

**MOTION FOR COUNCIL CONSIDERATION  
SUBSTITUTE ORDINANCE NO. 29108**

June 16, 2026

I move as a substitute, Substitute Ordinance No. 29108, which amends Exhibits B and C of the Ordinance and makes corresponding clarifications to the body of the Ordinance.

**This substitute would:** Amend Exhibit B “Special Needs Housing” to bring Tacoma into compliance with House Bill 2266 which requires that local jurisdictions update zoning and development standards to remove any standards, conditions, or requirements for Shelter, Transitional, Emergency, and Permanent (STEP) housing that are more restrictive than those required for any other types of lodging or residential development in the zone. The Substitute makes the following changes to conform to State law:

- For shelters: eliminating buffer and dispersion requirements; adding a public meeting requirement for permits; expanding public notice to 500’; modifying zoning and land use tables to change shelters from conditional use to permitted in zones where other housing types are required by right; and updating requirements for operational and safety plans to conform with State law.
- For other types of Special Needs Housing: eliminating bed capacity limits in the UR-1, UR-2, and NRX zones; adding language to the definition to clarify that some types of Shelter, Transitional, Emergency, and Permanent supportive "STEP" housing which do not include on-site medical or clinical care are permitted simply as allowed residential uses without any other special permitting or conditions.

The substitute would further amend Exhibit C to address minor clarifications to code references to the South Tacoma Groundwater Protection District in response to public comments. The intent is to ensure that permit applicants are aware of the South Tacoma Groundwater Protection District and review those standards.



**SUBSTITUTE**  
**ORDINANCE NO. 29108**

1 AN ORDINANCE adopting the 2026 Annual Amendment to the Comprehensive  
2 Plan and Land Use Regulatory Code; and amending various chapters in  
3 Titles 1 and 13 of the Municipal Code, relating to Administration and  
4 Personnel and the Land Use Regulatory Code, to implement said  
5 amendments, as recommended by the Planning Commission.

6 WHEREAS prepared pursuant to the Growth Management Act, the  
7 proposed amendments to the Comprehensive Plan and Land Use Regulatory  
8 Code for 2026 (“2026 Amendment”) include the following four applications:

9 (1) McKinley Pre-Annexation Land Use Designations and Zoning;

10 (2) Special Needs Housing and Shelters;

11 (3) Minor Code Amendments; and

12 (4) State Legislative Code Amendments for Daycare Facilities and

13 Binding Site Plans, and

14 WHEREAS the Planning Commission (“Commission”) completed its  
15 review of the 2026 Amendment through an extensive and inclusive public  
16 engagement process, including a public hearing on March 4, 2026, and  
17 recommended on April 1, 2026, that the 2026 Amendment be adopted by the  
18 City Council, and

19 WHEREAS the Commission also submitted, and filed with the City Clerk’s  
20 Office, the Commission’s Findings of Fact and Recommendations Report for the  
21 2026 Amendment, April 1, 2026, which documents the public review and  
22 community engagement process and the Commission’s deliberations and  
23 decision-making concerning the four applications, and  
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WHEREAS proposed amendments, in part, are as follows:

(1) McKinley Pre-Annexation Land Use Designation and Zoning: the Commission recommends applying the Low-Scale Residential land use designation in the Comprehensive Plan and the Urban Residential – 1 Zoning (“UR-1”) District to the properties at 8615, 8717, and 8801 McKinley Avenue East, to take effect upon completion of the annexation process; upon finalization of the annexation process, the UR-1 Zone would guide the types of use and development that could occur on the properties;

(2) Special Needs Housing and Shelters: the Special Needs Housing and Shelters code amendment was initiated in response to City Council Resolution No. 41311 (adopted in 2023) that directed the Commission to identify appropriate zoning and development standards for siting Enhanced Service Facilities (ESFs), a type of Special Needs Housing, to correct inconsistencies in the code, and to come into compliance with RCW 35.21.683 that requires local jurisdictions to allow shelters in any zoning district where residential dwellings or hotels are permitted. The Commission recommendation includes amendments to various chapters and sections of Tacoma Municipal Code (“TMC”) Title 13, Land Use Regulatory Code, to implement the following proposals:

Permanent Shelters: Allowing permanent shelters in any zoning district where hotels are permitted; require site inspections and operational plans;



1 Temporary Shelters: Code re-organization to make it easier for customers to  
2 find the appropriate standards; extend permit expiration and reduce dispersion  
3 requirements to reduce barriers to providing these services when needed;  
4

5 Special Needs Housing: Consolidate multiple use classifications into one  
6 use category in the zoning table; simplify Conditional Use Permit process; and  
7 establish bed capacity limits in certain zoning districts;

8 (3) The “Minor Plan and Code Amendments” proposes minor revisions to  
9 various sections of the TMC Titles 1 and 13, Administration and Personnel and the  
10 Land Use Regulatory Code. The intent is to keep information current, address  
11 inconsistencies, correct minor errors, increase clarity, and improve provisions that,  
12 through implementation of the Plan and administration of the Code, are found to be  
13 unclear or not fully meet their intent. The Commission recommendations affect the  
14 following topics: Definitions and terms; permitted uses and standards; Urban  
15 Residential zoning and design standards; Non-Urban Residential Design  
16 Standards; and other corrections and clarifications;  
17  
18

19 (4) State Legislative Amendments for Day Care Facilities and Binding  
20 Site Plans: the Commission recommendation includes amendments to various  
21 chapters and sections of TMC Title 13, to implement the following proposals:  
22

23 Day Care Facilities (required by Senate Bill 5509): The proposal would  
24 modify use and development standards to allow Day Care Facilities without a  
25 conditional use permit in the UR-1, UR-2, and UR-3 Zones and without a limit on  
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1 enrollment capacity, and includes a new definition for “day care facility” that is  
2 inclusive of multiple state licensing types;

3 Binding Site Plans (required by Senate Bill 5611): This proposal updates the  
4 definition of “binding site plan” to be consistent with state law, allows the use of  
5 binding site plans for the subdivision of multi-dwelling residential development, and  
6 incorporates new intent statements and submittal requirements, and  
7

8 WHEREAS pursuant to TMC 13.02.045, the City Council shall hold a public  
9 hearing before enacting any proposed amendments to the Comprehensive Plan  
10 and the TMC, and  
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12 WHEREAS the City Council has fulfilled said requirement by conducting a  
13 public hearing on May 19, 2026, and

14 WHEREAS the City Council received public comments on Exhibit C Minor  
15 Amendments, pertaining to code references to the South Tacoma Groundwater  
16 Protection District, and

17 WHEREAS Senate Bill 2266 requires amendments to local zoning and land  
18 use regulations to address STEP Housing, affecting use allowances, permit types,  
19 and applicable development standards, and

20 WHEREAS Exhibit B Special Needs Housing was developed and  
21 recommended by the Planning Commission prior to adoption of Senate Bill 2266,  
22 and

23 WHEREAS Exhibit B is inconsistent with new state laws for STEP housing,  
24 and



1 WHEREAS, the City Council introduced a substitute ordinance to correct  
2 references within Exhibit C in response to public comment and to Exhibit B for  
3 consistency with Senate Bill 2266; Now, Therefore,

4 BE IT ORDAINED BY THE CITY OF TACOMA:

5 Section 1. That the City Council hereby adopts the Recitals of this  
6 Ordinance as its formal legislative findings.

7 Section 2. That the pre-annexation proposed land use designations and  
8 zoning districts for the McKinley Annexation Area, as recommended by the  
9 Planning Commission and set forth in the attached Exhibit "A," are hereby  
10 approved, to become effective upon future annexation of this area into the City of  
11 Tacoma.  
12

13 Section 3. That Title 13 of the Tacoma Municipal Code ("TMC"), relating to  
14 the Land Use Regulatory Code, is hereby amended, by amending various chapters  
15 and sections to update special needs housing and shelters language, as set forth  
16 in the attached Exhibit "B," to become effective as provided by law.  
17

18 Section 4. That Titles 1 and 13 of the TMC, relating to Administration and  
19 Personnel and the Land Use Regulatory Code, are hereby amended, by amending  
20 various chapters and sections to adopt minor code amendments as part of the  
21 2026 Annual Amendment to the Comprehensive Plan and Land Use Regulatory  
22 Code, as recommended by the Planning Commission, as set forth in the attached  
23 Exhibit "C," to become effective as provided by law.  
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25 Section 5. That Title 13 of the TMC, relating to the Land Use Regulatory  
26 Code, is hereby amended, by amending various chapters and sections to adopt



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State legislative amendments for day care facilities and binding site plans, as set forth in the attached Exhibits "D-1" and "D-2," to become effective as provided by law.

