



Req. #15-1232

### ORDINANCE NO. 28336

1 AN ORDINANCE relating to the City’s comprehensive plan; amending TMC Titles 1  
 2 and 13 concerning affordable housing and infill development; and amending  
 3 TMC Title 13 by amending Chapters 13.02, 13.04, 13.05, 13.06, 13.06A,  
 4 13.09, 13.11, 13.12, and 13.16 thereof, to update information, address  
 5 inconsistencies, correct minor errors, provide additional clarity, and improve  
 6 administrative function, all as part of the proposed amendments to the  
 Comprehensive Plan and Land Use Regulatory Code for 2015 (2015 Annual  
 Amendment) as recommended by the Planning Commission on October 7,  
 2015.

7 WHEREAS amendments to the City’s Comprehensive Plan and  
 8 development regulations are considered on an annual basis, as required by the  
 9 Growth Management Act, RCW 36.70A, and

10 WHEREAS, for year 2015, the City is required to conduct a “Periodic  
 11 Update” of the Comprehensive Plan, and

12 WHEREAS the Planning Commission completed its review of the 2015  
 13 Annual Amendment through a public review process, including a public hearing on  
 14 August 19, 2015, and made recommendations to the City Council on October 7,  
 15 2015, as documented in the Planning Commission’s Findings of Fact and  
 16 Recommendations Report, and

17 WHEREAS the City Council conducted a public hearing on October 27,  
 18 2015, in accordance with Tacoma Municipal Code (“TMC”) 13.02, to receive public  
 19 comments on the Planning Commission’s recommendations, and

20 WHEREAS the proposed amendments pertaining to the affordable and infill  
 21 housing regulations are intended to promote housing affordability and choice  
 22 throughout the neighborhoods of the City through a range of affordable housing  
 23 incentives and residential infill proposals, and  
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WHEREAS these proposed affordable and infill housing regulations were developed with extensive input from the City Council-appointed Affordable Housing Policy Advisory Group (“AHPAG”) and represent the third and final phase of the implementation of the Affordable Housing Planning Work Program pursuant to City Council Resolution No. 38489, adopted on May 15, 2012, based on the recommendations of the AHPAG, and

WHEREAS the proposed amendments to Title 13 also update information, address inconsistencies, correct minor errors, provide additional clarity, and improve administrative function, and

WHEREAS the Infrastructure, Planning and Sustainability Committee reviewed the components of the 2015 Annual Amendment between September 2014 and October 2015, and is recommending the proposed amendments for consideration by the City Council, and

WHEREAS the Neighborhood and Housing Committee also reviewed certain parts of the 2015 Annual Amendment on an as-needed basis, and

WHEREAS the proposed TMC amendments will become effective December 31, 2015; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

Section 1. That TMC Title 1 is hereby amended by the addition thereto of a new Chapter 1.39, entitled “Affordable Housing Incentives and Bonuses Administrative Code,” to consist of nine sections, to be numbered 1.39.010 through 1.39.090, as set forth in the attached Exhibit “A.”



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Section 2. That Chapters 13.04, 13.05, 13.06, 13.06A, and 13.11 of the TMC, relating to affordable housing incentives, are hereby amended as set forth in the attached Exhibit "B."

Section 3. That Chapters 13.02, 13.04, 13.05, 13.06, 13.06A, 13.09, 13.11, 13.12, and 13.16 of the TMC are hereby amended as set forth in the attached Exhibit "C," to update information, address inconsistencies, correct minor errors, provide additional clarity, and improve administrative function.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



**2015 Annual Amendment  
Affordable/Infill Housing Regulations**

Exhibit A

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LAND USE REGULATORY CODE CHANGES

**Title 1 – Administration and Personnel**

**Chapter 1.39 – Affordable Housing Incentives and Bonuses Administrative Code** (*proposed new chapter*)

Note: These amendments show proposed 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 ~~strikethrough~~.

## Chapter 1.39

### AFFORDABLE HOUSING INCENTIVES AND BONUSES ADMINISTRATIVE CODE

#### Sections:

- 1.39.010 Purpose.
- 1.39.020 Definitions.
- 1.39.030 Applicability.
- 1.39.040 Program Requirements.
- 1.39.050 Financial Incentives.
- 1.39.060 Development Incentives.
- 1.39.070 Residential Upzones.
- 1.39.080 Incorporation of Affordable Housing Units.
- 1.39.090 Procedures.

#### **1.39.010 Purpose.**

The purpose of this Chapter is to encourage the development of affordable housing for households earning 80 percent or less of the Tacoma median household income, pursuant to the provisions of RCW 36.70A.540. The Growth Management Act (GMA) requires Tacoma to make adequate provisions for existing and projected housing needs of all economic segments of the community. The City recognizes that the real estate market provides adequate housing for those households in the upper economic segments; however, a combination of financial and regulatory incentives will be necessary to adequately provide for the needs of households whose incomes are at or below the City's median household income. The City recognizes the public benefits affordable housing contributes to local communities and businesses.

#### **1.39.020 Definitions.**

A. Affordable Housing Incentives Program Covenant Agreement. That document to be signed by the applicant and the City and representing a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant securing affordability requirements and more fully described pursuant to TMC Section 1.39.030.G below.

B. Annual Portion of Net Proceeds Table. An Exhibit to the Affordable Housing Incentives Program Covenant Agreement which details the applicable in-lieu fee percentage to use when determining the required in-lieu fee payment for homeownership projects.

C. Back-End Ratio. Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance plus recurring household expenses paid on a monthly basis divided by the household's gross monthly income.

D. Density Bonus. Additional development capacity available in exchange for the affordable housing provisions proscribed in this Chapter as well as in TMC 13.06 and 13.06A.

E. Front-End Ratio. Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance paid on a monthly basis by a household divided by the household's gross monthly income.

F. Household. Household is defined as all persons living in the same household who are related or unrelated persons who reside in the same dwelling unit as their permanent residence. This does not include live-in aides and/or unrelated persons paying rent for a room.

G. Successor-in-Interest. The household that buys the home from the most recent income qualified household selling the home. The Successor-in-Interest may or may not be income qualified.

H. Up-Front In-Lieu Fee. The per unit in-lieu fee as described in TMC Section 1.39.080 multiplied by the additional units created.

#### **1.39.030 Applicability.**

The affordable housing incentives for low-income households may be utilized within a range of zoning designations throughout the City. The incentives and bonuses offered through the provisions of this Chapter may be utilized to gain an increase in height or density pursuant to the provisions and ratios of the applicable provisions of TMC Title 13, as specified in Chapters 13.06 and 13.06A. Additional permitting incentives, including fee reductions and expedited City review, are also authorized through this Chapter. Finally, this Chapter lays out requirements to incorporate housing affordability with the grant of residential upzone requests.

### **1.39.040 Program Requirements.**

A. Duration of Affordability. Affordable housing units created as a result of the provisions of this Chapter shall remain affordable for 50 years, unless an in lieu fee is paid pursuant to the requirements of this Chapter. A recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant shall secure the affordability requirements. The recorded covenant must provide that if the affected unit in the property is converted to a use other than for low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable Affordable Housing in-lieu fees in effect at the time of conversion.

B. Number of units. A minimum of 20 units shall be included in a project in order to qualify to enter the program.

C. Affordable Housing units shall be rented or sold to income-qualified households. To qualify, rental occupied households shall earn no more than 50 percent of Area Median Income (AMI) for Pierce County, adjusted for family size. To qualify, owner households shall earn no more than 80 percent of AMI for Pierce County, adjusted for family size. The establishment of rental levels and housing prices will be updated as needed to reflect changing household affordability needs in the community.

D. Maximum rent and purchase price for designated units.

1. Rental. The maximum cost of rent and utilities which may be charged for designated affordable units shall not exceed 30 percent of the tenant's monthly gross income.

2. Ownership. The maximum Front-End Ratio cost for purchase of for-sale units shall be 33 percent, and the maximum Back-End Ratio cost shall be 50 percent.

E. Construction of Affordable Housing Units. If affordable housing units are constructed in phases or over a period of more than 12 months, a proportional amount of affordable housing units must be completed at or prior to the completion of related market rate housing units.

F. Size/Location/Appearance of Affordable Housing Units. The affordable housing units shall be provided in a range of sizes comparable to those units that are available to other residents. To the extent practicable, the number of bedrooms in low income units must be in the same proportion as the number of bedrooms in units throughout the entire development. Affordable housing units shall generally be distributed throughout the development and have substantially the same functionality and amenities as the market rate units in the development. The exterior appearance of the affordable housing units shall be indistinguishable from the market rate housing units within the project in terms of finish materials and design vocabulary. Interior finish materials and content of affordable units shall be generally comparable with market rate housing units within the project.

G. Affordable Housing Incentives Program Covenant Agreement. An application for a proposed project that incorporates any of the incentives in this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as a component of the application package. The agreement shall include, but not be limited to:

1. The term of affordability;

2. Identification of all the development and financial incentives that the project proposes to incorporate;

3. Identification of the minimum number of affordable housing units required to be provided in the project to qualify for use of these provisions;

4. Binding language recorded on the title of the property that protects the City's interests in the event that a developer obtains affordable housing incentives through the platting or building phases but fails to provide low-income affordable housing;

5. Language that requires recording the required low-income affordability provisions prior to the approval of a final plat, multi-family or mixed use building permit, or other development approval;

6. Language that recognizes the potential need to modify the agreement if the submitted project requires alteration through the review and approval process; and

7. Language that sets forth the consequences of a breach of contract action where the applicant fails to provide the required number of affordable housing units as required under the Agreement.

H. Monitoring Continued Affordability. The Housing Development Division of the Community and Economic Development Department shall monitor the continued affordability of both rental and owner-occupied housing units. The City reserves the right to establish in the Affordable Housing Incentives Program Covenant Agreement monitoring fees for the affordable housing units, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review

and processing of documents to maintain compliance with income and affordability restrictions of the Affordable Housing Incentives Program Covenant Agreement.

I. Resale of Affordable Homeownership Units. Affordable Housing units provided for under this Chapter may be sold or resold to eligible low-income households or a nonprofit organization through the end of the required affordability duration. Any sale to a non-income eligible household would require the seller to forfeit a portion of net sales proceeds consistent with the seller's tenure of ownership relative to the in-lieu fee reduction schedule identified in the Affordable Housing Incentives Program Covenant Agreement.

### **1.39.050 Financial Incentives.**

A. Financial incentives are intended to reduce the financial burden of carrying a loan through the review process and alleviate up-front financial costs to developers and builders associated with participating in this program, and to reduce costs in exchange for providing affordable housing units.

B. Expedited Permit Processing. The City will seek opportunities to expedite the review of development proposals incorporating affordable housing under the provisions of this Chapter. Actions to implement this shall be resource dependent.

C. Fee Reductions. Permit fees applicable to development proposals which commit to incorporating affordable housing units under the provisions of this Chapter may be fully or partially paid by City funding allocated for the purpose of promoting affordable housing. Such action will be resource dependent.

### **1.39.060 Development Incentives.**

A. Development incentives are voluntary options intended to promote the incorporation of affordable housing units within private developments by offering sufficient value to offset the cost of the reduced revenue from rents or purchase prices, in order to promote a range of housing unit costs integrated within for-profit housing developments and thus promote a distribution of affordable housing throughout the neighborhoods of the City.

B. Planned Residential Districts. Per the provisions of TMC 13.06.140, PRDs offer a zoning mechanism to develop a site specific proposal on larger sites that can incorporate additional density in exchange for the provision of affordable housing units pursuant to the requirements of this Chapter. PRDs may allow up to two times the number of dwelling units permitted in the underlying residential district. Fifty percent of this bonus development capacity is reserved for the provision of affordable housing pursuant to the requirements of this Chapter.

C. Downtown Tacoma. Per the provisions of TMC 13.06A.080, development proposals within Downtown zoning districts seeking to gain additional Floor Area Ratio may choose from a list of public benefit features including the provision of affordable housing pursuant to the requirements of this Chapter.

### **1.39.070 Residential Upzones.**

A. The grant of a change in zoning designation to a zone that allows higher development capacity increases the value of the land. This provision creates the mechanism for some of that increase in value to be allocated to the provision of affordable housing units. Zoning changes are governed by the provisions of TMC 13.06.650.

B. Per TMC 13.06.650, privately-initiated upzone requests shall be conditioned to provide for the incorporation of affordable housing units per the provisions of this Chapter. City-initiated upzones shall also be evaluated for housing affordability needs and may also result in a determination that housing units shall be incorporated under the provisions of this Chapter.

### **1.39.080 Incorporation of Affordable Housing Units.**

A. To obtain the Financial and Development Incentives offered, or to gain approval of a residential upzone, the following provisions must be met. These include the incorporation of affordable housing units within the project or the payment of an in-lieu fee to the City to be utilized for the creation of housing affordability.

B. Incorporation of Affordable Units. To satisfy the provisions of this section the following is required:

1. Density bonuses—Planned Residential Districts and Downtown Floor Area Ratio. For each additional market rate dwelling unit allowed through a density bonus, pursuant to the provisions of this Chapter and of TMC 13.06 and 13.06A, an additional affordable unit shall also be included. The ratio of bonus density market rate to affordable units shall be one to one.

2. Density bonuses—Residential Upzones. For every three additional market rate dwelling units allowed through a privately-initiated upzone request, an additional affordable unit shall also be included per the provisions of this section and of TMC 13.06.650. The ratio of upzone market rate to affordable units shall be three to one.

3. Affordability requirements. To qualify as affordable per the provisions of this section, rental households shall be affordable to households earning up to 50 percent of the Pierce County Area Median Income (AMI), and ownership households shall be affordable to households earning up to 80 percent of AMI, adjusted for household size.

4. A combination of affordable rental and ownership households is acceptable within a qualifying development.

5. Affordable housing units provided pursuant to the provisions of this section shall remain affordable for a 50 year term, pursuant to the requirements of RCW 36.70A.560.

C. In-lieu Fee option. As an alternative to incorporation of affordable housing units within the development, the project proponent may choose to pay an in-lieu fee as a contribution to the City's Housing Trust Fund. This fee is based on the increased land value as a function of City approval to allow more density, and has been calibrated to provide equivalent affordable housing benefit to the community as compared to the incorporation of affordable housing units within the development.

1. Density bonus types. The density bonus provisions of this section function either as an increase in the number of dwelling units permitted (in the case of PRDs), or as an increase in over height and bulk (in the case of Floor Area Ratios or height increases). Upzone requests can work in either fashion. The in lieu fee options for each are calculated as follows:

a. Calculation - Dwelling Units bonus. If paid prior to issuance of the Certificate of Occupancy, the in-lieu fee shall be \$10,000 for Planned Residential Districts and Downtown Floor Area Ratio bonuses, and \$5,000 for upzones, as of July 1, 2016, adjusted per the Consumer Price Index annually, for each additional dwelling unit (both market-rate and affordable) permitted through the bonus density or upzones provisions of this Chapter. For density bonuses and upzones which grant additional height or Floor Area Ratio, the additional dwellings shall be calculated as the additional square footage permitted through the density bonus divided by the average dwelling unit size within the development.

2. In lieu fee payment Timing. The project proponent or subsequent property owner can choose to pay the in-lieu fee at any point during the 50 year required period of affordability. If paid after issuance of the Certificate of Occupancy, the in lieu fee shall be paid as follows:

a. Multifamily rental projects. The per unit in-lieu fee as described in C.1.a above multiplied by the additional units created through the Density Bonus. This number constitutes the Up-Front In-Lieu Fee. The Up Front In-Lieu Fee is multiplied by two percent multiplied by the number of years the project has been in service per the Affordable Housing Incentives Program Covenant Agreement.

b. Homeownership projects. If the home is resold to a non-income qualified Successor-in-Interest within the first 5 years of the period of affordability, 100 percent of the net proceeds upon resale would constitute the in-lieu fee. If the home is resold to a non-income qualified Successor-in-Interest in year 6 or after, the in-lieu fee would be the net proceeds from the resale of the home multiplied by the following in-lieu fee percentage: At year 6 the in-lieu fee is 50 percent of net proceeds, declining thereafter by 1 percent per year in years 7 through 48 with a two percent decrease at year 49.

3. Use of in lieu fee funds. Funds paid pursuant to the in-lieu fee option into the Housing Trust Fund shall be utilized by the City for the creation of housing affordability pursuant to the strategies identified through the City of Tacoma's Consolidated Plan and other related City of Tacoma affordable housing policy documents.

### **1.39.090 Procedures.**

A. Predevelopment Meeting. A meeting shall be required for any land application that incorporates any of the provisions of this Chapter.

B. Affordable Housing Incentives Program Covenant Agreement. An application for a proposed project that incorporates any of the provisions of this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as set forth in this Chapter, as a component of the application package.

C. Development Review. The Planning and Development Services Department shall integrate additional density or other bonuses resulting from the incorporation of affordable housing units into a development proposal under the provisions of this Chapter into their review and approvals for the proposal.

D. Required Documentation. Prior to the final approval of any land use application or building permit that incorporates any incentives provided for within this Chapter, the owner of the property shall provide a signed and recorded Affordable Housing Incentives Program Covenant Agreement which will serve as a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant to secure the affordability requirements as stated under this Chapter. The recorded Affordable Housing Incentives Program Covenant Agreement must provide that if the property is converted to a use other than for low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable in lieu fees in effect at the time of conversion.





LAND USE REGULATORY CODE CHANGES

**Title 13 – Land Use Regulatory Code**

**Chapter 13.04 Platting and Subdivisions**

13.04.240 – Plats within Planned Residential Development Districts (PRD Districts)

**Chapter 13.05 Land Use Permit Procedures**

13.05.080 – Modifications/revision to permits

13.05.115 – Residential Infill Pilot Program (*proposed new section*)

**Chapter 13.06 - Zoning**

13.06.100 – Residential Districts

13.06.140 – PRD Planned Residential Development District

13.06.145 – Small-lot single-family residential development

13.06.150 – Accessory Dwelling Units

13.06.160 – Cottage Housing (*proposed new section*)

13.06.300 – Mixed-use Center Districts

13.06.501 – Building design Standards

13.06.510 – Off-Street Parking and Storage Areas

13.06.640 – Conditional use permit

13.06.650 – Application for rezone of property

13.06.700 – Definitions and illustrations.

**Chapter 13.06A – Downtown**

13.06A.080 – Design Standards for Increasing Allowable FAR

**Chapter 13.11 – Critical Areas Preservation**

13.11.260 – Residential Density Credits

Note: These amendments show proposed 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 ~~strikethrough~~.

**CHAPTER 13.04**  
**PLATTING AND SUBDIVISIONS**

**13.04.240 Plats within Planned Residential Development Districts (PRD Districts).**

A. Intent. The PRD District is intended to: provide for greater flexibility in large-scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts and of the subdivision ordinance of the City of Tacoma; encourage developers to use a more creative approach in land development; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and ecological systems of the physical environment; [reflect a high quality of site and urban design](#); and facilitate more desirable, aesthetic and efficient use of open space. [The PRD District is also intended to provide for density increases in association with the provision of public benefits including sustainability features and affordable housing.](#)

In order to facilitate development within PRD Districts, these regulations may, if necessary, be modified as they apply to residential access streets, blocks, lots and building lines when the plan for such PRD District provides: adequate access to arterial streets and adequate circulation, recreation areas, and area per family as required by the zoning ordinances; light and air for the needs of the tract when fully developed and populated; and such legal restrictions or other legal status as will assure the carrying out of the plan.

B. Procedures.

1. All preliminary plats within PRD Districts shall be considered by the Hearing Examiner, except for preliminary short plats considered by the Director subsequent to approval of a reclassification to a PRD District. The final plat/short plat shall be considered by the Director. The preliminary plat/short plat for a planned residential development may be submitted with the application for reclassification to a PRD District, and will then be processed concurrently with the reclassification application.

2. The final plat for a PRD District may be considered as a final site plan for that portion of the PRD District to which it pertains.

3. When the preliminary plat of a proposed subdivision in a PRD District is processed as the preliminary plan for the reclassification request, and/or the final plat is processed as the final site plan, the processing procedures for plats contained in this chapter shall be followed.

[4. All preliminary plats within PRD Districts shall demonstrate consistency with the requirements of TMC 13.06.140, with TMC 1.39 when density bonuses are sought pursuant to the provision of affordable housing, as well as with other applicable sections of the TMC.](#)

C. General Requirements.

1. Lot Area. Lot sizes required for plats within PRD Districts shall [generally](#) be the same as for the residential district with which the PRD District is combined; ~~provided, however, that unless~~ the Hearing Examiner or the Director ~~may determine that modify-modification of said~~ lot sizes [is appropriate in light of where](#) the following factors ~~have been considered~~:

a. Type of dwelling structures involved;

b. Amount of common and private open space to be provided and the location of such open space in relation to the dwelling structures involved;

c. The street pattern and street design within the PRD District; ~~and~~

d. The landscaping plan concept to be utilized around such dwellings. All modifications shall be made strictly within the spirit, intent, and purposes of this section and the PRD District section of the zoning ordinances.

[e. The provision of public benefits including sustainability features and affordable housing committed to as part of a density bonus, when applicable.](#)

[f. The intent of the PRD District, including the pursuit of urban design excellence, creation of a livable and attractive neighborhood, and place-making.](#)

2. Transfer of ownership of lots within PRD Districts shall be made in such a manner as to not increase the total number of lots in the PRD District, and in no event shall any ownership be less than the dimensions of the minimum size lot within the PRD District.

3. Streets and Roadways Within PRD Districts.

a. Standards of design and construction for roadways, both public and private, within PRDs may be modified as is deemed appropriate by the Hearing Examiner.

b. Right-of-way widths and street roadway widths may be reduced where it is found that the plan for the PRD District provides for the separation of vehicular and pedestrian circulation patterns, accommodates bicycle circulation, and provides for adequate off-street parking facilities.

c. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.

d. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

4. All land within the Planned Residential Development District shall be subject to contractual agreements with the City of Tacoma and to recorded covenants approved by the City of Tacoma providing for compliance with the regulations and provisions of the district and the site plan or plat as approved.

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**Chapter 13.05**  
**LAND USE PERMIT PROCEDURES**

Sections:

- 13.05.005 Definitions.
- 13.05.010 Application requirements for land use permits.
- 13.05.020 Notice process.
- 13.05.030 Director Decision Making Authority.
- 13.05.040 Decision of the Director.
- 13.05.045 Historic Preservation Land Use Decisions.
- 13.05.046 Compatibility of historic standards with zoning development standards.
- 13.05.047 Certificates of approval, historic.
- 13.05.048 Demolition of City Landmarks.
- 13.05.049 Minimum buildings standards, historic.
- 13.05.050 Appeals of administrative decisions.
- 13.05.060 Applications considered by the Hearing Examiner.
- 13.05.070 Expiration of permits.
- 13.05.080 Modification/revision to permits.
- 13.05.090 Director approval authority.
- 13.05.095 Development Regulation Agreements.
- 13.05.100 Enforcement.
- 13.05.105 *Repealed.*
- 13.05.110 *Repealed.*
- [13.05.115 Residential Infill Pilot Program.](#)

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**13.05.080 Modification/revision to permits.**

A. Purpose. The purpose of this section is to define types of modifications to permits and to identify procedures for those actions.

\* \* \*

F. PRD District Modifications.

1. Proposed modifications to development approved in a PRD District rezone and/or site approval shall, in addition to the above criteria, be deemed minor only if all the following criteria are satisfied:

- a. No new land use is proposed;
- b. No increase in density, number of dwelling units, or lots is proposed; ~~and~~
- c. No reduction in the amount of approved open space is proposed, excluding reductions in private yards; ~~and-~~
- [d. No reduction in the amount, quality or condition of sustainability features and, when applicable, affordable housing units required as part of the PRD decision pursuant to a density increase per the provisions of TMC 13.06.140.](#)

Examples of minor modifications could include, but are not limited to, lot line adjustments, minor relocations of buildings or landscaped areas, minor additions to existing buildings, the construction of accessory buildings, and minor changes in phasing and timing.

2. In addition to the standard criteria applicable to major modifications to a PRD District rezone and/or site approval, such major modifications to fully or partially developed PRD Districts shall only be approved if found to be consistent with the following additional decision criteria:

- a. The proposed modification shall be designed to be compatible with the overall site design concept of the originally approved site plan. In determining compatibility, the decision maker may consider factors such as the design, configuration and layout of infrastructure and community amenities, the arrangement and orientation of lots, the layout of different uses, and the bulk and scale of buildings, if applicable, with a particular focus on transition areas between existing and proposed development.
- b. The proposed modification shall be generally consistent with the findings and conclusions of the original PRD rezone decision.
- c. If the existing PRD District is nonconforming to the current development standards for PRD District, the proposed modification does not increase the district's level of nonconformity to those standards.

G. Other permits. Any modification, whether considered minor or major, may still require approvals other than the type granted for the original development. For example, an existing, permitted conditional use seeking a modification that qualifies

as a minor modification to their existing conditional use permit but that also necessitates a variance to a development standard, would not be required to obtain approval of a major modification to their existing conditional use permit or a new conditional use permit but would need to receive a variance permit for the project.

\* \* \*

### **13.05.115 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 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, ~~after projects have been completed in three or more of the permitted categories, or after three or more of any single category has been completed—whichever comes first.~~ Once three of any of the categories has been completed, no additional applications will be accepted for that category until further Council action has been taken.

C. Applicability. The provisions of this section apply to the following categories of residential infill:

1. Detached Accessory Dwelling Units within the R-1, R-2, R-2SRD and HMR-SRD Districts,
2. Two-family or townhouse development within the R-2 District,
3. Multifamily development within the R-3 District, and
4. Cottage Housing development within any residential district except the HMR-SRD District.

D. 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.

E. There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.

F. Only one Detached Accessory Dwelling Unit may be developed within designated Historic Districts under the Pilot Program.

G. Submittals. Proponents of any of the above innovative residential infill development types shall submit the following:

1. A site plan.
  2. Building elevations from all four sides.
  3. A massing study.
  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.
  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.
  6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
  7. A complete application, along with applicable fees, for any required land use permits, including conditional use and Accessory Dwelling Unit permits. Such processes may require public notification or meetings.
  8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.
- H. Review process. 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.
1. This body will include the following representatives:
    - a. The Director or designee;
    - b. The Long Range Planning Manager or designee;
    - c. A City staff member with residential building and site development expertise;
    - d. A designee representing the area Neighborhood Council where the project is proposed;
    - 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.

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 13.06.510 in a manner that de-emphasizes 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 cottage 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,

2. Greenroads Bronze rating if full new roadway sections are constructed as part of the project;

g. 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.

I. 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 designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.045.

\* \* \*

## Chapter 13.06 ZONING<sup>1</sup>

Sections:

### **13.06.100 Residential Districts.**

- 13.06.100.B.1 R-1 Single-Family Dwelling District.
- 13.06.100.B.2 R-2 Single-Family Dwelling District.
- 13.06.100.B.3 R-2 SRD Residential Special Review District.
- 13.06.100.B.4 HMR-SRD Historic Mixed Residential Special Review District.
- 13.06.100.B.5 R-3 Two-Family Dwelling District.
- 13.06.100.B.6 R-4-L Low-Density Multiple Family Dwelling District.
- 13.06.100.B.7 R-4 Multiple-Family Dwelling District.
- 13.06.100.B.8 R-5 Multiple-Family Dwelling District.
- 13.06.105 *Repealed.*
- 13.06.110 *Repealed.*
- 13.06.115 *Repealed.*
- 13.06.118 *Repealed.*
- 13.06.120 *Repealed.*
- 13.06.125 *Repealed.*
- 13.06.130 *Repealed.*
- 13.06.135 *Repealed.*
- 13.06.140 PRD Planned Residential Development District.
- 13.06.145 Small-lot single-family residential development.
- 13.06.150 Accessory dwelling units.
- 13.06.155 Day care centers.
- 13.06.160 Cottage Housing.

\* \* \*

### **13.06.100 Residential Districts.**

The 100 series will contain regulations for all residential classifications, including the following:

- R-1 Single-Family Dwelling District
- R-2 Single-Family Dwelling District
- R-2SRD Residential Special Review District
- HMR-SRD Historic Mixed Residential Special Review District
- R-3 Two-Family Dwelling District
- R-4 Multiple-Family Dwelling District
- R-4-L Low-Density Multiple-Family Dwelling District
- R-5 Multiple-Family Dwelling District
- PRD Planned Residential Development District (see Section 13.06.140)

A. District purposes. The specific purposes of the Residential Districts are to:

1. Implement the goals and policies of the City's Comprehensive Plan.
2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas [throughout the City's neighborhoods](#).
4. Protect and enhance established neighborhoods, and ensure that new development is in harmony with neighborhood scale and character.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.
7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.
8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.

B. Districts established.

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<sup>1</sup> Rezone ordinances are on file in the office of the City Clerk.



1. The following districts are intended primarily for residential land uses, as well as other uses such as daycares, parks, schools, churches and other uses which serve the neighborhood and have been deemed compatible with residential character.

2. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in ~~established~~ areas with steep topography a relatively quiet and stable neighborhood environment or an established pattern of larger lots.

23. R-2 Single-Family Dwelling District. This district is intended primarily for ~~low density~~, single-family detached housing but, in addition to the uses listed above, may also allow a limited number of compatible uses including limited lodging uses, ~~and uses such as limited~~ holiday sales for Christmas and Halloween, and two-family dwellings in certain circumstances. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

34. R-2SRD Residential Special Review District. This district is intended primarily for ~~low density~~, single-family detached housing, but in addition to the uses listed above, it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area ~~and enhance the area's overall quality~~.

54. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the buildings within reflect significant aspects of Tacoma's early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Infill development shall be consistent with historic character of the district and shall be predominantly single-family. A limited number of two- and three-family dwellings may be permitted by conditional use permit provided they are consistent with the historic character of the district and are not conversions of historically contributing single-family houses. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.

56. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate, in addition to the uses permitted in less dense zones. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

67. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended primarily for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

87. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. In addition to uses permitted in less dense zones, ~~Other~~ appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

98. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings, in addition to uses permitted in less dense zones. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.

#### C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.046.



2. Use requirements. 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 Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

P = Permitted use in this district.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
N = Prohibited use in this district.

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

**Tacoma Municipal Code**

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
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 <u>unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process</u> <del>unless each dwelling complies with the use regulations, height regulations, area regulations, and parking regulations of the district.</del>
Dwelling, two-family	N	<u>NCU<sup>2</sup></u>	P/CU	P/CU	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 ( <a href="#">see Section 13.06.640</a> ). <u>In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), and but requires issuance of a conditional use permit (see Section 13.06.640).</u> Subject to additional requirements contained in Section 13.06.501.N.
Dwelling, three-family	N	N	P/CU	P/CU	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. See Section 13.06.640.  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.  Subject to additional requirements contained in Section 13.06.501.N.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
Dwelling, multiple-family	N	N	N	P/N	<u>NCU</u> <sup>2</sup>	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.  <a href="#">In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), but requires issuance of a conditional use permit (see Section 13.06.640).</a>
Dwelling, townhouse	N	<u>NCU</u> <sup>2</sup>	CU	<u>NCU</u>	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.G. <a href="#">In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit. See Section 13.06.640.</a>  <a href="#">In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.115).</a>
Dwelling, accessory (ADU)	<u>PAN</u> <sup>2</sup>	<u>PAN</u> <sup>2</sup>	<u>PAN</u> <sup>2</sup>	<u>PAN</u> <sup>2</sup>	P	P	P	P	<a href="#">Subject to additional requirements contained in Section 13.06.150. In all residential districts ADUs require the issuance of an ADU permit.</a>  <a href="#">In the R-1, R-2, R-2SRD and HMR-SRD districts, detached ADUs are subject to the provisions of the Residential Infill Pilot Program (Section 13.05.115)are prohibited while attached ADUs are permitted.</a>  <del><a href="#">Subject to additional requirements contained in 13.06.150.</a></del>
<u>Dwelling, Cottage Housing</u>	<u>CU</u> <sup>2</sup>	<u>CU</u> <sup>2</sup>	<u>CU</u> <sup>2</sup>	<u>N</u>	<u>CU</u> <sup>2</sup>	<u>CU</u> <sup>2</sup>	<u>CU</u> <sup>2</sup>	<u>CU</u> <sup>2</sup>	<a href="#">Cottage Housing developments require the issuance of a Conditional Use Permit (see Section 13.06.640) and are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.</a>

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**Footnotes:**

<sup>1</sup>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

<sup>2</sup>[Certain land uses, including two-family, townhouse, cottage housing, and Detached Accessory Dwelling Units in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.](#)

**Tacoma Municipal Code**

D. Lot size and building envelope standards.

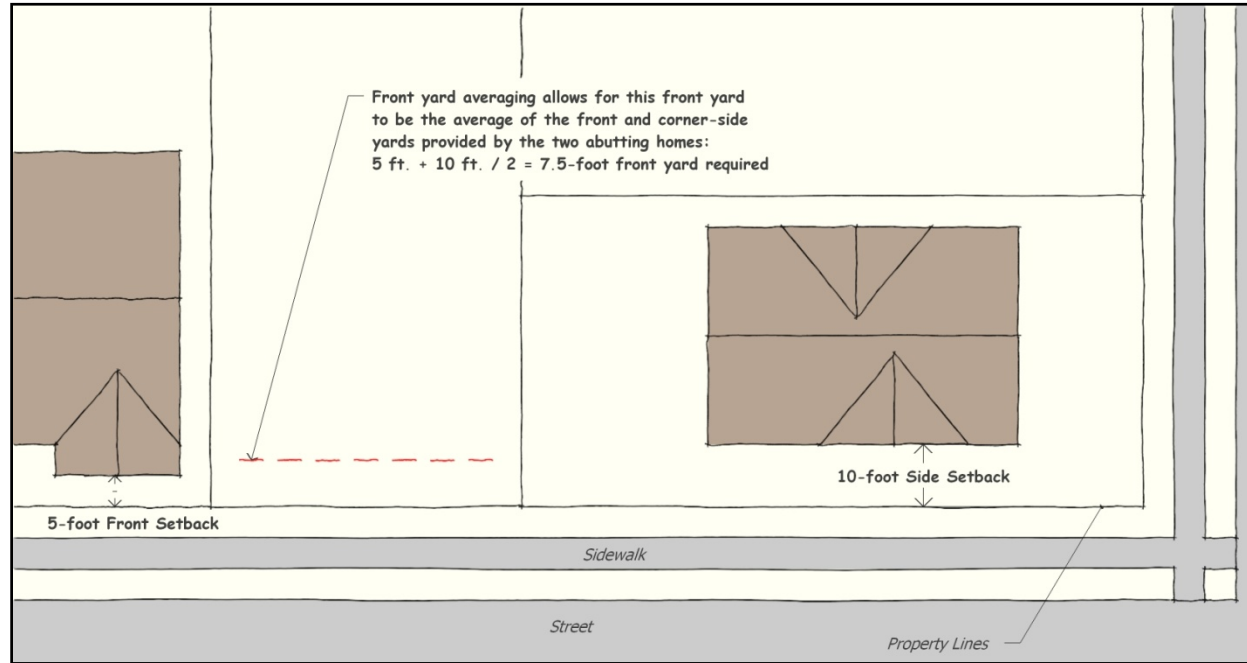
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
<b>Minimum Lot Area (in square feet, unless otherwise noted)</b>								
Single-family detached dwellings – Standard Lots	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Single-family detached dwellings – Small Lots ( <a href="#">Level 1</a> )	6,750	4,500	4,500	4,500	<del>3,500</del> <a href="#">2,500</a>	<del>3,000</del> <a href="#">2,500</a>	2,500	2,500
Two-family dwellings		<a href="#">6,000</a>	6,000	6,000	6,000	4,250	3,750	3,500
Three-family dwellings			9,000	9,000	9,000	5,500	5,000	4,500
Multiple-family dwellings					<a href="#">9,000</a>	6,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of four	6,000	6,000
Townhouse dwellings	-	<a href="#">3,000</a>	3,000	<a href="#">3,000</a>	3,000	1,500	1,000	1,000
Mobile home/trailer court						3.5 acres, provided at least 3,500 sq. ft. is provided for each mobile home		
Pre-existing lots	A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single-family dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards (see Sections 13.06.145 and 13.06.630).							
Single-family Small Lots – Exceptions to Standard Minimum Lot Area Requirements	Reductions to minimum detached single-family dwelling lot area requirements, as shown above, may be allowed pursuant to Section 13.06.145. <a href="#">Lots smaller than the Minimum Lot Area for Standard Lots must meet the applicable Design Standards of Section 13.06.145.</a>  Single-family Small lot development must be oriented such that the lot frontage and the front façade of the house face the street.  Small lot exceptions are not applicable to pipestem lots.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
<p><a href="#">Single-family detached dwellings – Small Lots (Level 2):</a></p> <p><a href="#">Additional exceptions to Minimum Lot Area Requirements</a></p>	<p><a href="#">One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. In no case shall a new lot be smaller than the following without grant of a variance: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft.</a></p> <p><a href="#">Lot Size Averaging – Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size.</a></p> <p><a href="#">Lot Size Averaging – Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in other districts, provided that the overall average lot size within the Short or Full Plat meets the Standard Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging.</a></p> <p><a href="#">Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size.</a></p> <p><a href="#">Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.145.F.</a></p> <p><a href="#">Small lot exceptions are not applicable to pipestem lots.</a></p>							
<a href="#">Critical Areas Density Bonus</a>	<a href="#">Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.</a>							
<a href="#">Planned Residential Districts</a>	<a href="#">Planned Residential Districts: Exceptions to the standard and small lot provisions of this section may be permitted through the provisions of Section 13.06.140.</a>							
<b>Lot Measurements (in feet)</b>								
Minimum Average Lot Width – Standard Lots	50	50	50	50	50	50	50	50
						16 for townhouse dwellings; 32 for two-family dwellings		
Single-family Small Lots – Minimum Average Lot Width	45	35	35	35	30	25	25	25
Minimum Lot Frontage	25	25	25	25	25	25	25	25
	<p>The minimum lot frontage requirement does not apply to townhouse dwellings.</p> <p>Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.</p>							
Small Lots – Exceptions to Minimum Average Lot Width	<p>Reductions to minimum lot width, as shown above, may be allowed pursuant to Section 13.06.145.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>							

**Tacoma Municipal Code**

<b>Lot Coverage (percentage)</b>								
Maximum lot coverage	-	-	-	-	-	35	-	-
<b>Max. Height Limits (in feet)</b>								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15-feet							
* * *								

(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.



(2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house. averaging shall be calculated by adding the setback provided on the adjacent developed lot and the minimum setback of the district in which it is located and dividing by two.

(3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.

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<p>Vehicular Access and Parking</p>	<p>All on-site parking for dwellings and buildings other than dwellings 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 a total of 50 percent of the front yard or 50 percent of a corner street side yard. <u>In the case of Small Lots, see the additional provisions of Section 13.06.145.</u></p>
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**Tacoma Municipal Code**

Main Building Orientation	All dwellings shall maintain primary orientation to the adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance.
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### **13.06.140 PRD Planned Residential Development District.**

A. Intent. The PRD Planned Residential Development District is intended to: provide for greater flexibility in large scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts; encourage developers to use a more creative approach in land development and stormwater management; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and retain native vegetation; [provide a high quality of urban design pursuant to creating a livable and attractive neighborhood and place-making](#); ~~and~~ facilitate more desirable, aesthetic, and efficient use of open space; [promote sustainable building and site design practices](#); and [promote the voluntary incorporation of affordable housing through provision of voluntary density bonuses](#).

The PRD District is intended to be located in areas possessing the amenities and services generally associated with residential dwelling districts, and in locations which will not produce an adverse influence upon adjacent properties.

Land classified as a PRD District shall also be classified as one or more of the regular residential zoning districts and shall be designated by a combination of symbols (e.g., R-3-PRD planned residential development district).

B. Procedures. Application for reclassification to a PRD District shall be made in accordance with the provisions of Chapter 13.05 and Section 13.06.650. Applications for reclassification to a PRD District shall bear the written consent of the owners of all property within the proposed PRD. Applications for a major modification to an existing PRD District shall bear the written consent of the owners of the specific properties proposed to be modified.

An application for site approval shall accompany a request for reclassification to a PRD District. Applications filed subsequent to such a reclassification shall be considered by the Director. Where only a portion of the development is submitted for site approval, a preliminary plan for the remainder of the development shall also be submitted, indicating the intended layout for the remainder of the development.

The Hearing Examiner shall conduct a public hearing on all applications for site approval which accompany a reclassification request. In acting upon a request for site approval, the Hearing Examiner or Director shall consider, but not be limited to, the following criteria:

1. The site development plan shall be consistent with the goals and policies of the Comprehensive Plan.
2. The plan shall be consistent with the intent and regulations of the PRD District and any other applicable statutes and ordinances.
3. The proposed development plan for the PRD District is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The findings of the Hearing Examiner or Director shall be concerned with, but not limited to, the following:
  - a. The generation of noise or other nuisances which may be injurious or to the detriment of a significant portion of the community.
  - b. Availability and/or adequacy of public services which may be necessary or desirable for the support of the development. These may include, but shall not be limited to, availability of utilities; transportation systems, including vehicular, pedestrian, and public transportation systems; and education, police, and fire services, and social and health services.
  - c. Adequacy of landscaping, recreation facilities, screening, yards, setbacks, open spaces, or other development characteristics necessary to provide a sound and healthful living environment and mitigate the impact of the development upon neighboring properties and the community.
  - d. The compliance of the site development plan with any conditions to development stipulated by the City Council at the time of the establishment of the PRD District.
  - e. [The demonstration of urban design excellence in site and building design through establishing Basic Neighborhood Patterns, pedestrian-friendly design, de-emphasized parking, minimized scale contrasts and privacy impacts, usable outdoor spaces, sustainability features and connectivity as appropriate to the site, context and proposed development type and density.](#)

An application for site approval shall include:

4. A plan or plans at a scale of not less than one inch equals 200 feet for the proposed development showing:
  - a. Proposed name of the development, north point, scale, date, legal description, and names and addresses of the developer, engineer, surveyor, land planner, and landscape architect.
  - b. The basic layout of the site or portion thereof, including lot design, if any, building locations, street layout, and roadway widths.
  - c. Horizontal alignment data for all streets and vehicular accessways.
  - d. Any areas proposed to be dedicated or reserved for public parks, schools, or playgrounds, or otherwise dedicated or reserved for public purposes.
  - e. Other undedicated open space set aside for the use of the residents of the development in common.

- f. A general land use plan for the proposed district indicating the areas to be used for the various purposes.
- g. Types of dwellings and site locations thereof.
- h. Proposed locations of off-street parking areas with dimensions.
- i. Pedestrian walks, malls, and other trails, both public and private.
- j. A circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares, [routes and pathways](#). Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown.
- k. The stages to be built in progression, if any.
- l. Finished contours at a five-foot interval.
- m. The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.
- n. Land within the tract not to be developed as a part of the PRD District, with indication of existing and/or intended use or uses.
- o. Necessary building setback lines, including those required for sight distance purposes.
- p. Existing zoning boundaries.
- ~~5q.~~ The intended time schedule for development.
- ~~6r.~~ Tables showing the density and lot coverage of the overall development and of each zoning district within the development.
- [s. A narrative and supporting exhibits demonstrating how the project will be consistent with the PRD intent and the provisions of this section.](#)

C. General requirements.

[1. This Section was substantially updated on \[DATE OF ADOPTION\]. PRD Districts approved prior to that date are subject to the provisions of their approvals, including the amount and designation of required open space. PRD applications submitted after that date shall meet the following standards and requirements.](#)

[+2. PRDs are permitted as an overlay in all residential districts, with the exception that PRDs are not permitted in the HMR-SRD District or within designated Historic Districts.](#)

[3. The site approval shall be binding upon the development and substantial variations from the plan shall be subject to approval by the Director.](#)

[24. No building permit shall be issued without a site approval.](#)

[35. The site approval shall expire as provided in Chapter 13.05.](#)

[46. In granting site approval, the Hearing Examiner and/or the Director may attach conditions as authorized in Chapter 1.23, or, in the case of approval by the Director, Chapter 13.05, and unless other arrangements are agreed to by the City, the owner and/or developers shall be responsible for paying the cost of construction and/or installation of all required on- and off-site improvements. This responsibility shall be the subject of a contractual agreement between the owner and/or developer and the City. Such contract shall require that, in lieu of the actual construction of the required improvements, the owner and/or developer shall deposit a performance bond or cash deposit with Planning and Development Services, in an amount not less than the estimate of the City Engineer for the required improvements, and provide security satisfactory to the Department of Public Utilities, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the time specified in the contractual agreement. Also, such contract and recorded covenants, governing all land within the PRD District, shall provide for compliance with the regulations and provisions of the district and the site plan as approved.](#)

[7. PRDs are subject to the provisions of the underlying zoning district and other pertinent sections of the TMC, unless specifically addressed in this section or through the conditions of the PRD decision or site approval.](#)

8. Urban design, sustainability and connectivity. The PRD site design shall demonstrate the following:

a. Establishment of high quality and context-responsive Basic Neighborhood Patterns, including the following:

- (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.

b. Pedestrian-friendly design. The proposal must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways, and must emphasize pedestrian connectivity and the high quality of the pedestrian experience within the site and in the abutting public right-of-way. Transportation infrastructure within PRD Districts shall implement complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

c. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.510 in a manner that de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-way.

d. Minimize scale contrasts and privacy impacts. The proposal must demonstrate that it will limit scale contrasts and privacy impacts on existing adjacent parcels and buildings 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. These outdoor spaces shall be provided per the open space requirements of this section.

f. Sustainable features. The proposal must provide documentation of the incorporation of both green building and site features as follows:

- (1) Built Green 4 Stars or LEED Gold Certified rating for Building Design and Construction; and,
- (2) Greenroads Bronze if full new roadway sections are constructed.

g. Connectivity. Proposed PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, to the maximum extent feasible.

h. 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:

- (1) Designation of the historically significant property to the Tacoma Register of Historic Places.
- (2) Avoidance of the historically significant property or minimizing exterior changes to the property.
- (3) Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.

59. Not more than one-third of the gross area of the site shall have a finished grade exceeding 20 percent, consist of bodies of water, or consist of tidelands, unless otherwise permitted by the decision.

610. The development of the property in the manner proposed will not be detrimental to the public welfare, will be in keeping with the general intent and spirit of the zoning regulations and Comprehensive Plan of the City of Tacoma, and will not impose an abnormal burden upon the public for improvements occasioned by the proposed development.

711. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities which are compatible with the properties adjacent to the proposed development.

812. The PRD District shall be located on property which has an acceptable relationship to major transportation facilities ~~thoroughfares~~, and those ~~thoroughfares~~ facilities within the vicinity of the PRD District shall be adequate to carry the additional bicycle, pedestrian and vehicular traffic generated by the development.

913. A PRD District shall make provisions for existing and future streets, pathways and undeveloped areas adjacent to the development to allow for the proper and logical development of such areas.

4014. The internal circulation system within the PRD District shall be designed and constructed to insure the safety and convenience of pedestrian, bicycle and vehicular traffic by providing proper horizontal and vertical alignments, widths, physical improvements, parking provisions (on- and/or off-street), pedestrian facilities, sight distances, necessary traffic control regulations and signs, and necessary directional and identification signs.

15. Placement and maintenance of traffic, directional, and identification signs for private vehicular accessways shall be the responsibility of the developer.

16. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.

17. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

~~14~~18. The grades and alignments and other construction details for all vehicular accessways and utilities, both public and private, shall be established and approval granted by the City of Tacoma prior to commencement of any construction within the area for which site approval was granted.

~~14~~19. Subject to width variations, all vehicular accessways within the PRD District, both public and private, shall be constructed and improved to meet or exceed minimum City of Tacoma standards; except that all public and private vehicular accessways shall be paved with a hard surface with necessary base preparations, in accordance with City of Tacoma standards.

~~14~~20. The developer shall guarantee, to the satisfaction of the Building Official, the improvement of all streets and accessways, both public and private, to minimum City of Tacoma standards prior to the occupancy of any dwelling units served by such streets and accessways.

~~14~~21. The internal circulation within the PRD District shall permit vehicular access to each building for fire protection and such other purposes as may be necessary.

~~15~~22. Fire hydrants and facilities shall be provided in accordance with the standards of the National Board of Fire Underwriters.

~~16~~23. All utilities, including storm drainage, within the PRD District shall be provided as set forth by the City of Tacoma.

~~17~~24. Due consideration shall be given by the developer or subdivider to the allocation of suitable areas for schools, parks, playgrounds, and other necessary facilities to be dedicated for public use or purposes.

~~18~~25. The initial stage of development shall be of sufficient size and dimension to produce the intended environment of a PRD District, and shall provide an equitable amount of open space, off-street parking, and other amenities commensurate with the zoning and density of said initial stage. The requirements of any subsequent stage may be determined in conjunction with the approved standards of all previous stages in order to determine its conformance to the overall requirements of this district.

~~19~~26. All nonconforming uses within a PRD District shall be removed or provisions made for their removal prior to the issuance of a building permit.

~~20~~27. There shall be adequate provisions to insure the perpetual maintenance of all non-dedicated accessways and all other areas used, or available for use, in common by the occupants of the PRD District.

D. Use regulations. A building, structure, or land, and a building or structure hereafter built, altered, or enlarged, shall be used for only the following permitted uses:

1. The uses of property permitted in the regular zoning district with which the PRD District is combined.
2. Townhouses in all PRD Districts.
3. Multi-family dwellings in R-3-PRD Districts.
4. Indoor and outdoor recreational facilities and structures for the ~~exclusive~~ use of the residents of the PRD District.
5. Day care centers with an enrollment of 50 or fewer children or adults.
6. Special needs housing, in accordance with the provisions of Section 13.06.535.

7. Limited non-residential uses in R-3-PRD and denser Districts. Such uses shall be small in size, internally oriented within the PRD District, serve the immediate neighborhood and are prohibited from producing noise, traffic, or signage impacts incompatible with the surrounding area. Such uses shall otherwise meet the pertinent requirements of the TMC with the exception that parking requirements may be reduced or eliminated to reflect the intent of serving the immediate neighborhood. Potential examples include small cafes, live-work spaces, artist lofts, and small offices.

E. Height regulations. The height of buildings, structures, or portions thereof, shall be the same as the residential district with which the PRD District is combined.

F. Area regulations.

1. Setback regulations. A minimum 20-foot building setback shall be maintained from the district property line on the perimeter of the PRD District. Setbacks from dedicated arterial streets within the PRD District shall be maintained in accordance with the requirements of the residential district with which it is combined.

The distance separating buildings, exclusive of accessory buildings, shall be adequate to provide for fire safety, emergency access, maintenance and, where appropriate, pedestrian passage~~not less than twice the standard side yard setback for the applicable base zoning district~~, except that a building on a platted lot may be attached to any building or buildings on any adjoining platted lot or lots, ~~or, if unattached, a building setback equal to that required in the base zoning district shall be maintained from such adjoining lot line or lines~~. Accessory buildings shall not be permitted within required setback areas.

Building setbacks from the PRD District boundary, from dedicated streets adjacent to and within the PRD District, and from other buildings shall be increased by one-half foot for each one foot the height of such a building or structure exceeds 35 feet.

2. Site area. The minimum gross site area for a PRD District shall be one acre of net site area, not including abutting public rights-of-way, as follows:

R-1 PRD District — ten acres

R-2 PRD District — five acres

R-3 PRD District — two acres

R-4 L PRD District — three and one-half acres

R-4 PRD District — five acres

R-5 PRD District — ten acres

except, PRD Districts with lesser site area may be permitted when contiguous to, and planned simultaneously with, another PRD District; provided, the total of all such PRD Districts has an area of not less than that required by the included District having the largest site requirements (e.g., a combination of an R-3 PRD District and an R-5 PRD District) shall have a site area of not less than ten acres (the area required for an R-5 PRD District), and a combination of an R-2 PRD District, R-3 PRD District, and an R-4 L PRD District shall have a site area of not less than five acres (the area required for an R-2 PRD District).

One-half of the area of public street right-of-way on the perimeter of the site and all of the area of street right-of-way entirely within the boundaries of the sites may be included in determining the gross area of the district for minimum site area and density purposes; provided, limited access freeways may not be so included in determining gross area for site and density purposes.

3. Density.

a. PRD Base Density. The ~~maximum-permitted~~ density of dwelling units within a PRD District shall be approximately 1.25 times the densities permitted in the base district, as described below as follows, (the gross area of the PRD District may be considered for computing density, and rRetirement home guest rooms and/or guest suites shall be construed as dwelling units for purposes of computing density):

b. Density bonuses

(1) An additional 0.50 times the underlying district density is permitted through the provision of affordable housing units pursuant to TMC 1.39.

(2) Once the density available for the provision of affordable housing units has been utilized, an additional 0.25 times the underlying district density is permitted through the provision of both of the following features:

(a) Built Green Emerald Star or Living Building Challenge 3 Petals; and,

(b) Greenroads Gold if new full roadway sections are constructed.

(3) The following table summarizes the number of dwelling units permitted in the underlying zoning districts, and the three tiers of density available through the provisions of the PRD section, provided in gross density (dwelling units per acre) of the site:

	<u>Underlying Zoning Density</u>	<u>Tier 1: PRD Base Density</u>	<u>Tier 2: PRD Affordable Housing</u>	<u>Tier 3: PRD Sustainability features</u>
<u>R-1</u>	<u>5.8</u>	<u>7</u>	<u>10</u>	<u>12</u>
<u>R-2</u>	<u>8.7</u>	<u>11</u>	<u>15</u>	<u>17.5</u>
<u>R2-SRD</u>	<u>8.7</u>	<u>11</u>	<u>15</u>	<u>17.5</u>
<u>R-3</u>	<u>14.5</u>	<u>18</u>	<u>25</u>	<u>29</u>
<u>R-4L</u>	<u>29.0</u>	<u>36</u>	<u>51</u>	<u>58</u>
<u>R-4</u>	<u>43.6</u>	<u>55</u>	<u>76</u>	<u>87</u>
<u>R-5</u>	<u>58.1</u>	<u>73</u>	<u>102</u>	<u>116</u>

These dwelling units may be any combination of residential land uses permitted in the PRD District.

R-1 PRD District—7,500 square feet of gross site area per dwelling unit.

R-2 PRD District—5,000 square feet of gross site area per dwelling unit.

R-3 PRD District—3,000 square feet of gross site area per dwelling unit.

R-3 PRD District Retirement Homes—The Hearing Examiner shall determine the minimum lot area per dwelling unit, guest room, or guest suite; provided, the lot area so determined shall not be less than 1,500 square feet nor more than 3,000 square feet.

R-4 L PRD District—1,500 square feet of gross site area per dwelling unit.

R-4 PRD District—1,500 square feet of gross site area per dwelling unit.

R-5 PRD District—1,500 square feet of gross site area per dwelling unit.

R-4 L PRD, R-4 PRD and R-5 PRD District retirement homes—the Hearing Examiner or the Director shall determine the minimum lot area per dwelling unit, guest room, or guest suite; provided, the lot area so determined shall not be less than 750 square feet nor more than 1,500 square feet.

4. Minimum dimensions. The minimum average width and depth of any PRD District shall not be less than 120 feet, except that the minimum average width and depth of an R-5-PRD District shall not be less than 200 feet.

5. Site coverage. Buildings and structures shall not occupy more than one-half~~third~~ of the ~~gross~~ area of the PRD District.

6. Common Open Space. A minimum of ~~one third~~fifteen percent of the ~~gross~~ site area of the PRD District shall be provided as common open space. For the purpose of this section, common open space shall be defined as land which is provided or maintained for the general enjoyment of the residents of the PRD District or the general public and not used for buildings, dedicated public rights-of-way, private access/road easements, driveways, traffic circulation and roads, private yards, required sidewalks, utility areas, storm water facilities (unless also developed as a recreational area), parking areas, or any kind of storage. Common open space includes, but is not limited to woodlands, open fields, streams, wetlands, other water bodies, habitat areas, steep slope areas, landscaped areas, parks, beaches, community gardens, courtyards, or recreation areas.

a. A minimum of one-~~third~~half of this required common open space shall be devoted to recreation area for use by the residents of the PRD District or the general public. For the purpose of this section, recreation area includes, but is not limited to trails, athletic fields and courts, playgrounds, swimming pools, picnic areas or similar facilities. Such recreation area(s) shall be located in a central area of the district or spread throughout the district to provide convenient access to all residents. The recreation area(s) shall be of a size, topography and configuration so as to accommodate a variety of recreational functions for residents, with the overall intent of consolidating amenity areas to avoid fragmented areas of marginal utility. Said recreation areas shall not entirely consist of concrete or other hardscape.

b. Common open space areas shall be located and configured to protect mature trees, native vegetation and critical areas, provide for recreational opportunities, and create open space corridors, green belts and connections between existing or planned parks, trails or open space.

c. Such common open space shall be available for use or enjoyment by all of the residents of the PRD District or the general public. The common open space shall be dedicated, reserved or otherwise held in common by a homeowners association or by a proportional ownership interest shared among all of the property owners within the PRD, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.

d. Permanent provisions for the maintenance and management of open space, private trails, private parks and recreation areas, and other common areas shall also be provided. These provisions shall run with the land and be recorded.



G. Parking regulations. Off-street parking space shall be provided in accordance with Section 13.06.510. Required off-street parking for dwellings shall not be located more than 100 feet from the dwelling or dwellings it is intended to serve unless otherwise permitted by the Hearing Examiner or the Director.

Required parking spaces shall be surfaced with a hard surface.

