily to serve on-site residents, and are consistent with a restaurant use per Section 13.01.060.
Emergency and transitional housing	N	N	N	N	N	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.N.
Extended care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Foster home	P	P	P	P	P	P	P	P	
Fueling station	N	N	N	N	N	N	N	N	
Funeral home	N	N	N	N	N	N	N	N	
Golf course	P	P	P	P	P	P	P	P	

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Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Group housing	P	P	P	P	P	P	P	P	In the R-1, R-2, R-2SRD, and HMR-SRD districts, group housing is limited to 6 or fewer unrelated adults. In the R-3 district, group housing is limited to 15 or fewer unrelated adults. In the R-4-L, R-4 and R-5 districts, there is no limit to the allowed number residents in a group housing facility.
Heliport	CU	CU	CU	CU	CU	CU	CU	CU	
Home occupation	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.F.
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 13.06.080.N.
Juvenile community facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.H.
Live/Work	N	N	N	N	N	N	N	N	
Marijuana processor	N	N	N	N	N	N	N	N	
Marijuana producer	N	N	N	N	N	N	N	N	
Marijuana retailer	N	N	N	N	N	N	N	N	
Microbrewery/winery	N	N	N	N	N	N	N	N	
Surface mining <u>Mining and quarrying</u>	CU	CU	CU	CU	CU	CU	CU	CU	<u>Existing surface mines considered permitted as conditional use.</u> Subject to additional requirements contained in Section 13.06.080.O.
Mobile home/trailer court	N	N	N	N	N	CU	N	N	Subject to additional requirements contained in Section 13.06.090.B.
Nursery	N	N	N	N	N	N	N	N	
Office	N	N	N	N	N	N	N	N	

Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Parks, recreation and open space	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit: Destination facilities High-intensity recreation facilities High-intensity lighting Development of more than 20 off-street parking spaces Parks, recreation and open space uses are subject to the requirements of Section 13.06.080.L, where the above features are defined.
Passenger terminal	N	N	N	N	N	N	N	N	
Personal services	N	N	N	N	N	N	N	P	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Petroleum Fuel Facility	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19*)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	CU	CU	CU	CU	CU	CU	CU	CU	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit.
Religious assembly	CU	CU	CU	CU	CU	CU	CU	CU	
Repair services	N	N	N	N	N	N	N	N	
Research and development industry	N	N	N	N	N	N	N	N	
Residential care facility for youth	N	N	N	N	P	P	P	P	Subject to additional requirements contained in 13.06.080.N.

* Code reviser’s note: Title 13.10 was repealed and a new Title 19, entitled “Shoreline Master Program”, was enacted per Ordinance No. 28612.

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Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Residential chemical dependency facility	N	N	N	N	N	P	P	P	Subject to additional requirements contained in 13.06.080.N.
Retail	N	N	N	N	N	N	N	P	For R-5, minor retail businesses such as drug stores and newsstands are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Retirement home	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
School, public or private	CU	CU	CU	CU	CU	CU	CU	CU	
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to additional requirements contained in Section 13.06.080.P.
Self-storage	N	N	N	N	N	N	N	N	
Short-term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (3-9 guest rooms)	N	N	N	N	CU	CU	CU	CU	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.M and 13.06.080.
<u>Smelting</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>	
Staffed residential home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N.
Student housing	CU	CU	CU	CU	CU	CU	CU	CU	
Surface mining	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.O.
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.080.P
Theater	N	N	N	N	N	N	N	N	
Transportation/freight terminal	N	N	N	N	N	N	N	N	
Urban Horticulture	N	N	N	N	N	N	N	N	

Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	
Vehicle rental and sales	N	N	N	N	N	N	N	N	
Vehicle service and repair	N	N	N	N	N	N	N	N	
Vehicle service and repair, industrial	N	N	N	N	N	N	N	N	
Vehicle storage	N	N	N	N	N	N	N	N	
Warehouse, storage	N	N	N	N	N	N	N	N	
Wholesale or distribution	N	N	N	N	N	N	N	N	
Wireless communication facility	CU	CU	CU	N	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.Q and the time limitations set forth in Chapter 13.05, Table G.
Work/Live	N	N	N	N	N	N	N	N	
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.080.R.
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 13.05.010.A for additional details, limitations and requirements.
- ² Certain land uses, including two-family, townhouse, and cottage housing in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.060.
- ³ Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

* * *

13.06.030 Commercial Districts.

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

[See next page for table.]

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

4. District use table.

Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
Adult family home	P	P	P	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	N	Prohibited except as provided for in Section 13.06.080.B.
Agricultural uses	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed.
Airport	CU	CU	CU	CU	
Ambulance services	N	P	P	P	
Animal sales and service	N	P	P	N	Must be conducted entirely within an enclosed building.
Assembly facility	CU	P	P	P	
Brewpub	N	N	P	N	2,400 barrel annual brewpub production maximum, equivalent volume wine limit.
Building materials and services	N	N	P	N	
Business support services	N	P	P	P	
Carnival	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Cemetery/internment services	N	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit.
<u>Chemical manufacturing, processing and wholesale distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Cleaner Fuel Infrastructure</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Coal facilities</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Commercial parking facility	P	P	P	P	

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Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
Commercial recreation and entertainment	N	N	P	P	
Communication facility	N	N	P	P	
Confidential shelter	P	P	P	P	See Section 13.06.080.N. Limit: 15 residents in T District.
Continuing care retirement community	P	P	P	P	See Section 13.06.080.N.
Correctional facility	N	N	N	N	
Craft Production	CU	P	P	P	Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E. All production, processing and distribution activities are to be conducted within an enclosed building.
Cultural institution	P	P	P	N	
Day care, family	P	P	P	P	
Day care center	P	P	P	P	Subject to regulations set forth in Section 13.06.080.E.
Detention facility	N	N	N	N	
Detoxification center	N	N	N	N	
Drive-through with any use	N	N	P	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). Subject to the requirements of TMC 13.06.090.A.
Dwelling, single-family detached	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, two-family	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, three-family	P	P	P	P	Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, multiple-family	P	P	P	P	
Dwelling, townhouse	P	P	P	P	
Dwelling, accessory (ADU)	P	P	P	P	ADUs are only allowed in association with single-family development. Subject to additional requirements contained in 13.06.080.A.

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Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
Eating and drinking	N	P/CU	P	P*/CU*	In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See Chapter 13.01 for the definitions of restaurants and drinking establishments. In the C-2 district, live entertainment is limited to that consistent with either a Class "B" or Class "C" Cabaret license as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a Class "C" cabaret license as designated in Section 6B.70. *Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District, and PDB Districts
Emergency and transitional housing	CU	CU	P	CU	See Section 13.06.080.N.
Extended care facility	P	P	P	P	See Section 13.06.080.N.
Foster home	P	P	P	P	
Fueling station	N	P	P	N	
Funeral home	P	P	P	N	
Golf course	P	P	P	P	
Group housing	P	P	P	P	
Heliport	N	N	N	N	
Home occupation	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.F
Hospital	N	CU	CU	N	
Hotel/motel	N	N	P	P	
Industry, heavy	N	N	N	N	
Industry, light	N	N	N	N	
Intermediate care facility	P	P	P	P	See Section 13.06.080.N.
Juvenile community facility	N	N	N	N	Prohibited except as provided for in Section 13.06.080.H.
Live/Work	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.
Marijuana processor, producer, and researcher	N	N	N	N	
Marijuana retailer	N	P	P	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. See additional requirements contained in Section 13.06.080.J.
Microbrewery/winery	N	N	N	N	
Surface mining Mining and quarrying	CUN	CUN	CUN	CUN	Existing surface mines are permitted as conditional uses, subject to See specific requirements in Section 13.06.080.O.
Mobile home/trailer court	N	N	CU	N	

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Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
Nursery	N	N	P	N	
Office	P	P	P	P	*Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.
Parks, recreation and open space	P	P	P	P	Subject to the requirements of Section 13.06.080.L.
Passenger terminal	N	N	P	N	
Personal services	N	P	P	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
<u>Petroleum Fuel Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19 ¹)	N	N	N	N	
Public safety and public service facilities	P	P	P	P	
Religious assembly	P	P	P	P	
Repair services	N	P	P	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Research and development industry	N	N	N	P	
Residential care facility for youth	P	P	P	P	See Section 13.06.080.N. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	P	See Section 13.06.080.N.
Retail	N	P	P/CU~	P*	~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District. *Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District, and PDB Districts.
Retirement home	P	P	P	P	See Section 13.06.080.N.
School, public or private	P	P	P	P	
Seasonal sales	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Self-storage	N	N	P	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.090.J.
Short-term rental (1-2 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (3-9 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (entire dwelling)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
<u>Smelting</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Staffed residential home	P	P	P	P	See Section 13.06.080.N. See definition for bed limit.

¹ Code reviser's note: Title 13.10 was repealed and a new Title 19, entitled "Shoreline Master Program", was enacted per Ordinance No. 28612.

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Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
Student housing	P	P	P	P	
Surface mining	CU	CU	CU	CU	See specific requirements in Section 13.06.080.Q.
Temporary uses	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Theater	N	P	P	N	Movie theaters are limited to 4 screens. This does not include adult entertainment.
Transportation/freight terminal	N	N	P	P	
Urban Horticulture	N	N	N	N	
Utilities	CU	CU	CU	CU	
Vehicle rental and sales	N	N	P	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Vehicle service and repair	N	P*	P	N	*In the C-1 District, car washes are allowed with a limit of 2 washing bays. Washing bays shall be enclosed on at least 2 sides and covered with a roof. No water shall spray or drain off-site. Subject to development standards contained in Section 13.06.080.S. Prohibited in any commercial district combined with a VSD View Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Vehicle service and repair, industrial	N	N	N	N	
Vehicle storage	N	N	N	N	
Warehouse, storage	N	N	N	N	
Wholesale or distribution	N	N	N	P	
Wireless communication facility	P / CU	P / CU	P / CU	P / CU	Wireless communication facilities are also subject to Section 13.06.080.Q.
Work/Live	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 13.06.080.I.
Work release center	N	N	N	N	Prohibited except as provided for in Section 13.06.080.R.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	

Uses ⁴	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3,4} (also see footnotes at bottom of table)
<p>Footnotes:</p> <ol style="list-style-type: none"> 1. Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and offices. 2. 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 13.05.010.A for additional details, limitations and requirements. 3. Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P. 4. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict. 					

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13.06.040 Mixed-Use Center Districts.

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E. District use restrictions.

1. Use requirements.

The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

2. Use table abbreviations.

P = Permitted use in this district.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010.A.
TU = Temporary use consistent with Section 13.06.080.P.
N = Prohibited use in this district.