Section 6. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

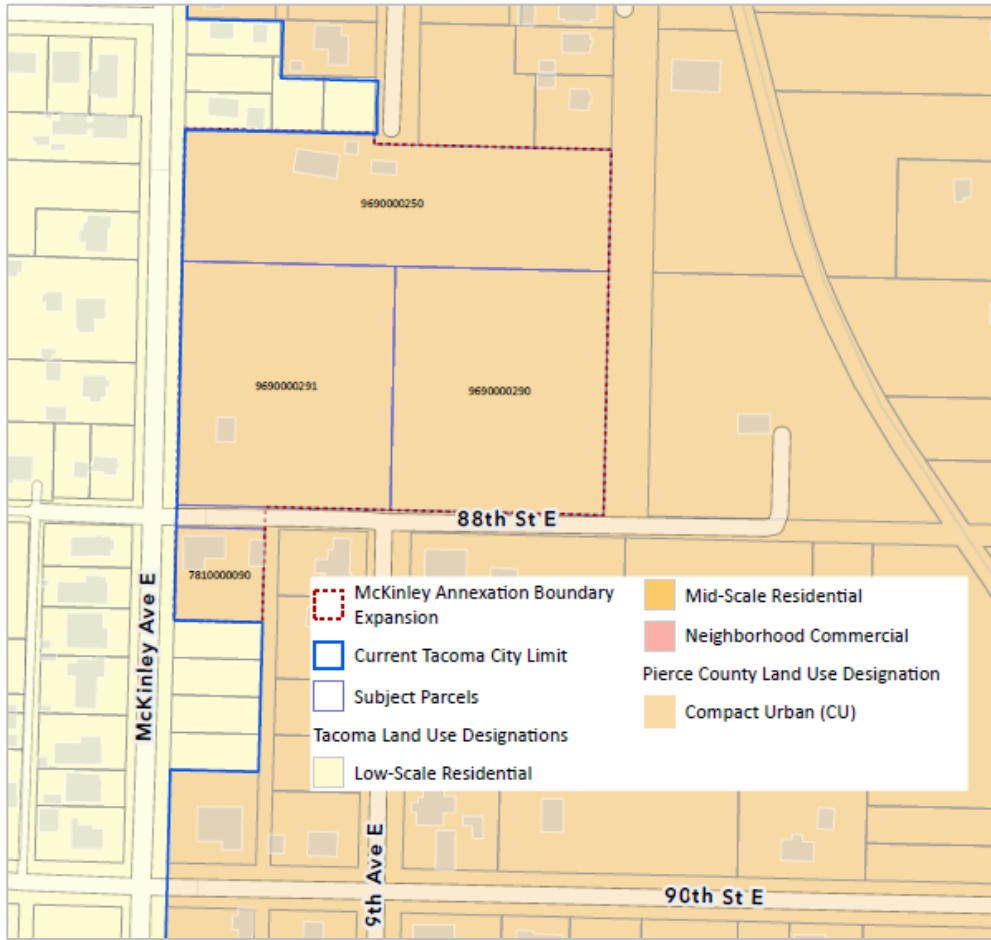
\_\_\_\_\_  
Chief Deputy City Attorney

# MCKINLEY ANNEXATION AREA

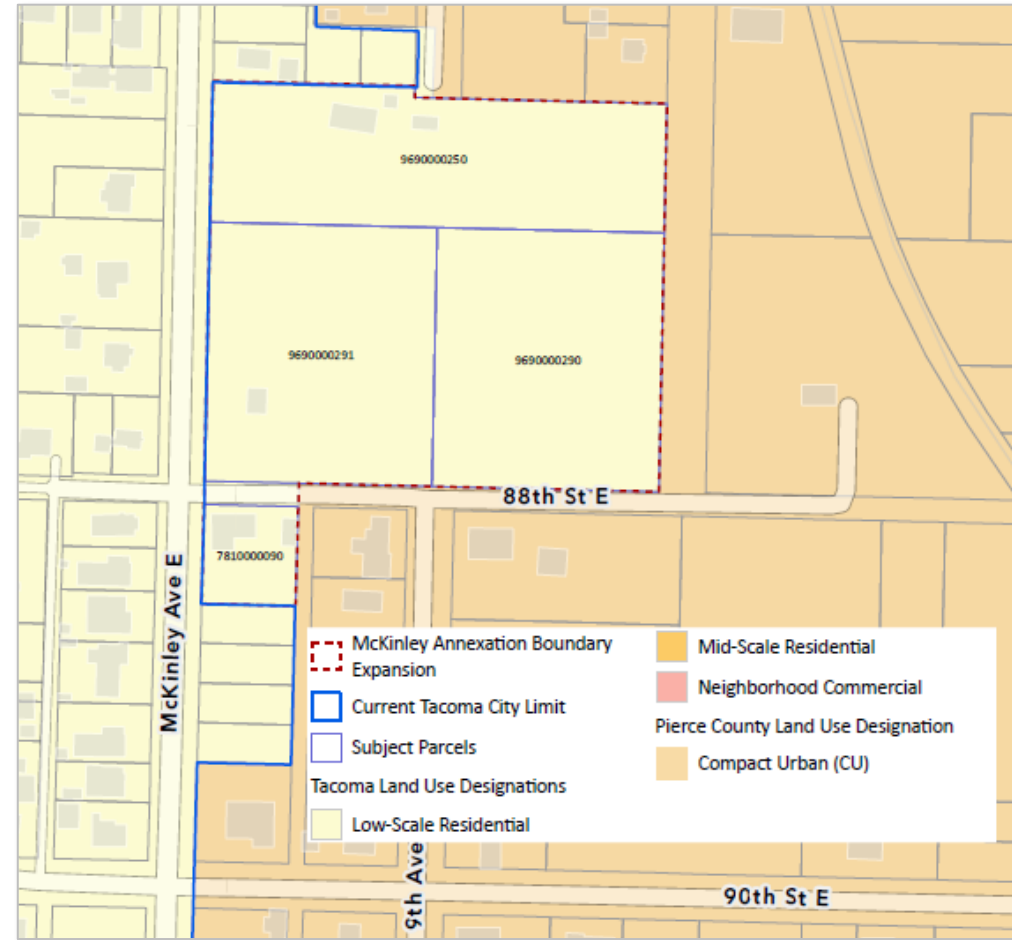
## Exhibit A: Comprehensive Plan Land Use Designation



Current County Land Use Designation  
“Compact Urban”



Proposed Tacoma Land Use Designation  
“Low-Scale Residential”



**Compact Urban** – Concentrations of mixed use, commercial, and medium and high-density residential development located in high-capacity transit corridors and areas that support multimodal transportation, pedestrian activity, and transit-oriented development.