H. Modifications. Modifications to existing PRDs shall be subject to further review and approval, in accordance with the criteria and standards contained in Section 13.05.080, including the additional provisions in subsection 13.05.080.F., and the expanded notice provisions in Sections 13.05.020.C.2 and 13.05.020.D.2.

\* \* \*

### **13.06.145 Small-lot single-family residential development.**

A. Purpose. These regulations are intended to supplement and amend the regulations pertaining to single-family detached residential development by providing criteria for small-lot single-family detached development in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts. These regulations are intended primarily to promote residential infill development within the City to be consistent with the mandate of the State Growth Management Act and the City's Comprehensive Plan, to encourage growth within urban areas, and to minimize sprawl. Residential infill within already urbanized areas is increasingly recognized as a regional stormwater best management practice by encouraging a more compact urban form that reduces the development footprint within sensitive watersheds and greenfield areas. These provisions are designed to provide a mechanism to create new lots and develop existing lots that have a smaller area and/or width than the standard lot size requirements in the R Districts. However, in allowing for the creation of and development on these smaller lots, additional design standards are applied to better ensure that new single-family development on such lots is compatible with the desired character of the City's residential areas.

B. Lot size standards.

1. New Small Lots that are smaller than the applicable standard minimum lot dimensions in Section 13.06.100.D, shall be allowed, without variance, in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts, subject to the Small Lot standards of that section, and provided that all new dwellings meet the design standards in Section 13.06.145.E.

2. New lots that are smaller than the applicable [Level 1 Small Lot](#) minimum lot dimensions in Section 13.06.100.D shall only be allowed [pursuant to the Level 2 Small Lots provisions of that section, or](#) with approval of a variance (see Section 13.06.645), and provided that all new dwellings meet the design standards in Section 13.06.145.E and F.

3. New small lot development must be oriented such that the lot frontage and the front façade of the house face the street.

4. The provisions of this section are not applicable to pipestem lots, which are required to meet the applicable Standard Lot dimensions specified in Section 13.06.100.D, and any other applicable provisions.

C. Building envelope standards. New single-family detached dwellings on small lots shall be subject to the standard building envelope requirements for single-family dwellings in the applicable zoning district (see Section 13.06.100.D).

D. Design standards - Applicability.

1. New single-family dwellings on new lots that are ~~less than the Standard Lot dimensions, up to and no less than the minimum Level 1 Small Lot 10% smaller than applicable standard minimum lot dimensions~~ in Section 13.06.100.D (for example, ~~in the R-2 District Small Lots are between 5,000 and 4,500 square feet and/or between 50 and 35 feet in width~~) ~~10% is 4,500 square feet and 45 feet average width in most zones~~) shall be subject to the design requirements found in Section 13.06.145.E.

2. New single-family dwellings on ~~new~~ lots that are ~~more than 10%~~ smaller than ~~the~~ applicable [Level 1 Small Lot](#) standards ~~minimum lot dimensions~~ in Section 13.06.100.D (~~including Level 2 Small Lots, legally pre-existing lots and lots where greater reductions are permitted, or~~ a variance has been approved) shall be subject to the design requirements found in Sections 13.06.145.E and 13.06.145.F.

~~3. New single family dwellings on pre-existing lots that are smaller than applicable standard minimum lot dimensions shall be subject to the design requirements found in Section 13.06.145.E.~~

[3. Proponents of new Small Lots located within designated Historic Districts shall provide a site plan and massing study demonstrating consistency with the provisions of this section and with the pertinent historic design standards. No subdivision shall be permitted which would lead to the demolition of an historically contributing structure.](#)

E. Design Standards – Level 1. The following design standards shall be met for all new single-family dwellings on new Small Lots ~~that are up to 10% smaller than the applicable minimum lot size and/or width requirements in Section 13.06.100.D~~, and on all pre-existing lots that are smaller than the current, applicable minimum lot size and/or width requirements in Section 13.06.100.D:

1. [Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.](#)

[2. Clear building entries. Dwellings shall provide a clearly defined building entrance that faces the street and provides weather protection that is at least 4 feet deep along the width of the building entry. A porch may serve to comply with this provision.](#)

(a) Within designated Historic Districts, covered porches (projecting or alcove) a minimum of 60 square feet and no dimension less than 6 feet, with decorative piers, columns, railings or other architectural features are required.

2. Garages:

a. The garage shall be located in the rear with rear access if suitable access is available, such as abutting right-of-way that is or can be practicably developed.

b. Where vehicular access is not available from an alley or side street, garages or carports shall be setback at least 5 feet behind the front façade of the house or the front of a covered porch (where the porch is at least 48 square feet and contains no dimension less than 6 feet). In addition, vehicular doors and carports (measurement based on width of canopy) shall not occupy more than 50% of the width of the front façade. For narrower lots, this requirement may preclude development of a garage or carport.

c. Within Designated Historic Districts, garages located in the rear yard shall be detached from the house, unless an alternate design is approved by the Landmarks Preservation Commission.

3. Façade transparency. At least 15% of any façade (excluding exposed foundations and unfinished attic space) facing a street shall be transparent. The façade shall include all vertical surfaces of the façade of the dwelling.

4. Rooflines. For two-story houses with peaked roofs, the primary roofline(s) shall be oriented towards the front of the lot, running perpendicular to the street or front property line to minimize shade and shadow impacts to adjacent properties. Exceptions to this standard are allowed for projects involving multiple, adjacent single-family dwellings on small lots where alternating roofline orientation is being used to meet the Housing Style Variety requirement in Subsection 7, below, or for lots that measure less than 80 feet in depth. Roof pitches shall be designed to achieve architectural balance with the scale of the house. Two story houses with peaked roofs shall provide a minimum roof pitch of 6:12, excluding dormers and excluding vegetated roofs. Eave overhangs a minimum of 2 feet shall be provided.



5. All street-facing windows and doors shall be finished with e-~~D~~decorative molding / framing details, around all front façade windows and doors.

56. Driveways.

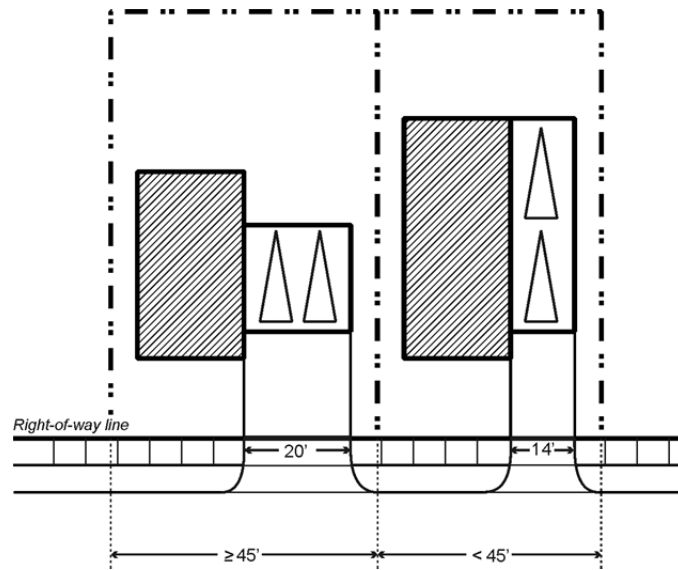
a. Vehicular access shall be from the rear of the site whenever feasible.

b. For driveways accessing the street, the maximum width of driveway approaches shall be 20 feet.

bc. Driveway approach widths for lots less than 45 feet wide shall be no greater than 14 feet.

ed. In no case shall a driveway approach occupy more than 50% of any lot frontage. Shared driveway approaches may be appropriate for narrower lots.





[67](#). Functional yard space. All lots shall provide at least one contiguous yard space equivalent to at least 10 % of the lot size. (See examples below) This usable yard space shall:

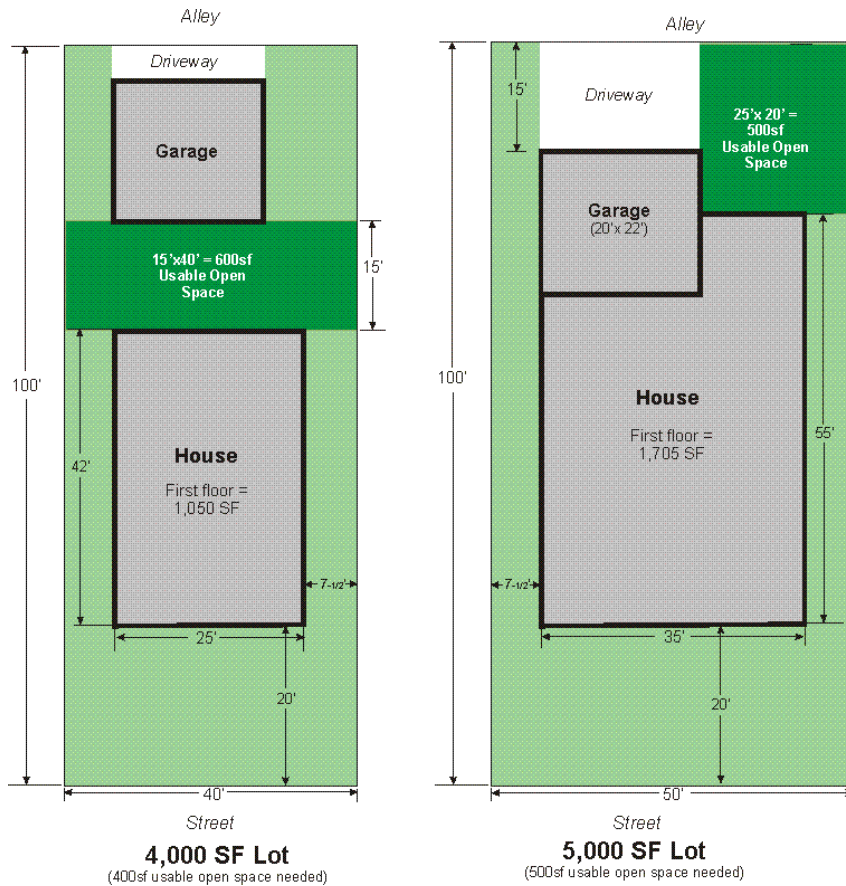
- a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.
- b. Not include alleys or driveway space.
- c. Not be located within the required front yard.
- [d. Be directly connected to and accessible from the house.](#)

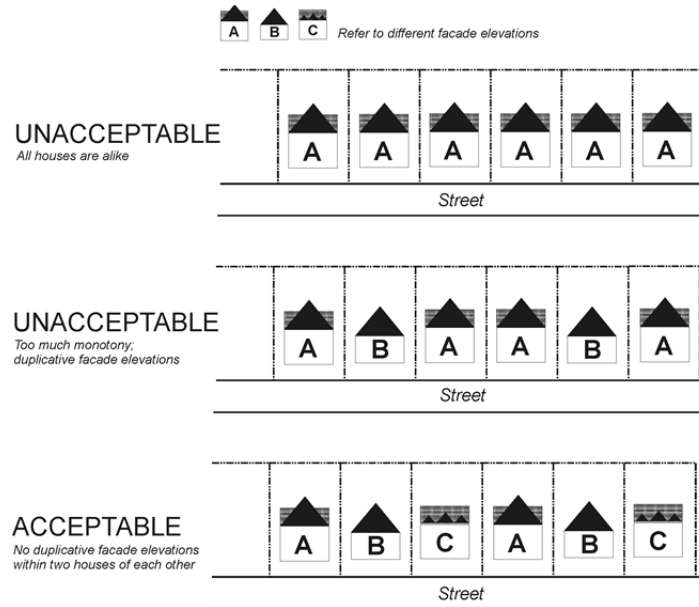
78. Housing style variety. Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation on adjacent lots are not sufficient to meet this requirement. In addition, a minimum of two of the following alternatives shall be utilized:

- a. Different window opening locations and designs,
- b. One and two –story dwellings,
- c. Different exterior finish materials and finishes, or
- d. Different garage location, configuration and design.

Example Layouts:

These single-family dwellings employ different rooflines, material treatments, porch design, windows, and details to add visual interest and differentiate the dwellings from each other.





**89.** Prohibited materials. Plywood and other similar sheet siding materials, such as T1-11 siding, shall not be used for front façades and façades facing streets, except that board and batten siding shall be allowed for façade variation up to 40 percent of the front façade facing the street.

**910.** Street tree. One street tree shall be installed per small lot, per the provisions of TMC 13.06.502.

11. Within designated Historic Districts, whenever the applicable historic design standards conflict with the provisions of this section, the historic design standards shall control. The Landmarks Preservation Commission has the authority to provide direction in such cases.

F. Design Requirements – Level 2. In addition to meeting all the design requirements listed in subsection E, above, all new single-family dwellings on ~~new~~ lots that are ~~more than 10%~~ smaller than the applicable ~~Level 1 Small Lot standard~~ minimum lot size and/or width requirements in Section 13.06.100.D (~~including Level 2 Small Lots, legally pre-existing lots and lots where greater reductions are permitted, or~~ a variance has been approved), shall meet the following design standards:

1. Architectural details. At least three of the following architectural details shall be incorporated into the street-facing façades of the dwelling:

- a. Decorative porch or entry design, including decorative columns or railings,
- b. Bay windows or balconies,
- ~~c. Decorative molding / framing details around all front façade windows and doors,~~
- ~~d.~~ **dc.** Decorative door design including transom and/or side lights or other distinctive feature,
- ~~e.~~ **ed.** Decorative roofline elements, such as brackets, multiple dormers, and chimneys,
- ~~f.~~ **fe.** Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,
- ~~g.~~ **gf.** Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or
- ~~h.~~ **hg.** Other decorative façade elements or details that meet the intent of the criteria

2. At least one of the following must be provided:

- a. Dwelling(s) shall meet Built Green or other equivalent environmental certification for new construction, or
- b. Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.

**13.06.150 Accessory dwelling units.**

A. Intent. Accessory dwelling units (hereinafter referred to as “ADUs”) are intended to:

1. Provide homeowners with a means of providing for companionship and security.
2. Add affordable units to the existing housing supply.
3. Make housing units within the City available to moderate income people.
4. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young families, retired), and modern development technology.
5. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that ADUs are installed in a compatible manner under the conditions of this section.
6. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Procedures. Any property owner seeking to establish an ADU in the City of Tacoma shall apply for approval in accordance with the following procedures:

1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and fees as prescribed in subsection B.2 below.
2. Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.
3. Notice on title. The owner of any property containing an ADU shall record with the Pierce County Auditor a notice on title of the ADU. Such notice shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.; and (c) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the notice on title has been recorded prior to issuance of an ADU permit by Planning and Development Services. The notice on title shall run with the land as long as the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the notice on title. Such termination shall be granted upon proof that the ADU no longer exists on the property.
4. Permit. Upon receipt of a complete application, application fees, proof of recorded notice on title, and approval of any necessary building or other construction permits, an ADU permit shall be issued.
5. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.
6. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.

[7. Detached ADUs in the R-1, R-2, R2-SRD and HMR-SRD Districts are reviewed under the provisions of the Residential Infill Pilot Program per TMC 13.05.115. Such applications shall provide for notification of property owners within 100 feet.](#)

C. Requirements. The creation of an ADU shall be subject to the following requirements, which shall not be subject to variance.

1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single-family detached dwelling in the City of Tacoma.
2. Occupancy. The maximum number of occupants in an ADU shall be 4 persons. Maximum occupancy may be further limited by the Minimum Building and Structures Code in Title 2.
3. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.
4. Ownership. The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.
5. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such 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, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.

6. Home occupations. Home occupations shall be allowed, subject to existing regulations. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.

7. Legalization of Nonconforming ADUs. Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applied for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards. After January 1, 1996, owners of illegal ADUs shall be guilty of a misdemeanor and, upon conviction thereof, subject to a fine not to exceed \$1,000, including all statutory costs, assessments, and fees, plus \$75 per day after notice of the violation has been made. All owners of illegal ADUs shall also be required to either legalize the unit or remove it.

D. Bulk, Location and Design Requirements. The creation of an ADU shall be subject to the following requirements:

1. For Attached ADUs, the lot must meet the ~~standard~~ minimum Level 1 Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least ~~5,000 square feet, or~~ 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).

2. Size. The ADU, excluding any garage area and other non-living areas, such as workshops or greenhouses, shall not exceed 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. An ADU shall not contain ~~less than 200 square feet or~~ more than 1,000 square feet. In addition, detached ADUs shall meet the standards of 13.06.100.F. Accessory building standards.

3. Height. The maximum height ~~limit~~ for detached ADUs shall be 18 feet, measured per the Building Code. Detached ADUs shall be no taller than the main house, the same as for other detached accessory structures (see Section 13.06.100.D). Alternatively, two-story detached ADUs may be allowed up to 25 feet in height provided the following: The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, ~~The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.~~

4. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, when allowed, permitted as a detached structure located in the rear yard.

5. Setbacks. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, excepting that no setback from the alley shall be required.

6. Design - Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single-family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade of the dwelling. If a separate outside entrance is necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy.

7. Design - Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space.

8. Walkways. For ADUs with a separate exterior entrance, a pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be at least 4 feet wide and composed of materials that are distinct from any adjacent vehicle driving or parking surfaces. The walkway may function as a shared pedestrian/vehicle space provided that it is constructed of distinct materials, is located along an exterior edge of a driving surface, and vehicles are not permitted to park on the walkway.

\* \* \*

### **13.06.160 Cottage Housing.**

A. Intent. Cottage housing developments are intended to:

1. Add affordable units to the existing housing supply.
2. Provide an increased choice of housing that responds to changing needs and lifestyles (e.g., young families, retired people).
3. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that cottage housing developments are designed in a compatible manner.
4. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Applicability. Cottage housing developments may be proposed in all residential districts.

C. Procedures. Cottage housing developments require the following applications:

1. A complete Conditional Use Permit application, pursuant to TMC 13.06.640.
2. Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.115.
3. A completed Preliminary Plat application, if applicable.
4. A completed environmental checklist, if applicable.
5. A completed application for a site plan approval.
6. Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

D. Application. Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit and for approval under the Residential Infill Pilot Program.

E. Development standards.

1. Residential Infill Pilot Program. Cottage housing developments shall comply with the sustainability and connectivity requirements, as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.115.

2. Minimum site size. Cottage housing developments require a minimum net site size of 10,000 square feet.

3. Number of units. Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.

4. Cottage housing types:

a. Cottage – A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.

b. Carriage – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.

c. Two/Three-dwelling Buildings – A structure containing two or three dwelling units, not to exceed 1,000 square feet per unit on average, designed to look like a detached single-family house. Two/three-dwelling cottage buildings are not permitted in the R-1 or R-2 Districts.

5. Maximum density. Cottage housing developments are permitted 1.5 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 cottage housing units.

6. 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.

7. 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.

8. Setbacks. The external setbacks of the underlying zoning district shall apply.

9. Separation between units. A minimum of 8 feet shall be provided between structures containing dwelling units.

10. Common open space. A minimum of 400 square feet of common open space shall be required per unit. Each area of common open space shall be in one contiguous and central location with no dimension less than 20 feet. Common open space shall be located in a central area, that is easily accessible and visible to all dwellings within the cottage cluster. No sight-obscuring fences are permitted within common open spaces. The common open space shall be surrounded by cottage or common buildings on at least three sides, unless topography precludes this. Common open space shall be attractively landscaped and improved with gathering space, gardening, walkways or recreational features.



11. Private open space/yard. A minimum of 300 square feet of private open space shall be required per unit.

12. Maximum height for dwellings: Dwellings maximum height is 18 feet, or up to 25 feet with a minimum of 6:12 sloped roof.

13. Design Standards.

a. Each cottage building is required to have an attached covered porch a minimum of 50 square feet in size with no dimension less than 5 feet.

b. Each carriage unit shall have a deck or balcony, oriented toward the common open space.

c. Buildings adjacent to the public right-of-way must orient entrances toward the public right-of-way, provide a minimum of 15 percent façade transparency, and provide an inviting façade through façade modulation, roofline variation or other design features.

d. Cottage projects shall establish building and site design that is attractive and promotes visual interest. All structures shall be designed according to a coherent design concept that allows for variation in style, features, materials and colors.

e. Cottage developments shall provide for variation in unit sizes, building and site design. A variety of building styles, features, colors and site design elements are required within a cottage housing development.

f. Cottage developments shall be stick-built.

14. Community buildings. Community buildings in common ownership are permitted within cottage housing developments, and shall be incidental in use and size to the cottage dwellings.

15. Connectivity. All dwelling units shall be directly connected to the public sidewalk.

16. Landscaping. Street trees are required per the provisions of 13.06.502. Parking areas shall be softened or screened with landscaping. Internal landscaping shall be determined through the Residential Infill Pilot Program review process.

17. Accessory Dwelling Units. Not permitted.

18. Floor Area Ratio. A maximum of 0.5 FAR is required for the overall site.

\* \* \*

### **13.06.300 Mixed-Use Center Districts.**

\* \* \*

B. Districts established. The following specific districts are established to implement the purposes of this section and the goals and policies of Tacoma's Comprehensive Plan:

\* \* \*

6. NRX Neighborhood Residential Mixed-Use District. To provide for a predominantly residential neighborhood, to discourage removal of existing single-family residential structures; and to encourage in-fill residential development of appropriate size and design. This district is designed for areas characterized by an established mix of housing types and limited neighborhood commercial uses, in areas which were formerly zoned to permit residential development at densities greater than single-family, where redevelopment removed many existing single-dwelling structures and where there is continued development pressure that threatens single-family dwellings. Adaptive reuse of existing single-family detached structures as duplexes or triplexes is permitted with special review. Multiple-family dwellings in existence at the time of reclassification to NRX are conforming uses.

\* \* \*

E. Building envelope standards.

1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Minimum lot area	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	3,750 square feet for single-family dwellings; 2,500 square feet per unit for duplexes; 6,000 square feet for triplexes and multi-family dwellings; 5,000 square feet total per townhouse development	

\* \* \*

2. X-District Height Bonuses. The X-District Height Bonus program provides a mechanism to allow for additional height for projects within certain portions of the Neighborhood Mixed-Use Centers. It is designed to encourage new growth and foster economic vitality within the centers, consistent with the State Growth Management Act and the City’s Comprehensive Plan, while balancing taller buildings and greater density with public amenities that help achieve the community’s vision for the centers, with improved livability, enhanced pedestrian and transit orientation, and a quality built environment, and realize other City-wide goals. Through this program, projects within certain areas may qualify for additional building height, above and beyond the standard maximum height limits outlined above, under Subsection E.1. In order to achieve these increased height limits, projects are required to provide one or more public benefit bonus features.

\* \* \*

b. Height Bonus Palettes. The two tables below outline the various public benefit features available for incorporation as part of a project in order to increase maximum height limits, as described above. The following limitations and guidelines apply to the use of the bonus palettes:

\* \* \*

(7) Height Bonus Palette – Level 1:

\* \* \*



HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
<b>Quality of Life</b>		
Affordable Housing	At least 20% of residential units provided for households making less than 80% of area median income. In order to qualify, the affordable units shall meet all of the standards prescribed through the City’s Multi-family Property Tax Incentive program.	20 feet
Affordable Housing Trust Fund	Contribution to the City’s Housing Trust Fund in an amount equal to <a href="#">the fee in lieu provisions of TMC 1.39 Affordable Housing Incentives Administrative Code</a> . <del>0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). This contribution would be made available in loans or grants to public or private developers for the development of housing for households making less than 80% of area median income.</del> First priority for the use of the contribution would be within the mixed-use center where the project contribution is being made.	10 feet
Open Space Fund Contribution (0.5%)	Contribution to the City’s Open Space Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). These funds would be utilized for acquisition and management of open spaces within the City, with a particular focus, when appropriate, on acquiring and managing open spaces within and in close proximity to the subject Mixed-Use Center.	10 feet
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area.	10 feet

\* \* \*

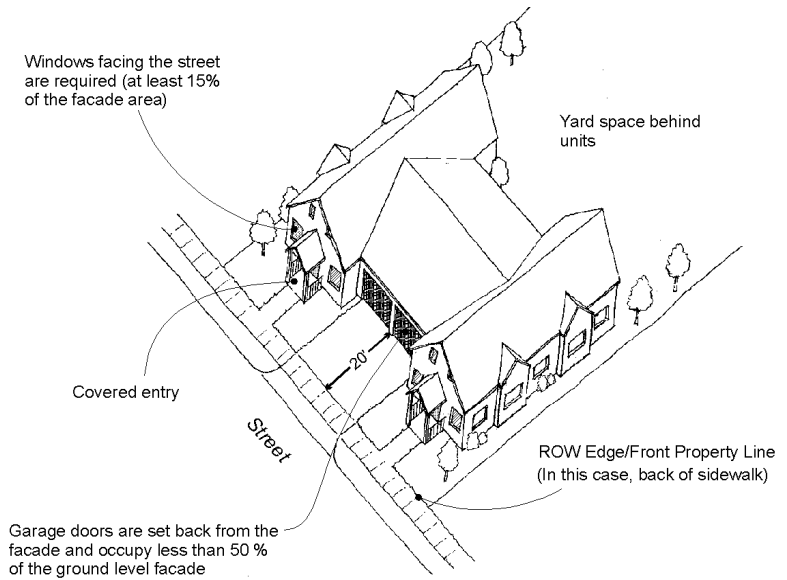
**13.06.501 Building design standards.**

A. 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 in C-1, C-2, HM, T, PDB, and Mixed-Use Center Districts and alterations, as outlined below, as well as to townhouses in R-districts, except as follows:

\* \* \*

**N. Single, Two, and Three-Family Dwelling Standards.** The following requirements apply to all single, two, and three-family dwellings in X-Districts, and to all two and three-family dwellings in all districts. They are intended to emphasize pedestrian access, compatibility with residential neighborhoods, building orientation to the street, and to minimize impacts of vehicular access.

1. Covered entries are required for each common entry or individual dwelling unit entry with minimum dimensions of 4 feet by 6 feet.
2. Windows on the street. At least 15 percent of the street-facing façades (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.
3. Garage design standards.
  - a. Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as an abutting right-of-way that is or can be developed, is available.
  - b. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the property line or private road easement.
  - c. The garage face or side wall shall occupy no more than 50 percent of the length of a ground-level façade facing a street.
  - d. Where the garage faces the side, but is visible from the frontage, the garage shall incorporate a window on the front-facing façade so that it appears to be a habitable portion of the building. The window size and design must be compatible with the windows on habitable portions of the dwelling.
  - e. Driveway approaches shall also be consistent with the standards in Section 13.06.510.



4. Corner duplexes. Duplexes located on corner lots shall be designed with pedestrian entries located on opposite street frontages so that the structure appears to be a single-family dwelling from each street, or with a single shared entrance that presents the appearance of one single-family house. Where no alley is available for vehicular access, separate driveways for each unit may be placed on opposite streets.

\* \* \*

**13.06.510 Off-street parking and storage areas.**

A. Purpose. To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land, and to ensure that required parking areas are designed to perform in a safe and efficient manner. Additionally, to minimize impacts to adjacent uses from areas used for storage of vehicles and other materials, specific design and development standards for such areas are provided in Subsection D.

\* \* \*

<b>TABLE 1 – Required Off-Street Parking Spaces</b> <sup>9, 14</sup>		
<b>Use</b>	<b>Unit</b>	<b>Required parking spaces</b>
		<b>Min.</b>
<b>Residential</b>		
***		
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents <sup>1, 16</sup>	Room, suite or dwelling	1.00
<a href="#">Small Lots, Cottage Housing and Lots</a> not conforming to area/width <sup>3</sup>	Dwelling.	1.00
Mobile home park <sup>1, 2, 12</sup>		
***		

<b>TABLE 1 Footnotes</b>
***
3. <a href="#">Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.145, Cottage Housing Dwellings approved per TMC 13.06.155, and</a> A lots which <del>were was</del> a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.

\* \* \*

### 13.06.640 Conditional use permit.

A. 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 (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

B. Conditional uses and height. Since certain conditional uses have intrinsic characteristics related to the function or operation of such uses, which may necessitate buildings or other structures associated with such uses to exceed the height limits of the zoning districts in which the conditional uses may be located, the Director or Hearing Examiner may authorize the height of buildings or other structures associated with the following conditional uses to exceed the height limit set forth in the zoning district in which such uses are located; provided, such height is consistent with the criteria contained in subsection C D of this section:

\* \* \*

C. Conditional Use Permits and Historic Properties. For proposals affecting properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the Director shall refer the complete application to the Landmarks Preservation Commission for comment regarding whether the proposal appears to meet applicable historic guidelines and standards.

C D. Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.

2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.

3. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.

