



Attachment 1: Planning Commission Recommendations

City of Tacoma
Planning Commission

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Anna Petersen, Vice-Chair
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January 16, 2019

The Honorable Mayor and City Council
City of Tacoma
747 Market Street, Suite 1200
Tacoma, WA 98402

RE: JBLM Airport Compatibility Overlay District (ACOD)

Honorable Mayor and Members of the City Council,

On behalf of the Tacoma Planning Commission, I am pleased to forward our recommendation for the establishment of an Airport Compatibility Overlay District corresponding with the Joint Base Lewis McChord (JBLM) Accident Potential Zone (APZ) II in South Tacoma. The proposal would enact a new zoning overlay district, along with associated changes to related sections of the Tacoma Municipal Code that will promote long-term compatibility between the base and the area of South Tacoma most affected by the base's flight operations. The primary affect is that development of land uses most likely result in large gatherings of people will be limited in the future, while residential and small-scale commercial and industrial development could continue under the area's established zoning.

JBLM is important to the City of Tacoma and the region, and the Planning Commission is pleased to take steps that will support the base's ongoing mission. The City of Tacoma has been a partner to the JLUS since 1992, and there is strong support from the Growth Management Act and Tacoma's Comprehensive Plan for taking steps to maintain compatibility between JBLM and the development patterns of neighboring communities. In 2015, the JBLM JLUS was updated, initiating a round of policy development and community engagement which has culminated with these proposals. The proposed Overlay District implements a primary recommendation of the JBLM Joint Land Use Study (JLUS) and the U.S. Air Force's Air Installations Compatible Use Zones (AICUZ) Program.

The Commission is also very cognizant of the needs of the South Tacoma neighborhood which lies within JBLM's APZ II designation. This long-established, mature neighborhood is home to many people, businesses and institutions. Given the proximity of the base, there is no action the City could take which would address the risk of aircraft operations without some limitation of future development potential in the neighborhood. The Commission took great care to consider the neighborhood's long-term interests both in terms of safety and of the impacts of new regulations.

The Commission encouraged staff to go above and beyond with outreach for this proposal, including an area-wide mailing, signs, web and media outreach, engagement with JLUS partners, and focused outreach to land uses potentially most affected. The City also held a neighborhood meeting in advance of the Public Hearing so that all interested stakeholders could find out about the proposal and provide their input. As part of those conversations, community members expressed concerns about possible impacts to property value and quality of life, as well as recognition of the need to take some action.

In consideration of the important issues and trade-offs, and with substantial stakeholder input, the Commission developed what we feel is a well-balanced approach that will promote safety, support JBLM's mission, and allow residents, businesses and institutions flexible use of their property and access to important neighborhood amenities.

Sincerely,



STEPHEN WAMBACK, Chair
Tacoma Planning Commission

Enclosure

TACOMA PLANNING COMMISSION
FINDINGS OF FACT AND RECOMMENDATIONS
JANUARY 16TH, 2018

A. SUBJECT:

Proposed establishment of the Joint Base Lewis McChord (JBLM) Airport Compatibility Overlay District. A small portion of South Tacoma is located within JBLM's Accident Prevention Zone II (APZ II). Based on the elevated risk around aircraft safety, the JBLM Joint Land Use Study (JLUS) Implementation Plan recommends that the City incorporate considerations in local planning and permitting processes to address the health and safety of residents.

B. SUMMARY OF PROPOSED AMENDMENTS:

This proposal would establish an Airport Compatibility Overlay District corresponding with the JBLM Accident Potential Zone (APZ) II in South Tacoma. The proposal would also include all necessary changes to land use tables and related sections of the Tacoma Municipal Code. The Overlay District will implement the recommendations of the JBLM Joint Land Use Study (JLUS) and the U.S. Air Force's Air Installations Compatible Use Zones (AICUZ) Program, by instituting changes to permitted land uses and development standards.

If approved, the proposed amendments would reduce risk of future loss of life and damage on the ground should an air accident occur by preventing development that would significantly increase density over current levels. The current density of the area is generally in line with the JLUS and AICUZ guidelines. In developing these proposals, the Planning Commission gave substantial consideration to concerns expressed by area residents during the public comment process.