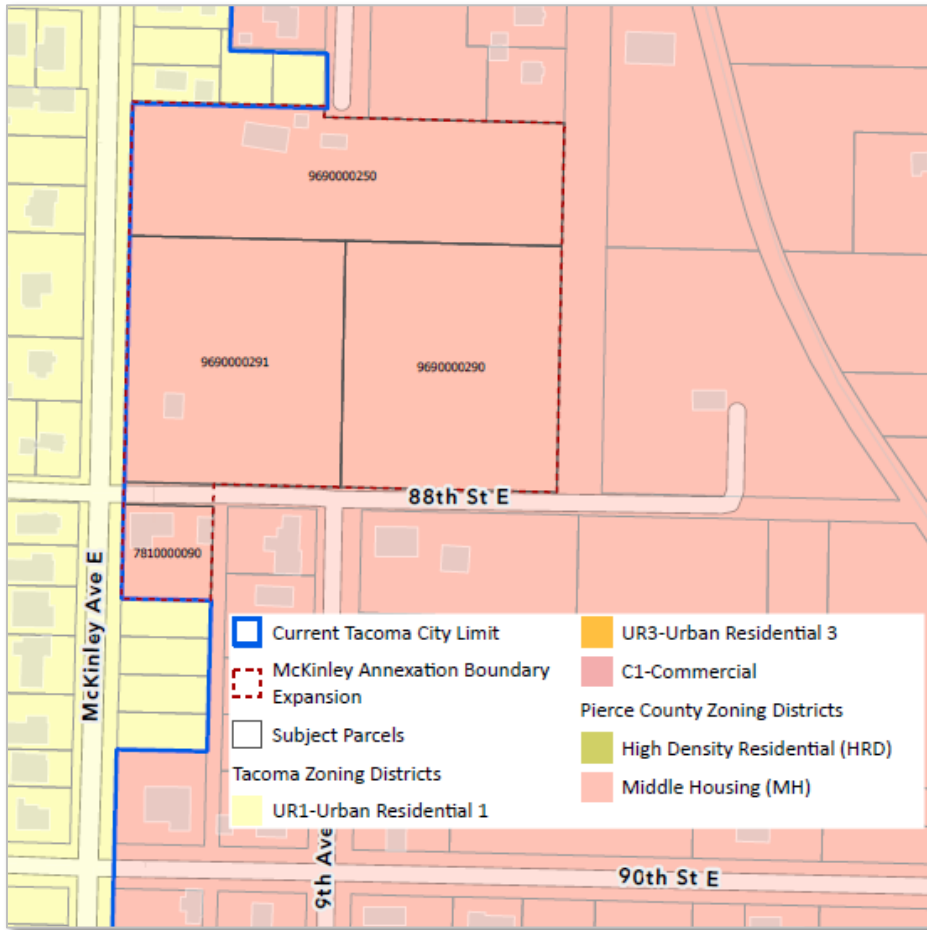
**Low-Scale Residential** – Located in quieter settings of complete neighborhoods that are a short to moderate walking distance from parks, schools, shopping, transit and other neighborhood amenities.

# MCKINLEY ANNEXATION AREA

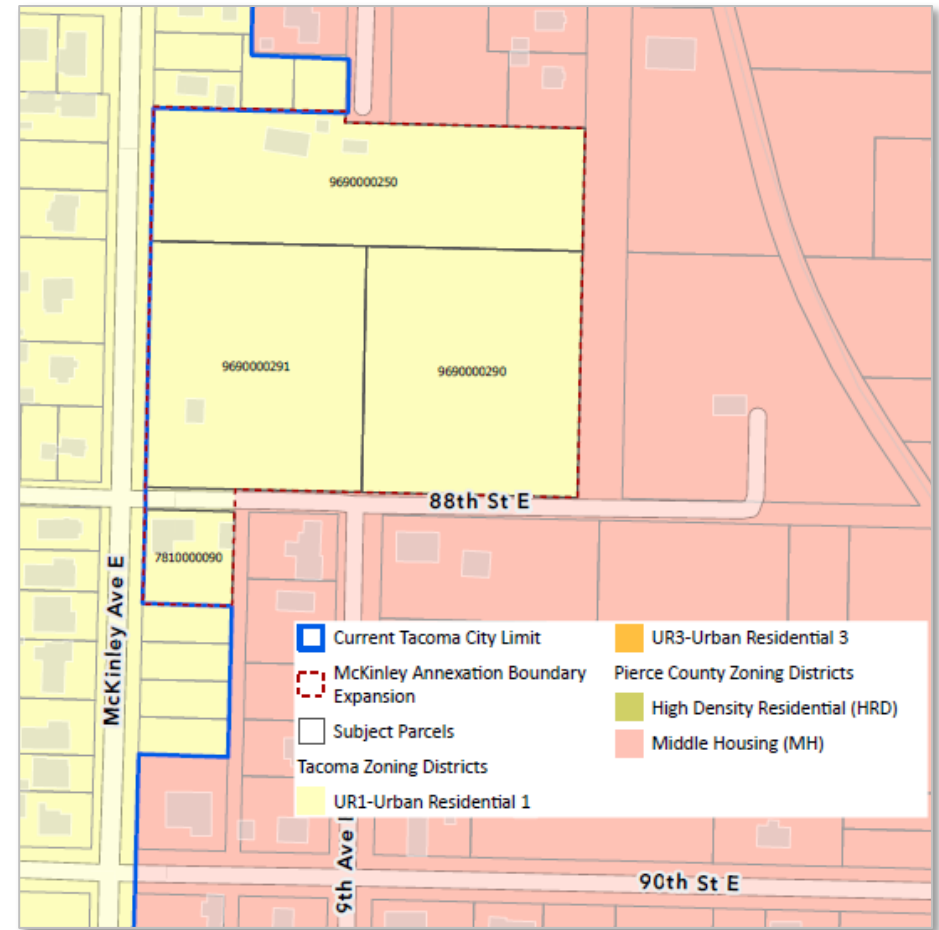
## Exhibit A-2: Proposed Zoning Map Amendment



Current County Zoning  
“Middle Housing”



Proposed Tacoma Zoning  
“UR1 – Urban Residential 1”



	Middle Housing (Pierce County Zoning)	Urban Residential 1 (Proposed Tacoma Zoning)
<b>Base Density*</b>	10 du/acre	29 du/acre
<b>Maximum Density</b>	16 du/acre	58 du/acre

\*Density estimates are based on dwelling units per net-acre of developable land exclusive of Critical Areas, private roads, and/or right-of-way areas, expressed as dwelling units per acre.

## Exhibit “B”

### CHAPTER 13.01 DEFINITIONS

#### 13.01.060 Zoning Definitions.

##### 13.01.060.A

\* \* \*

“Adult family home.” ~~Dwelling, licensed by the state of a person or persons who are providing assistance with Activities of Daily Living such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, as well as room and board to more than one but not more than six adults, 18 years or older, with functional disabilities who are not related by blood or marriage to the person or persons providing the service. See “special needs housing.”~~

\* \* \*

“Assisted living facility.” ~~See “intermediate care facility.”~~ See “special needs housing.”

\* \* \*

##### 13.01.060.C

\* \* \*

“Confidential shelter.” Shelters for victims of domestic violence, as defined and regulated in RCW 70.123 and WAC 388-61A. Such facilities are characterized by a need for confidentiality and are treated in the zoning code per the type of dwelling, structure, or facility they utilize.

\* \* \*

“Continuing care retirement community.” ~~An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state licensing programs. See “special needs housing.”~~

“Convalescent home.” ~~See “extended care facility.”~~ See “special needs housing.”

\* \* \*

##### 13.01.060.D

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“Detoxification center.” ~~A facility providing detoxification and/or treatment on an inpatient basis, with or without outpatient services available, for persons suffering from the effects of alcohol or drugs. See “special needs housing.”~~

\* \* \*

“Drug rehabilitation facility”, or “substance abuse facility”. ~~Any facility licensed by the Washington State Department of Social and Health Services whose primary focus is treatment for a person with a chemical or drug dependency, whether on an outpatient or inpatient basis. See “special needs housing” for inpatient facilities and “hospital” for acute and outpatient treatment.~~

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### 13.01.060.E

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“~~Emergency~~ Permanent shelter.” Establishments offering daily meal service and housing, within a permanent structure, to persons who are in need of shelter. This classification does not include confidential shelters, or facilities licensed for residential care by the state of Washington.