3 4. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:

a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.

b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.

c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

4. 5. An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

D E. Special needs housing. A conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:

\* \* \*

E F. Two- and three-family and townhouse dwellings, where allowed by conditional use permit in Special Review Districts (R-2SRD and HMR-SRD). A conditional use permit for a two- or three- family or townhouse dwelling unit in a Special Review District shall only be approved upon a finding that such use is consistent with all of the following criteria:

a 1. The use is consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.

b 2. The use is consistent with the intent and regulations of the R-2SRD and HMR-SRD Districts.

e 3. Special circumstances exist on the site which present an opportunity to evaluate the potential integration of two or three-family or townhouse development into the predominately single-family neighborhood ~~make development or continuation of a single-family dwelling difficult~~. Special circumstances may include, but shall not be limited to, the following:

- ~~(1)~~a. Location on an arterial street;
- ~~(2)~~b. Location in close proximity to a more intensive zoning district [or to transit service](#);
- ~~(3)~~c. Unusually large lot for a single-family dwelling which, because of its shape, topography, lack of suitable access or other factors affecting the lot, could not be subdivided and developed in conformance with the regulations of the district; and
- ~~(4)~~d. The existence on the site of a single-family dwelling with an above-grade floor area of more than 2,400 square feet, exclusive of garage area, in the case of an application for conversion to a two-family dwelling, or 3,200 square feet in the case of a conversion to a three-family dwelling.

~~4~~4. The proposed use and development shall be compatible with the quality and character of surrounding residential development and shall not be materially detrimental to the overall single-family dwelling environment and character of the general area, and in the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the extent practicable.

5. Within designated Historic Districts, new two or three-family development shall be consistent with the district's historic design guidelines. Conversions of single-family dwellings to two or three-family dwellings shall be limited to buildings listed as "noncontributing" on the historic district inventory adopted by the Landmarks Preservation Commission.

6. The proposed two-family, three-family or townhouse development shall be designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: 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. In the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

7. 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 zoning district on one side of the structure. Each unit shall provide no more than one off-street parking space.

8. Applications for two- and three-family and townhouse dwelling units in special review districts shall be processed in accordance with the provisions of Chapter 13.05. In addition to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, a landscape plan, and complete information indicating why the property is inappropriate for single-family development. The purpose of these plans and information shall be to show consistency with the required criteria.

FG. Two-family development on corner lots may be allowed by conditional use permit in R-2 Districts. 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 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 13.05.115.

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: 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 13.05.115 and TMC 13.06.640. 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.

H. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District. A conditional use permit for a multi-family 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 minimum of 9,000 square feet in size.

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

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-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115 and TMC 13.06.640. 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.

FJ. Uses in Historic Structures. A conditional use permit for the reuse of a historic structure and/or site for one of the below listed uses (where not otherwise allowed by the underlying zoning) shall be authorized only if it can be found to be consistent with all of the following criteria. This provision shall be limited to only those structures and sites that are individually-listed on the Tacoma Register of Historic Places. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the existing, historic attributes of the building and site and surrounding uses.

\* \* \*

GJ. Uses in the South Tacoma M/IC Overlay District. When required, a conditional use permit for a use within the ST-M/IC South Tacoma Manufacturing/Industrial Overlay Zoning District, shall be authorized only if it can be found to be consistent with all of the following criteria:

\* \* \*

HK. Duplex, Triplex and Townhouse Development in NRX Districts. In addition to the standard decision criteria for conditional use permits, as outlined above under subsection C, a conditional use permit for a duplex, triplex or townhouse in the NRX District shall only be approved upon a finding that such development is consistent with all of the following additional criteria:

\* \* \*

HL. Pre-existing uses which were not required to obtain a Conditional Use Permit at the time they were developed, but which have subsequently become Conditional Uses, shall be viewed for zoning purposes in the same manner as if they had an approved Conditional Use Permit authorizing the extent of development as of August 1, 2011. If proposed modifications or expansions to such uses exceed the Major Modification thresholds of Section 13.05.080, or for park and recreation facilities the expansion/modification thresholds of Section 13.06.560.C.2, a Conditional Use Permit will be required for the new development activities proposed.

\* \* \*

JM. Large Scale Retail

\* \* \*

### **13.06.650 Application for rezone of property.**

A. Application submittal. Application for rezone of property shall be submitted to Planning and Development Services. The application shall be processed in accordance with the provisions of Chapter 13.05. Final action on the application shall take place within 180 days of submission.

B. Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Comprehensive Plan.
2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Comprehensive Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.

5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

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H. Affordable housing – privately initiated upzones. Privately initiated residential upzones shall be conditioned to provide for inclusion of affordable housing. For development proposals meeting the thresholds and criteria of TMC 1.39, a certain number of the dwelling units shall be entered by the project proponent into the City’s Affordable Housing Incentives Program. That number may be designated at the time of the upzone, or alternatively the upzone shall be conditioned to provide that designated percentage of affordable units at such time as a specific residential development proposal is submitted to the City.

I. Affordable housing – City-initiated upzones. In order to ensure consistency with the housing policies of the Comprehensive Plan which promote mixed-income neighborhoods citywide, the City shall analyze the supply of affordable housing in the vicinity of the proposed upzone, and assess whether the upzone would substantially exacerbate affordability challenges. If there are affordability issues associated with the proposed upzone, the City shall consider actions to address them, potentially including placing special conditions on the upzone, targeting City programs or funding to increase the affordable housing supply, or other methods.

\* \* \*

### **13.06.700 Definitions and illustrations.**

For the purposes of this chapter, 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.

\* \* \*

Cottage housing. Cottage housing is defined as a grouping of small dwelling units clustered around a common area and developed with a coherent plan for the entire site, per the provisions of TMC 13.06.155.

\* \* \*

Floor area. The sum of the square footage of all of the floors of a structure or building. Unless specified otherwise, “floor area” shall be calculated in the same manner outlined in the current building code definition for “floor area, gross.”

Floor Area Ratio (FAR). The amount of floor area within a building as a multiple of the lot area. Right-of-way that has had its air rights vacated shall be considered as lot area for calculating FAR. For the purposes of calculating allowable FAR within the downtown area, floor area shall exclude the following areas when calculating the maximum FAR:

1. Spaces below grade;
2. Space used for retail uses or restaurants that front the sidewalk; and
3. Space devoted to special features.
4. Area used for parking.
5. Mechanical equipment, elevators, and stair shafts.
6. Exterior decks, balconies, and corridors open to the air.

\* \* \*



Floor Area Ratio – Single-family Small Lots. The ratio of the total floor area of a single-family house to the lot area upon which it is built, not including spaces below grade and accessory structures.

\* \* \*

Massing study. A massing study is an architectural method to visualize the way that the shape and size of buildings will impact the neighborhood and site character. Massing refers to the general shape and size of buildings. A massing study shall detail the building bulk, height and articulation on the site as well as the site setbacks, yards and open spaces.

\* \* \*

**Chapter 13.06A  
DOWNTOWN TACOMA**

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**13.06A.060 Development Standards.**

A. Buildings lawfully in existence on January 10, 2000, or August 1, 2014, depending on the location within the Downtown Zoning District, do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity. Please see Figure 1 in Section 13.06A.055.B for specific locations within the Downtown related to legal non-conforming status to these standards.

B. Development Standards Table.

District	Residential FAR			Non Residential FAR			Height Limits
	“As-of-right”	Maximum with Design Standards	Maximum with TDR	“As-of-right”	Maximum with Design Standards	Maximum with TDR	
DMU	3	5	7	2	4	6	100’
WR	4	5	7	3	4	6	100’
DR	2	4	6	1	2	4	90’
DCC	3	6	12	3	6	12	400’

C. Floor Area Ratio – Additional Standards.

1. The FAR for non-residential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded. For example, in the DCC, an “as-of-right” development may have a total FAR of 6, with a FAR of 3 in non-residential use and a FAR of 3 in residential use in a single development.
2. For the purposes of calculating maximum allowable FAR, hotels shall be considered a residential use.
3. A minimum FAR of 1 shall be achieved for structures within the Downtown Commercial Core district. The gross floor area shall be used to calculate the minimum FAR.
4. The maximum allowable Floor Area Ratio may be exceeded as provided for in Section 13.06A.080.
5. Floor area is determined pursuant to the definition provided in Section 13.06.700.

D. Building Height – Additional Standards.

1. Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.
2. Maximum Building Height within 150’ east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.

\*\*\*

**13.06A.080 Design Standards for Increasing Allowable FAR.**

A. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 0.5, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
2. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:
  - a. Seating in the amount of one sitting space for each 100 sf of area.
  - b. Trees and other plantings.
  - c. Solar exposure during the summer.
  - d. Visibility from the nearest sidewalk.
  - e. Within 3’ of the level of the nearest sidewalk.
3. Incorporation of works of art into the public spaces, exterior façade, or entrance lobby.

4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of “green roofs” which reduce storm water runoff. Access by building occupants is encouraged.

5. Including a Public Benefit Use within the development.

6. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.

7. Retention and renovation of any designated or listed historic structure(s) located on the site.

B. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 2, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Provide a “hill climb assist” in the form either of a landscaped public plaza or an interior public lobby with an escalator or elevator. Such space shall be open to the public during daylight hours or shall be open during the times detailed in a management plan approved by the City of Tacoma, Building and Land Use Services Department.

2. Provide works of art or water features equivalent in value to at least 1 percent of construction costs within publicly accessible spaces on site or off site within the downtown zoning district where the development is located.

3. Provision of public rest rooms, open to the public at least 12 hours each weekday.

4. Contribution to a cultural, arts organization or to the Municipal Art Fund for a specific development or renovation project located downtown, in an amount equal to at least 1 percent of the construction cost of the development.

5. Parking contained entirely within structures or structures on site.

[6. Incorporation of affordable housing units pursuant to the provisions of TMC 1.39. See TMC 1.39 for the requirements and process of this program.](#)

#### **13.06A.090 Transfer of Development Rights for Increasing Allowable Floor Area Ratio.**

Development projects can incorporate Transfer of Development Rights, in compliance with Chapter 1.37 Transfer of Development Rights Administrative Code, to increase the as-of-right allowable FAR up to the “Maximum for TDR.”

\* \* \*

**Chapter 13.11**  
**CRITICAL AREAS PRESERVATION**

\* \* \*

**13.11.260 Residential Density Credits.**

A. For residential development proposals on lands containing fish and wildlife habitat conservation areas (FWHCAs), erosion hazard areas, landslide hazard areas or steep slopes, the density that would have been allowed in the critical area and buffer but for the provisions of this chapter is generally transferred to the remainder of the site not in the critical area or buffer. For residential development proposals on lands containing wetland or stream buffers, the density that would have been allowed in the buffer but for the provisions of this chapter is generally transferred to the remainder of the site not in the critical area or buffer. For wetlands and streams, density credits do not apply to the portion of the site occupied by the critical area. The allowable number of dwelling units shall be determined using the following formula, table, 125 percent maximum density rule and setback provisions.

B. The formula for determining the number of dwelling units allowed after the application of density credits is as follows:

Dwelling units allowed on site = (CA x DC + DA)/MLS, where:

CA = Critical acreage: The amount of land on the project site which is located in the critical area and required buffer and in which no regulated activity is allowed. For wetlands, streams, and FWHCAs the critical acreage only includes the amount of land which is located in the required buffer and in which no regulated activity is allowed.

DC = Density credit: The percentage of the density that would have been allowed in the critical area and/or required buffer but for the provisions of this chapter that is allowed to be transferred to the remainder of the site. The density credit is based on the percentage of the site in the critical area and/or buffer and is determined using the table in subsection C below.

DA = Developable acreage: The amount of land on the project site which is not located in the critical area or the required critical area buffer.

MLS = Minimum lot size: The minimum amount of land required for a dwelling unit in a specific zoning district.

C. Table of density credits.

**Percentage of Site in Density  
Critical Area and/or Buffer Credit**

1 – 10%	100%
11 – 20%	90%
21 – 30%	80%
31 – 40%	70%
41 – 50%	60%
51 – 60%	50%
61 – 70%	40%
71 – 80%	30%
81 – 90%	20%
91 – 99%	10%

D. The 125 percent maximum density rule provides that the maximum number of dwelling units cannot exceed 125 percent of the allowed number of dwelling units without a density credit on the developable acreage of the site.

E. ~~The minimum lot size under this provision shall be 3,000 square feet, unless a smaller lot size is permitted in the district. Front and Rear setbacks may be reduced by 50 percent. The Small Lot standards of Section 13.06.145 shall apply. The setback requirements shall be the same as the setback requirements for Planned Residential Developments as provided in Section 13.06.140.~~

F. The density credits can only be transferred within the same development proposal site.



**2015 Annual Amendment  
Code Clean-up**

**Exhibit C**

**Chapter 13.02 – Planning Commission**

- 13.02.010 – Creation – Appointment
- 13.02.020 – Meetings – Officers – Records
- 13.02.041 – Quorum
- 13.02.057 – Notice for public hearings

**Chapter 13.04 – Platting and Subdivisions**

- 13.04.040 – Definitions
- 13.04.090 – Short plat/short subdivision procedures
- 13.04.100 – Plat/Subdivision procedures
- 13.04.120 – Conformity to the Comprehensive Plan and applicable ordinances, manuals, design specifications, plans, and guidelines
- 13.04.180 – Public or private streets or ways, or permanent access easement design
- 13.04.190 – Dead-end/cul-de-sac public or private streets or ways, or permanent access easements

**Chapter 13.05 – Land Use Permit Procedures**

- 13.05.020 – Notice Process
- 13.05.040 – Decision of the Director
- 13.05.070 – Expiration of permits
- 13.05.095 – Development Regulation Agreements

**Chapter 13.06 – Zoning**

- 13.06.100 – Residential Districts
- 13.06.200 – Commercial Districts
- 13.06.300 – Mixed-Use Districts
- 16.06.400.C – Land Use requirements
- 13.06.501 – Building design standards
- 13.06.502 – Landscaping and buffering standards
- 13.06.510 – Off-street parking and storage areas
- 13.06.512 – Pedestrian and bicycle support standards
- 13.06.513 – Drive-throughs
- 13.06.522 – District sign regulations
- 13.06.560 – Parks, recreation and open space
- 13.06.630 – Nonconforming parcels/uses/structures
- 13.06.640 – Conditional use permit
- 13.06.645 – Variances
- 13.06.650 – Application for rezone of property
- 13.06.700 – Definitions and illustrations

**Chapter 13.06A – Downtown Tacoma**

13.06A.065 – Parking Standards

13.06A.070 – Basic design standards

13.06A.080 – Design standards for increasing allowable FAR

**Chapter 13.09 – South Tacoma Groundwater Protection District**

13.09.040 – Definitions

**Chapter 13.11 – Critical Areas Preservation**

13.11.200 – Allowed Activities

13.11.210 – Activities Allowed with Staff Review

13.11.230 – Application Submittal Requirements

13.11.440 – Stream Standards

13.11.900 – Definitions

**Chapter 13.12 – Environmental Code**

13.12.230 – Designation and responsibility of the City’s SEPA public information center (SEPA PIC)

13.12.530 – EIS preparation

13.12.560 – Optional Plan Elements and Development Regulations

**Chapter 13.16 – Concurrency Management System**

13.16.050 – Exemptions

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 ~~strikethrough~~.

**Chapter 13.02**  
**PLANNING COMMISSION**

**13.02.010 Creation – Appointment.**

Pursuant to the authority conferred by Article II, Section 11, of the Constitution of the State of Washington, and Section 3.8 of the Tacoma City Charter, there is hereby created a City Planning Commission consisting of nine members, who shall be residents of Tacoma. The members shall be appointed and confirmed by a majority of the City Council. One member shall be appointed by the City Council for each of the five council districts. The Council shall appoint to the four remaining positions an individual from each of the following: (a) the development community; (b) the environmental community; (c) public transportation; and (d) a designee with background of involvement in architecture, historic preservation, and/or urban design. At the expiration of each respective three-year term, a successor shall be appointed by the City Council. [Each Commissioner may serve until appointment and qualification of a successor.](#)

Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired terms. Members may be removed by a majority of the Council, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. Upon an appointed member's missing three unexcused, consecutive regular meetings, the Commission shall afford such member a hearing to determine whether the absences are to be excused. If the Commission determines not to excuse such absences, then the Commission shall determine the question of whether the Commission shall recommend to the City Council that such member should be deemed to have forfeited the office and a new member be appointed to fill the unexpired term. The members shall be selected without respect to political affiliations and they shall serve without compensation. [The members shall abide by the City's Code of Ethics as provided in TMC 1.46.](#)

\* \* \*

**13.02.020 Meetings – Officers – Records.**

The Commission shall elect its own chairperson and create and fill such other offices as it may determine it requires. All meetings of the Commission or its advisory committees shall be open to the public pursuant to ~~the~~ [Chapter 42.30 RCW, Open Public Meetings Act of 1974](#). The Commission shall adopt rules for transaction of business. Records of all official Commission proceedings shall be kept by the City Clerk and shall be open to public inspection. The City Manager shall assign to the Commission and its advisory committees a place of meeting in which to meet and transact business.

\* \* \*

**13.02.041 Quorum.**

~~A quorum for the transaction of official business of the Planning Commission shall consist of a majority of the members of the Commission.~~ [A simple majority of appointed, filled positions shall constitute a quorum for the transaction of official business.](#)

\* \* \*

**13.02.057 Notice for public hearings.**

A. 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 [City Ordinance No. 25966 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.

B. 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, within, and within 400 feet of, the subject area.

C. 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.

D. 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 13.04**  
**PLATTING AND SUBDIVISIONS**

\* \* \*

**13.04.040 Definitions.**

For the purpose of these regulations, certain words used herein are defined as follows:

- A. "Alley" shall mean a public or private accessway which provides a means of vehicular access to abutting property.
- B. "All-weather surface" shall mean asphaltic concrete, ~~or~~ Portland cement concrete, [permeable pavers, porous asphalt or pervious concrete](#) in accordance with City manuals, design specifications, plans, and guidelines in section 13.04.120, unless otherwise specified by the City Engineer.
- C. "Alteration" shall mean a change to a finalized binding site plan, plat, short plat, or portion thereof, that results in a modification to its exterior boundaries or the location and/or size of rights-of-way, utility easements, open space, park or other similar community amenities created as part of the binding site plan, plat, or short plat. An alteration does not include boundary line adjustments, replats or an allowable increase in short plat lots.
- D. "Binding site plan" shall mean a drawing to scale showing a plan for the development of a specific parcel of land, which drawing has been approved as applicable by the Building Official or designee and which, at a minimum:
1. Identifies and shows the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;
  2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions of the use of land as established by the City of Tacoma.
  3. Is filed of record in the Pierce County Auditor's office and is legally enforceable.
- E. "Building line" shall mean a line on a plat indicating the limit beyond which buildings or structures may not be erected.
- F. "Collector arterial" shall mean a highway whose function is to collect and distribute traffic from major arterial streets to access streets, or directly to traffic destinations; to serve traffic within a neighborhood; and to serve neighborhood traffic generators such as a small group of stores, an elementary school, church, clubhouse, small hospital, and small apartment area.
- G. "Comprehensive Plan" shall mean the City's official statement concerning future growth and development. It sets forth goals, policies, and strategies to protect the health, welfare, and quality of life of Tacoma's residents.
- H. "Curb line" shall mean the line defining the limits of a roadway.
- I. "Dead-end street" or "cul-de-sac" shall mean a residential access street with only one outlet.
- J. "Director" for purposes of this Chapter (13.04 of the Tacoma Municipal Code) shall mean the Director of Planning and Development Services unless otherwise specified.
- K. "Freeway" shall mean a highway the function of which is to permit unimpeded traffic flow through urban areas and between their major elements or most important traffic generators such as the central business district, major shopping areas, major university, civic center, or a major sports stadium or pavilion.
- [L. "Hard surface" An impervious surface, a permeable pavement, or a vegetated roof.](#)
- ~~LM.~~ "Official map" shall mean the map on which the planned locations, particularly of streets, are indicated with detail and exactness so as to furnish the basis for property acquisition or building restriction.
- ~~MN.~~ "Plat" shall mean the map, drawing or chart on which the subdivider's plan of subdivision is presented and which the subdivider submits for approval and intends to record in final form.
- ~~NO.~~ "Primary arterial" shall mean a highway the function of which is to expedite movement of through traffic to a major traffic generator such as the central business district, a major shopping area, a commercial service district, a small college or university or a military installation; or to expedite movement of through traffic from community to community, to collect and distribute traffic from freeways to minor arterial streets, or directly to traffic destinations.
- ~~OP.~~ "Residential access street" shall mean a highway the primary function of which is to provide access to residential property.



**PQ.** “Replat” or “Redivision” shall mean an action resulting in the division of a lot located within a previously recorded binding site plan, plat, or short plat.

**QR.** “Roadway” shall mean the portion or portions of a public or private street or way, or permanent access easement, improved with an all-weather surface, available for vehicular traffic or the portion or portions of a public or private street or way, or permanent access easement, improved with an all-weather surface, available for vehicular traffic between curbs where curbs are laid.

**RS.** “Secondary arterial” shall mean a highway the function of which is to collect and distribute traffic from a major arterial highway to minor streets or directly to traffic destinations; to serve traffic from neighborhood to neighborhood within a community center, athletic field, neighborhood shopping area, major park, golf course, important grouping of churches, multiple residence area, concentration of offices or clinics, major private recreation facility, or large hospital.

**ST.** “Short plat” shall mean the map or representation of a short subdivision.

**TU.** “Short subdivision” shall mean the division of land into a maximum of nine or fewer total lots, tracts, parcels, sites or subdivisions for the purpose, whether immediate or future, of transfer of ownership, lease or sale, or building development, including all changes in street or lot lines, and shall include all resubdivision of land. The division of contiguous parcels of land resulting in 10 or more total buildable lots, tracts, parcels, or sites, and which are served by a shared public and/or private street or way, and/or permanent access easement shall be deemed a subdivision. If tracts are created that are intended for public dedication, environmental protection, or stormwater facilities and have been determined unbuildable or do not have the potential for future development, then they will not be included in the total number of lots, tracts parcels, sites or subdivision created under a subdivision application.

**UV.** “Street width” shall mean the shortest distance between the lines which delineate the right-of-way of a street.

**VW.** “Subdivision” shall mean the division of land into 10 or more contiguous buildable lots, tracts, parcels, or sites which are served by public and/or private street or way, and/or permanent access easement or other divisions of land for the purpose, whether immediate or future, of transfer of ownership, lease or sale, or building development, including all changes in street or lot lines, and shall include all resubdivision of land. If tracts are created that are intended for public dedication, environmental protection, or stormwater facilities and have been determined unbuildable or do not have the potential for future development, then they will not be included in the total number of lots, tracts, parcels, sites or subdivision created under a subdivision application.

**WX.** “Transit street” shall mean a street on which regularly scheduled bus service operates at frequencies of 15 minutes or less during peak travel periods. Transit streets are designated by the Director of Public Works in consultation with Pierce Transit and include streets designated in Section 11.05.492 of the Tacoma Municipal Code.

**XY.** “Vacation” shall mean an action to extinguish the effect and force of a finalized binding site plan, plat, or short plat or portion thereof, such that the property reverts to its pre-subdivision parent parcel configuration.

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### **13.04.090 Short plat/short subdivisions procedures.**

A. Administration. The Director or designee is vested with the duty of administering the provisions of this section and with the authority to summarily approve or disapprove proposed preliminary and final short plats. The Director or designee may prepare and require the use of such forms and develop policies deemed essential to the effective administration of this code.

\* \* \*

E. Approval. The Director or designee shall review the proposed preliminary short subdivision application . The preliminary short plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare; and for open spaces; ~~drainage ways;~~ stormwater management, streets or roads; alleys; bike routes; other public ways; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.

2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other adopted City ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

\* \* \*

L. Approval of Final Short Plat. Approval of the short plat drawing shall be indicated by the signatures of the City Engineer; and the Director of the Planning and Development Services Department, ~~the City Treasurer, the City Attorney, the Mayor, and the City Clerk~~ on the original reproducible final short plat.

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#### **13.04.100 Plat/subdivision procedures.**

\* \* \*

D. Hearing Examiner or Director Review of Preliminary Plat. The Hearing Examiner or Director shall review the proposed preliminary plat. The preliminary plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare, and for open spaces; [stormwater management; drainage ways](#); streets or roads; alleys; other public ways; bicycle circulation; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features which assure safe walking conditions for students who walk to and from school and for transit patrons who walk to bus stops or commuter rail stations.

2. The public use and interest will be served by the platting of such subdivision and dedication as set forth by the Comprehensive Plan and other Adopted City Ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

\* \* \*

#### **13.04.120 Conformity to the Comprehensive Plan and the Major Street Plan and applicable ordinances, manuals, design specifications, plans and guidelines.**

The subdivision/short subdivision shall conform to and be in harmony with the Comprehensive Plan, Public Works Design Manual, Stormwater Management Manual, Mobility Master Plan Pedestrian and Bicycle Design Guidelines, [Mixed-Use Centers](#) Complete Streets Design Guidelines, Americans with Disabilities Act Self-Evaluation and Transition Plan, and other adopted guidelines, manuals, and design specifications as currently enacted or as may be hereafter amended.

\* \* \*

#### **13.04.180 Public or private streets or ways, or permanent access easement design.**

In general, the horizontal and vertical components of public or private streets or ways, or permanent access easement design shall conform with the latest current edition of “A Policy on Geometric Design of Highways and Streets” as published by the American Association of State Highway and Transportation Officials (AASHTO).

All non-arterial public or private streets or ways, or permanent access easements shall be constructed [with a minimum pavement section consisting of three inches of asphaltic concrete pavement over 2.5 inches of crushed surfacing top course over five inches of crushed ballast per the City of Tacoma standard details and specifications using either standard or pervious surfacing](#) or alternative section subject to approval by the City Engineer. All design and construction features shall conform to design standards and policies of the City of Tacoma.

#### **13.04.190 Dead-end/cul-de-sac public or private streets or ways, or permanent access easements.**

[Whenever feasible, a subdivision/short subdivision shall provide for the continuation of the multi-modal street and transportation system existing for pedestrians, bicycles, and vehicles by connecting to and extending abutting streets, sidewalks, and bicycle facilities. Dead-end/cul-de-sacs shall be allowed only when the Director or Hearing Examiner makes a finding that ~~The applicant shall demonstrate why~~ a public or private street way or permanent access easement cannot be aligned with \[and connected to\]\(#\) the surrounding street system for pedestrian, bicycle and vehicular connectivity within the proposed subdivision/short subdivision \[due to factors such as topographic constraints, proximity to critical areas, and/or limitations by reason of property ownership\]\(#\). If the Director or Hearing Examiner makes a finding that such connectivity is not reasonable for the subject subdivision/short subdivision, dead-end/cul-de-sac public or private streets or ways, or permanent access easements shall not be longer than 500 feet. \[Whenever feasible, such dead-end/cul-de-sac shall nonetheless incorporate at a minimum a pedestrian connection to the adjacent transportation network\]\(#\). Any dead-end/cul-de-sac public or private street or way, or permanent access easement in excess of 150 feet in length shall ~~be~~ \[incorporate a turn-around\]\(#\) designed \[in accordance to\]\(#\) applicable ordinances, manuals, design specifications, plans and guidelines in Section 13.04.120 as currently enacted or as may be hereafter amended, subject to approval by the City Engineer or designee.](#)

\* \* \*

## Chapter 13.05

### LAND USE PERMIT PROCEDURES

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#### 13.05.020 Notice process.

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

B. Administrative Determination.

1. A notice of application is not required for Administrative Determinations. Examples of Administrative Determinations are minor variances, temporary homeless camp permits, 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.

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 notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.E. Examples of minor land use decisions are variances, [Conditional Use Major Modifications](#), wetland/stream/FWHCA Verifications, and wetland/stream/FWHCA Minor Development Permits.

2. 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); 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; and to 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 13.05.020.H.

3. Parties receiving 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 decision shall be mailed by first-class mail to: 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.

8. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.020.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.

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.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.E.
2. 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); 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; and to 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 13.05.020.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 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 13.05.020.H. from the boundary of the PRD District.
3. Parties receiving notice of application shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 20 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 13.05.020.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 13.05.020.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.

E. Process III – Decisions Requiring a Public Hearing.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.C.
2. Notice of application, including the information identified in Section 13.05.020.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); 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; and to 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 13.05.020.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 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 13.05.020.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 of Application. Notice of application shall contain the following information, where applicable, in whatever sequence is most appropriate for the proposal:

1. Date of application;
2. Date of notice of completion for the application;
3. Date of the notice of application;
4. Description of the proposed project action;
5. List of permits included in the application;
6. List of studies requested;
7. Other permits which may be required;
8. A list of existing environmental documents used to evaluate the proposed project(s) and where they can be reviewed;
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;
10. Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);
11. Statement of preliminary determination of development regulations that will be used for project mitigation and of consistency;
12. A provision which advises that a “public meeting” may be requested by any party entitled to notice;
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 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 13.05.005, 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 13.05.020.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 <sup>5</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years <sup>5</sup>
Environmental SEPA DNS/EIS	Optional	Same as case type	Yes if no hearing required	Yes for EIS	Same as case type	Director	No	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	<sup>2</sup>	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years <sup>6</sup>
Rezones	Required	400 feet	No	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/ maximum 6
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years <sup>5</sup>
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years <sup>6</sup>
Site approval	Optional	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	<del>400</del> 400 feet	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
Temporary Homeless Camp Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	14 days	Director	No <sup>1</sup>	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/ FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	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 13.05.040.E).

