



ORDINANCE NO. 28905

1 AN ORDINANCE relating to land use regulations; amending Chapter 13.06 of
2 the Tacoma Municipal Code, relating to Zoning, by amending various
3 sections to clarify commercial zoning design and development standards
4 that would apply to projects seeking to utilize the Multi-family Tax
5 Exemption Program in neighborhood commercial areas, as part of the
6 2023 Annual Amendment to the Comprehensive Plan and Land Use
7 Regulatory Code, as recommended by the Planning Commission.

8 WHEREAS the 2023 Annual Amendment to the One Tacoma
9 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")
10 includes the following six applications: (1) an amendment to the Future Land Use
11 Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for the Mor
12 Furniture site, (2) an amendment to the Land Use Regulatory Code ("Regulatory
13 Code") pertaining to electric fences, (3) an amendment to the Regulatory Code
14 pertaining to shipping containers, (4) an amendment to the Regulatory Code
15 pertaining to delivery-only retail businesses, (5) an amendment to the Regulatory
16 Code pertaining to commercial zoning, and (6) minor amendments to the
17 Comprehensive Plan and Regulatory Code, and

18 WHEREAS this ordinance pertains to the proposed amendments to the
19 Land Use Regulatory code pertaining to commercial zoning, and was initiated in
20 response to Amended Ordinance No. 28798, providing a comprehensive review of
21 the design standards for projects which include residential development in
22 Neighborhood Commercial Nodes, and

23 WHEREAS the proposed amendments would update the City's code to
24 provide better clarity as to the district, site development, and building design
25 standards that would apply to projects seeking to utilize the Multi-Family Tax
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1 Exemption (“MFTE”) program in Neighborhood Commercial areas, and most
2 updates are clarifications as to the applicability of existing standards, addressing
3 standards such as tree canopy, usable yard space, street level transitions, and
4 window and entrance standards, and
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6 WHEREAS the Planning Commission (“Commission”) finds that an
7 adequate and comprehensive review of the design standards for projects which
8 include residential development in Neighborhood Commercial Nodes has been
9 conducted and recommend that the expansion of the MFTE program to
10 Neighborhood Commercial Nodes, as adopted in Amended Ordinance No. 28798,
11 take effect, and
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13 WHEREAS the Commission completed its review of the 2023 Amendment
14 through an extensive and inclusive public engagement process, including a public
15 hearing on April 5, 2023, and the Commission forwarded to the City Council, and
16 filed with the City Clerk’s Office, the Commission’s Findings of Fact and
17 Recommendations Report for the 2023 Amendment along with a letter of
18 recommendations, both dated May 17, 2023, and
19

20 WHEREAS the report documents the public review and community
21 engagement process and the Commission’s deliberations and decision-making
22 concerning the six applications, and
23

24 WHEREAS the Commission recommended that the City Council adopt the
25 proposed amendments to the Regulatory Code pertaining to the commercial zoning
26 update - Phase 1 application, and the Commission’s recommendations are



1 consistent with the Growth Management Act, the One Tacoma Plan, Tacoma 2025,
2 and the City’s health, equity and sustainability policy, and

3 WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a
4 public hearing before enacting any proposed amendments to the Comprehensive
5 Plan and the TMC, and the City Council has fulfilled said requirement by conducting
6 a public hearing on June 27, 2023, concerning all six applications for the 2023
7 Amendment; Now, Therefore,

8
9 BE IT ORDAINED BY THE CITY OF TACOMA:

10 Section 1. That Chapter 13.06 of the Tacoma Municipal Code (“TMC”)
11 relating to Zoning, is hereby amended as set forth in Exhibit “A,” which exhibit is
12 incorporated as though fully set forth herein.

13
14 Section 2. That projects located within Neighborhood Commercial Nodes
15 defined within TMC Chapter 13.17, relating to Residential Target Areas are
16 eligible for the Multi-Family Property Tax Exemption subject to the requirements in
17 TMC Subtitle 6A, relating to the Tax Code.
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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

EXHIBIT “A”

CHAPTER 13.06 ZONING

13.06.030 Commercial Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.030. All portions of Section 13.06.030 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.030, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.030.A through Section 13.06.030.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

F. District development standards.

	T	C-1	C-2	PDB

6. Minimum usable yard space.				
a. Applicability.	Applies to single use residential development and multi-family residential development with a commercial component , only.			

7. Tree Canopy Coverage				
a. Applicability.	Applies to single-use residential development and multi-family residential development with a commercial component , only.			

8. Maximum setback standards on designated streets.				

d. Exceptions	<ul style="list-style-type: none"> a. Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback.. b. Buildings that are 100 percent residential, or that have any portion of the ground floor as a residential use, do not have a maximum setback. Residential development and instead shall meet the Build-to Area standard in 13.06.020.F.6. c. The primary building of a gas station, where gas stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt. d. Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards. 			