3. District use table.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX. ² Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
Adult retail and entertainment	N	N	N	N	N	N	N	N	Prohibited, except as provided for in Section 13.06.080.B.
Agricultural uses	N	N	N	N	N	N	N	N	
Airport	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	CU	CU	N	P	P	N	N	
Animal sales and service	P	P	P	N	P	N	N	N	Except in the CIX District, must be conducted entirely within an enclosed structure. Must be set back 20 feet from any adjacent residential district or use.
Assembly facility	P	P	P	CU	P	N	N	N	Prohibited at street level along designated pedestrian streets in NCX. ²
Brewpub	P	P	P	P	P	N	N	N	Brewpubs located in NCX, CCX, UCX, and RCX shall be limited to producing, on-premises, a maximum of 2,400 barrels per year of beer, ale, or other malt beverages, as determined by the annual filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.
Building materials and services	N	P	CU	N	P	N	N	N	Prohibited at street level along frontage of designated core pedestrian streets. ²
Business support services	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. Offices must be located at building fronts on designated pedestrian streets in NCX.
Carnival	TU	TU	P	N	TU	TU	TU	N	Subject to Section 13.06.080.P.
Cemetery/ internment services	N	N	N	N	N	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit.
Chemical manufacturing, processing, and wholesale distribution	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Cleaner Fuel Infrastructure	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Coal facilities	N	N	N	N	N	N	N	N	
Commercial parking facility	P	P	P	N	P	P	N	N	Prohibited at street level along frontage of designated pedestrian streets. ² Stand-alone surface commercial parking lots are prohibited in the UCX District.
Commercial recreation and entertainment	P	P	P	N	P	N	N	N	
Communication facility	CU	CU	P	N	P	N	N	N	Prohibited at street level along frontage of designated pedestrian streets. ²
Confidential shelter	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX. ² Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
Continuing care retirement community	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX. ² Prohibited in Commercial-only area of the UCX District.
Correctional facility	N	N	N	N	N	N	N	N	
Craft Production	P	P	P	P	P	N	N	N	Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E. All production, processing and distribution activities are to be conducted within an enclosed building.
Cultural institution	P	P	P	N	P	N	N	N	
Day care, family	P	P	P	P	N	P	P	P	
Day care center	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. ¹
Detention facility	N	N	N	N	N	N	N	N	
Detoxification center	N	N	N	N	CU	CU	N	N	
Drive-through with any use	P	P	P	N	P	P*	N	N	* In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses. All drive-throughs are subject to the requirements of TMC 13.06.090.A.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Dwelling, single-family detached	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, two-family	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, three-family	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
Dwelling, multiple-family	P	P	P	P	P	P	P	N	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² In the NRX District, multiple-family dwellings lawfully in existence on August 31, 2009, the time of reclassification to this district, shall be considered permitted uses; said multiple-family dwellings may continue and may be changed, repaired, replaced or otherwise modified, provided, however that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling at the time of reclassification to this district. Prohibited in Commercial-only area of the UCX District.
Dwelling, townhouse	P	P	P	P	P	P	P	CU	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	ADUs are only allowed in association with single-family development. Prohibited at street level along frontage of designated core pedestrian streets. ² See Section 13.06.080.A for specific Accessory Dwelling Unit (ADU) Standards. Prohibited in Commercial-only area of the UCX District.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Eating and drinking	P	P	P	P	P	P*	N	N	Outdoor seating is permitted with a 12-seat maximum in RCX. In RCX live entertainment is limited to that consistent with a Class “C” Cabaret license, as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with either a Class “B” or Class “C” Cabaret license, as designated in Chapter 6B.70. *Limited to 7,000 square feet of floor area, per business, in the HMX District.
Emergency and transitional housing	CU	P	P	CU	N	CU	CU	CU	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Extended care facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Foster home	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Fueling station	N	P	P	N	P	N	N	N	Prohibited along frontage of designated pedestrian streets within the UCX and CCX Districts. ² Fueling station pump islands, stacking lanes and parking areas shall be located at the side or rear of the building.
Funeral home	P	P	P	N	P	P	N	N	
Golf course	N	N	N	N	N	N	N	N	
Group housing	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Heliport	N	N	N	N	CU	CU	N	N	
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 Section 13.06.080.F.
Hospital	N	CU	CU	N	P	P	N	N	
Hotel/motel	P	P	P	N	P	P	N	N	

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
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 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Juvenile community facility	P	P	P	P/CU	P	N	P/CU	CU	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² See Section 13.06.080.H for additional information about size limitations and permitting requirements. Prohibited in Commercial-only area of the UCX District.
Live/Work	P	P	P	P	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I. Prohibited in Commercial-only area of the UCX District.
Marijuana processor, producer, and researcher	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.080.J
Marijuana retailer	P	P	P	N	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District. See additional requirements contained in Section 13.06.080.J
Microbrewery/ winery	N	N	CU	N	P	N	N	N	Microbreweries shall be limited to 15,000 barrels per year of beer, ale, or other malt beverages, as determined by the filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.
Surface mining Mining and quarrying	CU N	CU N	CU N	CU N	CU N	CU N	CU N	N	
Mobile home/trailer court	N	N	N	N	N	N	N	N	
Nursery	P	P	P	N	P	N	N	N	
Office	P	P	P	P	P	P	N	N	Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street. ¹

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Parks, recreation and open space	P	P	P	P	P	P	P	P	Not subject to RCX residential requirement. ¹ Subject to the requirements of Section 13.06.080.L.
Passenger terminal	P	P	P	N	P	N	N	N	
Personal services	P	P	P	P	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District.
<u>Petroleum Fuel Facility</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>	
Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19*)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	P	P	CU	In the NRX District, unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. Not subject to RCX residential requirement. ¹
Religious assembly	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. ¹
Repair services	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited.
Research and development industry	N	N	CU	N	P	N	N	N	
Residential care facility for youth	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In CCX, NCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
Retail	P	P/CU~	P/CU~	P	P/CU~	P*	N	N	~ A conditional use permit is required for retail uses exceeding 45,000 square feet. *Limited to 7,000 square feet of floor area, per business, in the HMX District.

* Code reviser’s note: Title 13.10 was repealed and a new Title 19, entitled “Shoreline Master Program”, was enacted per Ordinance No. 28612.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Retirement home	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Prohibited in Commercial-only area of the UCX District.
School, public or private	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. ¹
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Self-storage	N	P	P	N	P	N	N	N	See specific requirements in Section 13.06.090.J. Prohibited at street level along frontage of designated core pedestrian streets. ²
Short-term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. ² Subject to additional requirements contained in Section 13.06.80.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Short-term rental (3-9 guest rooms)	P	P	P	CU	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX and HMX Districts. ² Subject to additional requirements contained in Section 13.06.13.06.080.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. ² Subject to additional requirements contained in Section 13.06.13.06.080.M and 13.06.080.A. Prohibited in Commercial-only area of the UCX District.
Smelting	N	N	N	N	N	N	N	N	
Staffed residential home	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. ² Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
Student housing	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. ² Prohibited in Commercial-only area of the UCX District.
Surface mining	CU	CU	CU	CU	CU	CU	CU	N	
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.080.P.
Theater	P	P	P	N	P	N	N	N	Theaters only permitted up to 4 screens in NCX and CCX. Theaters only permitted up to 6 screens in CIX.
Transportation/ freight terminal	P	P	CU	N	P	P	N	N	Prohibited at street level along frontage of designated core pedestrian streets. ²
Urban Horticulture	N	N	N	N	P	N	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	Prohibited at street level along frontage of designated core pedestrian streets. ² Not subject to RCX residential requirement. ¹
Vehicle rental and sales	N*	P	P	N	P	N	N	N	In CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² *Use permitted in the South Tacoma Way Neighborhood Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited.
Vehicle service and repair	N*	P	CU	N	P	N	N	N	All activities must occur within buildings; outdoor storage and/or repair is prohibited. Subject to development standards contained in Section 13.06.080.S. Prohibited along frontage of designated core pedestrian streets. ² *Use permitted in the South Tacoma Way Neighborhood Center NCX only, provided all activities occur entirely within buildings; outdoor storage and/or repair is prohibited.
Vehicle service and repair, industrial	N	N	CU	N	P	N	N	N	Subject to additional development standards contained in Section 13.06.080.S. Prohibited at street level along frontage of designated core pedestrian streets. ²
Vehicle storage	N	N	N	N	P	N	N	N	Subject to development standards contained in Section 13.06.080.S. Prohibited at street level along frontage of designated 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)
Warehouse, storage	N	N	CU	N	P	N	N	N	In the UCX, prohibited at street level along frontage of designated core pedestrian streets. ²
Wholesale or distribution	N	N	CU	N	P	N	N	N	In the UCX, prohibited at street level along frontage of designated core pedestrian streets. ²
Work/Live	P	P	P	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 13.06.080.I. Prohibited in Commercial-only area of the UCX District.
Wireless communication facility	P / CU	P / CU	P / CU	P / CU	P / CU	P / CU	P / CU	P / CU	Wireless communication facilities are also subject to Section 13.06.080.Q.
Work release center	N	N	CU	N	CU	N	N	N	Permitted with no more than 15 residents in the UCX and no more than 25 residents in the CIX, subject to a Conditional Use Permit and the development regulations found in Section 13.06.080.R.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	

Footnotes:

1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.
2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site’s street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.010.D. for the list of designated pedestrian and core pedestrian streets.
3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.
4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.
5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.090.C.

* * *

13.06.050 Downtown.

* * *

C. Downtown Districts and uses.

1. Downtown Commercial Core District (DCC).

This district is intended to focus high rise office buildings and hotels, street level shops, theaters, and various public services into a compact, walkable area, with a high level of transit service.

2. Downtown Mixed-Use District (DMU).

This district is intended to contain a high concentration of educational, cultural, and governmental services, together with commercial services and uses.

3. Downtown Residential District (DR).

This district contains a predominance of mid-rise, higher density, urban residential development, together with places of employment and retail services.

4. Warehouse/Residential District (WR).

This district is intended to consist principally of a mixture of industrial activities and residential buildings in which occupants maintain a business involving industrial activities.

D. Primary pedestrian streets designated.

1. Within the Downtown, the “primary pedestrian streets” designated in 13.06.010.D are considered key streets in the intended development and utilization of the area due to pedestrian use, traffic volumes, transit connections, and/or visibility. The streetscape and adjacent development on these streets should be designed to support pedestrian activity throughout the day. They are designated for use with certain provisions in the Downtown zoning regulations, including setbacks and design requirements.

E. District use restrictions.

1. Downtown Commercial Core District (DCC).

- a. Preferred – retail, office, hotel, cultural, governmental.
- b. Allowable – residential, educational, [light](#) industrial located entirely within a building.
- c. Prohibited – industrial uses not located entirely within a building and automobile service stations/gasoline dispensing facilities other than those noted in Section 13.06.050.E.7.

2. Downtown Mixed-Use District (DMU).

- a. Preferred – governmental, educational, office, residential, cultural.
- b. Allowable – retail, residential, [light](#) industrial located entirely within a building.
- c. Prohibited – [light](#) industrial uses not located entirely within a building, and automobile service stations/gasoline dispensing facilities, in addition to those noted in Section 13.06.050.E.7.

3. Downtown Residential District (DR).

- a. Preferred – residential.
- b. Allowable – retail, office, educational.
- c. Prohibited - industrial, other than those noted in Section 13.06.050.E.7.

4. Warehouse/Residential District (WR).

- a. Preferred – [light](#) industrial located entirely in a building, residential.
- b. Allowable – retail, educational, office, governmental.
- c. Prohibited uses can be found in Section 13.06.050.E.7.

5. University of Washington, Tacoma Campus: Management of landscaping, street trees, parking (including ADA parking), telecommunications, street design (including pedestrian streets), ground floor uses, streetscape design, light and glare, storm drainage, signage, etc., shall all be addressed on a campus-wide basis. Please refer to the Campus Master Plan.