“Emergency medical care.” Facilities providing emergency medical service on a 24-hour basis with no provision for continuing care on an inpatient basis.

\* \* \*

“Extended care facility.” ~~Establishments providing 24-hour supervised nursing care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. Such facilities are licensed by the state as nursing homes. See “special needs housing.”~~

### 13.01.060.F

\* \* \*

~~“Foster home.” A dwelling that is licensed by the state for foster care, which is used as living quarters for a family that includes one or more children or adults who are placed by a licensed child or adult placement agency and who are not related to the owner or occupant thereof by blood, marriage, or legal adoption, but are under their supervision and care.~~

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### 13.01.060.G

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“Group housing.” A residential facility designed to serve as the primary residence for individuals, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit. This classification includes uses such as convents and monasteries, student housing, or single-room occupancy dwellings, but does not include uses that are otherwise classified as special needs housing ~~or student housing~~.

### 13.01.060.H

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“Hospitals.” Medical facilities, licensed by the Department of Health Services, the Committee on Accreditation of Rehabilitation Facilities, the Department of Aging, or other similar organizations, for the provision of surgery, rehabilitation and physical care, acute psychiatric care, chemical dependency, and substance abuse ~~on an out-patient basis~~, including ancillary nursing, training, and administrative facilities. Such facilities are generally licensed by the state under the provisions of RCW 70.41.

\* \* \*

### 13.01.060.I

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“Intermediate care facility.” ~~A facility that provides, on a regular basis, assistance with one or more Activities of Daily Living (“ADL”) such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, including persons with functional disabilities, needing health-related care and services, but who do not require the degree of care and treatment that a hospital or extended care facility provides. Such facility requires a state boarding home license. This use includes assisted living facilities, but does not include adult family homes, staffed residential homes, or residential care facilities for youth. See “special needs housing.”~~

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### 13.01.060.J

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“Juvenile community facility.” A group care facility for the care of juveniles committed to the physical custody of the Washington State Department of Social and Health Services under the Juvenile Justice Act of 1977. A county detention facility that houses juveniles is not a juvenile community facility. Nothing in this section precludes placement in a juvenile community facility of children who would otherwise be eligible for placement in a community care facility for youth, a residential care facility for youth, or a staffed residential home as defined herein.

\* \* \*

### 13.01.060.P

\* \* \*

“Person with functional disabilities.” A person who, because of recognized chronic physical or mental condition or disease, is functionally disabled to the extent of: (a) needing care, supervision, or monitoring to perform activities of daily living or instrumental activities of daily living; (b) needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; (c) having physical or mental impairment which substantially limits one or more of such person’s major life activities; or (d) having a record of having such an impairment or being regarded as having such an impairment. Such term does not include persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, being a sex offender pursuant to RCW 9A.44.130, being a person currently using illegal drugs, or being a person who has been convicted of the manufacture or sale of illegal drugs.

\* \* \*

### 13.01.060.R

\* \* \*

“Residential care facility for youth.” ~~See “special needs housing.” A facility, licensed by the state, that provides 24-hour care for persons who are 18 years of age or younger, with or without functional disabilities, that has not been licensed by the state as a staffed residential home. Such facilities may, in addition to providing food and shelter, provide some combination of assistance with Activities of Daily Living (“ADL”), such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, and additional services such as social counseling and transportation. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.~~

“Residential chemical dependency treatment facility.” ~~See “special needs housing.” A residential facility, licensed by the state, provides chemical dependency treatment and includes room and board in a twenty-four-hour-a-day supervised facility.~~

\* \* \*

“Retirement home.” A multi-unit dwelling, a complex of dwellings, an apartment hotel or a complex of apartment hotels and/or boarding houses operated primarily as a residence for retired persons. Depending on the level of care provided, such facilities may or may not require state licensing. Such an establishment may include the following accessory facilities for the exclusive use of its residents and their guests:

1. Food preparation, service, and storage on a group basis;
2. Indoor and outdoor recreation facilities;
3. Religious assembly facilities;

4. Medical and nursing facilities for the care of temporary and permanent illness;
5. Administrative offices and staff quarters;
6. Commissary facilities;
7. Common lobby and lounge areas.

\* \* \*

### 13.01.060.S

\* \* \*

“Special needs housing.” [Housing licensed by the state to provide accessible, supportive living for people with disabilities, the elderly, and those with chronic conditions. Special needs housing includes a broad range of residency types and duration, physical and mental health care and assistance with activities of daily living, as well as other supportive services to promote social inclusion. For the purposes of applying this use classification, special needs housing does not include hospitals, acute emergency response medical facilities, or emergency and temporary shelters. Special needs housing may include a single building or a complex of buildings and may include multiple state licenses to provide different types of care on a single premises. Other transitional and permanent supportive housing that are not licensed by the state to offer medical or other clinical care on site are considered residential uses subject to the general use and development standards of the applicable zoning district.](#)

[Typical state license types that fall under this use category include:](#)

- [Adult family homes](#)
- [Assisted living facilities](#)
- [Continuing care retirement communities](#)
- [Nursing homes](#)
- [Community based behavioral health facilities including:](#)
  - [Dementia Care Facility,](#)
  - [Enhanced Services Facility,](#)
  - [Intensive Behavioral Health Treatment Facility, and](#)
  - [Residential Substance Use Disorder Treatment.](#)

[Common accessory support services that may be provided onsite for residents and their guests include:](#)

- [Food preparation, service, and storage on a group basis;](#)
- [Indoor and outdoor recreation facilities;](#)
- [Religious assembly facilities;](#)
- [Medical and nursing facilities for the care of temporary and permanent illness;](#)
- [Administrative offices and staff quarters;](#)
- [Commissary facilities;](#)
- [Common lobby and lounge areas.](#)

~~A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.~~

\* \* \*

“Staffed residential home.” ~~See “special needs housing.” A home, licensed by the state, providing 24-hour care for six or fewer children or expectant mothers, 17 years or younger, with or without functional disabilities. The home employs staff to care for children and may or may not be a family residence. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.~~

“Substance abuse facility.” [See “special needs housing.”](#) ~~(See “Drug rehabilitation facility”).~~

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### **13.01.060.T**

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“Temporary housing.” A structure, usually an automobile house trailer or mobile home, of a temporary nature not involving permanent installations.

“Temporary shelters.” ~~A temporary type of accommodation for persons without permanent housing or a fixed address that provides shelter by means of a structure or dwelling unit.~~ [A temporary structure or dwelling unit erected to provide shelter and accommodation for persons without permanent housing or a fixed address.](#)

\* \* \*

**CHAPTER 13.05**  
**LAND USE PERMITS AND PROCEDURES**

**13.05.010 Land Use Permits.**

A. Conditional Use Permits (CUPs).

1. 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. These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in this Chapter and the applicable criteria outlined below.