13.06.090 Site Development Standards.

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C. Off-street parking areas.

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3. Off-street parking spaces - quantity.

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h. The following parking quantity standards apply to the Zoning Districts established in 13.06.020 Residential Districts, 13.06.030 Commercial Districts, and 13.06.060 Industrial Districts.

<i>TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)</i>		
Use	Unit	Required parking spaces
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home ^{1, 2, 12}	Dwelling.	2.00
Two-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Townhouse dwelling in all districts ^{1, 2, 12}	Dwelling.	1.00
Three-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Two- or Three-family dwelling via Conditional Use Permit	Dwelling.	1.00
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents ^{1, 16}	Room, suite or dwelling.	1.00
Small Lots, Cottage Housing and lots not conforming to area/width ³	Dwelling.	1.00
Mobile home park ^{1, 2, 12}		
Senior housing	Guest room, suite or dwelling unit.	0.75
Multiple-family dwelling ^{1, 2, 12, 16}		
Located in R-3, R-4-L, T, HMR-SRD, and PRD Districts ¹²	Dwelling.	1.50
Located in R-4, C-1, C-2, HMPDB , and M-1 Districts ¹²	Dwelling.	1.25
Located in R-5 District ¹²	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	

TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)

Use	Unit	Required parking spaces
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club ¹	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Section 13.06.050 Downtown.	
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7. Development Standards – X-Districts and Multi-family Residential.

c. Off-street Parking Location:

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(3) Multi-Family Development Parking

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(b) Non-X-Districts: In multi-family residential developments, [including multi-family residential development with a commercial component](#), all on-site parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed the following:

- Surface parking and access thereto shall not occupy more than 50% of the front yard and corner street side yard street frontages and more than 80 feet in continuous street level frontage.
- Surface parking located to the side of a structure meeting the maximum setback shall not exceed a maximum of 60 feet in width for paved vehicular area.
- Surface parking shall not be located between a structure meeting the “build-to area” maximum setbacks and the pedestrian street right-of-way.

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13.06.100 Building design standards.

A. Commercial District Minimum Design Standards.

1. General applicability.

The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development as outlined below, except as follows:

* * *

e. Residential and/or mixed-use.

(1) Single, two, and three-family dwellings are subject only to the design standards in Subsection E. Townhouses are subject only to the design standards in Subsection H. For other residential uses, such as mixed-use buildings and multi-family dwellings of 4 units or more, the standards herein apply unless otherwise noted.

[\(2\) Multi-family residential development with a commercial component located within the C1, C2, T, and PDB zoning districts, and within the Neighborhood Commercial FLUM \(as defined in Figure 2 of the Urban Form chapter of the Comprehensive Plan\) are subject to the requirements in Section 13.06.100.B Mixed-Use District Minimum Design Standards.](#)

~~(3)~~ Single-family dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-family dwellings shall not increase the level of nonconformity.

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7. Pedestrian Standards.

Purpose: The following standards are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.	
a. Customer entrances	<p>(1) Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>(2) Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.030 or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
b. Residential Entrances	<p>(1) Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. Buildings that have a shared main entrance must use the shared main entrance to fulfill the requirements of this standard.</p> <p>(a) The shared main entrance must face the street or be at an angle of up to 45 degrees from the street.</p> <p>(b) The shared main entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis.</p> <p>(2) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</p>

<p>b.c. Street level weather protection</p>	<p>(1) Weather protection shall be provided above a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>(2) Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>(3) Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.</p>
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B. Mixed-Use District Minimum Design Standards.

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2. Zoning District Applicability.

The following requirements apply to all development located in any X-District; [and to multi-family residential development with a commercial component located within the C1, C2, T, and PDB zoning districts and within the Neighborhood Commercial FLUM \(as defined in Figure 2 of the Urban Form chapter of the Comprehensive Plan\)](#), except where noted or unless specifically exempted.

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9. Pedestrian Standards.

Purpose: The following standards are intended to enhance pedestrian mobility and safety by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

<p>a. Customer entrances</p>	<p>(1) Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>(2) Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.030 or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
<p><u>b. Residential Entrances</u></p>	<p>(1) <u>Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. Buildings that have a shared main entrance must use the shared main entrance to fulfill the requirements of this standard.</u></p> <p><u>(a) The shared main entrance must face the street or be at an angle of up to 45 degrees from the street.</u></p> <p><u>(b) The shared main entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis.</u></p> <p>(2) <u>Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</u></p>
<p>bc. Street level weather protection</p>	<p>(1) Weather protection shall be provided above a minimum of 50 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage. Façades or portions of façades where planting strips of more than 5 feet in width separate the walkway from the building wall are exempt from these standards.</p> <p>(2) Mixed-Use Center District designated pedestrian streets. Weather protection shall be provided above a minimum of 80 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>(3) Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>(4) Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar accessories to not less than 3 feet in width.</p> <p>(5) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</p>

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