The proposed Overlay District would have the following effects:

- Codify the City's intent to prevent development conditions inconsistent with the APZ II, to reduce risk to life and property, implement the City's policies to collaborate with JBLM Airfield, increase knowledge of aircraft accident risks, and recognize existing uses and avoid undue impacts to residents, property owners, businesses and institutions.
- Prohibit new development of the following land uses considered inconsistent with the APZ II:
 - Airports; Assembly facilities; Brewpubs; Carnivals; Commercial recreation and entertainment; Correctional facilities; Cultural institutions; Day care centers with more than twelve children; Detention facilities; Heliports; Hospitals; Hotels/motels; Heavy Industry; High-intensity parks, recreation and open space uses; Public Assembly; Two-family, Three-family and Multi-family Residential Development; Schools; and, Theaters.
 - Existing land uses within these categories would become non-conforming under the Zoning Code, limiting their future expansion.
- Existing Two-family, Three-family and Multi-family Development would be considered conforming under the Zoning Code, however no increase in the number of dwellings would be permitted.
- Limit the overall size of Eating and Drinking establishments; Retail; and, Office uses to 7,000 square foot maximum.
- Limit Group Home size limit at 6 persons maximum.

- Require proposals for discretionary land use permits to demonstrate consistency with the Overlay District intent.
- Require Notice on Title be recorded acknowledging the Overlay District along with major land use permits and major modifications to such.
- Adopt development standards limiting generation of air pollution, electronic interference or glare that could negatively impact pilots or aircraft.
- Limit manufacturing or processing of chemicals, petroleum, rubber or plastic.

C. FINDINGS OF FACT PART 1: BACKGROUND

1. Military Installations – State Policy

Revised Code of Washington (RCW) 36.70A.530 states that military installations are of particular importance to the economic health of the state of Washington, and it is a priority of the state to protect the land surrounding our military installations from incompatible development; thus, per state law as well as federal guidance, local governments should not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements. Similarly, policy guidance published in PSRC's regional growth management plan, VISION 2040, calls for jurisdictions in the region to protect military lands from encroachment by incompatible uses.

2. Accident Potential Zone II

The Accident Potential Zone II is a federal designation based on the U.S. Air Force's Air Installations Compatible Use Zones (AICUZ) Program. The AICUZ provides detailed land use and development standards and recommendations to reduce the long-term risk of plane crashes, and of loss of life should an accident occur. The Department of Defense and Air Force recommendation is focused on limiting the number of people exposed through land use planning. The land use guidelines for APZs are founded on the concept of minimizing density of land use in the vicinity of the installations.

In addition to limiting density, certain types of land use such as residential, educational facilities, and medical facilities are considered incompatible and are strongly discouraged in APZs. The recommendation is that overall density of all uses be below 50 persons per acre, as well as outright restrictions on public assembly and other use types that would generate high per acre density.

3. Joint Land Use Study

The Joint Base Lewis-McChord (JBLM) JLUS is a collaborative process among federal, regional, and local governments and agencies, tribes, the public, and the south Puget Sound region's military installations of JBLM and Camp Murray. The study is designed to create a collective regional dialogue around sometimes complex issues of balancing military operational demands and mission changes with the region's and local communities' land use plans, economic development and infrastructure needs, and goals for environmental sustainability. Initiated in 1992, over time the JLUS effort has produced multiple guidance documents which provide the South Sound community with recommendations on a range of topics related to the proximity of the military installations.

4. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2015 by Ordinance No. 28335, is Tacoma's Comprehensive Plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.

5. Comprehensive Plan Policies

The following policies in Comprehensive Plan clearly state the City's position regarding compatibility with JBLM and the APZ II.

Policy DD–9.9 - Where uses, densities or intensities adjoining the city differ significantly from planned or existing development patterns inside the city, work in collaboration with adjoining jurisdictions ensure appropriate transitions and compatibility between uses. For example, McChord Field, part of Joint Base Lewis-McChord (JBLM), is located near the city's south border and development patterns in this area of Tacoma should be compatible with airfield activity. The City of Tacoma is working with JBLM to ensure long-term land use compatibility around the airfield.

Policy PFS–3.8 - Protect the viability of existing airports as essential public facilities by encouraging compatible land uses and reducing hazards that may endanger the lives and property of the public and aviation users. Evaluate and implement appropriate policy and code amendments recommended by the Joint Base Lewis-McChord Joint Land Use Study (JLUS).

Policy UF–13.53 Housing densities greater than six units per acre or any concentrations of more than 25 people per hour/per acre in any given 24-hour period are discouraged in the Accident Potential Zone II (APZ II).

