



## ORDINANCE NO. 28695

1 AN ORDINANCE relating to the Residential Infill Pilot Program; amending Title 13  
2 of the Tacoma Municipal Code, Land Use Regulatory Code, by amending  
3 Chapters 13.05 and 13.06 thereof to reauthorize, extend, and modify the  
Residential Infill Pilot Program.

4 WHEREAS, in December 2015, pursuant to Amended Ordinance No. 28336,  
5 the City Council enacted Tacoma Municipal Code (“TMC”) 13.05.115, Residential  
6 Infill Pilot Program (“Program”), which was subsequently reorganized under  
7 TMC 13.05.060, pursuant to Ordinance No. 28613, for the following housing types:  
8  
9 (1) Detached Accessory Dwelling Units (“DADU”) in single-family zoning districts;  
10 (2) Two-family development on corner lots in the R-2 Single-family District;  
11 (3) Small-scale multifamily development in the R-3 District; and (4) Cottage Housing  
12 in most residential districts, and

13 WHEREAS the Program is intended to promote innovative residential infill  
14 while ensuring that such infill demonstrates high-quality building and site design that  
15 is responsive to and harmonious with neighborhood patterns and character, and

17 WHEREAS, based on the initial success of the Program and in response to  
18 the evolving landscape of growth and development of Tacoma’s housing supply,  
19 staff is recommending amendments to the Program to provide for a more equitable  
20 distribution of diverse housing options across the City; provide flexibility to project  
21 applicants to address the challenges of their sites; and streamline the review  
22 process to improve oversight for each project, reduce processing time, and  
23 increase predictability, and  
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WHEREAS the proposed amendments will allow for three new spaces for each project type in each of the five Council Districts, for a total of 15 projects per type, or 60 total projects; will address affordability through the development of additional, smaller units in more restrictively zoned areas of the City which would inherently create more housing choice and reduce per-unit costs; and will make other minor adjustments to the project types currently allowed through the Program, and

WHEREAS, on October 6, 2020, a public hearing was held before the City Council to receive comments on the proposed reauthorization, extension, and modification of the Program as codified in TMC 13.05.060; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.05 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "A."

Section 2. That Chapter 13.06 of the TMC is hereby amended as set forth in the attached Exhibit "B."

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_

\_\_\_\_\_  
Deputy City Attorney



**EXHIBIT "A"**

**CHAPTER 13.05  
LAND USE PERMITS AND PROCEDURES**

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**13.05.010 Land Use Permits.**

A. Conditional Use Permits.

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7. Infill Pilot Program.

a. Two-family development ~~on corner lots~~ may be allowed by conditional use permit in R-2 Districts. In addition to the General Criteria, a conditional use permit for a two-family or townhouse dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot ~~is a corner lot with~~ has a minimum lot size of 6,000 square feet in size. ~~Corner lots provide an opportunity for two-family or townhouse development to be integrated in the neighborhood in a context responsive manner that is consistent with the single-family detached character of the district.~~

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed two-family or townhouse development ~~is designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches~~ consistent with the following:

(a) Development must respond to the context and neighborhood and single-family structures through massing, bulk, materials, landscaping, and building placement.

(b) Each unit must have a primary entrance directly accessed from adjacent street.

~~Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.~~

~~(4) The proposed structure is designed to resemble a detached single family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off street parking space. In the case of conversion of an existing single-family dwelling to a two-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.~~

(5) Applications for two-family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

b. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District and in the R-2 District if the development is a renovation of an existing structure that does not increase building footprint. A conditional use permit for a multi-family dwelling unit in R-2 or R-3 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 97,000 square feet in size.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed structure is designed to minimize the overall impression of density and bulk and to fit with established neighborhood patterns. Access to dwellings shall be through a shared primary entrance. Parking ~~shall be limited to one space per unit, and~~ shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

(4) Applications for multi-family dwellings in R-2 or R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060. Pursuant to those



requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

c. Between four and 24 Cottage Housing units may be allowed by conditional use permit in any residential district except HMR-SRD. A conditional use permit for a Cottage Housing unit shall only be approved upon a finding that such a use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 7,000 square feet in size.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed development is designed to provide variety in unit sizes, building and site features, and site design elements. Landscaping shall be designed in an attractive way and according to a coherent design. Residential units are laid out to be oriented to the public right-of-way and shared open space. Building massing is designed to have limited impact on neighboring properties and parking is to be off the alley, where possible, and minimized through screening and landscaping.

(4) Applications for Cottage Housing units in all residential district except HMR-SRD shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060, TMC 13.06.080.C, and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

d. Planned Infill Housing developments may be allowed by conditional use permit in any residential district except HMR-SRD. A Conditional Use Permit for Planned Infill Housing shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 3,500 square feet in size in the R-3 Zone and 7,000 square feet in size in all other zones.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) Development must respond to context and neighboring structures through massing, bulk, materials, landscaping, and building placement.

(4) Buildings must orient entrances toward the public right-of-way and parking shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

(5) Applications for Planned Infill Housing units in all residential districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

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### **13.05.060 Residential Infill Pilot Program**

#### **A. Purpose.**

To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.

#### **B. Term.**

The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been ~~revised and updated~~ ~~developed~~, with input from the Planning Commission, and authorized by the Director. The Pilot Program will be reassessed as directed by the City Council or by the Director. Once three ~~spaces in all of any~~ of the categories ~~have~~s been completed in each



Council District in Tacoma, no additional applications will be accepted for that category until further Council action has been taken.