6. Use Categories.

- a. Preferred. Preferred uses are expected to be the predominant use in each district.
- b. Allowable. Named uses and any other uses, except those expressly prohibited, are allowed.
- c. Prohibited. Prohibited uses are disallowed uses (no administrative variances).

d. Conditional. Conditional uses may be allowed if specific criteria can be met.

7. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:

- a. Adult retail and entertainment.
- b. Heliports.
- c. Work release facilities.
- d. Correctional and detention facilities.
- e. Billboards
- f. Drive-throughs not located entirely within a building.

g. Heavy industrial uses.

h. Mining and quarrying.

8. Special needs housing shall be allowed in all downtown districts in accordance with the provisions of Section 13.06.080.N.

9. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.080.I.

10. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher and marijuana retailer).

Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.080.J. Marijuana producers, marijuana processors, and marijuana researchers shall be prohibited in all downtown districts.

* * *

13.06.060 Industrial Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

B. Purpose.

The specific purposes of the Industrial districts are to:

- 1. Implement goals and policies of the City’s Comprehensive Plan.
- 2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.
- 3. Create a variety of industrial settings matching scale and intensity of use to location.
- 4. Provide for predictability in the expectations for development projects.

C. Districts established.

M-1	Light Industrial District
M-2	Heavy Industrial District
PMI	Port Maritime & Industrial District

1. M-1 Light Industrial District.

This district is intended to provide areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed industrial uses, or neighboring commercial or residential districts. ~~as a buffer between heavy industrial uses and less intensive commercial and/or residential uses.~~ M-1 districts may be established in new areas of the City and is an appropriate zone to apply as a transition between the industrial operations therein and the existing activities and character of the community in which the district is located. ~~However, this~~ classification is only appropriate inside Comprehensive Plan areas designated ~~for medium and high intensity uses~~ Light Industrial.

2. M-2 Heavy Industrial District.

This district is intended to allow ~~most heavy~~ industrial and manufacturing uses that can reasonably be accommodated without adverse impacts on the public’s health, welfare, or safety. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated ~~for Heavy Industrial~~ medium and high intensity uses.

3. PMI Port Maritime & Industrial District.

This district is intended to implement the use priorities of the Container Port Element of the Comprehensive Plan, specifically pertaining to the Core Maritime Industrial Area, and to protect the long-term function and viability of the area. These use priorities include: Cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities and other similar uses. ~~allow all industrial uses and uses that are not permitted in other districts, barring uses that are prohibited by City Charter.~~

The Port of Tacoma facilities, facilities that support the Port’s operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area’s employees.

Expansion beyond current PMI District boundaries should be considered carefully, as such expansion may decrease the distance between incompatible uses.

Expansion should only be considered contiguous to the existing PMI District. This classification is only appropriate inside Comprehensive Plan areas designated for high intensity uses.

* * *

E. District use restrictions.

The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC 13.06.070.B, which shall prevail in the case of any conflict.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.05.010.A.

TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

4. District use table.

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.080.N.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.080.B.
Agricultural uses	CU	CU/N*	CU/N*	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. *Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Airport	CU	CU/N*	CU/N*	*Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
Assembly facility	P	P	N	
Brewpub	P	P	P	
Building material and services	P	P	P	
Business support services	P	P	P	
Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District
Cemetery/internment services	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit.
Commercial parking facility	P	P	P	
Commercial recreation and entertainment	P/CU*	P/CU*-	N	*Within the South Tacoma M/IC Overlay District, a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district. -Per Ordinance No. 28470, on an interim basis, within the Port of Tacoma M/IC, a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district.
Communication facility	P	P	P	
Confidential shelter	P/N*	N	N	See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District.

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Continuing care retirement community	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 13.06.080.N.
Correctional facility*	CU	N	N	Modifications or expansions to existing facilities that increase the inmate/detainee capacity shall be processed as a major modification (see Section 13.05.130). A pre-application community meeting is also required. This CU is only available in the M-1 zones in place as of 1/1/2018. The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.
Craft Production	P	P	P	
Cultural institution	P/CU*	P/CU*/ N~	N	*Conditional use within the South Tacoma M/IC Overlay District, unless an accessory use. ~Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Day care center	P	P	N	Subject to development standards contained in Section 13.06.080.E.
Detention facility*	CU	N	N	Modifications or expansions to existing facilities that increase the inmate/detainee capacity shall be processed as a major modification (see Section 13.05.130). A pre-application community meeting is also required (see Section 13.05.010.A.16). This CU is only available in the M-1 zones in place as of January 1, 2018. The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.
Detoxification center	CU	CU	N	
Drive-through with any permitted use	P	P	P	Subject to the requirements of TMC 13.06.090.A.
Dwelling, single family detached	P/N*~	N*~	N*~	In M-1 districts, single-, two- and three-family and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision.
Dwelling, two-family	P/N*~	N*~	N*~	
Dwelling, three-family	P/N*~	N*~	N*~	
Dwelling, multiple family	P/N*~	N*~	N*~	

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Dwelling, townhouse	P/N*	N*	N*	<p>In M-1 districts, new multi-family residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.</p> <p>*In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.</p> <p>-Not permitted within the South Tacoma M/C Overlay District except for quarters for caretakers and watchpersons and temporary worker housing, as noted above.</p> <p>-Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/C except for quarters for caretakers and watchpersons and temporary worker housing to support uses located in these districts. See 13.06.060.I.</p>
Dwelling, accessory (ADU)	P/N-	N	N	<p>Subject to additional requirements contained in 13.06.080.A.</p> <p>-Not permitted within the South Tacoma M/C Overlay District.</p>
Eating and drinking	P	P	P	<p>*Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.</p>
Emergency and transitional housing	P/N*	N	N	<p>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.</p> <p>*Not permitted within the South Tacoma M/C Overlay District.</p> <p>See Section 13.06.080.N.</p>
Extended care facility	P/N*	N	N	<p>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.</p> <p>*Not permitted within the South Tacoma M/C Overlay District.</p> <p>See Section 13.06.080.N.</p>
Foster home	P/N*	N	N	<p>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.</p> <p>*Not permitted within the South Tacoma M/C Overlay District.</p>
Fueling station	P	P	P	
Funeral home	P	P	N	

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Golf course	P/N*	P/N*-	N	*Not permitted within the South Tacoma M/IC Overlay District. -Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Group housing	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.
Heliport	CU	CU	CU	
Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.080.F.
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. -Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Hotel/motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Industry, heavy	N	P/N*	P/N*	Animal slaughter, fat rendering, smelters, and blast furnaces allowed in the PMI District only. *See section 13.06.080.G Interim Industrial Use Restrictions for interim regulations.
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 13.06.080.N.
Juvenile community facility	P/N*	P/N-	P/N-	See Section 13.06.080.H for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District. -Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Live/Work	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.
Marijuana processor, producer, and researcher	P	P	P	See additional requirements contained in Section 13.06.080.J

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Marijuana-retailer	P-	P-	N	-Within the South Tacoma M/C Overlay District, and within the M-2 District of the Port of Tacoma M/C on an interim basis per Ordinance No. 28470 (See 13.06.060.I); limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. See additional requirements contained in Section 13.06.080.I.
Microbrewery/winery	P	P	P	
Mobile home/trailer court	N	N	N	
Nursery	P	P	N	
Office	P*	P*	P	*Within the South Tacoma M/C Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. *Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.
Parks, recreation and open space	P	P/N*	P/N*	Subject to the requirements of Section 13.06.080.L. *Per Ordinance No. 28470, on an interim basis, High Intensity/Destination facilities (as defined in 13.05.010.A.21) are not permitted in the Port of Tacoma M/C. See 13.06.060.I.
Passenger terminal	P	P	P	
Personal services	P	P	P	
Port, terminal, and industrial; water dependent or water-related (as defined in Title 19 ¹)	N	N	P*/N-	*Preferred use. -See section 13.06.080.G Interim Industrial Use Restrictions for interim regulations.
Public safety and public service facilities	P	P	P	
Religious assembly	P	P	P	
Repair services	P	P	P	
Research and development industry	P	P	N	
Residential care facility for youth	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/C Overlay District. See Section 13.06.080.N.
Residential chemical dependency treatment facility	P/N*	N	N	See Section 13.06.080.N. *Not permitted within the South Tacoma M/C Overlay District.

¹ Code reviser's note: Title 13.10 was repealed and a new Title 19, entitled "Shoreline Master Program", was enacted per Ordinance No. 28612.

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Retail	P-	P-	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District and JBLM Airport Compatibility Overlay District, -Within the South Tacoma M/IC Overlay District, and within the M-2 District of the Port of Tacoma M/IC on an interim basis per Ordinance No. 28470 (see 13.06.060.I); unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. Outside of the South Tacoma M/IC Overlay District and Port of Tacoma M/IC, limited to 65,000 square feet per use, unless approved with a conditional use permit.
Retirement home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.080.N.
School, public or private	P/N*	P/N*-	P/N*-	*General K through 12 education not permitted in the PMI District or in the South Tacoma M/IC Overlay District. -Per Ordinance No. 28470, on an interim basis, General K through 12 education is not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.080.P.
Self storage	P	P	P	See specific requirements in Section 13.06.090.J.
Short term rental	N	N	N	
Staffed residential home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.080.N.
Student housing	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.
Surface mining	CU	CU	CU	
Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.080.P.
Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Transportation/freight terminal	P	P	P	
Urban Horticulture	P	P	P	
Utilities	P	P	P	
Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Warehouse/storage	P	P/N*	P/N*	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable. *See section 13.06.080.G Interim Industrial Use Restrictions for interim regulations.
Wholesale or distribution	P	P/N*	P/N*	*See section 13.06.080.G Interim Industrial Use Restrictions for interim regulations.
Wireless communication facility	P/CU	P/CU	P/CU	Wireless communication facilities are also subject to Section 13.06.080.Q.
Work/Live	P	N	N	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.
Work release center	CU	CU/N*	P/N*	Subject to development standards contained in Section 13.06.080.R. *Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.060.I.
Uses not prohibited by City Charter and not prohibited herein	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.				
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.				

Uses	M-1	M-2	PMI	Additional Regulations ¹
Agriculture and Natural Resources				
Agricultural uses	CU/N	CU/N	CU/N	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area.
Mining and quarrying Surface mining	P*/N	P*/N	P*/N	*Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
Urban horticulture	P	P	P	

Uses		M-1	M-2	PMI	Additional Regulations ¹
Residential Uses					
Dwelling Types					
	Dwelling, accessory (ADU)	P/ <u>CU*</u> / N~	N	N	Subject to additional requirements contained in 13.06.150. ~Not permitted within the South Tacoma M/IC Overlay District. *Conditional use in the Port of Tacoma M/IC.
	Dwelling, single-family detached	P/ <u>CU**</u> / N*~	N*	N*	In M-1 districts, single-, two- and three-family and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision.
	Dwelling, two-family	P/ <u>CU**</u> / N*~	N*~	N*~	In M-1 districts, new multi-family residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.
	Dwelling, three-family	P/ <u>CU**</u> / N*~	N*~	N*~	*In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.
	Dwelling, multiple-family	P/ <u>CU**</u> / N*~	N*~	N*~	~Not permitted within the South Tacoma M/IC Overlay District except for quarters for caretakers and watchpersons and temporary worker housing, as noted above.
-	Dwelling townhouse	P/CU**/N*~	N*~	N*~	**Conditional use in the Port of Tacoma M/IC.
Other Residential					
	Adult family home	P/ CU** / N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District **Conditional use in the Port of Tacoma M/IC. See Section 13.06.535.
	Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
	Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.