Staff notes that the 25 people per hour/per acre goal is contrary to the 2015 JBLM- AICUZ Study Update and AICUZ managers guide which indicates within the APZ II, 50 persons per acre is the basic overriding goal. Staff is recommending that as part of the 2019 Comprehensive Plan cleanup this discrepancy be corrected.

6. Planning Mandates

GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- The State Shoreline Management Act (SMA);
- The Puget Sound Regional Council's *VISION 2040* Multicounty Planning Policies;
- The Puget Sound Regional Council's *Transportation 2040*, the action plan for transportation in the Central Puget Sound Region (adopted on May 20, 2010);
- The Puget Sound Regional Council's Subarea Planning requirements;
- The Countywide Planning Policies for Pierce County;
- TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations.

D. Findings of Fact Part 2: Public Notification and Involvement

1. Public Hearing

The public comment process has been extensive, there has been a dedicated neighborhood meeting, post card mailing, notice in the Tacoma Daily Index (SEPA notice), and notice to the South Tacoma Neighborhood Council. Approximately 20 stakeholders have taken the time to comment, at the neighborhood meeting, the Public Hearing and/or via email.

At the Planning Commission Public Hearing held on November 7th, 2018 which took place at the STAR Center there were approximately 35 area residents, business owners, church and public

assembly facility representatives in attendance. Thirteen individuals made oral comment at the Public Hearing and 6 written comments were received.

The comments included both support for JBLM's mission and for addressing the risk of aircraft accidents, as well as concerns regarding potential negative impacts of the proposals to property values, increases in property insurance costs, and the loss of important neighborhood amenities such as the school. Joint Base Lewis-McChord, the South Sound Military and Communities Partnership and the City of Lakewood expressed written and verbal support.

2. Community Informational Meeting

An informational meeting was attended by JBLM representatives, area residents, and representative of churches and businesses on October 24th, 2018, 5:30-7:00 p.m., at the STAR Center (3873 S 66th St).

3. Public Notification

(a) Public Hearing Notice

- The Public Hearing notice was mailed to approximately 2,500 individuals and entities within and within 1,000 feet of the area, and mailed and emailed to the Planning Commission's interested parties list that includes the City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and others.
- Nine public notice signs were posted throughout the area on October 11th, 2018.
- In addition, separate letters were mailed to the owners of properties and uses potentially most affected, including vacant land, uses involving public assembly, and commercial/industrial properties.

(b) News Media

The City of Tacoma issued a News Release on October 18th, 2018. A legal notice was published on the Tacoma Daily Index on October 25th, 2018.

(c) 60-Day Notice

A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was sent to the State Department of Commerce (per RCW 36.70A.106) on October 31st, 2018. Notice has been sent to several offices at Joint Base Lewis-McChord (per RCW 36.70A.530(4)) over the month of October, asking for comments on the proposals. Staff have also had several direct consultations with JBLM and JLUS representatives.

(d) Website – www.cityoftacoma.org/JLUS

E. Findings of Fact Part 3: SEPA Review

4. SEPA Checklist and Determination of Non-Significance

- (a) A SEPA Determination of Non-Significance was issued on October 25th, 2018, and the comment period ended on November 9th, 2018.
- (b) Public notice appeared in the Tacoma Daily Index on October 25th, 2018.
- (c) The Final Decision was issued November 12th, 2018.
- (d) A single response was received from the Pierce County Health District, acknowledging the SEPA notice with no concerns.

F. Findings of Fact Part 4: Planning Commission Review

5. Planning Commission Records.

Planning Commission agendas, minutes, handouts, and presentations are available at www.cityoftacoma.org/JLUS and at

http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/

6. Scoping Process

On June 20th, 2018 the Commission reviewed this proposal as part of the 2019 Amendments scoping process and provided direction to tailor the JLUS recommendations to Tacoma on a separate, accelerated timeline.

7. Public Review Document

On September 19th, 2018 the Commission authorized staff to conduct broad public outreach as well as targeted outreach to the owners of properties that potentially would be most affected, and set a Public Hearing for November 7th, 2018 to be held at the STAR Center (3873 S 66th St). The public review draft proposal is available at www.cityoftacoma.org/JLUS.