<sup>1</sup> 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.

<sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.

<sup>3</sup> Must be recorded with the Pierce County Auditor within five years.

<sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

<sup>5</sup> If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

<sup>6</sup> Refer to Section 13.05.070 for preliminary plat expiration dates.

<sup>7</sup> Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

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### **13.05.040 Decision of the Director.**

A. Effect of Director's Land Use Decision. The Director's decision shall be final; provided, that pursuant to subsection H of this section, an appeal may be taken to the Hearing Examiner. The Director's decision shall be based upon the criteria set forth for the granting of such permit, the policies of the Comprehensive Plan, and any other applicable program adopted by the City Council. The decision of the Director shall be set forth in a written summary supporting such decision and demonstrating that the decision is consistent with the applicable criteria and standards contained in this title and the policies of the Comprehensive Plan. The decision shall include the environmental determination of the responsible official.

B. Conditioning Land Use Approvals. When acting on any land use matter, the Director may attach any reasonable conditions found necessary to make the project compatible with its environment, to carry out the goals and policies of the City's Comprehensive Plan, including its Shoreline Master Program, or to provide compliance with applicable criteria or standards set forth in the City's Land Use Regulatory Codes. Such conditions may include, but are not limited to:

1. The exact location and nature of the development, including additional building and parking area setbacks, screening in the form of landscape berms, landscaping or fencing;
2. Mitigating measures, identified in applicable environmental documents, which are reasonably capable of being accomplished by the project's sponsor, and which are intended to eliminate or lessen the environmental impact of the development;
3. Provisions for low- and moderate-income housing as authorized by state statute;
4. Hours of use or operation, or type and intensity of activities;
5. Sequence in scheduling of development;
6. Maintenance of the development;
7. Duration of use and subsequent removal of structures;
8. Dedication of land or granting of easements for public utilities and other public purposes;
9. Construction of, or other provisions for, public facilities and utilities. In regard to the conditions requiring the dedication of land or granting of easements for public use and the actual construction of or other provisions for public facilities and utilities, the Director shall find that the problem to be remedied by the condition arises, in whole or significant part, from the development under consideration, the condition is reasonable, and is for a legitimate public purpose.
10. Wetland/stream/FWHCA development permits, wetland/stream/FWHCA minor development permits, and wetland/stream/FWHCA verifications shall be subject to TMC Chapter 13.11.

Refer to Section 13.05.100 and TMC Chapter 13.11 for procedures to enforce permit decisions and conditions.

C. Timing of Decision. After examining all pertinent information and making any inspections deemed necessary by the Director, the Director shall issue a decision within 120 days from the date of notice of a complete application, unless additional time has been agreed to by the applicant, or for other reasons as stated in Section 13.05.010.

In the event the Director cannot act upon a land use matter within the time limits set forth, the Director shall notify the applicant in writing, setting forth reasons the matter cannot be acted upon within the time limitations prescribed, and estimating additional time necessary for completing the recommendation or decision.

D. Mailing of Decision.

1. A copy of the decision shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. A copy of the decision shall be mailed to those who commented in writing or requested a copy of the decision within the time period specified in Section 13.05.020 and a summary of the decision shall also be mailed by first-class mail to owners of the property, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances specified in Section 13.05.020.H; the Puyallup Indian Tribe for "substantial actions" 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; neighborhood councils [pursuant to TMC 1.45 or the neighborhood business districts pursuant to TMC 1.47](#) in the vicinity of the proposal; and qualified neighborhood or community organizations.

2. Notice to the State of Washington on Shoreline Permit Decisions/Recommendations. Copies of the original application and other pertinent materials used in the final decision in accordance with this section, State regulations, and, pursuant to RCW 90.58 or 43.21C, the permit and any other written evidence of the final order of the City relative to the application, shall

be transmitted by the Director to the Attorney General of the State of Washington and the Department of Ecology in accordance with WAC 173-27-130 and RCW 90.58.140(6).

3. Notice shall be provided to property owners affected by the Director's decision that such owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. Notice of the Director's decision shall also be provided to the Pierce County Assessor/Treasurer's Office.

E. Consolidated Review of Multiple Permit Applications and of Environmental Appeals with the Underlying Land Use Action. Applications which require an open-record hearing shall be considered by the Hearing Examiner. When an open-record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently. Therefore, in this situation, applications for which the Director has authority shall be transferred to the jurisdiction of the Hearing Examiner to allow consideration of all land use actions concurrently.

F. Consolidated Review of Land Use Permitting on Multi-Jurisdictional Projects. Applications for projects that require land use permits from the City of Tacoma as well as from a neighboring jurisdiction, and where such neighboring jurisdiction's land use permitting processes require a pre-decision public hearing, the application for the City of Tacoma's land use permit shall be transferred to the jurisdiction of the Hearing Examiner for the purpose of conducting a joint hearing with the other permitting jurisdiction. Should a joint hearing not be arranged by agreement of the permitting jurisdictions, the matter shall be returned to the jurisdiction of the Director.

G. Reconsideration. A request for reconsideration may be made on any decision or ruling of the Director by any aggrieved person or entity having standing under this chapter. A request seeking reconsideration shall be in writing and shall set forth the alleged errors of procedure, fact, or law. The request for reconsideration shall be filed with Planning and Development Services within 14 calendar days of the issuance of the Director's decision, not counting the day of issuance of the decision. If the last day for filing the request for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. It shall be within the discretion of the Director to determine whether the opposing party or parties will be afforded an opportunity to respond. After review of the matter, the Director shall take such further action deemed proper, which may include the issuance of a revised decision.

H. Appeal to the Hearing Examiner. Any aggrieved person having standing under this chapter shall have the right, within 14 calendar days of the issuance of the Director's decision to appeal the Director's decision to the Hearing Examiner. Such appeal shall be in accordance with Section 13.05.050 of this chapter.

I. Compliance with Permit Conditions. Compliance with conditions established in a permit is required. Any departure from the conditions of approval or approved plans constitutes a violation of this title and shall be subject to enforcement actions and penalties. See Sections 13.05.100 and 13.05.110 for enforcement and penalties.

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### **13.05.070 Expiration of permits.**

(Refer to Table H in Section 13.05.020).

A. Expiration Schedule. The following schedule indicates the expiration provisions for land use permits within the City of Tacoma.



	Type of Permit	Maximum Duration
1.	Conditional Use Permit	5 years, possible 1-year extension <sup>1</sup>
2.	Variance	5 years, possible 1-year extension
3.	Site Approval	5 years, possible 1-year extension
4.	Wetland/Stream/FWHCA Development Permits and Wetland/Stream/FWHCA Minor Development Permits	5 years. Programmatic Restoration projects can apply for possible 5 year renewals, not to exceed 20 years total
5.	Wetland Delineation Verifications	5 years
6.	Preliminary Plat	5 years, 7 years, or 10 years to submit a final plat permit application, dependent on preliminary plat approval date per RCW 58. <sup>2</sup>
7.	Binding Site Plans, Short Plats, Boundary Line Adjustments	5 years to record with Pierce County Auditor
8.	Shoreline Permits	2 years to commence construction; 5 years maximum, possible one- year extension

### 13.05.095 Development Regulation Agreements.

A. Purpose. Pursuant to RCW 36.70B.170-210, the purpose of this section is to create an optional application procedure that could authorize certain major projects in key locations to be reviewed, rated, approved, and conditioned according to the extent to which they advance the Comprehensive Plan’s goals and policies. In addition to demonstrating precisely how it significantly advances the goals and policies of the Comprehensive Plan by achieving the threshold set forth in subsection 13.05.095(D) TMC, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in B(1) or B(2) must document specific compliance with the policies and standards set forth in the Downtown Element of the Comprehensive Plan.

\* \* \*

D. Review criteria. The City Manager, and such designee or designees as may be appointed for the purpose, shall negotiate acceptable terms and conditions of the proposed Development Regulation Agreement based on the following criteria:

1. The Development Regulation Agreement conforms to the existing Comprehensive Plan. Except for projects on a public facility site of at least five acres in size, conformance must be demonstrated by the project, as described in the Development Regulation Agreement, scoring 800 points out of a possible ~~1000~~1,050 points, according to the following scoring system (based on the Downtown Element of the City Comprehensive Plan):

a. Balanced healthy economy. In any project where more than 30 percent of the floorspace is office, commercial, or retail, one point shall be awarded for every 200 square feet of gross floorspace (excluding parking) up to a maximum of 290 points.

b. Achieving vitality downtown. Up to 40 points shall be awarded for each of the following categories: (i) CPTED design (“Crime Prevention Through Environmental Design”), (ii) sunlight access to priority public use areas, (iii) view maximization, (iv) connectivity, (v) quality materials and design, (vi) remarkable features, (vii) access to open space, and (viii) street edge activation and building ground orientation.

c. Sustainability. Up to 50 points shall be awarded for each of the following categories: (i) complete streets, (ii) transit connections, ~~and~~ (iii) energy conservation design to a L.E.E.D. (Leadership in Energy and Environmental Design) certification to a platinum level or certified under another well-recognized rating system to a level equivalent to certification to a platinum level, ~~and~~ (iv) [Low Impact Development Best Management Practices and Principles](#).

d. Quality Urban Design. Up to 60 points shall be awarded for each of the following categories: (i) walk-ability, (ii) public environment, (iii) [neighborlyness-outlook](#), and (iv) support for public art.

2. Appropriate project or proposal elements, such as permitted uses, residential densities, nonresidential densities and intensities, or structure sizes, are adequately provided to include evidence that the site is adequate in size and shape for the

<sup>1</sup> 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.

<sup>2</sup> If the preliminary plat was approved on or before December 31, 2007, the final plat must be submitted within ten years of the preliminary plat approval. If the preliminary plat was approved after December 31, 2007, but on or before December 31, 2014, the final plat must be submitted within seven years of the preliminary plat approval. A preliminary plat approved after January 1, 2015, must be submitted for final plat within five years of the preliminary plat approval.

proposed project or use, conforms to the general character of the neighborhood, and would be compatible with adjacent land uses.

3. Appropriate provisions are made for the amount and payment of fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, and other financial contributions by the property owner, inspection fees, or dedications.

4. Adequate mitigation measures including development conditions under chapter 43.21C RCW are provided. [The City shall be the lead agency in the SEPA process for all projects.](#)

\* \* \*

**Chapter 13.06**  
**ZONING<sup>1</sup>**

\* \* \*

**13.06.100 Residential Districts.**

The 100 series will contain regulations for all residential classifications, including the following:

- R-1 Single-Family Dwelling District
- R-2 Single-Family Dwelling District
- R-2SRD Residential Special Review District
- HMR-SRD Historic Mixed Residential Special Review District
- R-3 Two-Family Dwelling District
- R-4 Multiple-Family Dwelling District
- R-4-L Low-Density Multiple-Family Dwelling District
- R-5 Multiple-Family Dwelling District
- PRD Planned Residential Development District (see Section 13.06.140)

\* \* \*

3. Use table abbreviations.

P = Permitted use in this district.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
N = Prohibited use in this district.

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

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<sup>1</sup> Rezone ordinances are on file in the office of the City Clerk.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
***									
Marijuana retailer	N	N	N	N	N	N	N	N	
<del>Master plans for any conditional use</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten year period for those portions of the plan which have not yet been developed.</del>
Microbrewery/winery	N	N	N	N	N	N	N	N	
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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
<b>Additional Residential Development Standards</b>								
Minimum Usable Yard Space	<p>All lots shall provide a contiguous rear or side usable yard space equivalent to at least 10% of the lot size. This usable yard space shall meet all of the following standards:</p> <ul style="list-style-type: none"> <li>• Have no dimension less than 15-feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet</li> <li>• Not include structures, parking, alley or driveway spaces or required critical area buffers</li> <li>• Not be located in the front yard</li> </ul> <p>For townhouse and multi-family developments, this usable yard space requirement can be calculated based on the overall project site and the yard space(s) provided to meet the requirement can be any combination of individual and shared yard spaces, as long as each meets the above standards and as long as all dwellings have access to at least one qualifying yard space.</p> <p>For through lots, the required yard space may be located within the “functional rear yard” (see Subsection 13.06.100.F.5.a for additional information about “functional rear yards”).</p>							

	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
Vehicular Access and Parking	All on-site parking for dwellings and buildings other than dwellings 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 a total of 50 percent of the front yard or 50 percent of a corner street side yard.							
Main Building Orientation	All dwellings shall maintain primary orientation to the adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance.							

### 13.06.200 Commercial Districts.

A. District purposes. The specific purposes of the Commercial Districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide, and multi-county planning policies.
3. Create a variety of commercial settings matching scale and intensity of use to location.
4. Attract private investment in commercial and residential development.
5. Provide for predictability in the expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives.

B. Districts established.

1. T Transitional District. This district is intended as a transition between commercial or institutional areas and residential areas. It may also provide a transition between residential districts and commercial districts on arterial street segments supported by the Comprehensive Plan. It primarily consists of office uses with negligible off-site impacts. It is characterized by lower traffic generation, fewer operating hours, smaller scale buildings, and less signage than general commercial areas. Residential uses are also appropriate. A T Transitional District may, in limited circumstances, also be applied to locations that meet the unique site criteria of the Comprehensive Plan. This classification is not appropriate inside a designated mixed-use center.

2. C-1 General Neighborhood Commercial District. This district is intended to contain low intensity land uses of smaller scale, including office, retail, and service uses. It is characterized by less activity than a community commercial district. Building sizes are limited for compatibility with surrounding residential scale. Residential uses are appropriate. Land uses involving vehicle service or alcohol carry greater restriction. This classification is not appropriate inside a plan designated mixed-use center or single-family intensity area.

3. C-2 General Community Commercial District. This district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

~~4. HM Hospital Medical District. This district is intended for limited areas that contain hospitals and/or similar large scale medical facilities with limitations on non-medical uses to only allow uses which may serve typical needs of medical centers such as food and lodging. It is not intended for introduction into areas not containing or non-contiguous to a hospital or similar facility. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated low intensity areas.~~

54. PDB Planned Development Business District. This district is intended to provide limited areas for a mix of land uses that includes warehousing, distribution, light assembly, media, education, research, and limited commercial. The developments in this district are intended to have fewer off-site impacts than would be associated with industrial or community commercial areas. Retail uses are size limited and signage is reduced. These areas should be designed for improved residential compatibility on boundaries by landscaping and other design elements. Sites should have reasonably direct access to a highway or major arterial. This district is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.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.

2. Use requirements. 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 Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

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

4. District use table.

Uses	T	C-1	C-2 <sup>1</sup>	<del>HM</del>	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Adult family home	P	P	P	<del>P</del>	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	<del>N</del>	N	Prohibited except as provided for in Section 13.06.525.
Agricultural uses	CU	CU	CU	<del>CU</del>	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	<del>CU</del>	CU	
Ambulance services	N	P	P	<del>P</del>	P	
Animal sales and service	N	P	P	<del>N</del>	N	Must be conducted entirely within an enclosed building. See Table 13.06.200.D for setback requirements specific to animal sales and service.
Assembly facility	CU	P	P	<del>N</del>	P	
Brewpub	N	N	P	<del>N</del>	N	2,400 barrel annual brewpub production maximum, equivalent volume wine limit.
Building materials and services	N	N	P	<del>N</del>	N	
Business support services	N	P	P	<del>N</del>	P	
Carnival	TU	TU	TU	<del>TU</del>	TU	Subject to Section 13.06.635.
Cemetery/internment services	N	N	N	<del>N</del>	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.
Commercial parking facility	P	P	P	<del>P</del>	P	
Commercial recreation and entertainment	N	N	P	<del>N</del>	P	
Communication facility	N	N	P	<del>N</del>	P	
Confidential shelter	P	P	P	<del>P</del>	P	See Section 13.06.535. Limit: 15 residents in T District.
Continuing care retirement community	P	P	P	<del>P</del>	P	See Section 13.06.535.
Correctional facility	N	N	N	<del>N</del>	N	



Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Craft Production	CU	P	P	<del>P</del>	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 13.06.502.C. All production, processing and distribution activities are to be conducted within an enclosed building.
Cultural institution	P	P	P	<del>N</del>	N	
Day care, family	P	P	P	<del>P</del>	P	
Day care center	P	P	P	<del>P</del>	P	Subject to regulations set forth in Section 13.06.155.
Detoxification center	N	N	N	<del>CU</del>	N	
Drive-through with any use	N	N	P	<del>N</del>	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 13.06.513.
Dwelling, single-family detached	P	P	P	<del>P</del>	P	
Dwelling, two-family	P	P	P	<del>P</del>	P	
Dwelling, three-family	P	P	P	<del>P</del>	P	
Dwelling, multiple-family	P	P	P	<del>P</del>	P	
Dwelling, townhouse	P	P	P	<del>P</del>	P	
Dwelling, accessory (ADU)	P	P	P	<del>P</del>	P	Subject to additional requirements contained in 13.06.150.
Eating and drinking	N	P/CU	P	<del>P*</del>	P*/CU*	In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See Section 13.06.700.E 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 and PDB Districts
Emergency and transitional housing	CU	CU	P	<del>CU</del>	CU	See Sections 13.06.535 and 13.06.640.
Extended care facility	P	P	P	<del>P</del>	P	See Section 13.06.535.
Foster home	P	P	P	<del>P</del>	P	
Fueling station	N	P	P	<del>N</del>	N	

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Funeral home	P	P	P	<del>P</del>	N	
Golf course	P	P	P	<del>P</del>	P	
Group housing	P	P	P	<del>P</del>	P	
Heliport	N	N	N	CU	N	
Home occupation	P	P	P	<del>P</del>	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	N	CU	CU	<del>P</del>	N	
Hotel/motel	N	N	P	<del>P</del>	P	
Industry, heavy	N	N	N	<del>≠</del>	N	
Industry, light	N	N	N	<del>≠</del>	N	
Intermediate care facility	P	P	P	<del>P</del>	P	See Section 13.06.535.
Juvenile community facility	N	N	N	<del>≠</del>	N	Prohibited except as provided for in Section 13.06.530.
Live-Work unit	N	P	P	<del>P</del>	P	
Lodging house	P	P	P	<del>P</del>	P	
Marijuana processor	N	N	N	<del>≠</del>	N	
Marijuana producer	N	N	N	<del>≠</del>	N	
Marijuana retailer	N	P	P	<del>P*</del>	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. See additional requirements contained in Section 13.06.565
Master plans for any conditional use	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	<del>≠</del>	N	
Mobile home/trailer court	N	N	CU	<del>≠</del>	N	
Nursery	N	N	P	<del>≠</del>	N	
Office	P	P	P	<del>P</del>	P	
Parks, recreation and open space	P	P	P	<del>P</del>	P	Subject to the requirements of Section 13.06.560,D.
Passenger terminal	N	N	P	<del>≠</del>	N	
Personal services	N	P	P	<del>P*</del>	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	<del>N</del>	N	
Public safety and public service facilities	P	P	P	<del>P</del>	P	
Religious assembly	P	P	P	<del>P</del>	P	
Repair services	N	P	P	<del>N</del>	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Research and development industry	N	N	N	<del>N</del>	P	
Residential care facility for youth	P	P	P	<del>P</del>	P	See Section 13.06.535. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	<del>P</del>	P	See Section 13.06.535.
Retail	N	P	P/CU~	<del>P*</del>	P*	~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Retirement home	P	P	P	<del>P</del>	P	See Section 13.06.535.
School, public or private	P	P	P	<del>P</del>	P	
Seasonal sales	TU	TU	TU	<del>TU</del>	TU	Subject to Section 13.06.635.
Self-storage	N	N	P	<del>N</del>	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.503.B.
Staffed residential home	P	P	P	<del>P</del>	P	See Section 13.06.535. See definition for bed limit.
Student housing	P	P	P	<del>P</del>	P	
Surface mining	CU	CU	CU	<del>CU</del>	CU	See specific requirements in Section 13.06.540.
Temporary uses	TU	TU	TU	<del>TU</del>	TU	Subject to Section 13.06.635.
Theater	N	P	P	<del>N</del>	N	Movie theaters are limited to 4 screens. This does not include adult entertainment.
Transportation/freight terminal	N	N	P	<del>P</del>	P	
Urban Horticulture	N	N	N	<del>N</del>	N	
Utilities	CU	CU	CU	<del>CU</del>	CU	
Vehicle rental and sales	N	N	P	<del>N</del>	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).

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
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 13.06.510.E. 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**	<del>P*/CU**</del>	P*/CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work release center	N	N	N	✗	N	Prohibited except as provided for in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	✗	N	

**Footnotes:**

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 30<sup>th</sup> 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 customer service 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 13.06.640.F 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 13.06.635.

D. Building envelope standards.

	<b>T</b>	<b>C-1</b>	<b>C-2</b>	<b>HM</b>	<b>PDB</b>
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0	0
Minimum Lot Width	0	0	0	0	0
Maximum Lot Coverage	None	None	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.200.E) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue.				
Maximum Height Limit	35 feet	35 feet	45 feet	150 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.				
Maximum Floor Area	20,000 square feet per building	30,000 square feet per building	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.	<del>7,000 square feet per business for eating and drinking, retail and personal services uses</del>	7,000 square feet per business for eating and drinking, retail and personal services uses

\* \* \*

**13.06.300 Mixed-Use Center Districts.**

A. District Purposes. The specific purposes of the Mixed-Use Center Districts regulations are to:

1. Increase the variety of development opportunities in Tacoma by encouraging greater integration of land uses within specific districts in a manner consistent with the Growth Management Act, the Regional Plan: Vision 2020, the County-Wide Planning Policies for Pierce County, and the City’s Comprehensive Plan.

\* \* \*

D. Land use requirements.

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 or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

2. Use table abbreviations.

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

3. District use table.

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
***									
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 13.06.565
<del>Master plan for any conditional use</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.</del>
Microbrewery/ winery	N	N	N	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.
Mobile home/trailer court	N	N	N	N	N	N	N	N	
***									

E. Building envelope standards.

1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Minimum lot area	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	3,750 square feet for single-family dwellings; 2,500 square feet per unit for duplexes; 6,000 square feet for triplexes and multi-family dwellings; 5,000 square feet total per townhouse development	
* * *									

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Minimum density (units/acre)	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	40	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	None	None	25	None	Projects that do not include residential uses, and mixed-use projects (such as residential & commercial, residential & industrial, or residential & institutional) are exempt from minimum-density requirements.
<p>For purposes of this provision, density shall be calculated by dividing the total number of dwelling units in a development by the area, in acres, of the development site, excluding any accessory dwelling units or areas dedicated or reserved for public rights-of-way or full private streets. In the same manner, to determine the minimum number of units required to meet this standard, multiply the size of the property, in acres, by the required minimum density, then round up to the nearest whole number. For example, the minimum number of units required on a 7,000 square foot (.16-acre) property located in the UCX District would be <u>76</u> units (.16 x 40 = 6.4, which rounds <u>up</u> to <u>76</u> units).</p>									

\* \* \*

(7) Height Bonus Palette – Level 1:

HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
<b>Pedestrian-Oriented Environment</b>		
Ground Floor Retail or Restaurant	At least 70% of ground floor project street frontage along the designated core pedestrian street designed to accommodate retail and/or restaurant uses. Retail space(s) shall be a minimum of 1,000 square feet and have a minimum depth and width of 25 feet. Restaurant space(s) shall be a minimum of 2,000 square feet and shall incorporate necessary venting and sewer facilities. The space shall have a minimum interior height of 12 feet from the finished floor to the finished ceiling above and have direct visibility and accessibility from the public sidewalk. Projects not fronting on a core pedestrian street are ineligible to use this palette item.	5 feet



**HEIGHT BONUS PALETTE – LEVEL 1**

BONUS FEATURE	DEFINITION	BONUS HEIGHT
Public Art (1%)	A feature worth 1% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council), to be installed on-site, exterior to the building with a location and design that benefits the streetscape, or in an approved off-site location within the same Mixed-Use Center and within 1,000 feet of the project site. Art features shall be coordinated with the City’s Arts Administrator and approved by the Arts Commission.	5 feet
Structured Parking (50%)	At least 50% of the required parking is provided within the building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be based on the amount of parking that would be required for the proposed development if it were not exempted.	10 feet
Structured Parking (100%)	All parking is provided within building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be at least the amount of parking that would be required for the proposed development if it were not exempted.	20 feet
<b>Transit-Oriented Development</b>		
Transit Stop/Station Improvement	Provide twice the level of improvements that are required by code. If no improvements are required, provide the first level of required improvements. Only applicable to transit stops located within 500 feet of the project site. Must coordinate with Pierce Transit. See Section 13.06.511, Transit Support Facilities.	5 feet
Residential Use	Residential use for at least 50% of a mixed-use project’s floor area.	10 feet
<b>Sustainability</b>		
LID Stormwater Management	Manage stormwater through an integrated system and management plan that utilizes various low impact development techniques, such as permeable surfaces, roof rainwater collection systems, bioretention/rain gardens, etc. System shall be designed to result in no net increase in the rate and quantity of stormwater runoff from existing to developed conditions or, if the amount of existing imperviousness on the project site is greater than 50%, the system shall be designed to result in a 25% decrease in the rate and quantity of stormwater runoff. <del>The system shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.</del>	10 feet
<u>Vegetated</u> Green Roof	Provide a <u>vegetated</u> green roof that covers at least 60% of the building footprint. <del>Green roofs shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.</del> <u>Vegetated Green</u> roofs shall conform to best available technology standards, such as those published by Leadership in Energy and Environmental Design (LEED) <u>and be designed in accordance with the City of Tacoma Stormwater Management Manual.</u>	10 feet
* * *		

\* \* \*

**13.06.400.C Land use requirements.**

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.400. All portions of Section 13.06.400 and applicable portions of Section 13.06.500 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.

2. Use Requirements. 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 Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
***				
Marijuana retailer	P~	P~	N	~Within the South Tacoma M/IC Overlay District, 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 13.06.565
<del>Master plan for any conditional use</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.</del>
Microbrewery/winery	P	P	P	
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**13.06.501 Building design standards.**

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<p><b>B. General Mass Reduction Standards.</b> The following requirements apply to the C1, C2, T, <del>HM</del> and PDB zoning districts. See Section 13.06.501.H, below, for X-District requirements. The design choices of this item are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.</p>	
<p>1. Size to choice ratio for 2 below</p>	<ul style="list-style-type: none"> <li>a. Buildings under 7,000 square feet of floor area are not required to provide mass reduction.</li> <li>b. Buildings from 7,000 square feet of floor area to 30,000 square feet of floor area shall provide at least one mass reduction feature.</li> <li>c. Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.</li> </ul>
<p>2. Mass reduction choices</p>	<ul style="list-style-type: none"> <li>a. Upper story. Buildings with a maximum footprint of 7,000 square feet of floor area, that do not exceed 14,000 square feet of floor area, may count use of a second story as a mass reduction feature.</li> <li>b. Upper story setback. An 8 feet minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of 2 elevations.</li> <li>c. Wall modulation. Maximum 100 feet of wall without modulation, then a minimum 2 feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses.</li> <li>d. Public plaza. A public plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater. The plaza shall be located within 50 feet of and visible to the primary public entrance; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or art work for each 200 square feet of plaza area. Plaza contents may count toward other requirements when meeting the required criteria. Walkways do not count as plazas. Plazas shall not be used for storage. Required parking stalls may be omitted to the minimum necessary if needed to provide the plaza. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. <a href="#">Plazas may be permeable pavement or pavers where feasible.</a> <a href="#">Low Impact Development vegetated stormwater features may be used for up to 30% of the plaza requirement where feasible.</a></li> <li>e. Housing. The provision of upper story residential dwelling units at a site density consistent with the applicable land use intensity designation of the Comprehensive Plan.</li> </ul>

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**C. General Roofline Standards.** The following requirements apply to the C-1, C-2, T, ~~HM~~ and PDB zoning districts. See Section 13.06.501.I, below, for X-District requirements. These requirements are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

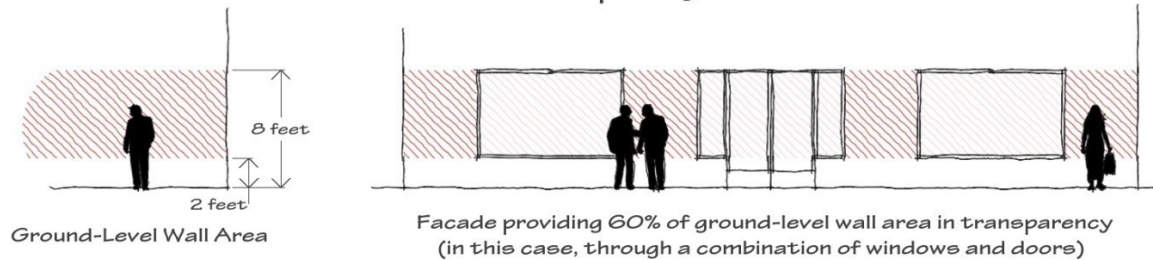
<p>Roofline Choices (All buildings shall use one or more of the roofline options)</p>	<ol style="list-style-type: none"> <li>1. Sloped roof. Use of a roof form with a pitch no flatter than 5/12. Rounded, gambrel, and/or mansard forms may be averaged.</li> <li>2. Modulated roof. Use of features, which are a minimum of 2 feet in height, such as a terracing parapet, multiple peaks, jogged ridge lines, dormers, etc., with a maximum of 100 feet uninterrupted roofline between roof modulation elements. Modulation elements shall equal a minimum of at least 15 percent of the roofline on each elevation. The maximum shall be 50 feet of uninterrupted roofline along the eave between roof modulation elements in C-1 Districts and on sides facing residential uses or districts. Roof forms with a pitch flatter than 5/12 are permitted with this option; provided, the appropriate modulation is incorporated.</li> <li>3. Corniced roof*. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. The height of the cornice shall be at least 12 inches high for buildings 10 feet or less in height; 18 inches for buildings greater than 10 feet and less than 30 feet in height; and 24 inches for buildings 30 feet and greater in height. Cornices shall not project over property lines, except where permitted on property lines abutting public right-of-way.</li> <li>4. Canopy Exemption. Fueling station canopies, drive-through canopies, or similar canopies are exempt from roofline requirements.</li> </ol>
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**D. General Windows and openings.** The following requirements apply to the C-1, C-2, T, ~~HM~~ and PDB zoning districts. See Section 13.06.501.J, below, for X-District requirements. These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, and to provide architectural detailing and variety to building elevations on each story.