Uses		M-1	M-2	PMI	Additional Regulations ¹
	Group housing	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
	Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
	Live/Work	P/ CU*	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. *Conditional use in the Port of Tacoma M/IC. Subject to additional requirements contained in Section 13.06.570.
	Mobile home/trailer court	N	N	N	
	Short-term rental	N	N	N	
	Staffed residential home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.535.
	Student housing	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
	Retirement home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.535.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Medical and Health Services				
Continuing care retirement community	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Detoxification center	CU	CU	N	
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC.
Intermediate care facility	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.535.
Residential care facility for youth	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.535.
Residential chemical dependency treatment facility	P/ CU**/ N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
Community and Civic Facilities				
Assembly facility	P	P	N	
Cemetery/ Internment services	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Confidential shelter	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Correctional facility	P	P	P	
Cultural institution	P/CU*	P/CU*	N	*Conditional use within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , unless an accessory use.
Detention facility*	CU	N	N	Modifications or expansions to existing facilities that increase the inmate/detainee capacity shall be processed as a major modification (see Section 13.05.130). A pre-application community meeting is also required (see Section 13.05.010.A.16). This CU is only available in the M-1 zones in place as of January 1, 2018. The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.
Juvenile community facility	P/CU**/ N*	P/N*	PN	See Section 13.06.530 for resident limits and additional regulations. **Conditional use within the Port of Tacoma M/IC. *Not permitted within the South Tacoma M/IC Overlay District or in the M-2 District of the Port of Tacoma M/IC.
Parks, recreation and open space	P/CU*	P/CU*	P/N~	Subject to the requirements of Section 13.06.560.D. *High intensity/destination facilities are a conditional use in the Port of Tacoma M/IC. In the M-2 District, the use must be located indoors. ~ High intensity/destination facilities are prohibited in the Port of Tacoma M/IC.
Public safety and public service facilities	P	P	P	
Religious assembly	P	P	P	
School, public or private	P/CU~/ N*	P/N*	P/N*	~Conditional use permit in the Port of Tacoma M/IC. *General K through 12 education not permitted in the PMI and M-2 District of the Port of Tacoma M/IC or in the South Tacoma M/IC Overlay District.
Work release center	CU	CU/N*	PN	Subject to development standards contained in Section 13.06.550. *Not permitted within the Port of Tacoma M/IC
Commercial Uses				
Craft Production	P	P	P	
Hotel/Motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Office				
Work/Live	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
Eating and Drinking Establishments				
Brewpub	P	P	P	

Uses		M-1	M-2	PMI	Additional Regulations ¹
	Eating and drinking	P	P	P	
	Microbrewery/winery	P	P	P	
Entertainment and Recreation					
	Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
	Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District
	Commercial recreation and entertainment	P/CU*	P/CU*~	N	*Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district. ~Within the Port of Tacoma M/IC, only indoor facilities are permitted in the M-2 District.
	Golf Courses	P/N*	P/N*	N	*Not permitted within the Port of Tacoma M/IC.
	Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Retail		P~	P~/CU*~	P N	<p>~ Size limitations: Limited to 7,000 square feet of floor area, per development site, in the PMI District and JBLM Airport Compatibility Overlay District.</p> <p>Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district.</p> <p>Outside of the South Tacoma M/IC Overlay District and Port of Tacoma M/IC, limited to 65,000 square feet per use, unless approved with a conditional use permit.</p> <p>*Conditional use within the Port of Tacoma M/IC.</p>
	Marijuana retailer	P~	P~/ CU*	N	<p>~Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district.</p> <p>*Conditional use within the Port of Tacoma M/IC. Size limitations apply as noted above.</p> <p>See additional requirements contained in Section 13.06.565.</p>
	Nursery	P	P	N	
Services					
	Ambulance services	P	P	P	
	Animal sales and service	P	P	N	

Uses		M-1	M-2	PMI	Additional Regulations ¹
	Building material and services	P	P	P	
	Business support services	P	P	P	
	Day care center	P	P	N	Subject to development standards contained in Section 13.06.155.
	Funeral home	P	P	N	
	Personal services	P	P	P	
	Repair services	P	P	P	
Storage Uses					
	Warehouse/storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
	Wholesale or distribution	P	P	P	
	Self-storage	P	P	P	See specific requirements in Section 13.06.503.B.
Vehicle Related Uses					
	Drivethrough with any permitted use	P	P	P	Subject to the requirements of TMC 13.06.090.A.
	Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.080.S.
	Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.080.S.
	Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Industrial					
Industry, heavy		N	P	P	Animal slaughter, fat rendering, acid manufacture, smelters, and blast furnaces allowed in the PMI District only.
	Coal facility	N	N	N	
	Chemical manufacturing, processing and wholesale distribution	N	CU*/N~	P/CU*/N ~	*A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials, subject to conditional use criteria in Section 13.05.010.A.23. ~Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts.
	Cleaner Fuel Infrastructure	N	CU*	CU*	*Subject to special use standards in TMC 13.06.080.G.

Uses		M-1	M-2	PMI	Additional Regulations ¹
	Petroleum Fuel Facility	N	P*/N	P*/N	*Facilities legally permitted at the time of adoption of this ordinance are permitted, subject to special use standards in Section 13.06.080.G. Otherwise prohibited.
	Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	P*	*Preferred use.
	Smelting	N	N	N	
Industry, light		P	P	P	
	Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.510.
	Research and development industry	P	P	N	
	Marijuana processor, producer, and researcher	P	P	P	See additional requirements contained in Section 13.06.565
Utilities, Transportation and Communication Facilities					
	Airport	CUN	CUN	CUN	
	Communication facility	P	P	P	
	Helipoint	CU	CU	CU	
	Passenger terminal	P	P	P	
	Transportation/freight terminal	P	P	P	
	Utilities	P	P	P	
	Wireless communication facility	P*/	P*/	P*/	*Wireless communication facilities are also subject to Section 13.06.545.D.1.
		CU**	CU**	CU**	**Wireless communication facilities are also subject to Section 13.06.545.D.2.
Accessory and Temporary Uses					
	Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.635.
	Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.635.
Unlisted Uses					
	Uses not prohibited by City Charter and not prohibited herein	N	N	P CU	
Footnotes:					

Uses	M-1	M-2	PMI	Additional Regulations ¹
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.				

* * *

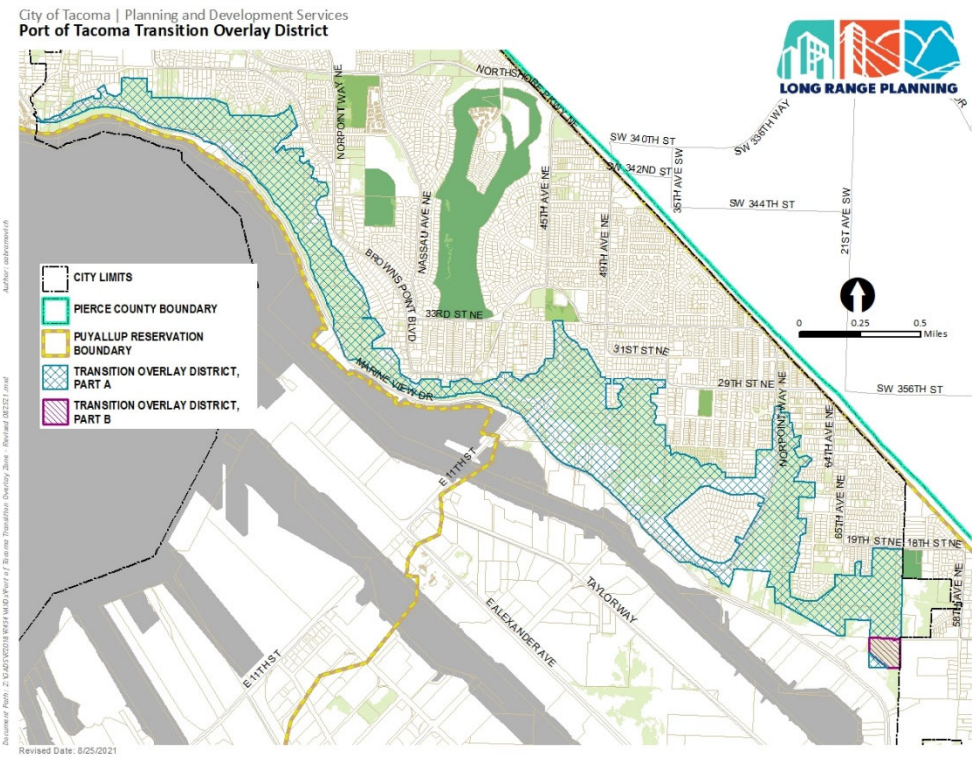
13.06.070 Overlay Districts.

* * *

G. Port of Tacoma Transition Overlay District

1. Applicability.

a. The Port of Tacoma Transition Overlay District applies to all residential platting, subdivision, and land uses within the district boundaries established herein:



b. Standards established through the overlay district are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply. Unless specifically noted otherwise, all of the standards herein apply within both Parts A and B of the overlay district, as identified on the map above.

2. Purpose.

The purpose of the Port of Tacoma Transition Overlay District is to maintain an appropriate separation between port/industrial activity in the Port of Tacoma Manufacturing and Industrial Center and residential neighborhoods, to avoid and minimize off-site impacts on residential areas, and to minimize disruption to port operations and associated industrial activity resulting from residential encroachment, consistent with the Container Port Element of the One Tacoma Plan and the Growth Management Act.

3. District Development Standards.

a. Prohibited uses.

Multifamily dwelling units, including duplex, triplex, cottage housing, and fourplex, are prohibited as stand-alone primary uses or as part of a mixed-use development.

b. Maximum density.

Subdivision of existing lots shall average at least one lot per acre. This maximum density shall not apply within Part B of the Port of Tacoma Transition Overlay District, as shown on the map above.

c. Use and Maximum Density Exception:

A Planned Residential Development (PRD) for a lot that abuts the northern edge of the overlay district and has access from the top of the slope may utilize the dwelling type allowances and density bonuses provided in TMC 13.06.070.C. In this Overlay District the base density used for PRD density bonus calculations will be one unit per acre.

d. Location.

Residential development shall be located the greatest distance from the boundaries of the Port of Tacoma Manufacturing and Industrial Center as is feasible.

e. Site Development Standards.

Residential development shall be designed to minimize disruptions to Port/industrial operations, including minimizing clearing and grading, driveways, and vegetation/tree canopy removal.

f. Building Design Standards.

Residential buildings shall incorporate design elements to reduce, to the greatest extent practicable, impacts on occupants from noise and light impacts from nearby port/industrial activity.

g. Accessory uses and structures.

Uses and structures accessory to a single dwelling unit are permitted in the Overlay district consistent with established development standards for accessory uses in the underlying zone.

h. Notice on Title.