8. Public Hearing

On November 7th, the Commission held a Public Hearing at the STAR Center (3873 S 66th St). Public testimony was received expressing concerns and also expressing support for the proposal. During the public comment process a total of 19 oral and written comments were received by the Planning Commission. In response to the public input during the process the Planning Commission expressed concerns about negative impact to the quality of life and property value.

9. Review of Comments

On December 19th, 2018 the Commission reviewed public testimony and comments, discussed potential modifications to the draft proposals in response to public testimony received, and directed staff to prepare policy options to address issues raised. In response, staff prepared modifications to the public review draft proposals that reduce the impact on single-family residential uses and clarify the approach, while still accomplishing the intent of consistency with APZ II intent and guidance.

The specific changes to the public review draft include the following:

- Allow single-family subdivisions per the standards of the underlying zoning district
- Allow Accessory Dwelling Units per standard City requirements
- Allow small-scale, neighborhood commercial uses (e.g., eating and drinking establishments) and simplify the approach by replacing the Floor Area Ratio (FAR) maximums with a 7,000 square foot maximum size
- Remove restrictions on Wireless Facilities and overhead Utility facilities

10. Recommendation

Establish an Airport Compatibility Overlay District corresponding with the JBLM Accident Potential Zone (APZ) II in South Tacoma. The proposal would also include all necessary changes to land use tables and related sections of the Tacoma Municipal Code. The Overlay District will implement the recommendations of the JBLM Joint Land Use Study (JLUS) and the U.S. Air Force's Air Installations Compatible Use Zones (AICUZ) Program, by instituting changes to permitted land uses and development standards.

G. CONCLUSIONS:

These measures will bring the City of Tacoma into greater consistency with the JLUS, AICUZ as well as the Comprehensive Plan and the Growth Management Act, and support the following objectives:

- Prevent development conditions that could interfere with aircraft operations
- Reduce risk to life and property in the incidence of a crash, through the following strategies
- Implement the City's policies calling for collaboration and compatibility with JBLM Airfield
- Increase awareness of aircraft accident risks
- Recognize existing uses and avoid undue impacts to residents, property owners, businesses and institutions

If approved, the result of this action would prevent future development incompatible with the above objectives such as large-scale public assembly uses, multi-family development, and hazardous industrial uses, and general consistency with the underlying objective of holding density below 50 persons per acre.

H. ADDITIONAL ACTION

1. As part of the 2019 Cleanup Amendments, update Comprehensive Plan Urban Form Policy 13.53 to reflect the most recent JLUS and AICUZ guidance.

I. EXHIBITS:

A: RECOMMENDED AMENDMENTS TO THE TACOMA MUNICIPAL CODE

B: SEPA CHECKLIST & DNS (INCLUDED IN CITY RECORDS)



JBLM Airport Compatibility Overlay District

PROPOSED CODE CHANGES

Notes:

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~~.

CHANGES ARE PROPOSED TO THE FOLLOWING CHAPTERS AND SECTIONS:

Chapter 13.06 Zoning

13.06.100 Residential Districts.

13.06.200 Commercial Districts.

13.06.400 Industrial Districts.

13.06.535 Special needs housing.

THE FOLLOWING NEW SECTION IS PROPOSED TO BE ENACTED:

13.06.585 JBLM Airport Compatibility Overlay District

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)

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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

a. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.

4. 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.

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

Uses ³	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ^{1,3}
Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.F
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535

Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	
Footnotes: ¹ For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640 for additional details, limitations and requirements. ² 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. ³ <u>Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.</u>									

13.06.200 Commercial Districts.

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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

a. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.

4. 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.

5. District use table.

Uses <u>4</u>	T	C-1	C-21	PDB	Additional Regulations ^{2, 3, 4} (also see footnotes at bottom of table)
Adult family home	P	P	P	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	N	Prohibited except as provided for in Section 13.06.525.
Agricultural uses	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed.
Eating and drinking	N	P/CU	P	P*/CU*	In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See 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, JBLM Airport Compatibility Overlay District and PDB Districts
Office	P	P	P	P	*Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District and PDB Districts
Retail	N	P	P/CU~	P*	~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640. *Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District and PDB Districts

Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	

Uses <u>4</u>	T	C-1	C-21	PDB	Additional Regulations <u>2, 3, 4</u> (also see footnotes at bottom of table)
Footnotes: <ol style="list-style-type: none"> 1. Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and 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 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. 4. <u>Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.</u> 					

D. Building envelope standards.

	T	C-1	C-2	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0
Minimum Lot Width	0	0	0	0
Maximum Building Coverage – applies to single-use multi-family residential development only	None non-residential; Residential maximum building coverage in accordance with the R-4-L District	None non-residential; Residential maximum building coverage in accordance with the R-4-L District	None non-residential; Residential maximum building coverage in accordance with the R-4 District	None non-residential; Residential maximum building coverage in accordance with the R-4 District
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.			