1. Street level	<p>a. Front, side, or corner side exterior walls facing streets or that contain customer entrances and face customer parking lots of 20 stalls or greater shall have transparent window or openings for at least 50 percent of the ground level wall area. This standard shall apply on a maximum of 2 such building elevations. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for portions of façades where the grade level of the sidewalk of the abutting street is 4 feet or more above or below the adjacent floor level of the building. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades and the correlating location of the floor plates of the building. Rough openings are used to calculate this requirement.</p> <p>b. Required view. Required windows or openings must provide either views into building work areas, sales areas, lobbies, merchandise displays, or artworks. Art and display windows shall be at least 2 feet deep, recessed and integrated into the façade of the building (tack on display cases do not qualify).</p> <p>c. The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.</p> <p>d. Limited alternatives. Alternatives of decorative grilles, art work, or similar features can be substituted for those portions of uses where the provision of natural light can be demonstrated to nullify the intended use (examples include movie theater viewing areas and light sensitive laboratories) and for parking structures, provided an equivalent wall area is covered.</p>
2. Upper levels	<p>a. Front, side, or corner side exterior walls facing streets or walls that contain customer entrances and face customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor on a minimum of 2 such building elevations.</p> <p>b. Upper level windows shall be a different type than the ground level windows on the same elevation.</p> <p>c. For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.</p>
3. Exemptions	<p>a. Residential privacy. On sides where C, <del>HM</del>, T, or PDB District boundaries adjoin R-1, R-2, R-2SRD, or R-3 District boundaries, structures within the C, <del>HM</del>, T, or PDB District that are set back at least 7 feet from the property line and screened by landscaping to a minimum height of 6 feet are exempt from the window and opening requirements on the effected side.</p> <p>b. Residential buildings. Residential buildings or residential portions of mixed-use buildings are exempt from street level windows or openings.</p>

### Development Requirements for Facades Windows/Openings



<p><b>E. General Façade Surface Standards.</b> The following requirements apply to the C-1, C-2, T, <del>HM</del> and PDB zoning districts. See Section 13.06.501.K, below, for X-District requirements. These requirements are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.</p>	
1. Blank wall limitation	a. Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or customer parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.
2. Façade variety	<p>a. Buildings with under 2,000 square feet of floor area are exempt from the variety requirement.</p> <p>b. Buildings with 2,000 square feet of floor area to 30,000 square feet of floor area shall use at least 2 different materials, textures, or patterns on each building elevation.</p> <p>c. Buildings with over 30,000 square feet of floor area shall use at least 3 different materials, textures, or patterns on each building elevation.</p> <p>d. For purposes of this requirement, each material, texture, or pattern must cover a minimum of 10 percent of each building elevation. Glass does not count toward this requirement. Different texture or pattern shall be visibly different from adjacent public right-of-way or parking area.</p>
3. Building face orientation	<p>a. The building elevation(s) facing street or highway public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</p> <p>b. This requirement applies to a maximum of 2 building elevations on any given building.</p>
<p><b>F. General Pedestrian Standards.</b> The following requirements apply to all development in the C-1, C-2, T, <del>HM</del>, and PDB districts, except where noted or specifically exempted. See Section 13.06.501.L, below, for X-District requirements. These requirements 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.</p>	
1. Customer entrances	<p>a. 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>b. Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.200.E 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>
2. Street level weather protection	<p>a. 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>b. 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>c. 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>

**G. General Fencing and Utilities.** The following requirements apply to the C-1, C-2, T, ~~HM~~, and PDB zoning districts. See Section 13.06.501.M, below, for X-District requirements. These requirements are intended to minimize visibility of utilities, mechanical equipment, and service areas to mitigate visual impact on residential privacy, public views, and general community aesthetics.

<p>1. Utility screening</p>	<p>a. Rooftop. All rooftop mechanical equipment for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form or an equivalent architectural feature which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. Limited flexibility in this standard is allowed to ensure that the function of the HVAC equipment is not compromised by the screening requirement.</p> <p>b. All ground level. Mechanical or utility equipment, loading areas, and dumpsters shall be screened from adjacent public street right-of-way, including highways, or residential uses. Items that exceed 4 feet in height must use fencing, structure, or other form of screening, except landscaping. Items that do not exceed 4 feet above ground level may be screened with landscaped screening. All landscape screening should provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting. Limited flexibility in this standard is allowed to ensure that the function of the utility equipment is not compromised by the screening requirement.</p> <p>c. Chain link fencing, with or without slats, is prohibited for required screening.</p>	<p>The diagram illustrates two screening options for utility storage. Option 1 shows a building with rooftop utilities, a screened area, a gate, a fence, and a trash enclosure. Option 2 shows a building with a full parapet, rooftop utilities, a screened area, and a trash enclosure with landscape treatment.</p>
<p>2. Fencing type limitation</p>	<p>a. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.</p> <p>b. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.</p> <p>c. Electrified. The use of electrified fencing is prohibited in all zoning districts.</p>	

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### 13.06.502 Landscaping and buffering standards.

A. Intent. The landscaping requirements, as a whole, are intended to contribute to the aesthetic environment of the City; enhance livability and foster economic development by providing for an attractive urban setting; provide green spaces that can support the urban citywide tree canopy; wildlife, such as birds, in the urban environment; help reduce storm-water runoff; filter pollution; buffer visual impacts of development; and, contribute to the planting, maintenance, and preservation of a stable and sustainable urban forest.

B. Applicability. Unless specifically exempted, landscaping shall be provided consistent with this section for all new development, including structures and/or parking lots, as well as alterations to existing development, and street improvements, as outlined below. [Vegetated Low Impact Development Best Management Practices \(LID BMPs\) designed in accordance with the City of Tacoma Stormwater Management Manual may be counted as landscaping.](#)

1. Alterations. Three thresholds are used to gauge the extent of landscaping standard compliance on alterations to existing development (in Downtown Districts, the thresholds of TMC 13.06A shall apply):

\* \* \*

2. Plant Material Selection.

a. Existing trees, shrubs, and groundcover which comply with the requirements of this Section may count towards the required landscape plantings.

b. Native and climate-adapted landscaping. All required landscaping shall be climate-adapted. The retention and use of natives is encouraged and permitted for any and all landscaping. Invasive species, as identified in the UFM, shall not count toward meeting required plantings. Noxious weeds are prohibited from being planted in required landscaped areas.

(1) Habitat Corridors. A minimum of 50 percent of required landscaping located within Comprehensive Plan designated Habitat Corridors, and a minimum of 25 percent in adjacent areas within 20 feet of Habitat Corridors, must be native plant species. Reductions are permitted when necessary to follow coordinated plans to address slope stability, habitat health, streetscape or area-wide plans.

c. Required landscaping areas are encouraged to incorporate [vegetated Low Impact Development LID BMPs \(LID\) bioretention and infiltration stormwater facilities](#), as defined in the City of Tacoma Stormwater Management Manual. [A vegetated LID BMP may be used to meet landscaping requirements.](#) Limited flexibility shall be granted to specific [landscaping standards as applicable to accommodate LID BMPs features.](#)

d. Visibility and safety. Except in cases where required landscaping is intended to provide dense visual buffers or to enhance natural conditions, trees and shrubs shall be selected and maintained to maximize visibility at eye level for safety. To meet this requirement, shrubs shall be chosen that will readily remain under 3 feet in height. Trees shall be selected and pruned (once tall enough) to maximize views below 7 feet in height.

e. Trees.

(1) Tree Species Selection – Small, Medium and Large species. Trees are categorized as small, medium or large based on their height and crown spread at maturity and on their growth rate. Trees size categories are determined according to the Canopy Factor, which is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees. Large Trees have a Canopy Factor greater than 90; Medium Trees have a Canopy Factor from 40 to 90; Small Trees have a Canopy Factor less than 40.

(a) Small, Medium and Large Tree lists are included in the UFM. To determine the size category of a tree not listed in the UFM, the applicant must provide an authoritative source of information about the tree's mature height, crown spread and growth rate. Objective information must come from published sources or from the nursery providing the tree growth information, often called "cut sheets".

(2) Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height (at 25 years of age) not greater than 25 feet. New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from a structure, 5 feet from underground utilities, and 10 feet from light standards. Distances may be reduced, with staff approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM contains additional guidelines on this subject.

(3) Tree variety. For projects that involve the planting of between four and ten trees, at least two different kinds (Genera) of trees shall be included. For projects involving the planting of more than ten trees, at least three different kinds (Genera) of trees, and a mixture of tree types (evergreen and deciduous) shall be included. For projects that involve planting more than twenty-five trees, no more than 25 percent shall be from one Genera and a minimum of 20 percent must be evergreen.



(4) Tree size at planting. Trees provided to meet the landscaping requirements shall be consistent with the following size requirements at the time of planting: For deciduous trees, at least 50 percent of the trees provided shall be a minimum 2-inch caliper at the time of planting, with the remaining deciduous trees a minimum 1½-inch caliper. For evergreen trees, at least 50 percent of the trees provided shall be a minimum of 6 feet tall, with the remaining evergreen trees a minimum of 5 feet tall at the time of planting. Evergreen trees provided to meet these requirements shall also be species with the ability to develop a minimum branching width of 8 feet within 5 years.

f. Shrubs and Groundcover.

(1) Turf lawn and mulch are not considered groundcover for the purposes of complying with this section.

(2) ~~Vegetated Low Impact Development LID BMPs bioretention and infiltration stormwater facilities, as defined in the City of Tacoma Stormwater Management Manual,~~ that incorporate trees, shrubs and/or groundcover may count as meeting tree, shrub and groundcover requirements.

(3) Shrub variety. If there are more than 25 required shrubs, no more than 20 percent of them can be of one species.

(4) Groundcover and shrub plants must be planted at a density that will cover the entire area within three years.

(5) Unless specified otherwise, shrubs provided to meet these requirements shall be from a minimum 2-gallon container.

3. Installation and Maintenance.

a. Landscaping shall be installed and maintained in a healthy, thriving, and safe condition, and replaced as necessary, during the plant establishment period and for the life of the project, consistent with the requirements, standards and specifications of this Section and the UFM.

b. Conditions shall be provided to promote tree longevity, thus reducing the need for replacement. Considerations shall include planting species in locations and with conditions favorable to their health, and providing appropriate protection from potential damage from adjacent uses, development or activities.

c. Minimum tree trunk setbacks, unpaved planting area per tree, soil volumes and spacing requirements shall be provided for healthy tree growth, as follows:

	Small Trees	Medium Trees	Large Trees
Minimum unpaved planting area (sq. ft.):	24	40	60
Minimum tree pit width (ft.):	4	5	6
Minimum tree pit length (ft.):	6	8	10
Minimum soil volume (cu. ft.):	72	120	180
Minimum spacing (ft.) between trees:	10	25	40

Exceptions to these minimums may be approved with staff review, upon demonstration that healthy tree growth will be achieved and infrastructure and other conflicts will be avoided.

d. All required landscaping must be planted in the ground, where feasible. In cases where this is not feasible, the use of planters or other approaches may be authorized as long as minimum soil depth and unpaved planting area dimensions are maintained. Soil composition and volume shall be provided as appropriate to promote the health of the plants, per the specifications of the UFM. [Any vegetated LID BMP shall be designed in accordance with the City of Tacoma Stormwater Management Manual.](#)

e. Irrigation. An irrigation system, which in some cases shall include hand watering, shall be provided for all required landscaping per the guidance of the UFM, to ensure survival through the plant establishment period.

f. Pruning: Pruning of required trees or shrubs shall be for the purpose of maintaining the tree or shrub in a healthy and thriving condition and/or to enhance its natural growing form. Trees and shrubs shall not be excessively pruned such that it adversely affects the healthy living condition of the plant, significantly damages the natural growing form of the plant, or eliminates or significantly reduces the purpose for the planting. Topping, an extreme form of pruning, of trees required by this Section is prohibited. This prohibition does not apply to pruning performed to remove a safety hazard, to remove dead or diseased material, or to avoid overhead power lines.

g. Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.100.

D. Credits and Flexibility

1. Utilizing credits and flexibility. The following credits may be utilized separately or in combination.

2. Tree retention. The following tree planting credits are available for existing trees, provided a Certified Arborist's Report determines that the tree(s) is healthy and can be saved through construction activities. If retained trees are damaged during or after construction, replacement shall be based upon the same ratios. A Certified Arborist's Report and Tree Protection Plan consistent with the requirements outlined in the UFM showing existing trees, existing and proposed grading, new development on the site (such as buildings, utilities, etc.), measures taken to protect existing trees and any new trees that will be planted on the site shall be submitted if trees are being retained for credit. To be eligible for this credit, trees must be healthy and have minimal serious defects or defects that cannot be mitigated by proper pruning as indicated on the Arborist Report and Tree Protection Plan. Trees shall count according to their species as Small, Medium and Large Trees.

a. One required tree for every retained tree of at least equal size;

b. Two required trees for every retained tree that is 8 inches to 20 inches in DBH;

c. Three required trees, for every retained tree 20 inches to 32 inches in DBH;

d. Four required trees, for every retained tree over 32 inches in DBH.

e. In order to facilitate and provide an incentive for the retention of substantial numbers of mature trees, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

3. Evergreen trees. Evergreen trees, above and beyond those otherwise required, shall count as 1.1 trees toward total number required. If greater than two-thirds of required trees are Evergreens, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

4. Low Impact Development ~~features~~. [Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements.](#) For sites utilizing [Low Impact Development \(LID\)-LID BMP techniques](#) as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

5. Urban Forestry Fund. In limited instances when specific site characteristics do not support the preservation or planting of trees, funds may instead be paid into the City Urban Forestry Fund. Applicants must demonstrate to the satisfaction of the Director that specific site characteristics make the installation of landscaping on the site problematic to its reasonable use. Landscaping buffer requirements may not be modified through this provision. Landscaping must still be installed to the maximum extent practicable. Funds collected will be used by the City Urban Forestry Program to plant trees on other public or private property within the City. The required amount will be equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment, as specified in the UFM.

6. Self-managed Agencies. An optional process for additional flexibility is available for public agencies with urban forestry programs and plans. This option is intended to encourage public agencies to take a leadership role in implementing urban forestry goals and policies. This flexibility can facilitate more intensive development of a particular development site, while meeting the urban forestry policies of the Comprehensive Plan and the intent of the landscaping code by planting the required landscaping at another site within the City of Tacoma in the agency's permanent control.

a. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Comprehensive Plan and landscaping code. The general landscaping requirements of this section apply. Plantings already required by a separate regulatory authority may not count toward meeting the requirements of this section. Upon review, the Director will issue a Determination regarding the consistency of the request with the Comprehensive Plan and code intent. If approved, the Determination shall grant self-managed agency status for up to ten years, subject to reevaluation. The Director reserves the right to withdraw the self-managed agency status should the intent not be met.

b. Self-managed agencies may choose to plant landscaping required as part of a particular development proposal in another location per their urban forestry plan. This flexibility can be utilized at the agency's discretion on subsequent site-specific development proposals. Each request to utilize this process as part of a development proposal review shall make reference to the approved Determination, be supported by running totals of landscaping planted in this manner, and include status updates on ongoing health of such landscaping.

c. Landscaping Buffers, when required, must be provided on the development site and cannot be shifted to another site. In addition, to the extent feasible, some portion of required street trees and parking lot landscaping shall be planted at the development site, or if shifted from the development site shall be planted in proximity to impervious surfaces, in order to achieve commensurate stormwater benefits.

**TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts.**

The standards of this section are intended to implement the goals of the Comprehensive Plan and the intent of this section. The landscaping standards of this table apply to new development and substantial alterations, as stipulated above, in Residential, Commercial, Industrial and Mixed-Use Centers (X) Districts. [LID BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the LID BMP is compatible to the requirements.](#)

**Exemptions:**

- (1) Single, two and three-family developments, unless in association with a full plat or a short plat with 5-9 lots, are exempt from all landscaping requirements.
- (2) Passive open space areas are exempt from all landscaping requirements (however development activities on such sites may trigger landscaping requirements).
- (3) Park and recreation uses are exempt from the Overall Site, Site Perimeter and Buffer requirements of this section.

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**13.06.510 Off-street parking and storage areas.**

A. Purpose. To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land, and to ensure that required parking areas are designed to perform in a safe and efficient manner. Additionally, to minimize impacts to adjacent uses from areas used for storage of vehicles and other materials, specific design and development standards for such areas are provided in Subsection D.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

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<b>TABLE 2 – Parking in Mixed-Use Center Districts</b>	
Quantity	<p>Residential Uses. Minimum 1.0 stall per unit.</p> <p>Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area.</p> <p>Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1.</p> <p>See Section 13.06.510.B.2.f for use of compact stalls.</p> <p>For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.</p>
Exemptions	<p>No parking is required for any structure in existence upon the date the Mixed-Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required.</p> <p>In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated pedestrian streets (see Section 13.06.300.C).</p> <p>In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.</p> <p>Small, affordable housing types: Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided <del>that following: within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption.</del> <u>the following: within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption.</u></p> <ul style="list-style-type: none"> <li><del>• A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location.</del></li> <li><del>• Within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this bonus.</del></li> </ul>
<b>Parking Quantity Reductions. The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts may be reduced as follows:</b>	
Transit Access	<p>Parking requirement shall be reduced by 25% for sites located within 500 feet of a transit stop and 50% for sites located within 500 feet of a transit stop at which a minimum of 20-minute peak hour service is provided (routes which serve stops at least every 20 minutes during peak hours). Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 500 feet of the site.</p>
* * *	

<b>Development Standards – Parking Garages.</b> The following standards apply to parking garages. They are intended to limit parking garage impacts on the pedestrian environment and reduce opportunities for crime in parking garages.	
Core Pedestrian Streets	<p>Parking garages are prohibited at street level along the frontage of designated core pedestrian streets. These areas are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p><a href="#"><u>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</u></a></p>
Pedestrian Streets	<p>Parking garages shall not occupy more than 50% of the length of a building’s street-level frontage along a designated pedestrian street. The remaining portions are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p><a href="#"><u>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</u></a></p>
Parking Garage <a href="#"><u>Design Standards</u></a> <a href="#"><u>Openings</u></a>	<p>These standards apply to parking garages for five or more vehicles.</p> <p>Parking garage openings, including vehicular access openings, shall not exceed 50% of the total ground floor façade adjacent to a public street or sidewalk.</p> <p>Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate decorative grilles, architectural elements, planters, and/or artworks that effectively reduce the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20% transparent but not more than 80% transparent. Vehicular access openings shall be exempt from this standard.</p> <p><a href="#"><u>For structured parking located within upper floors along designated pedestrian and core pedestrian streets, openings shall be designed to follow the rhythm and scale of the prevailing window pattern for the occupied spaces along the same elevation.</u></a></p> <p><a href="#"><u>Sloped parking decks and ramps should not be located along designated pedestrian or core pedestrian street elevations or, where such design is infeasible, shall be concealed from public view.</u></a></p>

2. Off-site parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make off-site parking desirable. Therefore, an exception is provided that off-street parking areas may be constructed on a parcel separate from the main building or buildings occupied by such uses, under the following circumstances:

- a. Where allowed. The parking area shall be considered an extension of the use it serves. The parking area shall be permitted, prohibited, or subject to conditional use permit in the same manner as the associated land use.
- b. Proximity to use. The parcel(s) for such off-site parking area shall be located within 500 feet of the parcel(s) to be served. The distance shall be measured between the nearest points of pedestrian access between the two parcels.
- c. Availability confirmation. Required parking spaces within such an off-site parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.
- d. Sign. A sign with a maximum area of 1.5 square feet shall be posted on the principal site providing notice of the availability and location of the additional parking. Said sign area will not be subtracted from any sign allowance in Section 13.06.520.
- e. Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk or pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility from the off-site parking to the use it serves when conditions warrant such improvements.

3. Shared parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make shared parking desirable. Therefore, two or more uses may share common parking facilities, subject to the following:

- a. Off-site. The shared parking site shall comply with the provisions of off-site parking (subsection 2 above).
- b. Performance. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

c. Availability confirmation. Required parking spaces within such a shared parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.

d. Total spaces. When two or more uses share common parking facilities, the total number of parking spaces required shall be the sum of spaces required for those uses individually.

(1) General exception. Where the uses involved are both daytime and nighttime uses, as defined below, the total required parking for all uses may be reduced by 50 percent of the daytime use requirement or the nighttime use requirement, whichever is smaller.

(2) Religious assembly and school exception. All of the parking spaces required by this section for a religious assembly or for an auditorium incidental to a public or private school, college, or university may be supplied by the off-street parking areas provided by daytime uses.

(3) Daytime uses established. For the purposes of this section, the following uses are considered as daytime uses: banks; business and professional offices; retail stores; daycare centers, manufacturing and warehouse buildings; and similar primarily daytime uses as determined by the City Engineer.

(4) Nighttime uses established. For the purposes of this section, the following uses are considered as nighttime uses: auditoriums incidental to a public or private school; college; or university; churches; bowling alleys; dance halls; theatres; taverns; cocktail lounges; night clubs; or restaurants; and similar primarily nighttime uses as determined by the City Engineer.

(5) Similar sharing of parking may be allowed between other uses whose parking demand generally occurs at different times, such as between those that operate primarily on weekdays and those that operate primarily on weekends, as determined by the City Engineer.

e. Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk and pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility between the uses sharing parking and the parking area shared when conditions warrant such improvements.

4. Other limitations on parking areas.

a. Where the principal use is changed and additional parking space is required as a result, it is unlawful and a violation of this chapter to begin or maintain such altered use until such time as the required off-street parking provisions of this chapter are complied with.

b. Where the minimum number of required off-street parking spaces has been provided to serve a use, such parking area shall not be subsequently reduced in the number of parking spaces provided.

c. Where off-street parking areas are developed and operated as a business and where a parking fee is charged, the parking area shall be located only in a commercial or industrial district.

5. Driveways. Except as otherwise stipulated in the TMC, driveways shall be constructed according to the requirements of TMC 10.14.050 (or as amended), which include the following standards:

a. Except as otherwise provided by TMC 10.14.050, the width of any driveway shall not exceed 30 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street, unless special authorization is given by the Director of Public Works;

b. The width of any driveway shall not be less than 10 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street;

c. All driveways for other than single-family residences and duplexes shall be a minimum of 20 feet in width, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street. The radius of all driveway returns shall be a minimum of 10 feet, except on non-arterial streets for single-family residences or duplexes, which shall have a minimum radius of five feet;

d. The total width of all driveways on a street for any one parcel shall not exceed 50 percent of the frontage of that parcel along the street, and shall not be more than two in number except as allowed under TMC 10.14.050.B.6.e.

6. Vehicle access and parking in R-Districts. Additional limitations on vehicular access and parking in R-Districts are contained in Section 13.06.100.D.

B. Off-street parking area development standards.

1. Intent. In order to assure proper and uniform development of safe parking areas, protect adjoining property from undue invasion of privacy and peace, provide for pedestrian circulation, minimize nuisance factors, and maintain in appropriate locations a landscaped setting in keeping with accepted, sound standards of residential landscaping practice, every parcel of

land hereafter used as an off-street parking area, as defined in this chapter, shall be developed in accordance with the following minimum standards.

2. Minimum standards. A parking area for five or more motorized vehicles, trailers, or a combination thereof, shall be developed in accordance with the following requirements:

a. Entrances and exit. The location and design of all entrances and exits shall be subject to the review and approval of the City Engineer, taking into consideration factors including, but not limited to, emergency vehicle mobility, safe turn movements, right-of-way width, speed limits, proximity to street intersections and/or other entrances or exits, street classification for motorists and/or bicyclists, pedestrian mobility, transit mobility, and retention of landscaping. Such entrances or exits shall not be designed to require vehicles to back into, or otherwise utilize a designated arterial street right-of-way as an aisleway for a parking area.

b. Parking aisles. Any aisle serving two-way traffic or providing one-way access to spaces at right angles to the aisle shall have a minimum width of 20 feet. Aisles providing one-way access to spaces at an angle of 60 degrees to the aisle shall have a minimum width of 18 feet. Aisles providing one-way access to spaces at an angle of 45 degrees to the aisle shall have a minimum width of 14 feet. On dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

c. Border barricades. A bumper curb of a height and strength sufficient to retain all vehicles and trailers completely within the given parking area shall be provided, except at access points. Bumper curbs shall be designed and located in such a manner as to prevent vehicles parked within a parking area from protruding beyond the parking area property line and into public right-of-way and/or adjacent private property.

d. Surfacing of parking areas. Off-street parking areas shall be surfaced with a minimum all-weather surface, consisting of a crushed rock base with an asphalt concrete or cement concrete surface, or permeable pavers designed for traffic use. Such surface shall have a standard thickness of two inches, unless otherwise specified by the City Engineer. Permeable pavers and pavements are allowed and encouraged where feasible. Such a parking area shall provide a drainage system in accordance with the City of Tacoma Stormwater Management Manual and to the approval of the City Engineer. Alternatives to the all-weather surface may be provided, subject to the approval of the City Engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:

- (1) Dust is controlled;
- (2) Stormwater is managed in accordance with the City of Tacoma Stormwater Management Manual~~treated to City standards;~~ and
- (3) Rock and other debris is not tracked off-site.

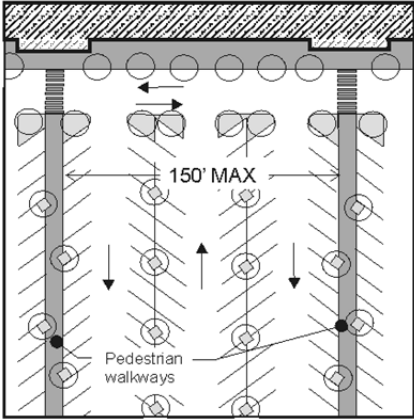
The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the City determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

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**13.06.512 Pedestrian and bicycle support standards.**

<b>A. General Applicability.</b>
1. Application. The pedestrian and bicycle support standards apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein. The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.
2. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
3. Super regional malls. Additions to super regional malls which add less than 10,000 square feet of floor area shall be exempt from these standards. Larger additions shall meet the requirements of this table at a ratio of at least 1 to 3 for the entire mall site (in the same manner described above, under subsection 3), except that additions of an anchor tenant or 140,000 or more square ft. shall require full provision of these requirements for the entire mall site.
4. Temporary. Temporary structures are exempt from the standards of this section.
5. Residential or Mixed-Use. Residential structures of 4 dwelling units or fewer only need to comply with the standards of subsection B, below. Mixed-use structures shall comply with all of the standards.