As a condition of subdivision approval or residential building permit issuance for properties within the Overlay District, the Applicant shall record a notice on title which attests that (1) the property is located within the Port of Tacoma Manufacturing and Industrial Center Overlay District, (2) Port of Tacoma industrial activities, including container terminal facilities, are operating and will continue to operate and may expand in the future. The Notice on Title shall include the specific distance of the property from the closest boundary of the Port of Tacoma Manufacturing and Industrial Center.

* * *

13.06.080 Special Use Standards

* * *

G. Fuel Facilities.

1. Applicability:

The following standards apply to all “Petroleum Fuel Facilities” and “Cleaner Fuel Infrastructure.”

2. Purpose:

The purpose of these standards is to minimize the risk of spill or discharge of fuels into the Puyallup River or marine waters; to support a reduction in greenhouse gas emissions and a transition to renewable fuel and energy production consistent with Federal, state and local targets; to avoid and minimize any impacts to adjacent communities from fire, explosion, or increased air emissions resulting from facility expansion; and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

3. Baseline established.

a. The baseline for refining, storage, transportation, and transshipment facilities is established by the following information available as of November , 2021 (the adoption date of this ordinance.)

(1) Crude oil refining baseline capacity shall be established by the U.S. Energy Information Administration Refinery Capacity Report as measured in atmospheric crude distillation barrels per day (<https://www.eia.gov/petroleum/refinerycapacity/>) or comparable. The baseline for other product refining, including liquefied natural gas, shall be based on the documented refining capacity in the most recent local permits issued for the facility.

(2) Storage baseline capacity shall be established using Washington Department of Ecology industrial section permits and oil spill prevention plans.

(3) Transshipment and transportation facility baseline is established through the most recent spill prevention plans approved by the Department of Ecology or where a local permit documenting such facilities has been approved more recently.

(4) If an existing facility does not have an established refining or storage baseline from a past industrial section permit or spill prevention plan, the baseline must be established as part of a permit application.

4. New facilities or expansion of existing facilities beyond the established baseline shall meet the following special use standards:

a. Mitigation for local greenhouse gas impacts calculated consistent with the definition of facility emissions in TMC 13.01.060:

(1) Assessment: Greenhouse gas emissions impacts shall be assessed using current valid modeling techniques.

(2) Mitigation: Greenhouse gas emissions that create specific adverse environmental impacts may be offset through mitigation projects that provide real and quantifiable greenhouse gas mitigation.

(3) Location: Greenhouse gas emissions offsets for local impacts shall be located in the following order of preference:

- Within the City of Tacoma;
- Within the Puyallup River Watershed;
- Within Pierce County;
- Within the Central Puget Sound region, including Pierce County, Kitsap County, Snohomish County, and King County.

b. The applicant shall provide annual reporting of the following:

- The number of vessel transfers of renewable fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.
- The number of rail cars transporting renewable fuels, both to and from the site, including a description of the product, volume, and destination.
- The number of trucks transporting renewable fuel, both to and from the site, including a description of the product, volume, and destination.
- A description of on-site storage capacity including the number of tanks, tank volumes, and products.
- A description of all facility emissions for previous five years and a three year forecast.

c. An applicant must provide proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Tacoma as an additional insured as a condition of permit issuance.

5. Petroleum Fuel Facilities.

a. New “Petroleum Fuel Facilities” are prohibited.

b. Existing facilities, legally permitted at the time of adoption of this ordinance, shall be considered permitted uses, subject to the following limitations:

(1) Existing facilities shall not exceed the established baseline as of November , 2021 (the adoption date of this ordinance.) except where specifically authorized in this section.

(2) Except as specifically authorized under 13.06.080.G.5.b.(3), (4), and (5), the following new improvements are prohibited:

- New driveways, private rail sidings, docks, piers, wharves and floats.
- Site or facility improvements that would increase the capacity of a driveway, private rail siding, dock, pier, wharf or float.
- New storage tanks, refining or processing facilities.

~~(3) Expansion of or addition to existing petroleum fuel facilities is allowed through the normal permitting process when the particular expansion would create the maximum proposed capacity of a facility that was the subject of an Environmental Impact Statement prepared and published by the City under RCW 43.21C and TMC Ch. 13.12 as of November , 2021 (the adoption date of this ordinance) and for which the City has accepted on or before November , 2021 (the adoption date of this ordinance) all funds that fully mitigate the adverse environmental impacts of the facility's maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent.~~

(3) Expansion of or addition to existing petroleum fuel facilities is allowed through the normal permitting process when the particular expansion would create the maximum proposed capacity of a facility that was the subject of an Environmental Impact Statement prepared and published by the City under RCW 43.21C and TMC Ch. 13.12 prior to the effective date of this Ordinance and for which the City has accepted prior to the effective date of this Ordinance, all funds that fully mitigate the adverse environmental impacts of the facility's maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent. Provided that any proposed expansion which is eligible under this section remains subject to the full permit review process, including environmental review, as applicable, and this section does not guarantee the issuance of a permit.

(4) Expansion of production, storage, transportation and transshipment of petroleum fuels when requested in writing by the Department of Defense supporting Joint Base Lewis McChord, Naval Region Northwest Installations or other national defense needs shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director.

(5) Replacement of and improvements to existing petroleum infrastructure shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, for maintenance, for improvement of the safety or security of the infrastructure, decrease air or water emissions, or to allow the infrastructure to meet new regulatory requirements.

(6) Where a "Petroleum Fuel Facility" provides direct-to-vessel fueling, new infrastructure that is necessary to support vessel fueling may be allowed so long as overall facility storage and refining does not exceed the established baseline.

(7) Improvements are limited to property owned or occupied by the use as of the adoption of this ordinance.

(8) Baseline monitoring. On an annual basis, Planning and Development Services will evaluate information from the U.S. Energy Information Administration, WA Department of Ecology, Puget Sound Clean Air Agency, as well as from local permits, to ensure compliance with the requirements herein.

6. Cleaner Fuel Infrastructure.

a. New and Expanded Cleaner Fuel Infrastructure as defined in this chapter shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, and subject to the following requirements:

(1) New Cleaner Fuel Infrastructure permitted through this chapter shall not be used for production, storage, transportation and transshipment of petroleum. Total or partial conversion of permitted New Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum shall constitute grounds for permit revocation and civil enforcement.

(2) Any Expanded Cleaner Fuel Infrastructure permitted through this chapter shall not exceed a cumulative total increase of fifteen percent (15%) more storage over the applicant's total petroleum storage as of November , 2021 (the adoption date of this ordinance). Total or partial conversion of permitted Expanded Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum fuels shall constitute grounds for permit revocation and civil enforcement. The limitation on cumulative petroleum storage does not apply to expansions allowed under TMC 13.06.080.G.5.b (3), (4), and (5) above.



Tacoma

TIDEFLATS AND INDUSTRIAL LAND USE AMENDMENTS

Exhibit B



LONG RANGE PLANNING

Note: These amendments show all of the changes proposed to 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 has been deleted is shown as ~~strikethrough~~.

TITLE 19

Shoreline Master Program

SHORELINE MASTER PROGRAM

An Element of the Comprehensive Plan and
Title 19 of the Tacoma Municipal Code



Tacoma CITY OF TACOMA, WASHINGTON

Tideflats and Industrial Land Use Amendments
Exhibit B: Title 19 Shoreline Master Program

City Council

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John Hines
Conor McCarthy
Catherine Ushka

Keith Blocker
Lillian Hunter
Robert Thoms
Kristina Walker

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Shoreline Master Program And Land Use Regulatory Code

The City of Tacoma's *Shoreline Master Program* is an element of the City's *Comprehensive Plan* and *Land Use Regulatory Code*. The *Master Program* was developed in compliance with the Washington State Shoreline Management Act and Washington State Growth Management Act. The *Comprehensive Plan* is the City's official statement concerning future growth and development and includes goals, policies and strategies for the health, welfare, safety and quality of life of Tacoma. The *Land Use Regulatory Code* consists of development regulations which control land use activities and includes zoning, platting, and shoreline regulations.

[Approval Date TBD] ~~September 24, 2019~~
Tacoma City Council Ordinance [TBD], Month, Day, Year
and Ordinance 28612, September 24, 2019

City of Tacoma
Planning and Development Services Department
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The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the Planning and Development Services Department at (253) 591-5030 (voice) or (253) 591-5820 (TTY).

DEDICATED TO DONNA STENGER

A dear friend, mentor, and devoted public servant.

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~~CHAPTER 1~~ CHAPTER 19.01 INTRODUCTION

* * *

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* * *

2.3.7 Shoreline Conditional Use Permit

1. The purpose of the conditional use permit is to provide greater flexibility in varying the application of the use regulations of this Program in a manner which will be consistent with the policies of RCW 90.58, particularly where denial of the application would thwart the policies of the Shoreline Management Act.
2. When a conditional use is requested, the Director shall be the final approval authority for the City, unless otherwise specified. However, shoreline conditional uses must have approval from the state. Department of Ecology shall be the final approval authority under the authority of WAC 173-27-200.
3. Conditional use permits shall be authorized only when they are consistent with the following criteria:
 - a. The proposed use is consistent with the policies of RCW 90.58.020, WAC 173-27-160 and all provisions of this Program;
 - b. The use will not interfere with normal public use of public shorelines;
 - c. The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;
 - d. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and this Program;
 - e. The public interest will suffer no substantial detrimental effect;
 - f. Consideration has been given to cumulative impact of additional requests for like actions in the area.
4. Conditional use permits for additions to a non-conforming single-family, overwater structure to expand the overall height of the structure shall be granted when they are consistent with the general Shoreline Conditional Use Permit criteria (TSMP 2.3.7.3), as well as the following:
 - a. The expansion may increase the height up to no higher than 25 feet from the deck level.

- b. The proposed development shall result in improvements in public safety, a reduction in environmental impacts, and increased conformity with flood hazard and building standards.

5. Chemical Manufacturing, Processing, and Wholesale Distribution

a. Decision: Hearing Examiner

b. Criteria: In addition to the general criteria, the following apply:

i. Consultation:

- Planning and Development Services staff will seek input from the Tacoma Fire Department, Tacoma-Pierce County Health Department, Tacoma Community and Economic Development Department, Puyallup Tribe of Indians, and any other subject matter expert necessary to determine the potential risks and impacts of the proposed facility, as well as appropriate mitigation measures.

ii. Public health and safety:

- The property on which the proposed facility is to be located must not expose large concentrations of people, particularly in residential and commercial areas, to unreasonable adverse impacts. In applying this criteria the City shall consider impacts to employee-dense businesses in the Tideflats as well as to detention/correctional facilities and people detained within those facilities.
- The lot is located, or the use can be appropriately mitigated, to avoid any adverse impacts on receipt or utilization of federal funding for affordable housing and community development in adjacent residential and mixed-use areas, with particular attention given to Trust Lands of the Puyallup Tribe of Indians. The City will consider the current methodology for Acceptable Separation Distances as published by the Department of Housing and Urban Development in determining appropriate separation distances and on-site mitigation measures for this purpose.
- The applicant shall submit a management plan. The City will determine the level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the effects. Discussion of materials handling and storage, odor control, transportation, spill prevention, and other factors may be required.
- The City may impose conditions of approval limiting the nature of the materials produced and/or the scale of manufacturing operations in order to minimize the degree and severity of risks to public health and safety.

iii. Emergency services and risk management:

- The project shall not result in any increased risk of spill within the waters of Puget Sound and Commencement Bay. Updated spill response and

emergency response plans shall be provided with the application, for review by all appropriate agencies;

- Plans and sufficient, realistic performance bonding for decommissioning and failure incidents are provided to ensure that the site will be rehabilitated after the use or activity is completed, terminated, or abandoned;
- Permit applicant to provide proof of insurance naming City of Tacoma as additional insured.
- Any adverse impacts to emergency services or increased demands for emergency services necessary to ensure the health and safety of employees and surrounding communities shall be mitigated concurrently with the proposed use or development.

iv. Shoreline Resources and Shorelines of Statewide Significance. For uses that propose to transport products and materials via marine vessel, the following criteria apply, with consideration given to the potential off-site impacts resulting from transport:

- There will be no likely long-term significant adverse impacts to shoreline resources or uses, or shorelines of statewide significance;
- All feasible steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
- All feasible steps are taken to avoid and minimize adverse impacts to fish and wildlife, including impacts on migration routes and habitat areas of species listed as endangered or threatened, environmentally critical and sensitive habitats such as breeding, spawning, nursery, foraging areas and wetlands. All impacts that cannot be avoided can be sufficiently mitigated or compensated so as to achieve no net loss of ecological functions over time.