2. General Criteria.

Unless otherwise excepted, all conditional use permit applications shall be subject to the following criteria:

- a. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
- b. 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.
- c. 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.
- d. 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:
  - (1) 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.
  - (2) 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.
  - (3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

\* \* \*

~~5. Special needs housing. Applications for conditional use permits for special needs housing facilities shall be processed in accordance with the standard procedures and requirements for conditional use permits, with the following additional requirements.~~

~~a. Pre-application community meeting. Prior to submitting an application for a conditional use permit to the City, the applicant shall 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 facility. The meeting should acquaint the neighbors of the proposed facility with the operators and provide for an exchange of information about the proposal and the community, including the goals, mission, and operation and maintenance plans for the proposed facility; the background of the operator, including their capacity to own, operate, and manage the proposed facility; and the characteristics of the surrounding community and any particular issues or concerns of which the operator should be made aware. The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 400 feet of the project site.~~

~~b. Pre-application site inspection. Prior to submitting an application for a conditional use permit to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.~~

~~c. Required submittals. Applications for conditional use permits for special needs housing facilities shall include the following:~~

~~(1) A Land Use Permit Application containing all of the required information and submissions set forth in Section 13.05.010 for conditional use permits.~~

~~(2) Written confirmation from the applicant that a pre-application public meeting has been held, as required under subsection a. above.~~

~~(3) Demonstration of inspection by the appropriate Fire Marshal and Building Inspector, as required under subsection b. above, to include a description of any necessary building modifications identified during the inspection.~~

~~(4) An Operation Plan that provides information about the proposed facility and its programs, per the requirements of Planning and Development Services.~~

~~d. Review criteria. In addition to the General Criteria, 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:~~

~~(1) There is a demonstrated need for the use due to changing demographics, local demand for services which exceeds existing facility capacity, gaps in the continuum of service, or an increasing generation of need from within the community.~~

~~(2) The proposed use is consistent with the goals and policies of the City of Tacoma Comprehensive Plan, any adopted neighborhood or community plan, and the City of Tacoma Consolidated Plan for Housing and Community Development.~~

~~(3) The proposed location is or will be sufficiently served by public services which may be necessary or desirable for the support and operation of the use. These may include, but shall not be limited to, availability of utilities, access, transportation systems, education, police and fire facilities, and social and health services.~~

~~(4) The use shall be located, planned, and developed such that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing in the facility or residing or working in the surrounding community. The following shall be considered in making a decision:~~

~~(a) The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety and the ability of the proponent to mitigate any potential impacts.~~

~~(b) The provision of adequate off street parking, onsite circulation, and site access.~~

~~(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, to include the following development criteria:~~

- ~~• All program activities must take place within the facility or in an appropriately designed private yard space.~~
- ~~• Adequate outdoor/recreation space must be provided for resident use.~~

~~(d) Compatibility of the proposed structure and improvements with surrounding properties, including the size, height, location, setback, and arrangements of all proposed buildings, facilities, and signage, especially as they relate to less intensive, residential land uses.~~

~~(e) 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.~~

~~(5) Demonstration of the owner's capacity to own, operate, and manage the proposed facility, to include the following:~~

~~(a) Provision of an operation plan which will provide for sufficient staffing, training, and program design to meet the program's mission and goals.~~

~~(b) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control and solid waste disposal.~~

~~(c) Demonstration of knowledge of the City's Public Nuisance Code, TMC 8.30, and plans to educate the facility staff in the provisions of the nuisance code.~~

~~(d) Participation in the City's Multi-Family Crime-Free Housing program by both the property owner and by on-site staff.~~

~~(e) Provision of a point of contact for the facility to both the Neighborhood Council and the City.~~

~~(f) Written procedures for addressing grievances from the neighborhood, City, and facility residents.~~

~~e. Concomitant Agreement. Upon issuance of a conditional use permit for a special needs housing facility, the applicant shall sign and record with the Pierce County Auditor a notarized concomitant agreement. Such agreement shall be in a form specified by Planning and Development Services and subject to the approval of the City Attorney, and shall include as a minimum: (a) the legal description of the property which has been permitted for the special needs housing facility, and (b) the conditions of the permit and applicable standards and limitations. The property owner shall submit proof that the concomitant agreement has been recorded prior to issuance of a certificate of occupancy by Planning and Development Services. The concomitant agreement shall run with the land as long as the facility is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for termination of the concomitant agreement. Such termination shall be granted upon proof that the facility no longer exists on the property.~~

~~f. An application for a conditional use permit for a special needs housing facility shall also comply with the standards in 13.06.080.N Special Needs Housing.~~

~~g. The Director may, when appropriate, utilize other staff or outside parties in the review of such applications.~~

**13.05.070 Notice process.**

\* \* \*

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
* * *									
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
Permanent and Temporary Shelters Permit <sup>8</sup>	Required	<del>400-500</del> feet	<del>Yes</del> -No	Yes	14 days	Director	No	No	<del>5</del> years
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	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 13.05.110C).

**Notes:**

1. 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.
2. Comment on land use permit proposal allowed from date of notice to hearing.
3. Must be recorded with the Pierce County Auditor within five years.
4. Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director’s decision.
5. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.
6. Refer to Section 13.05.120 for preliminary plat expiration dates.
7. Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.
8. A temporary shelter may only return to the same permitted site after six-months has lapsed since the end date of the previous temporary shelter. A site may be permitted for up to 5 years to provide a periodic temporary shelter. Public comment is required only during the initial permitting of a site for a temporary shelter. Public notice and a community meeting will be provided when the temporary use is re-established following the required lapse or when the temporary shelter is granted an extension.

\* \* \*

**CHAPTER 13.06  
ZONING**

**13.06.020 Residential Districts.**

\* \* \*

E. District use restrictions.

\* \* \*

4. District use table – Residential Districts (13.06.020).

Uses (See Footnote 3)	UR-1	UR-2	UR-3	R-4	R-5	Additional Regulations (See Footnotes 1, 2)
* * *						
<b>Residential Uses</b>						
Dwelling Types/Housing Types						
* * *						
<b><u>Other Residential</u></b>						
Accessory uses and buildings	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.020.F
<del>Adult family home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in Section 13.06.080.N</del>
Day care, family	P	P	P	P	P	Must be licensed by the State of Washington.
<del>Emergency</del> <u>Permanent</u> shelter	N	N	CU	CU	CU	Subject to additional requirements contained in Section 13.06.080.N.
<del>Foster home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	-
Group housing	P	P	P	P	P	Maximum occupancy is not regulated by the Zoning Code, but is subject to Building Code provisions.
* * *						
Short-term rental (entire dwelling)	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.M.
<del>Staffed residential home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in Section 13.06.080.N.</del>
<u>Special Needs Housing</u>	<u>P/CU*</u>	<u>P/CU~</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Requires state license.</u> *In the UR-1, Special Needs Housing with more than 12 beds is allowed subject to approval of a conditional use permit. ~ In the UR-2 Special Needs Housing with more than 24 beds is allowed subject to approval of a conditional use permit.
Retirement home	CU	CU	P	P	P	In UR-1 and UR-2 Districts, conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A. Subject to additional requirements contained in Section 13.06.080.N.

Uses (See Footnote 3)	UR-1	UR-2	UR-3	R-4	R-5	Additional Regulations (See Footnotes 1, 2)
<b>Medical and Health Services</b>						
<del>Continuing care retirement community</del>	<del>CU</del>	<del>CU</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in Section 13.06.080.N.</del>
<del>Detoxification center</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>CU</del>	<del>-</del>
<del>Extended care facility</del>	<del>CU</del>	<del>CU</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in Section 13.06.080.N.</del>
<a href="#">Emergency medical care</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">CU</a>	<a href="#">CU</a>	<a href="#">CU</a>	<a href="#">Limited to 10,000 square feet of building floor area.</a>
Hospital	N	N	CU	CU	CU	
<del>Intermediate care facility</del>	<del>CU</del>	<del>CU</del>	<del>N</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in Section 13.06.080.N.</del>
<del>Residential care facility for youth</del>	<del>CU</del>	<del>CU</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in 13.06.080.N.</del>
<del>Residential chemical dependency treatment facility</del>	<del>CU</del>	<del>CU</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Subject to additional requirements contained in 13.06.080.N.</del>
* * *						
<b>Accessory and Temporary Uses</b>						
Seasonal sales	TU	TU	TU	TU	TU	Subject to additional requirements contained in Section 13.06.080.P.
Temporary uses	TU	TU	TU	TU	TU	See Section 13.06.080.P
<a href="#">Temporary shelter</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">Subject to Section 13.06.080.N.2</a>
<b>Unlisted Uses</b>						
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	
<b>Footnotes:</b>						
<p>1. For heritage structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.</p> <p>2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.</p>						