6. Parks, recreation and open space uses shall meet the standards of this table, except as specifically exempted below.	
7. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.	
8. Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.	
<b>B. Walkways (Illustrated). To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including access to uses from public ways and access from parking areas.</b>	
1. Direct. A direct walkway shall be provided between all customer and/or public entrances and the nearest public sidewalk. For residential dwellings, the required walkway shall be provided between the front entrance and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way.	
2. Multiple use sites. Shopping centers and sites with multiple uses shall provide a walkway network along building façades and through the parking lot that provides pedestrian circulation within the development and that links all customer and/or public building entrances to the public sidewalk. For walkways that are longer than 25 feet, trees shall be provided adjacent to the walkways at a ratio of 3 per 100 feet and pedestrian-scaled lighting at a ratio of 2 per 100 feet. For example, a 50-foot long walkway would require 2 trees and 1 pedestrian-scaled light while a 90-foot long walkway would require 3 trees and 2 pedestrian-scaled lights. Trees shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards.	
3. Minimum connection frequency. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 150 feet of street frontage or every three parking aisles, whichever is less. Walkways shall be located to provide the shortest practical route from the public sidewalk or walkway network to customer and/or public building entrances. This standard does not apply to residential uses containing 4 or fewer dwelling units.  Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street frontage greater than 500 feet in length (unless topography, critical areas or public safety issues preclude reasonable provision of such additional accesses).	
4. Size and materials. All walkways must either be a raised sidewalk or composed of materials different from parking lot and vehicle access areas. Required walkways must be at least 5 feet wide, excluding vehicular overhang, except for walkways accessing individual residential dwelling units, where the minimum width shall be 4 feet. When more than one walkway is required, at least one walkway must be 10 feet wide. <a href="#">Permeable pavement surfaces are encouraged where feasible.</a>	
5. Transit access. A direct walkway shall be provided between the principal customer and/or public building entry and any bus stop adjacent to the site. This may be the same as the walkways above. A separate walkway is required if the bus stop is not within 100 feet of a walkway connection to the sidewalk. This standard does not apply to residential structures of 4 dwelling units or fewer, or to parks, recreation and open space uses without buildings adjacent to the street.	

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### 13.06.513 Drive-throughs.

A. Purpose. The regulations of this section are intended to allow for drive-through facilities while mitigating potential negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, aesthetics, and queued traffic interfering with on-site and offsite traffic and pedestrian flow. The specific purposes of this section are to:

- Reduce noise and visual impacts on abutting uses, particularly residential uses;
- Promote safer and more efficient on-site vehicular and pedestrian circulation;
- Promote a pedestrian-oriented environment;
- Reduce conflicts between queued vehicles and traffic on adjacent streets.

B. Applicability. The regulations of this section apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-throughs are not permitted in some zoning districts—see the permitted uses tables for the applicable zone. Where they are permitted, drive-through facilities are still not always feasible;



the size or dimensions of the site, or the size and location of existing structures may make it impossible to meet the regulations of this section.

C. Standards. A drive-through facility is composed of two parts - the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queuing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted:

a. Pedestrian streets (includes all TMC pedestrian street designations) and transit stops.

(1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.

(2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. Exceptions to this requirement shall be processed in accordance with TMC 10.14.030.B.7.

(3) Exterior drive-through windows shall not face a designated pedestrian, light rail or streetcar street, and stacking areas shall not lie between a building and such a street.

b. Setbacks and Landscaping.

(1) Exterior service areas and stacking lanes, except for vehicle access crossings, must be set back a minimum of 5 feet from street frontages. In some cases, a greater setback may be necessary to meet other standards such as Landscaping.

(2) Exterior stacking lanes and service areas shall provide a minimum 3 foot landscaped buffer along sides which do not abut the building. The buffer must be landscaped with [decorative landscaping to include flowering or colored-foliage shrubs which will cover at least 50 percent of the landscaped area within three years; the remainder shall be fully landscaped with additional trees, shrubs and/or groundcover. at least Type D Landscaping.](#) Alternatively, on sides that do not front on streets, the buffer width may be reduced to 1 foot and improved with a vegetated wall at least 6 feet in height [to reach maturity with full screening within three years.](#) The required buffer may be interrupted by structures or for vehicle or pedestrian access crossings.

\* \* \*

### **13.06.522 District sign regulations.**

A. R-1 Sign regulations. One non-illuminated [temporary](#) sign, not exceeding 12 square feet in area shall be allowed pertaining to the lease, rental, or sale of a building or premises on which it is located. One non-illuminated nameplate, not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each adult family home, staffed residential home, group home, residential care facility, and family day care home. One ground sign shall be allowed, with a maximum area of 30 square feet identifying a subdivision. A subdivision identification sign shall be approved by the Director. A 32-square-foot temporary sign advertising a subdivision during construction shall be allowed adjacent to each street abutting the site, in conformance with Chapter 13.04.

Parks, recreation and open space uses on sites that are under one acre in size or which have less than 100 feet of street frontage are allowed the following non-illuminated signs:

- One ground sign with a maximum area of 30 feet;
- Interpretive or directional signs not more than 7 feet in height and 20 feet in sign area.

Parks, recreation and open space uses on sites over one acre in area that have a minimum of 100 feet of street frontage shall be allowed the following:

- One freestanding sign, not exceeding 40 square feet in area per face and not greater than 8 feet in height (or, up to 15 feet in height in association with conditional parks and recreation uses);
- One building face sign, of the same maximum dimension. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.
- One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage.
- Interpretive or directional signs, not to exceed 7 feet in height and 30 square feet in sign area.

- All signs shall meet the lighting, materials and location requirements applicable to signs for conditional uses in residential districts, as contained in this section.

B. R-2 Sign Regulations. Sign regulations shall be the same as stated for the R-1 Single-Family Dwelling District, except that one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each boarding home. Residential developments of four or more dwelling units are permitted one ground sign not exceeding six square feet in area for each face and not greater than five feet in height. Maximum sign area for each sign shall be one additional square foot for each dwelling unit, not to exceed 25 square feet in area. Indirect floodlighting shall be the only allowable means of illumination of ground signs. The base and/or support structures shall incorporate stone, brick, or masonry or shall relate to the architecture of the development that it is associated with.

C. R-2SRD, NRX and HMR-SRD Sign Regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building.

D. R-3 Sign regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building.

E. R-4 Sign Regulations.

1. One freestanding sign not exceeding 30 square feet in area for all faces and not greater than six feet in height, or one building face sign of the same maximum dimensions, shall be allowed for each development site.
2. Indirect illumination, floodlighting, or internal illumination shall be the only allowable means of illumination of signs. All external lighting shall be directed away from adjacent properties to minimize the effects of light and glare upon adjacent uses. No bare bulb or neon illumination of signs shall be allowed. No flashing or animated signs shall be allowed. No electrical wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.
3. Signs shall only identify the name of the development or business and may contain secondary information related to rental or sale of units. Public identification signs may be placed upon public service structures such as telephone booths and bus shelters.
4. All signs shall be of permanent materials (no cardboard, cloth, paper, etc.). No flags, banners, or other devices shall be displayed for the purpose of attracting attention to a development or site. No temporary or portable signs shall be allowed. The display of the national flag, state flag, and flags of other political subdivisions shall not be restricted.
5. No sign shall be placed in a location which obstructs sight distance for an adjacent driveway or street right-of-way. No signs for a development shall be placed in any public right-of-way. No sign shall be erected which imitates or resembles any official traffic sign, signal, or device. Incidental public service signs less than four square feet in area, which contain no advertising but are intended for the convenience of the public and provide such messages as "entrance," "exit," "emergency entrance," "no parking," or other incidental service messages, shall be allowed.
6. All signs shall be submitted for review by Planning and Development Services, as required by the Building Code and the Electrical Sign Code. Additionally, the proposed design of all signs shall be submitted to Planning and Development Services prior to construction for review to ensure conformance with the standards listed hereinabove.

\* \* \*

<b>Section 13.06.522.K</b>	<b>C-2, CIX, CCX, UCX, M-1, M-2, PMI</b>	<b>C-1</b>
<b>Signage Allocation</b>		
Maximum total sign area	Wall signage, 1 square foot per 1 linear foot of the building frontage with the public entrance. Freestanding signage, 1 square foot per 1 linear foot of street frontage(s).	Same as C-2.
<b>Signs Attached to Buildings</b>		
Maximum number	3 per business, 25 percent <del>allocation of maximum total area</del> allowed on building wall(s) without a public entrance. (Note: 50 percent is allowed provided only 2 signs are installed at the business.) No maximum number for public facility over 5 acres.	Same as C-2.
Maximum area per sign	200 square feet. 400 square feet for public facility over 5 acres.	100 square feet.
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### **13.06.560 Parks, recreation and open space.**

A. Purpose: This section describes the review process for parks, recreation and open space uses in residential zones, and provides development standards applicable to those uses in specified zones. Parks, recreation and open space uses are generally permitted outright in non-residential zones, as specified in the pertinent sections of the Zoning Code.

\* \* \*

#### **D. Development standards**

1. Applicability: The standards contained in this section are specific to parks, recreation and open space uses, and are meant to be applied along with other applicable regulations.

The following standards apply to both permitted and conditional parks, recreation and open space uses, whether or not a permit or authorization is required. Additional requirements may be imposed through the Conditional Use Permit process, when required per Section 13.06.560.C.

#### **2. Standards**

a. Identification signage. Every park or recreation use (excluding passive open space) must be furnished with at least one sign, legible from an abutting public right-of-way, indicating the name of the site, the parties responsible for its management, and sufficient information for members of the public to contact those parties. The City of Tacoma and Metro Parks Tacoma's name constitutes adequate contact information. The required identification sign shall meet the requirements of Section 13.06.520 and does not constitute an additional sign allowance.

b. Ancillary sales and service features. Within residential zoning districts, commercial activities clearly ancillary to the recreational function may be located within parks, recreation or open space sites provided the following:

- (1) Only food sales, park or recreation-oriented concessions, or rental of recreational equipment are permitted;
- (2) The feature must be a minimum of 100 feet from adjacent residentially zoned properties;
- (3) Hours of operation are limited to the hours the park is open to the public;
- (4) The footprint may not exceed 500 square feet;
- (5) No signage visible from public rights-of-way is permitted;

(6) More substantial sales and service features may be considered through the Conditional Use Permit process, as part of a destination facility or high-intensity recreation facility as defined in Section 13.06.560.C.

Refer to Chapter 8.27 Parks Code, and to Sections 13.06.500 and 13.06.600 for the following requirements pertinent to parks, recreation and open space uses:

- 13.06.501 Building Design Standards
- 13.06.502 Landscaping and buffering standards.
- 13.06.510 [Off-street parking and storage areas.](#)
- 13.06.511 Transit Supportive Facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.
- 13.06.602 General restrictions.

\* \* \*

### **13.06.630 Nonconforming parcels/uses/structures.**

A. Scope and purpose. Within the zones established by this title there exist parcels, uses, and structures which were lawful when established, but whose establishment would be prohibited under the requirements of this title. The intent of this section is to allow the beneficial development of such nonconforming parcel, to allow the continuation of such nonconforming uses, to allow the continued use of such nonconforming structures, and to allow maintenance and repair of nonconforming structures. It is also the intent of this section, under certain circumstances and controls, to allow the enlargement, intensification, or other modification of nonconforming uses and structures, consistent with the objectives of maintaining the economic viability of such uses and structures, and protecting the rights of other property owners to use and enjoy their properties. However, relief for nonconforming uses shall be narrowly construed, recognizing that nonconforming uses are disfavored by state law.

Parcels, uses, and/or structures shall be considered legally nonconforming if such parcel, uses, and/or structure were legally created prior to May 18, 1953, or if such legally created parcel, use, and/or structure became nonconforming by reason of subsequent changes in this chapter.

Pre-existing uses or structures located within a wetland, stream or their associated buffers that were lawfully permitted prior to adoption of the Tacoma Municipal Code (TMC) Chapter 13.11, Critical Areas Preservation Ordinance (CAPO), but were not in compliance with the CAPO, shall be subject to the applicable provisions of this section and [TMC Sections 13.11.140 and 13.11.160](#), shall comply with the requirements of TMC Chapter 13.11.

B. Nonconforming parcels. Except as otherwise required by law, a legal nonconforming parcel, which does not conform to the minimum lot area, minimum lot width, and/or minimum lot depth requirements of this title, nevertheless, may be developed subject to all other development standards, use restrictions, and other applicable requirements established by this title.

Parcel modifications, such as boundary line adjustments, property combinations, segregations, and short and long plats shall be allowed, without need for a variance, to modify existing parcels that are nonconforming to minimum lot size requirements, such as minimum area, width or frontage, and minimum dimensional requirements, such as setbacks, yard area, and lot coverage, as long as such actions would make the nonconforming parcel(s) more conforming to the existing requirements and would not create any new or make greater any existing nonconformities.

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### **13.06.640 Conditional use permit.**

A. 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 (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

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#### **FM. Large Scale Retail**

1. Purpose. The purpose of the conditional use permit review process for large scale retail uses is to determine if the proposal is appropriate in the location and manner proposed and, recognizing the size and scale of such developments and their significant impact on the ability for the community to achieve its long-term vision and goals, to ensure that such developments represent an exceptional effort to support the intent and policies of the Comprehensive Plan and respond to the vision, issues, and concerns of the specific neighborhood. It is critical to ensure that such proposals incorporate design strategies, beyond the typical design and development standards, that will ensure such projects represent a positive contribution to the community and mitigate their size, scale, traffic volumes, and other potential impacts that are typically associated with large scale retail developments.

2. Applicability. This section shall apply to the development of large scale retail uses that exceed the applicable size thresholds for the zoning district in which the proposal is located (as noted in the use tables found in Sections 13.06.200, 13.06.300, and 13.06.400). This section shall not apply to existing large scale retail uses or the reuse of existing buildings, unless such projects involve additions to the existing building(s) that exceed the minor modification thresholds in Section 13.05.080 or expansions within buildings permitted after February 16, 2012, that exceed 50 percent of the previously permitted use area.

3. Criteria. Where allowed, a conditional use permit for a large scale retail use shall only be approved upon a finding that such development is consistent with all of the standard decision criteria for conditional use permits, as outlined above under Subsection C, and all of the following additional decision criteria at subsections a. through f. below. For projects that involve expansions to an existing large retail use but do not involve significant building expansion (as outlined above under Subsection J.2) these additional decision criteria shall be applied as deemed appropriate by the Hearing Examiner, recognizing the limitations of incorporating significant site design modifications as part of such a remodel/expansion project.

a. The proposed development is designed in a manner that allows for future reuse of the building(s) by multiple tenants. This may be accomplished by incorporating a variety of different design elements, including provision of several tenant spaces of varying sizes within the building(s) or the ability to practicably modify the building(s) in the future with building separations and modifications to access, mechanical systems, and other components that would accommodate multi-tenant reuse.

b. The design of off-street parking areas represent a substantial effort to ensure enhanced pedestrian safety and comfort. Appropriate parking lot design strategies include segmenting surface parking areas into smaller groupings with interspersed buildings, pedestrian features, frequent pedestrian pathways, landscaping, and other focal points, limiting the quantity of off-street parking provided, and/or provision of structured parking for a portion of the on-site parking provided.

c. The type and volume of traffic and existing and proposed traffic pattern allows for accessibility for persons and various modes of transportation. Adequate landscaping, screening, open spaces, and/or other development components are provided as necessary to mitigate the traffic impact upon neighboring properties. In addition, pedestrian-oriented design is further emphasized within Mixed-Use Centers to maintain connectivity between uses and all modes of transportation, including bicycle, pedestrian, and mass transit options.

d. Business activity, including delivery and hours of operation, is limited to avoid unnecessary noise and light impacts to surrounding residential uses. Outdoor storage or garden areas are appropriately screened from view or contained within a structure.

e. In Mixed-Use Centers, the design of the overall development represents an exceptional effort to positively contribute to the desired and planned character of the district, as outlined in the Comprehensive Plan. This may be accomplished through incorporation of enhanced development features, such as providing a variety of uses, structured parking, multiple floors to allow for smaller building footprints, incorporation of residential units within the building or overall development site, smaller-scale storefront design along the street level, [Low-Impact Development BMPs and Principles techniques](#), and a diverse array of public spaces, including indoor and outdoor spaces, active and passive spaces, and plazas and garden spaces.

f. For projects on sites along a designated pedestrian street or core pedestrian street (see Sections 13.06.200.E and 13.06.300.C) the site and building design provides a significant emphasis on pedestrian-orientation over vehicular-orientation. This may be accomplished through encouraging direct, continuous, and regular pedestrian access, incorporating an internal pedestrian circulation system that provides connections between buildings, through parking areas, to the street and transit linkages, and to surrounding properties and neighborhoods, incorporating continuous and active uses and spaces along pedestrian street frontages and internal pedestrian pathways, and limiting conflicts between pedestrians and vehicles, particularly along the designated street.

4. An application for a conditional use permit for large scale retail use shall be processed in accordance with the provisions of Chapter 13.05, except with the following additional requirement:

Pre-application community meeting. Prior to submitting an application to the City for a conditional use permit for a large scale retail use, it is recommended that the applicant hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed development. The meeting should acquaint the neighbors of the proposed development with the applicant and/or developers and provide for an exchange of information about the proposal and the community, including the characteristics of the proposed development and of the surrounding area and any particular issues or concerns of which the applicant should be made aware. It is recommended that the applicant provide written notification of the meeting, at least 30 calendar days prior to the meeting date, to the appropriate neighborhood council [pursuant to TMC 1.45 and neighborhood business district pursuant to TMC 1.47](#), qualified neighborhood and community organizations, and to the owners of property located within 1,000 feet of the project site.

5. Upon issuance, the Hearing Examiner's decision may be appealed subject to procedures contained in Chapter 1.23.

[N. Discontinued conditional uses. Any authorized conditional use that has been discontinued for a period of three or more years may not be reestablished or recommenced except pursuant to a new conditional use permit. The Director may, in specific cases, authorize an extension of up to one year. In reviewing requests for this extension, the Director shall consider the following:](#)

[1. Impacts to the community that may result from the reestablishment of the use; and](#)

[2. Whether a reasonable effort has been made by the owner/applicant to maintain the property and use.](#)

[O. Master plan process for conditional uses. Master plans provide conditional uses the flexibility to receive overall approval of long-term development plans which may occur in phases and extend beyond the standard timeframe for conditional use permits. This process is especially appropriate for large, campus-like facilities with multiple uses and/or buildings that may undergo continuous expansion/improvement. The master plan serves as an overall review in which general development intentions are outlined, implementation phasing is determined and conditions, improvements, and mitigations are outlined consistent with the project phases. The decision shall identify the duration of the master plan approval, any required periodic reviews, and any additional future notification and review requirements, which may be appropriate for future phases that may not have complete detail in the initial master plan approval.](#)

### **13.06.645 Variances.**

A. Administration.

1. All variances shall be processed in accordance with provisions of Chapter 13.05. Certain regulatory relief may be sought consistent with sections below that provide for potential variances in specified development situations.



2. A minor variance is one in which the code relief requested is within 10 percent of the quantified standard contained in the code and shall be processed in accordance with 13.05.020.B. Minor variances may be granted for quantitative development regulations (~~bulk, area~~), other than height, accessory building height, design, sign regulations, and off street quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.

3. A variance is one in which the code relief requested is beyond the threshold outlined above for minor variances and shall be processed in accordance with 13.05.020.C.

4. Both types of variances shall be subject to the same decision criteria found in this section. Minor variances shall not be granted for height in the View Sensitive Overlay District and for qualitative standards to which a 10 percent threshold would not apply.

5. In the exercise of his or her powers to grant variances to, or interpret, the regulations contained in this chapter, the Director and Hearing Examiner may not, by any act or interpretation, change the allowed use of a structure or land, change the boundaries of a zoning district, or change the zoning requirements regulating the use of land.

#### B. Specified variances.

##### 1. Variance to development regulations (bulk, area).

a. Applicability. These shall include variances to building setbacks, building location, building height, lot coverage, lot area, lot width, lot frontage, yard space, and minimum-density requirements. These shall not include variance to sign development standards, to design standards, ~~height~~, parking lot development standards, or off-street parking quantity standards.

b. Criteria. The Director may, in specific cases, authorize a variance to the development regulations, subject to the criteria set forth below. In granting a variance, the Director or Hearing Examiner may attach thereto such conditions regarding the location, character and other features of the proposed structure as may be deemed necessary to ensure consistency with the intent of the Code and Comprehensive Plan and to ensure that the use of the site will be as compatible as practicable with the existing development on the site and surrounding uses. In instances in which a variance to building height is approved, no occupiable space above the district height limit shall be added.

All of the following facts and circumstances must exist:

(1) The restrictive effect of the specific zoning regulation construed literally as to the specific property is unreasonable due to unique conditions relating to the specific property, and which do not result from the actions of the applicant, such as: parcel size; parcel shape; topography; location; documentation of a public action, such as a street widening; proximity to a critical area; location of an easement; or character of surrounding uses.

(2) The requested variance does not go beyond the minimum necessary to afford relief from the specific hardship affecting the site.

(3) The grant of the variance would allow a reasonable use of the property and/or allow a more environmentally sensitive site and structure design to be achieved than would otherwise be permitted by strict application of the regulation, but would not constitute a grant of special privilege not enjoyed by other properties in the area.

(4) The grant of the variance will not be materially detrimental or contrary to the Comprehensive Plan and will not adversely affect the character of the neighborhood and the rights of neighboring property owners.

(5) The grant of the variance will not cause a substantial detrimental effect to the public interest.

(6) Standardized corporate design and/or increased development costs are not cause for variance.

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##### 5. Variance to sign regulations.

a. Applicability. Variances to sign regulations found in Section 13.06.520, 13.06.521, and 13.06.522 shall be categorized as one of the following:

(1) Level 1 Sign Variances: Any sign variance request for up to a 25 percent increase in the permitted sign area or height or to allow an increase in the permitted number of signs. Such variance requests shall be reviewed against the criteria outlined in Section 13.06.645.B.5.b. In no instance, shall a Level 1 Sign Variance allow the height of a sign to exceed 35 feet or exceed the height of the building it identifies, whichever is lower, if located on a site with freeway frontage.

(2) Level 2 Sign Variances: Any sign variance request beyond 25 percent of the permitted sign size or height and any request for relief from sign setback, separation, location, or other sign standard not identified above. Such requests shall be reviewed against the criteria outlined in Sections 13.06.645.B.1.b and 13.06.645.B.5.b.

b. Criteria. The Director may approve a sign variance for one or more of the following reasons:

- (1) The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.
- (2) The proposed signage will preserve a desirable existing design or siting pattern for signs in an area, including, but not limited to, size, materials, color, lettering, and location.
- (3) The proposed signage will minimize view obstruction or preserve views of historically or architecturally significant structures.
- (4) In a shopping center or mixed-use center, the proposed sign plan provides an integrated sign program consistent with the overall plan for the center.
- (5) In a shopping center or mixed-use center, the variance is warranted because of the physical characteristics of the center [or site](#), such as size, shape, or topography, or because of the location of signs in existence on the date of passage of this section.

### **13.06.650 Application for rezone of property.**

A. Application submittal. Application for rezone of property shall be submitted to Planning and Development Services. The application shall be processed in accordance with the provisions of Chapter 13.05. Final action on the application shall take place within 180 days of submission.

B. Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Comprehensive Plan.
2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Comprehensive Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.
5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

C. Amendment of boundaries of districts.

1. Whenever this chapter has been, or is hereafter, amended to include in a different district, property formerly included within classified district boundaries of another district, such property shall be deemed to thereupon be deleted from such former district boundaries.

2. [Unless specifically classified otherwise, zoning district boundaries shall be considered to extend to the centerline of rights-of-way.](#) Right-of-way, which has had prior approval for vacation pursuant to Chapter 9.22 or which is hereafter approved for vacation, shall be deemed to be added to the district boundaries of the property which the vacated right-of-way abuts. In instances where a vacated right-of-way is bordered on one side by a district which is different from the district on the other side, the right-of-way shall be deemed to be added apportionately to the respective districts.

D. Limitation on rezones in downtown districts. After the area-wide reclassification establishing the downtown district boundaries has occurred, no property shall be reclassified to a downtown district, except through a subsequent area-wide reclassification.

E. Limitations on rezones in Mixed-Use Centers. After adoption of the area-wide reclassifications establishing and confirming the Mixed-Use Center zoning district boundaries in 2009, no property shall be reclassified to or from a Mixed-Use Center zoning district (X-district) except through a subsequent area-wide reclassification.



F. Limitations on rezones in certain overlay zoning districts. The boundaries of the following area-wide zoning overlay districts can only be amended through another area-wide reclassification: view-sensitive, groundwater protection, manufacturing/industrial center, and historic and conservation overlay districts.

G. Area-wide reclassifications adopted by the City Council supersede any previous reclassifications and any conditions of approval associated with such previous reclassifications.

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### **13.06.700 Definitions and illustrations.**

For the purposes of this chapter, 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.

#### **13.06.700.A**

Abandonment of wireless facility. The termination or shutting-off of electrical power to a wireless communication tower and/or associated antenna and equipment facility for a period of one calendar year or more. The records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of power termination.

Accessory antenna device. An antenna including, but not limited to, test, mobile, and global positioning (GPS) antennas which are less than 12 inches in height or width, excluding the support structure.

Accessory building. An accessory building, structure, or portion thereof which is subordinate to and the use of which is incidental to that of the main building, structure, or use, and which is not considered as a main building or a building used for dwelling purposes. If an accessory building is attached to the main building by a substantial connection ~~or is within six feet of the main building~~, such accessory building shall be considered as a part of the main building;

Accessory dwelling unit. A second subordinate dwelling unit located on the same lot as a single-family dwelling (hereinafter referred to as the “main dwelling”) and either within the same building as the main dwelling or in a detached building, with a provision for independent cooking, living, sanitation, and sleeping.

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Confidential shelter. Shelters for victims of domestic violence, as defined and regulated in RCW 70.123 and WAC [388-61A-248-554](#). Such facilities are characterized by a need for confidentiality.

\* \* \*

Government offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

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

Green roof. ~~See Vegetated roof. A green roof is a roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. This does not refer to roofs which are merely colored green, as with green shingles. Container gardens on roofs, where plants are maintained in pots, are not considered to be true green roofs.~~

Grocery store, full service. A grocery store that sells a broad range of food products that typically include fresh meats, canned and prepared foods, fresh fish, fresh eggs, fresh produce, fresh dairy products, frozen foods, and baked goods.

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~~Low Impact Development. Low Impact Development is a stormwater management strategy that emphasizes conservation and the use of natural site features, including transplanted and retained trees, integrated with engineered, small-scale stormwater controls to more closely mimic predevelopment hydrologic conditions.~~

Low Impact Development. A stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of onsite natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low Impact Development Best Management Practices (LID BMPs). Distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout infiltration and dispersion, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water reuse. LID BMPs shall be designed in accordance with the Stormwater Management Manual.

Low Impact Development Principles. Land use management strategies that emphasize conservation, use of onsite natural features, and site planning to minimize impervious surfaces, native vegetation loss and stormwater runoff.

\* \* \*

13.06.700.V

Variance. The procedure by which the strict application of the provisions of this title relating to height, area, setbacks, parking, design and other such development standards may be modified for a particular project based on special circumstances applicable to the specific property and/or project. Variances cannot change the underlying zoning or allow for uses that are otherwise prohibited. Since variances are an adjustment to the standards, projects that have received approval of a variance shall be considered to be conforming to that standard.

Variance, minor. A variance in which the relief requested is within 10 percent of the quantified standard contained in the code.

Vegetated roof. (also known as green roofs) Thin layers of engineered soil and vegetation constructed on top of conventional flat or sloped roofs. Vegetated roofs shall be designed in accordance with the SWMM.

Vegetated wall. A vegetated wall is a vertical surface designed and planted to be covered at maturity by plants that:

- Can include the wall of a structure (such as a masonry wall), or a trellis or lattice structure either free standing or on the side of a building, or a wire screen or other framework that allows coverage by plants.
- Is at least 6 feet tall, unless specifically allowed at a lower height;
- Does not consist of invasive species; and
- Has demonstrated viability in the planned environment.

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## Chapter 13.06A DOWNTOWN TACOMA

\* \* \*

### 13.06A.065 Parking Standards

A. Purpose and Applicability. The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land in downtown that is currently dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environment.

\* \* \*

E. Surface parking lots on Primary Pedestrian Streets within the RPA boundary

1. The following regulations are intended to promote a walkable, dense, urban environment on Primary Pedestrian Streets which is both aesthetically pleasing and commercially vibrant. The use of landscaping and publicly accessible amenities should be used to create harmony between vehicle and pedestrian areas.
2. Construction of a new surface parking lot to serve as a commercial parking facility is prohibited.
3. Dedicated surface parking areas shall be located on the same site as the principle use.
4. The location of on-site surface parking areas is limited to the area behind the front wall line of the structure, within, or under the structure; and for corner sites surface parking shall not be located at the corner.
5. The maximum width of on-site surface parking areas along the frontage of Primary Pedestrian Streets, including driveways, is limited to 60 feet. Portions of surface parking that are more than 40 feet back from the property line along a Primary Pedestrian Street can exceed this width limitation. If the remaining area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
6. The expansion of an existing surface parking area located along the frontage of a Primary Pedestrian Street is prohibited. However, surface parking areas can be expanded as long as any such expansion is located at least 40 feet back from the property line along the Primary Pedestrian Street. If this remaining setback area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
7. At a minimum, the required setback area shall be landscaped consistent with Landscape Type B found in Section 13.06.502.F. Alternatively, a minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; [vegetated Low Impact Development Best Management Practices \(LID BMPs\)](#), public art as approved by appropriate City Commissions; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City.
  - a. The setback area shall be clearly identified with signage placed at a visible location with lettering visible to passersby indicating the nature of the setback area and, if appropriate, its availability to the general public.
  - b. The maintenance of the setback area shall be the responsibility of the property owner for the life of the associated building or the parking area, or until such time as the setback area is developed with a structure that is in conformance with this chapter.
  - c. If intended to be publicly accessible, the area shall be clearly and directly connected from the adjacent sidewalk meeting Accessibility Standards.