~~8.5-~~Other uses which are not classified or set forth in this Program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this Program. However, uses specifically prohibited by this master program shall not be authorized.

~~9.6-~~The burden of proving that a proposed shoreline conditional use meets the criteria of this program in WAC 173-27-160 shall be on the applicant. Absence of such proof shall be grounds for denial of the application.

~~10.7-~~The City is authorized to impose conditions and standards to enable a proposed shoreline conditional use to satisfy the conditional use criteria.

* * *

~~CHAPTER 3~~

CHAPTER 19.03

GOALS AND OBJECTIVES

* * *

~~CHAPTER 4~~

CHAPTER 19.04

SHORELINES OF THE STATE

* * *

~~CHAPTER 5~~
DESIGNATIONS

CHAPTER 19.05

SHORELINE ENVIRONMENT

* * *

~~CHAPTER 6~~
REGULATIONS

CHAPTER 19.06

GENERAL POLICIES AND

* * *

~~CHAPTER 7~~ CHAPTER 19.07 GENERAL USE POLICIES AND REGULATIONS

Development and use proposals may involve a number of uses and shoreline modifications and must comply with the policies and regulations for each. For example, uses associated with a new marina may include boat launches, parking facilities, and recreational facilities. Construction of a marina may involve numerous shoreline modifications, including dredging, dredge material disposal, a breakwater, and perhaps landfill. Each project is reviewed for compliance with the applicable “use” policies and regulations in these regulations and with the applicable “modification” policies and regulations in TSMP Chapter 8.

All shoreline developments and uses must comply with the standards of this Master Program whether or not a shoreline substantial development permit is required. Specific conditions that ensure such compliance may be attached as a condition of permit approval of a shoreline permit or shoreline exemption.

This chapter provides specific policies and regulations for the following types of specific uses. Refer to Chapter 8 for shoreline modifications.

1. Aquaculture
2. Boating Facilities
3. Commercial Use
4. Port and Industrial Use
5. Recreational Development
6. Residential Development
7. Signs
8. Parking
9. Transportation
10. Solid Waste Disposal
11. Utilities

The following policies and regulations shall apply in all City of Tacoma shoreline districts.

7.2 Prohibited Uses

The following uses are prohibited in all shoreline environments:

1. Agriculture;
2. Forest Practices;
3. Coal facilities;

4. Smelting;

5. Petrochemical, explosives, and fertilizer manufacturing;

6. ~~3~~-Mining and quarrying; and

7. ~~4~~-Marijuana uses pursuant to the standards in TMC 13.06.565.

* * *

7.6 Port/Industrial Use

* * *

B. Fuel Facilities.^[1]

1. Applicability: The following standards apply to all “Petroleum Fuel Facilities” and “Cleaner Fuel.”

2. Purpose: The purpose of these standards is to minimize the risk of spill or discharge of fuels into the Puyallup River or marine waters; to support a reduction in greenhouse gas emissions and a transition to renewable fuel and energy production consistent with Federal, state and local targets; to avoid and minimize any impacts to adjacent communities from fire, explosion, or increased air emissions resulting from facility expansion; and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

3. Baseline established. The baseline for refining, storage, transportation, and transshipment facilities is established by the following information available as of November , 2021 (the adoption date of this ordinance):

(1) Crude oil refining baseline capacity shall be established by the-U.S. Energy Information Administration Refinery Capacity Report as measured in atmospheric crude distillation barrels per day (.<https://www.eia.gov/petroleum/refinerycapacity/>) or comparable. The baseline for other product refining, including liquefied natural gas, shall be based on the documented refining capacity in the most recent local permits issued for the facility.

(2) Storage baseline capacity shall be established using Washington Department of Ecology industrial section permits and oil spill prevention plans.

(3) Transshipment and transportation facility baseline is established through the most recent spill prevention plans approved by the Department of Ecology or where a local permit documenting such facilities has been approved more recently.

(4) If an existing facility does not have an established refining or storage baseline from a past industrial section permit or spill prevention plan, the baseline must be established as part of a permit application.

4. New facilities or expansion of existing facilities beyond the established baseline shall meet the following special use standards:

^[1] Code Reviser’s note: Previously codified as 13.06.580 (Interim Industrial Use Restrictions); relocated to 13.06.080 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28470 Ex. D; passed Nov. 21, 2017.

a. Mitigation for local greenhouse gas impacts calculated consistent with the definition of facility emissions in TMC 13.01.060:

(1) Assessment: Greenhouse gas emissions impacts shall be assessed using current valid modeling techniques.

(2) Mitigation: Greenhouse gas emissions that create specific adverse environmental impacts may be offset through mitigation projects that provide real and quantifiable greenhouse gas mitigation.

(3) Location: Greenhouse gas emissions offsets for local impacts shall be located in the following order of preference:

- Within the City of Tacoma;
- Within the Puyallup River Watershed;
- Within Pierce County;
- Within the Central Puget Sound region, including Pierce County, Kitsap County, Snohomish County, and King County.

b. The applicant shall provide annual reporting of the following:

- The number of vessel transfers of renewable fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.
- The number of rail cars transporting renewable fuels, both to and from the site, including a description of the product, volume, and destination.
- The number of trucks transporting renewable fuel, both to and from the site, including a description of the product, volume, and destination.
- A description of on-site storage capacity including the number of tanks, tank volumes, and products.
- A description of all facility emissions for previous five years and a three year forecast.

c. An applicant must provide proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Tacoma as an additional insured as a condition of permit issuance.

5. Petroleum Fuel Facilities

a. New “Petroleum Fuel Facilities” are prohibited.

b. Existing facilities, legally permitted at the time of adoption of this ordinance, shall be considered permitted uses, subject to the following limitations:

(1) Existing facilities shall not exceed the established baseline as of November , 2021 (the adoption date of this ordinance.) except where specifically authorized in this section.

(2) Except as specifically authorized under 13.06.080.G.5.b.(3), (4), and (5), the following new improvements are prohibited:

- New driveways, private rail sidings, docks, piers, wharves and floats.
- Site or facility improvements that would increase the capacity of a driveway, private rail siding, dock, pier, wharf or float.
- New storage tanks, refining or processing facilities.

(3) Expansion of or addition to existing petroleum fuel facilities is allowed through the normal permitting process when the particular expansion would create the maximum proposed capacity of a facility that was the subject of an Environmental Impact Statement prepared and published by the City under RCW 43.21C and TMC Ch. 13.12 as of November , 2021 (the adoption date of this ordinance) and for which the City has accepted on or before November , 2021 (the adoption date of this ordinance) all funds that fully mitigate the adverse environmental impacts of the facility’s maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent.

(4) Expansion of production, storage, transportation and transshipment of petroleum fuels when requested in writing by the Department of Defense supporting Joint Base Lewis McChord, Naval Region Northwest Installations or other national defense needs shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director.

(5) Replacement of and improvements to existing petroleum infrastructure shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, for maintenance, for improvement of the safety or security of the infrastructure, decrease air or water emissions, or to allow the infrastructure to meet new regulatory requirements.

(6) Where a “Petroleum Fuel Facility” provides direct-to-vessel fueling, new infrastructure that is necessary to support vessel fueling may be allowed so long as overall facility storage and refining does not exceed the established baseline.

(7) Improvements are limited to property owned or occupied by the use as of the adoption of this ordinance.

(8) Baseline monitoring. On an annual basis, Planning and Development Services will evaluate information from the U.S. Energy Information Administration, WA Department of Ecology, Puget Sound Clean Air Agency, as well as from local permits, to ensure compliance with the requirements herein.

6. Cleaner Fuel Infrastructure.

a. New and Expanded Cleaner Fuel Infrastructure as defined in this chapter shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, and subject to the following requirements:

(1) New Cleaner Fuel Infrastructure permitted through this chapter shall not be used for production, storage, transportation and transshipment of petroleum. Total or partial conversion of permitted New Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum shall constitute grounds for permit revocation and civil enforcement.

(2) Any Expanded Cleaner Fuel Infrastructure permitted through this chapter shall not exceed a cumulative total increase of fifteen percent (15%) more storage over the applicant's total petroleum storage as of November , 2021 (the adoption date of this ordinance). Total or partial conversion of permitted Expanded Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum fuels shall constitute grounds for permit revocation and civil enforcement. The limitation on cumulative petroleum storage does not apply to expansions allowed under TMC 13.06.080.G.5.b (3), (4), and (5) above.

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~~CHAPTER 8~~ CHAPTER 19.08 SHORELINE MODIFICATION
POLICIES AND REGULATIONS

* * *

~~CHAPTER 9~~ CHAPTER 19.09 DISTRICT-SPECIFIC
REGULATIONS

The following TSMP provisions apply to each shoreline district specifically. Shoreline Environment Designations, as described in Chapter 5 of this Program, are provided for each district.