**13.06.030 Commercial Districts.**

\* \* \*

E. District use restrictions.

\* \* \*

4. District use table – Commercial Districts (13.06.030).

Uses (Table Footnote 3)	T	C-1	C-2 <sup>1</sup>	PDB	Additional Regulations (See Footnotes 2 and 3 at bottom of table)
* * *					
<b>Residential Uses</b>					
* * *					
<b>Other Residential</b>					
<del>Adult family home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See definition for bed limit.</del>
Day care, family	P	P	P	P	
<del>Emergency</del> <u>Permanent</u> shelter	CU	CU	P	<del>CU</del> <u>P</u>	See Section 13.06.080.N
<del>Foster home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	-
Group housing	P	P	P	P	
Live/Work	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.
Mobile home/trailer court	N	N	CU	N	
Residential business	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.G
Retirement home	P	P	P	P	See Section 13.06.080.N.
Short-term rental (1-2 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (3-9 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
Short-term rental (entire dwelling)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A.
<u>Special Needs Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Requires state license.</u>
<del>Staffed residential home</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N. See definition for bed limit.</del>
<b>Medical and Health Services</b>					
<del>Continuing care retirement community</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N.</del>
<del>Detoxification center</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	-

Uses (Table Footnote 3)	T	C-1	C-2 <sup>1</sup>	PDB	Additional Regulations (See Footnotes 2 and 3 at bottom of table)
<del>Extended care facility</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N</del>
<del>Emergency medical care</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>Limited to 10,000 square feet of building floor area.</del>
Hospital	N	CU	CU	N	
<del>Intermediate care facility</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N.</del>
<del>Residential care facility for youth</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N. See definition for bed limit.</del>
<del>Residential chemical dependency treatment facility</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>See Section 13.06.080.N.</del>
* * *					
<b>Accessory and Temporary Uses</b>					
Seasonal sales	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Temporary uses	TU	TU	TU	TU	Subject to Section 13.06.080.P.
<u>Temporary shelter</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to Section 13.06.080.N.2</u>
<b>Unlisted Uses</b>					
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	
<b>Footnotes:</b>					
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 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 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 13.05.010.A for additional details, limitations and requirements. 3. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.					

**13.06.040 Mixed-Use Center Districts.**

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E. District use restrictions.

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3. District use table – Mixed-Use Center Districts (13.06.040).

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, 5 at bottom of table)
***									
<b>Residential Uses</b>									
Dwelling Types/ Housing Types									
***									
<b>Other Residential</b>									
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX.2 Not subject to minimum densities. Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Day care, family	P	P	P	P	N	P	P	P	
Emergency Permanent shelter	CU P*~	P~	P~	CUP*	N-P~	CU P~	CUP*	CUP	* See additional standards and dispersion requirements in TMC 13.06.080.N ~ In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Foster home	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Group housing	P	P	P	P	P	P	P	P	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
***									
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Subject to additional requirements contained in Section 13.06.080.M and 13.06.080.A. Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, 5 at bottom of table)
Staffed residential home	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2). Not subject to minimum densities. Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
<a href="#">Special Needs Housing</a>	P	P	P	P	P	P	P	P*	<a href="#">Requires state license.</a> <a href="#">Not subject to minimum densities.</a> <a href="#">Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.</a> <a href="#">Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2).</a>  <a href="#">* In the NRX Special Needs Housing with more than 24 beds is allowed subject to approval of a conditional use permit.</a>
<b>Medical and Health Services</b>									
Continuing care retirement community	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Detoxification center	N	N	N	N	CU	CU	N	N	-
Extended care facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
<a href="#">Emergency medical care</a>	N	P	P	N	P	P	N	N	<a href="#">Limited to 10,000 square feet of building floor area.</a>
Hospital	N	CU	CU	N	P	P	N	N	
Intermediate care facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Residential care facility for youth	P	P	P	P	P	P	P	P	See Section 13.06.080.N. See definition for bed limit. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Not subject to minimum densities. Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	See Section 13.06.080.N. In CCX, NCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations (see footnotes 3, 4, 5 at bottom of table)
***									
<b>Accessory and Temporary Uses</b>									
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to Section 13.06.080.P.
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.080.P.
<a href="#">Temporary shelter</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">TU</a>	<a href="#">Subject to Section 13.06.080.N.2</a>
<b>Unlisted Uses</b>									
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	
<b>Footnotes:</b>									
<ol style="list-style-type: none"> <li>1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.</li> <li>2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.010.D. for the list of designated pedestrian and core pedestrian streets.</li> <li>3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.</li> <li>4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.</li> <li>5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.090.C.</li> <li>6. See Figure 4: Tacoma Mall Neighborhood RGC – No Residential Uses in Section 13.06.040.J.6.</li> </ol>									

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### **13.06.060 Industrial Districts.**

#### **A. Applicability.**

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 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.

#### **B. Purpose.**

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.

#### **C. Districts established.**

M-1 Light Industrial District

M-2 Heavy Industrial District

SCP Seaport Core Primary District

SCM Seaport Core Manufacturing District

SCS Seaport Core Secondary District

ST Seaport Transition District

STT Seaport Transition - Transit Oriented Development District

SC Seaport Conservancy District

##### **1. M-1 Light Industrial District.**

This district is intended to provide areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed industrial uses, or neighboring commercial or residential districts. M-1 districts may be established in new areas of the City, and M-1 district is an appropriate zone to apply as a transition between the industrial operations therein and the existing activities and character of the community in which the district is located. This classification is only appropriate inside Comprehensive Plan areas designated Light Industrial.

##### **2. M-2 Heavy Industrial District.**

This district is intended to allow heavy industrial and manufacturing uses that can reasonably be accommodated without adverse impacts on the public's health, welfare, or safety. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated Heavy Industrial.

##### **3. SCP Seaport Core Primary District.**

The SCP district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(3)(a). SCP implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping. Use priorities include cargo shipping terminals, seaport-related container and industrial activity, seaport-related offices, cargo and equipment storage yards, warehousing, transportation facilities, vessel fueling operations and support facilities, and rail yards. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy

trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

#### 4. SCM Seaport Core Manufacturing District.

The SCM district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(3)(a). SCM implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping and distribution. Use priorities in SCM include cargo shipping terminals, seaport-related container and industrial activity, seaport-related office, cargo and equipment storage yards, warehousing, transportation facilities, vessel fueling operations and support facilities, and intermodal yards. SCM is distinguished from SCP by allowing compatible basic manufacturing of raw materials and uses which rely on the deep water berthing to transport raw materials for processing or manufacture and distribution, as well as uses involved with final assembly, processing, fabrication, and packaging. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

#### 5. SCS Seaport Core Secondary District.

The SCS district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(3)(a). SCS implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping and distribution. Use priorities in SCS include cargo shipping terminals, seaport-related container and industrial activity, seaport-related offices, cargo and equipment storage yards, warehousing, transportation facilities, and intermodal yards. SCS is distinguished from SCP by allowing compatible final manufacturing, research and development, limited cultural establishments related to and which may rely on or be related to the seaport. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

#### 6. ST Seaport Transition District.

The ST district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(6)(c). The ST district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The ST district provides areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed seaport uses or neighboring commercial or residential districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Housing is allowed only for caretakers of allowed uses.

#### 7. STT Seaport Transition - Transit Oriented Development District.

The STT district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(6)(c). The STT district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the

Regional Manufacturing/ Industrial Center (MIC). The STT district provides areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary to either existing or proposed seaport uses, neighboring commercial, or residential districts and is distinguished from the ST district by allowing uses compatible with high-capacity transit located in the district such as multi-family housing. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads, but it is also understood that there will be a higher level of pedestrian and bicycle activity in the STT district.