### 13.06A.070 Basic design standards.

A. A variance to the required standards may be authorized, pursuant to Section 13.06A.110.

B. If a building is being renovated in accordance with the Secretary of Interior's Standards for Treatment of Historic Properties, and a conflict between the basic design standards or additional standards and the Secretary's Standards occurs, then the Historic Preservation Criteria and Findings made by the Tacoma Landmarks Preservation Commission shall prevail.

C. Standards Applicable to Development in All Districts.

1. The basic design standards and additional standards applicable to the DCC and DR districts, except as otherwise noted, shall apply to all new construction, additions, and substantial alterations.
2. All rooftop mechanical for new construction shall be screened or located in a manner as to be minimally visible from public rights-of-way. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. If

the project proponent demonstrates that the function and integrity of the HVAC equipment would be compromised by the screening requirement, it shall not apply. This standard shall not apply to existing buildings undergoing substantial alteration.

3. Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear feet of frontage, with tree grates or alternative pervious surface materials covering the pits, in conformance with the General Landscaping requirements of TMC 13.06.502. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees and grates should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.

a. The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc.

b. Tree pits shall be covered by tree grates, or alternative pervious surface materials, to accommodate pedestrians in the planting area. The use of tree grates or alternative pervious surface materials will be determined by the presence of existing grates or surface materials in the district, and the width and function of the sidewalk.

c. Residential development may substitute plantings for grates or alternative tree pit pervious surface materials.

d. Where existing areaways, vaults or insufficient sidewalk widths prevent this form of planting, trees may be planted in planters that are generally in conformance with the Tacoma Downtown Streetscape Study and Design Concepts and the technical guidance of the Urban Forest Manual.

4. Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below:

a. At least 25 percent of the linear sidewalk level frontage shall consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations; or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.

b. The floor area abutting at least 25 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above, and may be occupied by any use allowed in the zoning district. The area designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.

(1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.

(2) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade.

(3) The sidewalk level façade must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above.

(4) At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, [vegetated LID BMPs](#), or other amenities.

5. Any sidewalk level façade of a new building, an addition to a building, or a substantially altered building that faces a street shall have at least 20 percent of the area located between 2 feet above grade and 12 feet above grade in transparency through the use of windows, doors, or window displays. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, residential, or commercial uses at the sidewalk level. A decorative grille, work of art, or a similar treatment may be used to meet this standard on those portions of the sidewalk level façade where it can be demonstrated that the intrusion of natural light is detrimental to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms. In no instances shall the

amount of transparency present in existing buildings be decreased below this standard. This standard shall also apply when 50 percent or more of the sidewalk level façade is altered.

A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, [vegetated LID BMPs](#), unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities.

6. Development shall also comply with the General Landscaping requirements of Section 13.06.502, the requirements as established in Section 13.06.511, Transit Support Facilities and Section 13.06.512, Pedestrian and Bicycle Support Standards.

7. New driveways shall meet the driveway location requirements of TMC 10.14.050 and the following additional standards.

a. Maximum driveway width on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street is 25 feet.

b. All driveways on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street shall be no closer than 150 feet as measured to their respective centerlines, provided that there will be allowed at least one driveway from each development to each abutting street.

c. All driveways on a street having light rail or streetcar lines shall be equipped with a sign to warn exiting vehicles about approaching trains.

d. All driveways located on a Primary Pedestrian Street shall be equipped with audible warning signals to announce exiting vehicles.

e. Variances to the required standards may be authorized pursuant to Section 13.06A.110.

8. Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

9. Where pedestrian light standards or parking lot light standards are provided, they shall be placed a minimum of 10 feet from trees. However, limited flexibility in the placement of light standards shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

10. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture.

11. See section 13.06.513 for standards pertaining to drive-throughs.

#### D. Additional Standards Applicable to Development Within the Downtown Commercial Core.

1. The maximum square feet of setback area for new and substantially altered structures and additions fronting on a Primary Pedestrian Street shall be determined by multiplying 75 percent of the linear sidewalk level frontage by a factor of 10. The setback area or areas can only be used for entrance areas and space devoted to exterior public spaces, pedestrian amenities, landscaping, [vegetated LID BMPs](#), or works of art. Parking is prohibited in the setback areas.

2. Any new building, or any substantially altered structure located along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below.

a. At least 50 percent of the linear sidewalk level façade shall be occupied by any of the following uses: retail; restaurants; cultural or entertainment uses; hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations, or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.

b. The floor area abutting at least 50 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above and may be occupied by any use allowed in the zoning district. The areas designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.

(1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.

(2) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade.

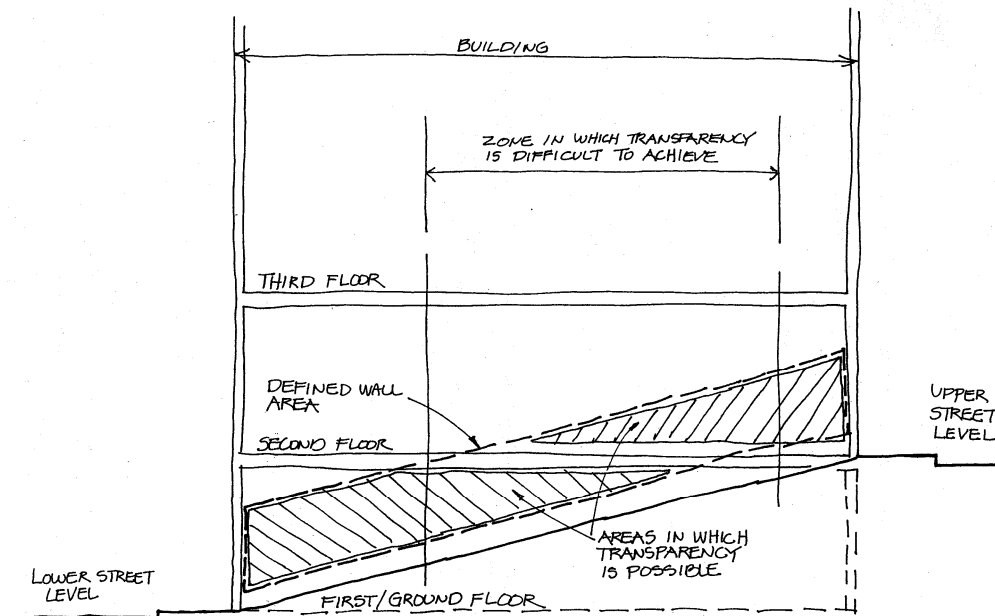
(3) The sidewalk level façade must include an entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above.

(4) At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, [vegetated LID BMPs](#), unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities

3. The sidewalk level façade of any new or substantially altered structure and/or of an addition along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall include the following. This standard shall also apply when 50 percent of the sidewalk level façade is altered.

a. At least 60 percent of the façade area between 2 feet above grade and 12 feet above grade shall consist of transparency through the use of windows, doors, or window displays except that the transparency standard shall be reduced to 50 percent if at least 50 percent of the sidewalk level façade is occupied with uses listed in subparagraph 2 a. above. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard may be reduced for buildings located on a sloping site by eliminating application of this standard to that portion of the building façade where the slope makes application of the requirement impracticable as shown in the illustration below. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, or commercial uses at the sidewalk level. A decorative grille, work of art, or similar treatment may be used to meet this standard on those portions of the façade where it can be demonstrated that the intrusion of natural light is detrimental to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories and classrooms. In no instance shall the amount of transparency present in existing buildings be decreased below this standard.



A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, [vegetated LID BMPs](#), unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities.

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**13.06A.080 Design Standards for Increasing Allowable FAR.**

A. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 0.5, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
2. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:
  - a. Seating in the amount of one sitting space for each 100 sf of area.
  - b. Trees and other plantings, which could include vegetated LID BMPs.
  - c. Solar exposure during the summer.
  - d. Visibility from the nearest sidewalk.
  - e. Within 3' of the level of the nearest sidewalk.
3. Incorporation of works of art into the public spaces, exterior façade, or entrance lobby.
4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of vegetated roofs “green roofs” which reduce storm water runoff. Access by building occupants is encouraged.
5. Including a Public Benefit Use within the development.
6. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.

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## Chapter 13.09

### SOUTH TACOMA GROUNDWATER PROTECTION DISTRICT

\* \* \*

#### 13.09.040 Definitions.

For the purpose of this chapter, certain words and terms are defined as follows:

A. “Abandon” means an aboveground storage tank, underground storage tank, or other container used for storage of hazardous substances left unused for more than one year, without being substantially emptied or permanently altered structurally to prevent reuse.

B. “Aboveground storage tank” means a device meeting the definition of “tank” in this section and that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

\* \* \*

R. “Hazardous substance(s)” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity which may pose a present or potential hazard to human health or to the quality of the drinking water supply in the South Tacoma aquifer system when improperly used, stored, transported, or disposed of or otherwise mismanaged, including without exception:

1. Those materials that exhibit any of the physical, chemical or biological properties described in Department of Ecology’s 173-303-082 WAC, 173-303-090 WAC, or 173-303-100 WAC as may be amended from time to time; and
2. Those materials set forth in the General Guidance and Performance Standards hereinafter referred to;
3. Petroleum products and by-products, including crude oil or any fraction thereof such as gasoline, diesel, and waste oil which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute); and
4. Any substance or category of substances meeting the definition of a hazardous substance under Chapter 173-340 WAC as may be amended from time to time.

S. “Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

ST. “High-impact use” means a business establishment that is considered to be hazardous and/or noxious due to the probability and/or magnitude of its effects on the environment. For purposes of this chapter, these uses or establishments possess certain characteristics, which pose a substantial or potential threat or risk to the quality of the ground and surface waters within the South Tacoma Groundwater Protection District.

TU. “Impervious surface” means natural or man-made material on the ground that does not allow surface water or contaminants to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc.

UV. “Manifest” means the shipping document, prepared in accordance with the requirements of Department of Ecology’s 173-303-180 WAC as may be amended from time to time, which is used to identify the quantity, composition, origin, routing, and destination of a hazardous waste while it is being transported to a point of transfer, disposal, treatment, or storage.

VW. “Misdemeanor” means any crime punishable by a fine not exceeding \$1,000, or imprisonment not exceeding 90 days, or both, unless otherwise specifically defined.

WX. “Omission” means a failure to act.

XY. “On-site” means the same or geographically contiguous property which may be divided by public or private right of way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Noncontiguous properties owned by the same person but connected by a right of way, which they control and to which the public does not have access, are also considered on-site property.

YZ. “Operator” means the person responsible for the overall operation of a facility.

ZAA. “Permeable surfaces” means sand, gravel, and other penetrable deposits or materials on the ground which permit movement of materials, such as groundwater or contaminants, through the pore spaces, or active or abandoned wells which permit the movement of fluid to the groundwater.



AABB. “Person” means any individual, trust, joint stock company, corporation (including government corporation), partnership, association, consortium, joint venture, commercial entity, state, municipality, commission, political subdivision of a state, interstate body, the federal government, or any department or agency of the federal government.

BBCB. “Person responsible for the violation” means any person that commits any act or omission which is a violation or causes or permits a violation to occur or remain on the property or regulated facility, and includes but is not limited to owners(s), lessor(s), tenant(s), or other person(s) entitled to control, use, and/or occupy property or the regulated facility where a violation occurs, and any person who aids and abets in a violation.

DD. “Pollution-generating hard surface (PGHS)” means those hard surfaces considered to be a significant source of pollutants in stormwater runoff. See the listing of surfaces under pollution-generating impervious surface.

CEEE. “Pollution-generating impervious surface (PGIS)” means those impervious surfaces considered to be a significant source of pollutants in stormwater runoff. Such surfaces include those that are subject to: regular vehicular use; industrial activities (involving material handling, transportation, storage, manufacturing, maintenance, treatment or disposal); or storage of erodible or leachable materials, waste or chemicals, and which receive direct rainfall or the run-on or blow-in of rainfall. Metal roofs are also considered to be PGIS unless they are coated with an inert, non-leachable material. Roofs that are subject to venting significant amounts of dusts, mists, or fumes from manufacturing, commercial, or other indoor activities are considered PGIS.

DDFF. “Pollution-generating pervious surfaces (PGPS)” means any non-impervious surface subject to vehicular use, industrial activities (as further defined in the glossary of the *Stormwater Management Manual for Western Washington (SWMWW)*; or storage of erodible or leachable materials, wastes, or chemicals, and that receive direct rainfall or run-on or blow-in of rainfall, use of pesticides and fertilizers, or loss of soil. Typical PGPS include permeable pavement subject to vehicular use, lawns, and landscaped areas including: golf courses, parks, cemeteries, and sports fields (natural and artificial turf).

DDGG. “Recharge areas” means areas of permeable deposits exposed at the surface which transmit precipitation and surface water to the aquifer.

EEHH. “Regulated facility” means any facility with one or more of the following: underground storage tank(s), aboveground storage tank(s), hazardous substances at regulated quantities, or stormwater infiltration unit(s) subject to regulation under section 13.09.080 of this chapter.

FFII. “Release” means intentional or unintentional entry, spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of a hazardous substance, as defined in this section, into the environment and includes the abandonment or discarding of barrels, containers, and other receptacles containing hazardous substances. Should the definition of “release” in RCW 70.105D.020(20) be amended from time to time, then such amendment is incorporated herein by reference as if set forth at length.

GGJJ. “Release detection” means a method or methods of determining whether a release or discharge of a hazardous substance has occurred from a regulated facility into the environment.

HHKK. “Retail business use” means a use in which individually packaged products or quantities of hazardous substances are rented or sold at retail to the general public and are intended for personal or household use.

LLLL. “Solid waste” means all putrescible and non-putrescible solid and semi-solid waste, including, but not limited to, garbage, rubbish, ashes, industrial waste, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

MMMM. “Stormwater” means water derived from a storm event or conveyed through a storm system.

KKNN. “Stormwater infiltration unit” means an impoundment, typically a pond, trench, or bio-infiltration swale which collects stormwater and allows it to percolate into surrounding soil.

LOOO. “Substantial modifications” means the construction of any additions to an existing facility, or restoration, refurbishment, or renovation which:

1. Increases or decreases the in-place storage capacity of the facility;
2. Alters the physical configuration;
3. Impairs or affects the physical integrity of the facility or its monitoring systems; or
4. Alters or changes the designated use of the facility.

MMPP. “Surface water” means water that flows across the land surface, in natural channels not considered a stormwater conveyance system, or is contained in depressions in the land surface, including but not limited to wetlands, ponds, lakes, rivers, and streams.

NNQQ. “Tank” means a stationary device designed to contain an accumulation of hazardous substances, and which is constructed primarily of non-earthen materials to provide structural support.

OOORR. “Temporary closure” means to take a tank out of service for more than one month and less than one year.

PPSS. “TMC” means the Tacoma Municipal Code.

QQTT. “Underground storage tank” means any one or a combination of tanks (including underground pipes connected thereto) which are used to contain or dispense an accumulation of hazardous substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. Specific exemptions to this definition are contained in Section 13.09.090 TMC.

RRUU. “Violation” means an act or omission contrary to the requirement of the chapter, and includes conditions resulting from such an act or omission.

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## Chapter 13.11 CRITICAL AREAS PRESERVATION

\* \* \*

### 13.11.200 Allowed Activities.

A. Purpose. The purpose of this section is to allow certain activities that are unlikely to result in critical area impacts. The activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. All activities shall use reasonable methods to avoid and minimize impacts. Any incidental damage to, or alteration of, a critical area, or buffer, shall be restored or replaced at the responsible party's expense.

B. The following activities may occur without City review or approval in compliance with the purpose stated above.

1. The maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public provided such work does not expand the footprint of the facility or right-of-way or alter any regulated critical area or buffer. Activities must be in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area.
2. The maintenance and repair of legally existing roads, structures, or facilities used in the service of the public to provide stormwater services may occur provided such work is in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provides all known and reasonable protection methods for the critical area, and does not expand further into the critical area.
3. Holding basins and detention ponds that are part of the municipalities storm-water system are exempt from the permit provisions of this chapter when such holding basin ~~and/or~~ detention ponds is controlled by an engineered outlet.

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### 13.11.210 Activities Allowed with Staff Review.

A. Purpose. The purpose of this section is to allow City staff review to determine whether potential impacts to a critical area or buffer may occur, without requiring a critical area permit. The staff review will ensure the activity meets the specific criteria below.

B. The following activities require review by City staff. Review and authorization may occur over-the-counter or staff may issue a letter of approval with conditions. Additional information and studies may be requested. Activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. Any incidental damage to, or alteration of, a critical area shall be restored or replaced at the responsible party's expense.

1. Emergencies. Those activities necessary to prevent an immediate threat to public health, safety, or welfare or pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for normal processing. Emergency actions that create an impact to a critical area or its buffer shall use best management practices to address the emergency and, in addition, the action must have the least possible impact to the critical area or its buffer.

The person or agency undertaking such action shall notify the City within one (1) working day following the commencement of the emergency activity. The City shall determine if the action taken was within the scope of an emergency action and following that determination, may require the action to be processed in accordance with all provisions of this chapter including the application of appropriate permits within thirty (30) days of the impact. The emergency exemption may be rescinded at any time upon the determination by the City that the action was not, or is no longer necessary.

After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary mitigative actions including, but not limited to, restoration and rehabilitation or other appropriate mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved mitigation plan. All mitigation activities must take place within one (1) year following the emergency action and impact to the critical area, or within a timeframe approved by the City and reflected within an approved schedule. Monitoring will be required as specified in the General Mitigation Requirements (Section 13.11.270).

2. Maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public may occur following review where alteration of the critical area or buffer is unavoidable. All activities must be in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area and shall not expand further into the critical area.

\* \* \*

10. Voluntary enhancement of a critical area or buffer that exceeds the provisions above in 13.11.200.B.56 may be allowed if the activity meets the requirements of this section.

\* \* \*

### **13.11.230 Application Submittal Requirements.**

A. The purpose of information submittal and review is to require a level of study sufficient to protect critical areas and/or the public from hazards. All information submitted shall be reviewed as to its validity and may be rejected as incomplete or incorrect. Additional information or electronic copies of all information may be requested for review and to ensure compliance. In the event of conflicts regarding information submitted, the Director may, at the applicant's expense, obtain expert services to verify information.

B. The following items are required for permit review and approval, where applicable depending upon the project and permit type, and as determined necessary by City staff.

1. A Joint Aquatic Resource Permit Application and vicinity map for the project.

2. A surveyed site plan that includes the following:

a. Parcel line(s), north arrow, scale and two foot contours.

b. Location and square footage for existing and proposed site improvements including, utilities, stormwater and drainage facilities, construction and clearing limits, and off-site improvements. Include the amounts and specifications for all draining, excavation, filling, grading or dredging.

c. The location and specifications of barrier fencing, silt fencing and other erosion control measures.

d. Base flood elevation, floodplain type and boundary and floodways, if site is within a floodplain.

e. Critical Areas including all surveyed, delineated wetland boundaries, and the ordinary high water mark of any stream and their buffers, and all Fish and Wildlife Conservation Areas (FWHCA), and any FWHCA Management Areas.

f. The square footage of the existing critical areas and buffers located on-site and the location and square footage of any impacted areas.

g. Locations of all data collection points used for the field delineation and general location of off-site critical areas and any buffer that extends onto the project site. Location and dominant species for significantly vegetated areas.

h. The location and square footage of impact areas, mitigation areas and remaining critical areas and buffers; including areas proposed for buffer modification.

3. Critical Area report prepared by a qualified professional as defined in 13.11.900.Q. The analysis shall be commensurate with the sensitivity of the critical area, relative to the scale of potential impacts and consistent with best available science. The report must include the following where appropriate:

a. Delineation, characterization and square footage for critical areas on or within 300 feet of the project area and proposed buffer(s). Delineation and characterization is based on the entire critical area. When a critical area is located or extends off-site and cannot be accessed, estimate off-site conditions using the best available information and appropriate methodologies.

(1) Wetland Delineations will be conducted in accordance with the current manual designated by the Department of Ecology, including federally approved manuals and supplements.

(2) The wetland characterization shall include physical, chemical, and biological processes performed as well as aesthetic, and economic values and must use a method recognized by local or state agencies. Include hydrogeomorphic and Cowardin wetland type.

(3) Ordinary high water mark determination shall be in accordance with methodology from the Department of Ecology.

(4) Priority species and habitat identification shall be prepared according to professional standards and guidance from the Washington Department of Fish and Wildlife. Depending on the type of priority species, the review area may extend beyond 300 feet.

b. Field data sheets for all fieldwork performed on the site. The field assessment shall identify habitat elements, rare plant species, hydrologic information including inlet/outlets, water depths, and hydro-period patterns based on visual cues, and/or staff/crest gage data.

c. Provide a detailed description of the project proposal including off-site improvements. Include alterations of ground or surface water flow, clearing and grading, construction techniques, materials and equipment, and best management practices to reduce temporary impacts.

d. Assess potential direct and indirect physical, biological, and chemical impacts as a result of the proposal. Provide the square footage for the area of impact with the analysis. The evaluation must consider cumulative impacts.

e. Identification of priority species/habitats and any potential impacts. Incorporate Washington State Department of Fish and Wildlife and/or US Department of Fish and Wildlife management recommendations where applicable. When required, plan shall include at a minimum the following:

(1) Special management recommendations which have been incorporated and any other mitigation measures to minimize or avoid impacts, including design considerations such as reducing impacts from noise and light.

(2) Ongoing management practices which will protect the priority species and/or habitat after development, including monitoring and maintenance programs.

f. A hydrologic report or narrative demonstrating that pre and post development flows to wetlands and streams will be maintained.

g. Runoff from pollution generating surfaces proposed to be discharged to a critical area shall receive water quality treatment in accordance with the current City's [Surface Water/Stormwater](#) Management Manual, where applicable. Water quality treatment and monitoring may be required irrespective of the thresholds established in the manual. Water quality treatment shall be required for pollution generating surfaces using all known, available and reasonable methods of prevention, control and treatment.

h. Studies of potential flood, erosion, geological or any other hazards on the site and measures to eliminate or reduce the hazard.

\* \* \*

#### **13.11.440 Stream Standards.**

A. Type F1, F2, Np, and Ns1, and Ns2 streams may be relocated or placed in culverts provided it can be demonstrated that:

1. There is no other feasible alternative route with less impact on the environment;

2. Existing location of the stream would prevent a reasonable economic use of the property;

3. No significant habitat area will be destroyed;

4. The crossing minimizes interruption of downstream movement of wood and gravel;

5. The new channel or culvert is designed and installed to allow passage of fish inhabiting or using the stream and complies with WDFW requirements;

6. The channel or culvert also complies with the City Tacoma current Storm-~~W~~water Management Manual.

7. The applicant will, at all times, keep the channel or culvert free of debris and sediment to allow free passage of water and fish;

\* \* \*

#### **13.11.900 Definitions.**

Words and phrases used in this chapter shall be interpreted as defined below. Where ambiguity exists, words or phrases shall be interpreted so as to give this chapter its most reasonable application in carrying out its regulatory purpose.

\* \* \*

Hydrophytic vegetation. Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual.

Hyporheic zone. The saturated located beneath and adjacent to streams that contains some portion of surface water, serves as a filter for nutrients, and maintains water quality.

##### **13.11.900.I**

Impervious surfaces. ~~A hard surface that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarity impede the natural infiltration of stormwater.~~ A non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an

increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

In Lieu Fee Program. An agreement between a regulatory agency (state, federal, or local) and a single sponsor, generally a public agency or non-profit organization. Under an in lieu fee agreement, the mitigation sponsor collects funds from an individual or a number of individuals who are required to conduct compensatory mitigation required under a wetland regulatory program. The sponsor may use the funds pooled from multiple permittees to create one or a number of sites under the authority of the agreement to satisfy the permittees' required mitigation.

In-kind compensation. To replace critical areas with substitute areas whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement "in category."

Infiltration. The downward entry of water into the immediate surface of the soil.

Isolated wetlands. Those wetlands that are outside of and not contiguous to any 100-year floodplain of lake, river or stream, and have no continuous hydric soil or hydrophytic vegetation between the wetland and any surface water.

## Chapter 13.12 ENVIRONMENTAL CODE

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### **13.12.230 Designation and responsibility of the City's SEPA public information center (SEPA PIC).**

A. The SEPA PIC shall maintain a DNS register.

B. The SEPA PIC shall maintain an EIS register including for each proposal the location, a brief description of the nature of the proposal, the date first listed on the register, and a contact person or office from which further information may be obtained.

C. The documents are required to be maintained at the information center for seven years, and shall be available for public inspection, and copies thereof shall be provided upon request. The City may charge for copies in the manner provided by Chapter 42.5647 RCW (~~Public Disclosure and~~ Public Records ~~Act~~Law) and for the cost of mailing.

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### **13.12.530 EIS preparation.**

For draft, final, and supplemental EISs:

A. Preparation of the EIS is the responsibility of the City, by or under the direction of its responsible official, as specified by Section 13.12.220 of this chapter. Regardless of who participates in the preparation of the EIS, it is the EIS of the responsible official. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with these rules and the procedures of the City of Tacoma.

B. The responsible official may have an EIS prepared by City staff, an applicant or its agents, or by an outside consultant retained by either an applicant or the responsible official. The responsible official shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

C. If a person other than the responsible official is preparing the EIS, the responsible official or designee shall:

1. Coordinate any scoping procedures so that the individual preparing the EIS receives all substantive information submitted by any agency or person;

2. Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS;

3. Allow any party preparing an EIS access to all public records of the City that relate to the subject of the EIS, under Chapter 42.5647 RCW (~~Public Disclosure and~~ Public Records ~~Act~~Law);

\* \* \*

### **13.12.560 Optional Plan Elements and Development Regulations**

A. The City may adopt optional comprehensive plan elements and optional development regulations that apply within designated centers or for subareas within one-half mile of a major transit stop zoned for higher density housing consistent with RCW 43.21C.240.

B. Designation of areas: The centers must be designated by the Puget Sound Regional Council as a Regional Growth Center or a Manufacturing-Industrial Center .or be an area within one-half mile of a major transit stop that is zoned to have an average minimum density of fifteen dwelling units or more per gross acre.

C. The City shall prepare a non-project (as defined in WAC 197-11-774) environmental impact statement.

1. The EIS must assess and disclose probable adverse impacts of the optional comprehensive plan element and development regulations and of future development consistent with the plan and regulations.

2. The EIS may have appended to it an analysis of the extent to which the proposed plan may result in the displacement or fragmentation of existing businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups; the results of the analysis must be discussed at a community meeting that is separate from the EIS/plan public hearings.

D. Community Meeting.

1. At least one community meeting must be held on the proposed optional plan and development regulations before the scoping notice is issued. Notice of scoping and notice of the community meeting must be mailed to all taxpayers of record

within the sub-area to be studied, and within four hundred feet of the boundaries of the subarea, to affected Tribes and to agencies with jurisdiction over the future development within the subarea. See Part Five for notice requirements.

2. Notice must also be mailed to all small businesses as defined in RCW 19.85.020 and to all community preservation and development authorities established under chapter 43.167 RCW. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea plan.

3. The notice of the community meeting must include general illustrations and descriptions of buildings generally representative of the maximum building envelope that will be allowed under the proposed plan and indicate that future appeals of proposed developments that are consistent with the plan will be limited. Notice of the community meeting must include signs located on major travel routes in the sub-area posted within 7 days of the mailing of the meeting notice. If the building envelope increases during the process, another notice complying with the requirements of this section must be issued before the next public involvement opportunity.

E. Appeal. Any person that has standing to appeal the adoption of the sub-area plan or the implementing regulations under RCW [36.70A.280](#) has standing to bring an appeal of the non-project EIS as set forth in this chapter.

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**Chapter 13.16**  
**CONCURRENCY MANAGEMENT SYSTEM**

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**13.16.050 Exemptions.**

A. No Impact. Development permits for development which creates no additional impacts on any concurrency facility are exempt from the requirements of this chapter. Such development includes, but is not limited to:

1. Any addition or accessory structure to a residence with no change in use or increase in the number of dwelling units;
2. Interior renovations with no change in use or increase in number of dwelling units;
3. Interior completion of a structure for use(s) with the same or less intensity as the existing use or a previously approved use;
4. Replacement structure with no change in use or increase in number of dwelling units;
5. Temporary construction trailers;
6. Driveway, resurfacing within the right-of-way, driveway and/or parking lot paving/maintenance;
7. Reroofing of structures;
8. Demolitions.

\* \* \*