Table 9-1. Shoreline Use and Development Standards

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE																		
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-6/7	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15	
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway Transition	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial Area	Marine View Drive	Hylebos Creek	Marine Waters of the State ²¹	Wapato Lake	Point Ruston / Slag Pen.	
Shoreline Designation	HI	SR	UC	N	N	UC	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI	
Shoreline Uses																		
Agriculture																		
Agriculture	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Aquaculture																		
Aquaculture	CU	N	N	N	N	CU	N	CU	CU	N	N	N	CU	N	CU	N	CU	
Artwork																		
Artwork	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P	
Boating Facilities																		
Marinas	P	N	N	N	N	P	N	CU	P	P	N	P	P	N	P/CU ¹	N	P	
Launch Ramps and Lifts	P	N	CU	N	N	P	N	CU	N	P ²	N	P	P	N	P	N	P	
Non-motorized Boat Launch	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Commercial Development																		
Water-dependent	P	N	P	N	N	P ⁵	P	P	P	P	P	P	P	N	P	N	P	
Water-related	P	N	P	N	N	P ⁵	P	P	P	P	P	N	P	N	N/P ³	N	P	
Water-enjoyment	P	P	P	N	N	P ⁵	P	P	P	P	P	N	P	N	N/P ³	N	P	
Non Water-oriented ⁴	CU	N	N	N	N	CU ⁵	CU	CU	CU	CU ⁶	CU/P	CU	CU	N	N/P	N	P/CU ⁷	
Essential Public Facilities																		
Essential Public Facilities will be reviewed and permitted as the closest use described in the use table under the normal use categories with the determination to be made by the Director.																		
Educational, Cultural and Scientific																		
Educational, Cultural and Scientific	P	CU	P	P	P	P	P	P	P	P	P	P	P	P	P	P/N ⁸	P	P
Forest Practices																		
Forest Practices	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Port/Industrial Development																		
Water-dependent	CU ⁹	N	N	N	N	N	N	CU	P	P ¹⁰	N	P	N ²⁴	N	P	N	N	
Water-related	CU ⁹	N	N	N	N	N	N	CU	P	P ¹⁰	CU	P	N	N	N	N	N	
Non water-oriented ¹¹	N	N	N	N	N	N	N	N	N	CU ¹⁰	CU	CU	N	N	N	N	N	
Cargo Terminal	N	N	N	N	N	N	N	CU	P	P ¹⁰	N	P	N	N	P	N	N	
Coal Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Chemical Manufacturing, Processing, and Wholesale	N	N	N	N	N	N	N	N	N	N	N	N³⁴/P³⁵	N	N	N³⁴/P³⁵	N	N	
Smelting	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Petroleum Fuel Facility	N	N	N	N	N	N	N	N	N	N	N	N/P³⁶	N	N	N/P³⁶	N	N	
Cleaner Fuel Infrastructure	N	N	N	N	N	N	N	N	N	N	N	N/P³⁷	N	N	N/P³⁷	N	N	
Log Rafting and Storage	N	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	N	
Lay Berthing	N	N	N	N	N	N	N	CU	P	P ¹⁰	N	P	P	N	P	N	N	
Mining and Quarrying																		
Mining and quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Parking																		
Associated with an Approved Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P	P	
As a Primary Use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Recreational Development																		
Water-oriented (including public and private facilities and off-street bicycle and pedestrian paths and trails)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P	

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE																	
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-6/7	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway Transition	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial Area	Marine View Drive	Hylebos Creek	Marine Waters of the State ²¹	Wapato Lake	Point Ruston / Slag Pen.
Shoreline Designation	HI	SR	UC	N	N	UC	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI
Non-Water oriented	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Development																	
Single-family ¹²	N	P	P	N	N	N	N	N	N	N	N	N	p ¹³	N	N	P	N ¹⁴
Multifamily – stand alone	N/CU ¹⁵	N	N	N	N	N	N	N	N	N/CU ¹⁶	N	N	N/CU ^{13,15}	N	N	N	p ^{17,18} /CU ¹⁸
Multifamily as part of a mix-use development	P	N	N	N	N	N	N	N	N	p ¹⁶	N	N	p ¹³	N	N	N	p ¹⁷
Home Occupation	P	P	P	P	N	N	N	N	N	P	N	N	p ¹³	N	N	N	P
Signs																	
Interpretive/Educational	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Other	P	P	P	N	N	P	P	P	P	P	P	P	P	N	CU	P	P
Solid Waste Disposal																	
Solid Waste Disposal	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N
Transportation																	
New SOV-oriented Facilities	N	N	N	N	N	N	N	N	N	CU	P	P	N	N	N	N	P
New HOV or Transit-oriented Facilities	P	N	P	N	N	P	P	P	P	P	P	P	N	N	N	P	P
New Railways	N	N	N	N	N	N	N	N/p ³²	N/p ³²	N	P	P	N	N	N	N	N
Expansion of Existing Facilities	P	CU	P	N	N	P	P	p ³²	p ³²	CU	P	P	P	N	CU	P	P
Passenger only terminals for water based transportation	CU	N	CU	N	N	P	P	P	P	P	N	P	P	N	P	N	P
Fixed-wing landing areas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Helicopter landing pads	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N/CU ¹⁹
Seaplane Floats	CU	N	N	N	N	N	CU	CU	N	P	N	P	CU	N	P	N	N
Non-motorized facilities, new or expansion (on-street)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities²⁰																	
Major	P	P	P	N	N	P	P	P	P	P	P	P	P	N	CU/p ³³	P	P
Minor	P	P	P	N	N	P	P	P	P	P	P	P	P	N	CU/p ³³	P	P
Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CU/p ³³	P	P
Wireless Communications Facility	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N
Shoreline Modification²¹																	
Shoreline Stabilization																	
For water-dependent uses ²²	P	P	P	N	N	P	P	P	P	P	P	P	P	N	P	P	P
For Non-water-dependent uses	CU	CU	CU	N	N	CU	CU	CU	CU	CU	CU	CU	CU	N	CU	CU	CU
Breakwaters, Jetties, Groins and Weirs																	
Associated with marinas and boating facilities	CU	N	N	N	N	CU	N	N	N	CU	N	CU	CU	N	CU	N	CU
For shoreline erosion control	CU	N	N	N	N	CU	N	N	N	CU	N	CU	CU	N	CU	N	N
For Navigational purposes	CU	N	CU	N	N	CU	N	N	N	CU	N	CU	CU	N	CU	N	N
As part of Ecological Restoration and Enhancement	P	N	P	N	N	P	P	P	P	P	P	P	P	N	P	N	P
Dredging and Dredge Material Disposal																	
Non-maintenance dredging	CU	N	N	N	N	N	CU	N	N	CU	CU	P	CU	N	CU	N	CU
Maintenance dredging	P	N	N	N	N	P	P	P	P	P	P	P	P	N	P	P	P
As Part of Ecological Restoration / Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fill and Excavation																	
Fill and Excavation, Below OHWM	CU	CU	N	N	CU	CU	CU	CU	CU	CU	N	CU	N	CU	N	N	CU

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE`																		
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-6/7	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15	
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway Transition	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial Area	Marine View Drive	Hylebos Creek	Marine Waters of the State ²¹	Wapato Lake	Point Ruston / Slag Pen.	
Shoreline Designation	HI	SR	UC	N	N	UC	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI	
Below OHWM for Ecological Restoration and Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Above OHWM	P	P	P	N	P	P	P	CU	CU	P	CU	P	CU	CU	N/A	P	P	
Flood Control Works and In-stream Structures	N	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	CU	N	N	
Ecological Restoration / Enhancement / Mitigation																		
Ecological Restoration / Enhancement / Mitigation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Mooring Facilities²³																		
Piers, Wharves, Docks and Floats																		
Associated with Residential Uses	N	P	N	P	N	N	N	N	N	N	N	N	N	N	P	N	N	
Associated Public Access Uses	P	P	N	P	N	P	P	P	P	P	N	P	P	N	P	P	P	
Associated with Water Dependent Uses	P	N	N	P	N	P	P	P	P	P	N	P	P	N	P	N	N	
Mooring Buoy ²⁴	P	P	P	P	P	P	P	P	P	N	N	P	P	N	P	N	P	
Mooring Buoy Field	P	N	N	N	N	P	CU	CU	P	N	N	P	P	N	CU	N	P	
Navigational Aids	P	P	P	P	P	P	P	P	P	P	N	P	P	N	P	N	P	
Covered Moorages/Boat Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
General Minimum Development Standards																		
Marine Shoreline Buffers, per TSMP Chapter 6 ²⁵	50 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	200 ft. from OHWM	200 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	50 ft. from OHWM	150 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	150 ft. from OHWM	N/A	200 ft. from OHWM ²⁶	50 ft. from OHWM	
Height Limit ²⁷	35 ft within marine buffer; 75 ft upland and outside marine buffer with view study	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	100 ft for deep water facilities ²⁸ otherwise 35 ft ²⁹	Refer to S-8 Shoreline District Regulations	35 ft	100 ft ²⁹	35 ft	35 ft	35 ft, unless associated with Port/Industrial or transportation facilities	35 ft	35 ft within 100 ft of OHWM; 50 ft from 100 – 200 ft; 80 ft outside 200 ft of OHWM ³⁰
Side Yard/View Corridor ³¹	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage ²⁹	30% of shoreline frontage	30% of shoreline frontage	0 ft ²⁹	30% of shoreline frontage	30% of shoreline frontage	N/A	30% of shoreline frontage	30% of shoreline frontage
Front Yard Setback	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft ²⁹	20 ft	50 ft from centerline of Puyallup river Dike	0 ft ²⁹	20 ft	20 ft	N/A	20 ft	20 ft
Critical Area Buffer Setback from edge of buffer. When no buffer is present, the Setback is measured from the rear property line.	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft ²⁹	10 ft	10 ft	0 ft ²⁹	10 ft	10 ft	N/A	10 ft	10 ft
Lot Area																		
Minimum Ave. Width	50 ft	50 ft	50 ft	50 ft		50 ft	50 ft				50 ft		50 ft	50 ft	N/A	50 ft		
Minimum Lot Frontage	25 ft	25 ft	25 ft	25 ft		25 ft	25 ft				25 ft		25 ft	25 ft	N/A	25 ft		
Minimum Lot Area for SF Dwelling	5,000 sq ft	5,000 sq ft	5,000 sq ft	5,000 sq ft		5,000 sq ft	5,000 sq ft				5,000 sq ft		5,000 sq ft	5,000 sq ft	N/A	5,000 sq ft		
Minimum Lot Area for MF Dwelling	6,000 sq ft	6,000 sq ft	6,000 sq ft	6,000 sq ft		6,000 sq ft	6,000 sq ft				6,000 sq ft		6,000 sq ft	6,000 sq ft	N/A	6,000 sq ft		

Key:

- P Permitted
- N Prohibited
- CU Conditional Use

Notes:

- 1 Expansion of an existing marina shall be permitted provided it is consistent with the TSMP, new marina development shall be a conditional use.
- 2 Boat ramps shall be permitted only in that area on the east side of the Foss Waterway north of the Centerline of 15th Street.
- 3 Water-enjoyment and -related commercial uses shall be permitted over-water only as a reuse of an existing structure or when located within a mixed-use structure.
- 4 Non-water-oriented commercial uses shall only be permitted in accordance with the regulations in TSMP Section 7.5.2 and only as a conditional use except where otherwise specified for the S-8 and S-15 Shoreline Districts.
- 5 New commercial development shall be limited to upland locations only. Existing water-oriented commercial uses at the Point Defiance Marina Complex may be continued and be modified provided modifications do not adversely affect ecological conditions and comply with all other provisions of this Program.
- 6 Non-water-oriented commercial uses shall be permitted as part of a mixed-use development with a water-oriented component; Non-water-oriented commercial uses in a mixed use development without a water-oriented component shall be permitted as a conditional use consistent with TSMP Section 9.10(D). In all other circumstances, non-water-oriented uses shall be processed as a conditional use
- 7 Non-water-oriented commercial uses shall be permitted outside 150 feet of OHWM only, except as specified in note 18. Commercial uses that are located outside shoreline jurisdiction and are consistent with the EIS for the Point Ruston development are allowed, those uses that are not consistent with the EIS shall be processed as a conditional use permit in accordance with the procedures in TMC 13.06.
- 8 New educational, historic, and scientific uses are permitted over-water or in the S-13 Shoreline District (Marine Waters of the State) only when water-dependent or as a reuse of an existing structure.
- 9 Water-dependent and -related port/industrial uses shall be permitted only in existing structures.
- 10 Port and industrial development shall be permitted on the easterly side of the Thea Foss Waterway, north of the centerline of East 15th Street and in addition, in that area to the east of East D Street.
- 11 Non-water-oriented industrial uses shall only be permitted in accordance with the regulations in TSMP Section 7.6.2.
- 12 New single-family residential development shall only be permitted in upland locations. Existing over-water single family residences are considered a legally non-conforming use.
- 13 In the “S-11” District, new single family and multi-family residential development is permitted only in areas north of 5410 Marine View Drive.
- 14 Detached single-family residential use and development is allowed in the S-15 shoreline district outside of shoreline jurisdiction.
- 15 New stand-alone multi-family residential uses may be permitted as a conditional use in accordance with the regulations in TSMP Section 7.8.2.
- 16 Residential development shall be permitted in upland locations on the west side of the waterway and on the east side only south of the East 11th Street right of way, and shall be designed for multiple-family development only, excluding duplex and/or triplex development. Hotel/Motel uses are permitted on the west side of the Foss Waterway, and on the east side of the Foss Waterway only south of the centerline of 11th Street. Residential and Hotel/Motel uses are prohibited to the east of East D Street.
- 17 Multifamily residential uses shall be permitted in upland locations, outside 150’ of OHWM.
- 18 No more than 24 total townhouse units may be permitted in upland locations up to 100’ from OHWM as an outright permitted use so long as such townhouses are constructed on the southeasterly shoreline of the Point Ruston site. Townhouses may be permitted in upland locations up to 100’ from OHWM as a conditional use in all other locations. Townhouses in the S-15 may include an office use on the ground floor.
- 19 Helicopter landing pads are only allowed outside of shoreline jurisdiction as a conditional use and only as part of an approved structure.
- 20 Above ground utilities are only allowed consistent with TSMP 7.13.2.
- 21 New uses and development in the S-13 Shoreline District that are associated with an upland shoreline district shall only be permitted where the use or development is consistent with the permitted uses (not including conditional uses) in the upland Shoreline District. See TSMP Section 9.15(D)(1)(a).
- 22 Structural shoreline stabilization shall be permitted only when necessity has been demonstrated as described in TSMP Section 8.2.2.
- 23 See application requirements in TSMP Section 2.4.4.
- 24 With the exception of the S-7, S-10 and S-11 Shoreline Districts, mooring buoys shall be designed, located and installed only for transient recreational boating, or in association with a single family residential development or a permitted marina. In the S-7, S-10 and S-11 Shoreline Districts mooring buoys may be designed, located and installed to accommodate port and industrial uses including the remote storage of oceangoing vessels and barges.
- 25 Buffer reductions allowed for water-dependent uses per TSMP Section 6.4.3(C).
- 26 Except that the buffer shall not extend beyond the centerline of Alaska street.
- 27 District specific height limitations shall not apply to bridges in the shoreline. Bridges should be kept to the minimum height necessary and shall provide a view study to determine whether the structure will cause any significant impacts to public views of the shoreline.
- 28 The maximum height standard excludes equipment used for the movement of waterborne cargo between storage and vessel or vessel and storage.
- 29 Any building, structure, or portion thereof hereafter erected (excluding equipment for the movement of waterborne cargo between storage and vessel, vessel and storage) shall not exceed a height of 100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.
- 30 Maximum heights on Slag Peninsula are limited to 35 feet.
- 31 The side/yard corridor may be distributed between the two sides at the discretion of the proponent, provided a minimum 5 foot set-back is maintained from either lot line.
- 32 New and/or expansion of an existing railroad siding is permitted when necessary to service a water-dependent port or industrial facility.
- 33 Storm water outfalls are a permitted use except those proposed in a Natural Environmental Designation, where a CUP will be required.

- 34 [Primary uses are prohibited. Supportive water-dependent facilities may be permitted.](#)
- 35 [Prohibited in all districts: Petrochemical manufacturing, Explosives manufacturing, and Fertilizer Manufacturing](#)
- 36 [New facilities are prohibited. Existing facilities are permitted but subject to development standards in Chapter 7, Section 7.6.](#)
- 37 [Primary use Cleaner Fuel Infrastructure is prohibited. Water-dependent facilities, such as piers, wharves, docks, and floats and accessory facilities, such as parking and loading areas, may be permitted within shoreline jurisdiction.](#)

~~CHAPTER 10~~ CHAPTER 19.10 DEFINITIONS

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19.10.010.C

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Chemical Manufacturing.

The production, processing, and wholesale distribution of chemicals and allied products, including:

- a. [“Production and processing:” Establishments primarily engaged in the transformation of organic and inorganic raw materials by a chemical process and the formulation of products. This subsector distinguishes the production of basic chemicals that comprise the first industry group from the production of intermediate and end products produced by further processing of basic chemicals that make up the remaining industry groups.](#)
- b. [“Wholesaling:” Establishments primarily engaged in the merchant wholesale distribution of chemicals and allied products \(except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes\).](#)
- c. [“Petrochemical Manufacturing:” Establishments primarily engaged in \(1\) manufacturing acyclic \(i.e., aliphatic\) hydrocarbons such as ethylene, propylene, and butylene made from refined petroleum or liquid hydrocarbons, \(2\) manufacturing cyclic aromatic hydrocarbons such as benzene, toluene, styrene, xylene, ethyl benzene, and cumene made from refined petroleum or liquid hydrocarbons, and/or \(3\) manufacturing methyl alcohol \(methanol\) from natural gas, coal, or other petroleum based feedstock.](#)
- d. [“Explosives Manufacturing:” Establishments primarily engaged in manufacturing explosives.](#)
- e. [“Fertilizer Manufacturing:” Establishments primarily engaged in one or more of the following: \(1\) manufacturing nitrogenous or phosphatic fertilizer materials; \(2\) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; and \(3\) formulating and preparing pesticides and other agricultural chemicals.](#)

[These use classifications exclude uses that are otherwise defined herein as “Cleaner Fuels” and “Petroleum Fuel Facilities.”](#)

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Cleaner Fuels.

[“Cleaner Fuels.” shall mean carbon-free fuels that generate no carbon emissions including green hydrogen, and the following:](#)

- a. [Any credit generating fuel under the Washington State Low Carbon Fuel Standard \(HB 1091 2021-2022\) as determined by the Washington State Department of Ecology.](#)
- b. [Any Biomass Renewable Fuels approved by the federal Environmental Protection Agency under the federal Renewable Fuel Standard \(40 CFR Part 80\).](#)

c. Alcohol Fuels meeting the requirements of RCW 19.112 (1) as that statute exists or may hereafter be amended.

c. Biodiesel Fuel meeting the requirements of RCW 19.112 (3), and Renewable Diesel meeting the requirements of RCW 19.112 (9), as those statutes exist or may hereafter be amended.

d. E85 motor fuel which meets the requirements of RCW 19.112 (2) exclusively for the propulsion of motor vehicles upon the roads, or RCW 19.112 (6) for other motors, as those statutes exists or may hereafter be amended.

e. Alternative Fuels exclusively for the propulsion of motor vehicles upon the roads, which fuels meet the requirements of RCW 19.112 (2) as that statute exists or may hereafter be amended.

Cleaner Fuel Infrastructure – Expanded.

The expansion of storage infrastructure including tankage constructed prior to effective date of this chapter to store petroleum, where the expansion of such petroleum storage infrastructure is for the sole purpose of blending petroleum with biomass and other cleaner fuels in the production of cleaner fuels.

Cleaner Fuel Infrastructure – New.

New infrastructure for the production, storage, transportation and transshipment of Cleaner Fuels as defined herein, including infrastructure for blending biomass and other cleaner fuels with petroleum. New Cleaner Fuel Infrastructure shall not include new tankage for petroleum storage.

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Coal facilities.

a. Bulk coal storage: any structure, group of structures, equipment, or device that stores or transfers coal for use in the production of electricity or power, or for wholesale distribution.

b. Coal power plant: a thermal power station which burns coal to generate electricity or other usable power.

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19.10.010.D.

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Department of Defense.

The United States Department of Defense (“DOD”) and any subdivision including the Defense Logistics Agency.

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19.10.010.E.

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Enhanced SEPA Review.

Additions to the standard SEPA review process and checklist for project proposals governed by this chapter to be promulgated and updated from time to time by the Director. Such additions to the SEPA review process and checklist shall include but not be limited to; a public meeting for a SEPA application, which occurs after SEPA determination that an application is complete but prior to issuance of a

preliminary threshold determination; an expanded Notice Distribution List to include direct mailing to taxpayers and occupants, consistent with Land Use Permits; expanded Public Notification Distance for Direct Mailing to 2500’ from the Manufacturing and Industrial Center, consistent with Land Use Permits; expanded Notification Period and Comment Period for SEPA to 30 days for Consistency with Land Use Permits, and a supplemental checklist specific to SEPA review of fuel production and or chemical manufacturing. To ensure application of this Enhanced SEPA review, the City of Tacoma shall be SEPA lead agency for all fuel-related projects permitted under this chapter.

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19.10.010.G.

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Greenhouse gas emissions.

Gases that trap heat in the atmosphere. “Greenhouse gas,” “greenhouse gases,” “GHG,” and “GHGs” includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and any other gas or gases designated by the federal clean air act (United States Code Title 42, Chapter 85), state clean air act (Chapter 70.94 RCW) or state limiting greenhouse gas emissions law (Chapter 70.235 RCW).

Greenhouse gas emissions – Facility emissions.

Means greenhouse gas emissions associated with fossil fuel refineries, processing, or fossil fuel transshipment facilities based upon the refining and processing of fossil fuels located within the Port of Tacoma Manufacturing and Industrial Center.

Greenhouse gas emissions – Lifecycle emissions.

The aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions), related to the full fuel lifecycle, including all stages of fuel and feedstock production and distribution, from feedstock generation or extraction through the distribution and delivery and use of the finished fuel to the ultimate consumer, where the mass values for all greenhouse gases are adjusted to account for their relative global warming potential.

Green Hydrogen.

Hydrogen produced through electrolysis powered by renewable electricity, specifically including hydroelectric power.

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19.10.010.M.

Mining and Quarrying.

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

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19.10.010.P

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Petroleum.

Crude oil, petroleum products and byproducts, and gaseous hydrocarbons and byproducts.

Petroleum Fuel Facility.

This definition includes the following facilities:

- Petroleum fuel refinery;
- Terminals engaged in the bulk movement of petroleum fuels (excluding railyards and marine fueling facilities);
- Natural gas processing: any facility which (i) separates natural gas components to recover usable natural gas liquids (i.e., liquefied petroleum or natural gas), or (ii) produces natural gas suitable for transport (i.e., pipeline quality dry natural gas), or (iii) processes natural gas to create methanol or other chemical products.
- Bulk storage and processing of one type of petroleum fuel, or a combination of multiple types of petroleum fuels, in excess of one million gallons.

“Petroleum – Storage Capacity.” Gallons of petroleum capable of being stored within the entirety of the applicant’s facility for purposes of measuring expansion as allowed herein.

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19.10.010.S.

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Smelting.

Smelting is a process of applying heat to ore in order to extract a base metal. It is a form of extractive metallurgy. It is used to extract many metals from their ores, including silver, iron, copper, and other base metals. This use category includes all smelting activities identified in NAICS codes 331411, 331313, and 331410.

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