8. SC Seaport Conservancy District.

The SC district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(6)(c). The SC district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the Regional Manufacturing/ Industrial Center. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Use priorities in SC are habitat preservation intending to protect the long-term function and viability of key wetland, fish and wildlife habitat, and drainage districts.D. Pedestrian streets designated.

Street segments that are considered key areas for integrating land use and transportation and achieving the goals of the Comprehensive Plan 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. Pedestrian Streets are defined in Section 13.06.010.D.

E. District use restrictions.

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

Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC 13.06.070.B, which shall prevail in the case of any conflict.
3. Within the South Tacoma Groundwater Protection District, the land use and development standards of this section are modified as specified in TMC 13.06.070.D, 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 13.05.010.A.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

5. District use table – Industrial Districts (13.06.060).

Uses	M-1	M-2	Additional Regulations <small>(see table Footnote 1)</small>
* * *			
<b>Residential Uses</b>			
Dwelling Types/Housing Types * * *			
<b><u>Other Residential</u></b>			
Accessory uses and buildings	P	P	
<del>Adult family home</del>	<del>P/</del> <del>N*</del>	<del>N</del>	<del>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 13.06.080.N.</del>
Day care, family	P/N*	N	*Not permitted within the South Tacoma M/IC Overlay District.
<del>Emergency</del> <u>Permanent</u> shelter	<del>P/</del> <u>N*</u>	N	<del>*Not permitted within the South Tacoma M/IC Overlay District.</del> <u>*Not permitted within the South Tacoma M/IC Overlay District.</u>
<del>Foster home</del>	<del>P/</del> <u>N*</u>	<del>N</del>	<del>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.</del>
Group housing	P/ 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.
* * *			
Short-term rental	N	N	
<del>Staffed residential home</del>	<del>P/</del> <u>N*</u>	<del>N</del>	<del>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 13.06.080.N.</del>
<u>Special Needs Housing</u>	<u>P/</u> <u>N*</u>	<u>N</u>	<u>Requires state license.</u> <u>*Not permitted within the South Tacoma M/IC Overlay District.</u>
<b>Medical and Health Services</b>			
<del>Continuing care retirement community</del>	<del>P/</del> <u>N*</u>	<del>N</del>	<del>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 13.06.080.N.</del>

Uses	M-1	M-2	Additional Regulations (see table Footnote 1)
<del>Detoxification center</del>	<del>CU</del>	<del>CU</del>	-
<u>Emergency medical care</u>	<u>P</u>	<u>P</u>	<u>Limited to 10,000 square feet of building floor area.</u>
Hospital	P/CU*	P/N~	*Conditional use within the South Tacoma M/IC Overlay District. ~Not permitted within the South Tacoma M/IC Overlay District
<del>Intermediate care facility</del>	<del>P/N*</del>	<del>N</del>	<del>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 13.06.080.N.</del>
<del>Residential care facility for youth</del>	<del>P/N*</del>	<del>N</del>	<del>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 13.06.080.N.</del>
<del>Residential chemical dependency treatment facility</del>	<del>P/N*</del>	<del>N</del>	<del>See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District.</del>
* * *			
<b>Accessory and Temporary Uses</b>			
Seasonal sales	TU	TU	Subject to development standards contained in Section 13.06.080.P.
Temporary uses	P	P	Subject to development standards contained in Section 13.06.080.P.
<u>Temporary shelter</u>	<u>P</u>	<u>N</u>	<u>Subject to Section 13.06.080.N.2</u>
<b>Unlisted Uses</b>			
Uses not prohibited by City Charter and not prohibited herein	N	N	

6. District use table – Seaport manufacturing and industrial districts

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
* * *							
<b>Residential Uses</b>							
* * *							
Other Residential Uses							
Accessory uses and buildings	N	N	N	N	P	N	
Quarters for caretakers and watchpersons	P	P	P	P	P	N	
Temporary Worker Housing	P	P	P	P	P	N	

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
<del>Adult family home</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	
Day care, family	N	N	N	N	CU	N	
<del>Emergency</del> <u>Permanent</u> shelter	N	N	N	N	<del>CU</del> P	N	
<del>Foster home</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>CU</del>	<del>N</del>	
Group housing	N	N	N	N	CU	N	
Residential Business	N	N	N	N	P	N	Subject to additional requirements contained in Section 13.06.080.G
Live/Work	N	N	N	N	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.
Short-term rental	N	N	N	N	N	N	
<del>Staffed residential home</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	
<u>Special needs housing</u>	N	N	N	N	CU	N	
Retirement home	N	N	N	N	P	N	See Section 13.06.080.N. Residential uses prohibited on the ground floor.
<b>Medical and Health Services</b>							
Prohibited medical and health services, in all districts <ul style="list-style-type: none"> <li>• <del>Continuing care retirement community</del></li> <li>• <del>Detoxification center</del></li> <li>• Hospital</li> <li>• <del>Intermediate care facility</del></li> <li>• <del>Residential care facility for youth</del></li> <li>• <del>Residential chemical dependency treatment facility</del></li> </ul>	N	N	N	N	N	N	
<u>Emergency</u> medical <u>care</u> facilities	P	P	P	P	P	N	Limited to 10,000 square feet of building footprint in the SCP, SCM, and SCS districts and 15,000 square feet of building footprint in the ST and STT districts.
***							
<b>Accessory and Temporary Uses</b>							
Seasonal sales	N	N	N	N	P	N	Subject to development standards contained in Section 13.06.080.P.
Temporary uses	N	N	N	CU	CU	N	Subject to development standards contained in Section 13.06.080.P.
<u>Temporary shelter</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<del>CU</del> P	<u>N</u>	<u>Subject to Section 13.06.080.N.2</u>
***							

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations <small>(see table Footnote 1)</small>
<b>Footnotes:</b>							
<p>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.F for additional details, limitations and requirements.</p> <p>2. Seaport related means the use is related to or supports the following types of activities: Tribal customs or treaty protected uses and activities; priority economic sectors including container port activities, maritime, trade, clean fuels, advanced manufacturing, green building and trades, and industrial symbiosis; clean tech and water; or activities related to the environmental characteristics of the Tideflats area.</p> <p>3. Ancillary use is subordinate to and supporting an allowed principal use.</p>							

\* \* \*

**13.06.080 Special Use Standards**

\* \* \*

N. Permanent and Temporary Shelters~~Special needs housing.~~

1. ~~Applicability. (Reserved)~~ General Purpose. The purpose of this chapter is to ensure that shelter may be adequately provided on a temporary or ongoing basis for individuals or groups who are unhoused, to provide a predictable and efficient permitting process that does not impede community response to extreme weather events or other crises, and to provide reasonable standards for health, safety and general welfare for those seeking shelter as well as the surrounding community.

2. ~~Purpose.~~ 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.

Permanent Shelters.

3. ~~Use standards.~~

a. ~~The following use table designates all permitted, limited, and prohibited uses in the districts listed.~~

<b>Special Needs Housing—Use Table</b>				
<small>(P= Permitted Outright, CU= Conditional Use Permit Required, N= Not Permitted)</small>				
	<b>UR-1 and UR-2 and NRX</b>	<b>UR-3, R-4, R-5, PRD, URX, RCX, NCX, T, C-1, HM, HMX, PDB</b>	<b>UCX, CCX, CIX, C-2, M-1, DCC, DMU, DR, WR</b>	<b>M-2, PMI</b>
Emergency Shelter	N	CU	P	N
Staffed Residential Home	P	P	P	N
Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	P	P	P	N
Residential Chemical Dependency Treatment Facility, Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	CU	P	P	N

\* Note: See Subsection 4, 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.