	T	C-1	C-2	PDB
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. Residential development shall meet the Build-to Area standard in 13.06.100.D.6.			
Maximum Height Limit	35 feet	35 feet	45 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.	7,000 square feet per business for eating and drinking, retail and personal services uses
<u>JBLM Airport Compatibility Overlay District</u>	<u>Within the JBLM Airport Compatibility Overlay District, see the provisions of TMC 13.06.585, including specific square footage limitations for certain uses.</u>			
Minimum Usable Yard Space – applies to single-use residential development only	Minimum usable yard space shall be provided in accordance with the residential building type requirements in 13.06.100.D.7. Duplex/triplex dwellings shall provide usable yard space in accordance with the R-3, R-4-L, R-4 and R-5 Districts.			

13.06.400 Industrial Districts.

The 400 series contains regulations for all industrial classifications, including the following:

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

A. Industrial district purposes.

The specific purposes of the Industrial districts are to:

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

B. Districts established.

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

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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets." The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

a. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.

4. 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.

5. District use table.

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
Agricultural uses	CU	CU/N*	CU/N*	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. *Per Ordinance No. 28470, on an interim basis, such uses are not permitted within the Port of Tacoma M/IC. See 13.06.400.G.
Eating and drinking	P	P	P	*Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District and PDB Districts.
Office	P*	P*	P	*Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. *Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District and PDB Districts
Retail	P~	P~	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District, and JBLM Airport Compatibility Overlay District . ~Within the South Tacoma M/IC Overlay District, and within the M-2 District of the Port of Tacoma M/IC on an interim basis per Ordinance No. 28470 (see 13.06.400.G.), unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. Outside of the South Tacoma M/IC Overlay District and Port of Tacoma M/IC, limited to 65,000 square feet per use, unless approved with a conditional use permit. See Section 13.06.640.

Uses not prohibited by City Charter and not prohibited herein	N	N	N	

Uses ²	M-1	M-2	PMI	Additional Regulations ^{1,2}
Footnotes: 1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640 for additional details, limitations and requirements. <u>2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.585 which shall prevail in the case of any conflict.</u>				

13.06.535 Special needs housing.

A. Intent. It is found and declared that special needs housing facilities are essential public facilities which provide a needed community service. It is also recognized that these types of facilities often need to be located in residential neighborhoods. Thus, in order to protect the established character of existing residential neighborhoods, the public interest dictates that these facilities be subject to certain restrictions. The intent of these regulations is to minimize concentrations of certain types of facilities, mitigate incompatibilities between dissimilar uses, preserve the intended character and intensity of the City's residential neighborhoods, and to promote the public health, safety, and general welfare.

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

1. Within the JBLM Airport Compatibility Overlay District, maximum occupancy shall be limited to six residents.

Special Needs Housing – Use Table (P = Permitted Outright, CU = Conditional Use Permit Required, N = Not Permitted) *Note: See Subsection C, below, for additional siting restrictions **Note: The residency limitations indicated in this use table apply to the number of residents housed at a facility, exclusive of any support or care staff. Where specific residency limitations are provided in the definition of the use, the size information herein is provided for reference only.						
	Size (number of residents)	R-1, R-2, R-2SRD, HMR-SRD, NRX	R-3	R-4-L, R-4, R-5, PRD, URX, RCX, NCX, T, C-1, HM, HMX, PDB	UCX, CCX, CIX, C-2, M-1, DCC, DMU, DR, WR	M-2, PMI
Emergency and Transitional Housing	Limit 6	N	N	CU	P	N
Emergency and Transitional Housing	7-15	N	N	CU	P	N
Emergency and Transitional Housing	16 or more	N	N	CU	P	N
Confidential Shelter, Adult Family Home, Staffed Residential Home	Limit 6	P	P	P	P	N
Confidential Shelter, Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	7-15	N	P	P	P	N
Confidential Shelter, Residential Chemical Dependency Treatment Facility, Extended Care Facility,	16 or more	N	N	P	P	N

Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth						
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13.06.585 Airport Compatibility Overlay District

A. Purpose: The purpose and intent of the Airport Compatibility Overlay District is to increase safety within the Joint Base Lewis McChord (JBLM) Accident Potential Zone II (APZ II), specifically as follows.