1 C. Applicability.

2 The provisions of this section apply to the following categories of residential infill:

- 3 1. Two-family or townhouse development within the R-2 District;
- 4 2. Multifamily development within the R-3 District; In addition, applications to the Infill Pilot Program for renovations of existing structures that do not increase building footprint will be reviewed in the R-2 District;
- 5 ~~and~~
- 6 3. Cottage Housing development within any residential district except the HMR-SRD District; ~~and~~
- 7 4. Planned Infill Housing option in all residential districts.
- 8 ~~4. The pertinent provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent section of the TMC shall apply.~~
- 9 ~~5. There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.~~

8 D. Consistency with the TMC. Proposals submitted to the Infill Pilot Program must be consistent with the provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent sections of the TMC that apply.

9 E. Submittals.

10 Proponents of any of the above innovative residential infill development types shall submit the following:

- 11 1. Site plan(s) showing proposed and existing conditions.
- 12 2. Building elevations from all four sides, showing proposed and existing conditions.
- 13 3. A massing study.
- 14 4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.
- 15 5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
- 16 6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
- 17 7. A complete application, along with applicable fees, for any required land use permits, including a
- 18 Conditional Use and Accessory Dwelling Unit permits. Such processes may require public notification and/or meetings.
- 19 8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.

19 F. Review process.

20 The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner's decision and conditions of approval.

- 21 1. This body will include the following representatives:
  - 22 a. The Director or designee;
  - 23 b. The Long Range Planning Manager or designee;
  - 24 c. A City staff member with residential building and site development expertise;
  - 25 d. A designee representing the area Neighborhood Council where the project is proposed;
  - 26 e. An architect or urban design professional; ~~and~~;
  - f. A representative of the Landmarks Preservation Commission, if the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties; and
  - g. The Current Planning Manager or designee.



2. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:
- a. Designation of the historically significant property to the Tacoma Register of Historic Places.
  - b. Avoidance of the historically significant property or minimizing exterior changes to the property.
  - c. Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.
3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following:
- a. Responsiveness to the following basic neighborhood patterns established by existing development in the area.
    - (1) Street frontage characteristics.
    - (2) Rhythm of development along the street.
    - (3) Building orientation on the site and in relation to the street.
    - (4) Front setback patterns.
    - (5) Landscaping and trees.
    - (6) Backyard patterns and topography.
    - (7) Architectural features.
    - (8) Historic character, if located within a designated Historic District.
    - (9) Whether adverse impacts to properties that are eligible for listing on a historic register can be mitigated.
  - b. Pedestrian-friendly design. The proposed development must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways and must emphasize pedestrian connectivity. The quality of the pedestrian experience within the site and in the abutting public right-of-way shall be high.
  - c. De-emphasize parking. ~~The proposal must meet the parking requirements of TMC 13.06.090.C in a manner that Parking is not required for projects in the Infill Pilot Program, but if parking is provided, the project should de-emphasize parking in terms of its prominence on the site and its visibility from the public right-of-way.~~
  - d. Minimize scale contrasts, shading and privacy impacts. The proposal must demonstrate that it will limit abrupt changes in scale between the proposed development and existing buildings on adjacent parcels. Privacy and shading impacts on abutting parcels must be prevented or reduced to a reasonable extent.
  - e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents.
  - f. Sustainable features. In the case of multifamily development in the R-3 District, and ~~e~~Cottage ~~h~~Housing, the proposal must provide documentation of the incorporation of sustainability features through one of the following certification programs:
    1. Built Green 3 Stars; ~~or~~ LEED Bronze; or equivalent;
    2. ~~Greenroads Bronze rating if full new roadway sections are constructed as part of the project;~~
    3. ~~Consistency with code requirements. The proposal must be consistent with the applicable provisions of TMC 13.06 and other applicable requirements. The Director has discretion to increase, decrease or modify development standards including setbacks, height and parking in order to ensure the proposal is fully consistent with the intent of the Pilot Program.~~
- ~~FG.~~ Decision.
- As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the proposal meets the intent of this section and incorporate conditions, as appropriate, into the land use and building permit approvals. In the case of projects in historic or conservation districts, or individually



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designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.040. The Director has discretion to increase, decrease, or modify development standards, including setbacks, height, and parking, in order to ensure the proposal is fully consistent with the intent of the Infill Pilot Program prior to issuance of a decision.

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**EXHIBIT "B"**

**CHAPTER 13.06  
ZONING**

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**13.06.080 Special Use Standards**

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13.06.080.C. Cottage Housing.

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4. Use standards.

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e. Maximum density.

Cottage housing developments are permitted ~~1.5~~two times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or ~~six-eight~~ cottage housing units.

f. Parking.

~~Each cottage unit is required to have one off-street parking space.~~ Parking may be contained in detached garages adjacent to dwelling units no larger than 250 square feet in floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.

g. Vehicular access.

Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.

h. Setbacks.

The external setbacks of the underlying zoning district shall apply, except cottage housing shall be allowed in the rear yard when lot is located on an alley.

i. Separation between units.

All buildings must meet separation requirements as identified in applicable building codes. ~~A minimum of 8 feet shall be provided between structures containing dwelling units.~~

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