



TO: T.C. Broadnax, City Manager
FROM: Peter Huffman, Director, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Ordinance Amending Tacoma Municipal Code (TMC) Title 2 - Buildings, Title 6 – Tax and License Code, and Title 13 – Land Use Regulatory Code for Work/Live & Live/Work Units – October 27, 2015
DATE: October 12, 2015

SUMMARY:

Work/Live and Live/Work units are types of mixed-use developments that further community goals of facilitating the elimination of the need to commute to work, providing more affordable work and housing space, and supporting the creation of new businesses by expanding entrepreneurial opportunities. This proposal is a packaged code amendment project that includes revisions to the Building Code, Tax and License Code, and Land Use Regulatory Code that are designed to provide some additional flexibility for this type of use and better tailor those incentives to promote this use within older, underutilized buildings.

STRATEGIC POLICY PRIORITY:

The proposed ordinance will help to meet the City Council’s strategic policy priority of fostering a vibrant and diverse economy with good jobs for all Tacoma residents.

BACKGROUND:

The Work/Live and Live/Work code amendments are designed to streamline the City’s regulatory code to support this type of mixed-use development, particularly within the context of the reuse and renovation of existing and historic buildings. These proposed amendments will facilitate people living and working in one place and expand entrepreneurial opportunities, while at the same time supporting the safe occupation of structures.

Work/Live and Live/Work units are currently allowed in Tacoma’s mixed use districts and Downtown. In 2012, amendments to Title 2 and Title 13 were adopted to provide flexibilities for Work/Live and Live/Work uses, including no employee restrictions, no additional required parking, exemptions to minor additions from design standards and exemptions to offsite improvements.

In January 2015 a consultant study of Tacoma’s Work/Live and Live/Work regulations was completed. The study included recommendations for modifications to both the land use and building codes. The proposed amendments are based largely on recommendations from this consultant study, which generally recommended increasing flexibility within the Building Code, removing limitations within the Land Use Code and ensuring that the codes were compatible.

The proposed amendments to Title 2 – Buildings create a new Work/Live use in the International Building Code and allow flexibilities for fire sprinklering of buildings built prior to 1989. Also proposed are amendments to the International Existing Building Code section to allow for new Work/Live uses without triggering a change of occupancy. Amendments are also proposed to Section 2.19 - Offsite Improvements, to change the methodology for applying thresholds and add or modify exceptions/exemptions for live/work uses and other situations. Last, the proposed amendments to Title 2 include provisions for low-impact development, permitting vegetated roofs and dispersion systems to be allowed for all residential and commercial buildings.



The companion amendments to Title 13 – Land Use Regulatory Code are intended to provide flexibility for these types of uses and to strengthen provisions for existing and historically significant buildings. The code includes a provision to allow minor design standard exemptions for historic buildings if approved by the Historic Preservation Officer. This is a way to ensure that existing and older buildings that may have historic significance or other features will be protected. The amendments also allow for Work/Live and Live/Work uses in new construction, with a limitation of 20 units.

The proposed Title 6 amendments are designed to ensure conformance with code criteria, requiring a special agreement and license fee similar to home occupations. This is because this program provides new flexibilities in the Land Use and Building codes to allow residential uses that are not currently allowed in commercial spaces. Connecting the occupants of the residence to the business is critical to make sure the requirements and limitations are understood in order to avoid unintentional life/safety issues.

Staff reviewed the study's recommendations with the Infrastructure, Planning and Sustainability (IPS) Committee in May and August. Since that time the proposed amendments to the Land Use and Building Codes have been moving through the Planning Commission and Board of Building Appeals processes. The Planning Commission conducted a public hearing on July 15, 2015 and made a final recommendation to the City Council on August 19, 2015 and the Board of Building Appeals finalized its recommendation regarding both the Work/Live and Live/Work amendments and the broader offsite improvement requirements on July 15, 2015. Staff recommended the companion changes to the Tax and License Code.

ISSUE:

A City Council study session and public hearing was held on September 29, 2015. One person testified at the hearing in favor of the amendments, pointing out that allowing Work/Live and Live/Work units in new construction was vital to the project's success.

At the October 14, 2015 IPS Committee meeting, staff will be asking for a due pass recommendation. First reading of the ordinance, based on the IPS Committee's recommendation, is scheduled for the October 27, 2015 City Council meeting.

ALTERNATIVES:

There are no alternatives being presented.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends adopting the proposed code amendments that will further encourage Work/Live and Live/Work units by streamlining the City's regulatory codes to support this type of mixed-use development, in both new construction and in existing, older, and historical buildings.

ATTACHMENTS:

- Exhibit A, proposed amendments and staff recommended changes to TMC Title 13
- Exhibit B, proposed amendments and staff recommended changes to TMC Title 2
- Exhibit C, proposed amendments to TMC Title 6