1. Prevent development conditions that could interfere with aircraft operations or increase the likelihood of an accident.
2. Reduce risk to life and property in the incidence of a crash, through the following strategies.
 - a. Prevent increases in densities and congregations of people which are incompatible with the APZ II designation, including the specific density threshold goal of 50 persons per acre maximum.
 - b. Prevent development that presents a higher risk in the incidence of a crash due to explosive or flammable characteristics.
3. Implement the City's policies calling for collaboration and compatibility with JBLM Airfield.
4. Increase knowledge of aircraft accident risks in order to inform public and private decision-making.
5. Recognize existing uses and avoid undue impacts to residents, property owners, businesses and institutions.

B. Scope and Applicability: The Overlay District applies to an approximately 200-acre area located in South Tacoma corresponding with the JBLM Accident Potential Zone II (APZ II).

C. Definitions.

1. Joint Base Lewis McChord (JBLM) Joint Land Use Study: A collaborative process among local, state, and regional jurisdictions; the public; federal, state, and regional agencies; and military installations within the South Puget Sound region that presents recommendations for consideration by local and state governments that promote development compatible with military presence and protecting public health, safety, and welfare while also protecting the ability of the military to accomplish its vital training and operational missions presently and over the long-term.
2. JBLM Accident Potential Zone II (APZ II): Clear Zones and Accident Potential Zones (APZs) are areas where the potential for aircraft accidents has been identified through the Air Installation Compatible Use Zone (AICUZ) program of the U.S. Air Force. The APZ II designation has a lower accident potential than either the Clear Zone or APZ I, but still is considered high enough to warrant land use restrictions to promote public safety.

D. General provisions

1. Proposed zoning changes and Conditional Use Permit applications, or major modifications to previously approved rezones and CUPs, shall demonstrate consistency with the intent of the JBLM Airport Compatibility Overlay District. If approved, such applications shall be conditioned to record Notice on Title acknowledging the presence and restrictions of the Overlay District.
2. For parcels located partially within the JBLM Airport Compatibility Overlay District, only that portion within the Overlay District shall be subject to these provisions.

E. Land Uses

1. The land use standards of the underlying zoning districts apply within the Overlay District, except that the following land uses are Prohibited.

PROHIBITED LAND USES WITHIN THE JBLM AIRPORT COMPATIBILITY OVERLAY DISTRICT

a. Residential uses: The following residential uses are prohibited.

Special Needs Housing with more than six residents

Two-family, three-family, townhouse, group housing, multifamily, mobile home, student housing, mixed-use, or other development incorporating more than one dwelling unit

b. Non-residential uses: The following non-residential uses are prohibited.

Airports

Assembly facilities

Carnivals

Commercial recreation and entertainment

Correctional facilities

Cultural institutions

Day care centers with more than twelve children

Detention facilities

Heliports

Hospitals

Hotels/motels

Industry, heavy

Parks, recreation and open space uses identified in TMC 13.06.560.C.1 as requiring a Conditional Use Permit

Public assembly

Religious assembly

Schools

Theaters

2. Existing residential uses. Lawfully existing residential uses (at the time of JBLM Airport Compatibility Overlay District adoption) which do not meet the provisions of the Overlay District are Permitted, and may be modified or expanded provided there is no increase in the number of dwellings.

3. Existing non-residential uses. Non-residential lawfully existing uses (at the time of JBLM Airport Compatibility Overlay District adoption) which are Prohibited under the Overlay District are Non-conforming, and subject to the following limitations.

a. Minor modifications under TMC 13.05.080 are allowed to existing discretionary land uses; however, Major Modifications must come into compliance with the JBLM Airport Compatibility Overlay District for approval, if applicable.

F. Development Standards

1. The following characteristics, when proposed as part of any development, are not allowed in the JBLM Airport Compatibility Overlay District.

a. Generation of air pollution, electronic interference or glare that could negatively affect pilots or aircraft.

b. Structures taller than permitted outright in the base zoning districts (i.e., no height variances).

c. Manufacturing or processing of chemicals, petroleum, rubber or plastic.