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

a4. Siting and Dispersion requirement. General Standards

(1) Applicability.

~~• a. Facilities lawfully in existence on the adoption date of this section, are exempt from the dispersion requirement. Such facility shall be permitted to expand from the site it lawfully occupied at the time of the passage of this section only onto contiguous property owned by or under lease to the use at the time of the adoption of this section.~~

~~• b. This requirement shall apply only to development in the UR 1, UR 2, UR 3, URX, RCX, and NCX districts PRD, UR 3, R 4, R 5, URX and RCX districts.~~

~~(2) c. The lot line of any emergency and transitional housing shall be located 600 feet or more from the lot line of any other permanent shelter emergency and transitional housing. Where existing proximity to a limited access highway or freeway affords comparable protection, the 600 foot distance requirement may be waived.~~

~~(3) d. The City shall determine whether a proposed facility meets the dispersion requirement criteria from maps which shall note the location of emergency and transitional housing. Such maps shall be generated and maintained by the City as a reference document. Any person who disputes the accuracy of the maps may furnish the staff with the information and, if determined by the staff to be accurate, this information shall be used in processing the application.~~

b. Site inspection. Prior to permit issuance, the applicant shall allow for an inspection by the appropriate Building Inspector and Fire Marshall to determine if the facility meets Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware of the building modifications, if any, that would be necessary to establish the use.

c. Operational plan. The provider shall submit an operational plan to the City that demonstrates the following:

- The name, if any, of the facility and the headquarters address of the managing entity;
- A description of any other programs operating in the building and copies of the applicable licenses and certifications held by the program;
- Designation of at least one point of contact authorized to make decisions and take corrective action in emergencies;
- At least one telephone number to be used in emergencies;
- Documentation of operational policies or procedures for:
  - health, fire, safety, and occupancy;
  - admissions, including a description of the populations the project will serve and potential sources of referral;
  - program exit or transfer; and
  - handling complaints and grievances from occupants;
- Staffing to provide services and resources to the population being served comparable to standard or customary practices for the particular type of housing being provided—the staff policy or procedure may include the number of staff or volunteers present during daytime and nighttime operations, staff or volunteer training, and other processes to provide services and resources to the population being served.

d. When the proposed shelter is located within 500' walking distance of a public or private school, the City may enter into good-faith negotiations with the sponsor to establish additional reasonable requirements pertaining to health and safety protocols. If the parties

are unable to come to an agreement within 180 days of the permit being submitted, the permit may be denied.

~~Operational plan. The provider shall submit an operational plan to the City that demonstrates the following:~~

~~(1) Provision for sufficient staffing, training, and program design to meet the program's mission and goals.~~

~~(2) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control, pet waste disposal, and solid waste disposal.~~

~~(3) Demonstration of knowledge of the City's Public Nuisance Code, TMC 8.30, and plans to educate the facility staff in the provisions of the nuisance code.~~

~~(4) Participation in the City's Multi-Family Crime-Free Housing program by both the property owner and by on-site staff.~~

~~(5) Provision of a point of contact for the facility to both the Neighborhood Council and the City.~~

~~(6) Written procedures for addressing grievances from the neighborhood, City, and facility residents.~~

### 35. Temporary shelters.

~~a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious, non-profit, and governmental organizations to use property owned or controlled by them for temporary homeless shelters, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.~~

a. Applicability. This section applies to the establishment of temporary shelters in districts where permanent shelters are not an outright-permitted use per the table in TMC 13.06.080.N. Where permanent shelters are a permitted use, the following section shall be reviewed to ensure health and safety for the residents of the site, but the procedural requirements shall not apply.

b. Application submittal requirements. In order to allow sponsoring religious, non-profit, and governmental organizations to establish a temporary shelter on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC Chapter 13.05, Land Use Permits and Procedures, and the following:

(1) The Director of Planning and Development Services is authorized to issue permits for temporary shelters only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements. A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based on safety, sanitary conditions or health related concerns or activities have become disorderly or disorganized so as to impact the safety, health, and welfare of the neighborhood adjacent to the site.

(2) An application for a temporary shelter shall include the following:

(a) The dates of the start and termination of the temporary shelter;

- (b) The maximum number of residents proposed;
- (c) The location, including parcel number(s) and address(es);
- (d) The names of the managing agency, proposed self-management plan (the self-management plan would require consultation with the sponsor and oversight by City staff and meetings with neighboring property owners, businesses, Safe Streets organizations, Neighborhood Councils, and/or similar organizations), or manager and sponsor;
- (e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”) principles:
  - i. Property lines;
  - ii. Property dimensions;
  - iii. Location and type of fencing/screening (must be a minimum of ten feet from property lines);
  - iv. Location of all support structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;
  - v. Method of providing and location of potable water;
  - vi. Method of providing and location of waste receptacles;
  - vii. Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);
  - viii. Location of vehicular access and parking;
  - ix. Location of dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);
  - x. Entry/exit control points;
  - xi. Internal pathways, and access routes for emergency services.
- (f) A statement from the sponsoring religious, non-profit, or governmental organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary shelter;
- (g) A signed trespass order filed with the Tacoma Police Department;
- (h) A mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate;
- (i) Transition plan for assisting residents in moving to another location.

c. Siting and ~~duration~~ dispersion.

- (1) Temporary shelters are prohibited in ~~Shoreline Districts,~~ critical areas, and their buffers.
- (2) The lot line of any new temporary shelter shall be located 1/2 mile or more from the lot line of any other emergency or temporary shelter. Where existing proximity to a limited access highway or freeway affords comparable protection, the 1/2 mile distance requirement may be waived.

~~In no event shall there be located in any one Police Sector shelter sites serving more than a cumulative total of 150 residents at any given time, and a~~

~~minimum of one mile must separate each temporary shelter site, except where the Director determines adjusting proximity will not result in over concentration or an adverse impact to the surrounding community.~~

~~— Prior to approving shelter sites, the total capacity of temporary shelter sites in a given sector will be evaluated. As part of the process for approving additional locations within a sector, the City shall determine whether there are adequate services to support additional locations in a sector.~~

- (3) A temporary shelter may only return to the same site after six-months has lapsed since the end date of the previous temporary shelter.
- (4) The maximum duration of a temporary shelter shall be 185 consecutive days, except as provided below:
  - (a) The Director may extend the permit once for up to 40 days if unforeseen problems arise regarding shelter relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.
  - (b) The Director may extend the permit once when inclement weather, natural disaster, or other emergency necessitates the continued use of the shelter location. The Director may extend the permit until the event necessitating the extension has ended but no longer than 90 days. An extension must be requested prior to the event or when reasonable given the circumstances of the event. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.
  - (c) The Director may extend the temporary permit for a longer period, up to 180 days, if the shelter has demonstrated continuing need and demonstrated compliance with this chapter. An extension must be requested before the last 60 days of the existing temporary permit. As indicated in Section 13.05.070H, the maximum duration for this type of temporary permit is five ~~one~~ years, however, successive permits for one shelter facility can also be approved under this section. If an extension is approved, the decision shall address any appropriate modifications to conditions of approval. This type of long-term extension, or successive long-term permits, shall be processed in the same manner required for the original Temporary Shelters Permit (as outlined in Section 13.05), including the same level of community notification, community meeting, and comment period. The Director's decision regarding this type of extension shall require periodic monitoring not less than every 45 days. An extension shall not be granted if any violation of the existing temporary shelter permit has occurred. In considering whether to grant this type of long-term extension, the Director shall consider factors such as:
    - i. The number of code compliance cases.
    - ii. The number of calls placed to police due to disruptions on-site by residents.
    - iii. The number of community engagements, which may include meetings or volunteer opportunities.
    - iv. A report documenting the status of resident jobs,

skills, or behavioral trainings.

v. A report documenting efforts, up to and including, transitioning of residents into other temporary, long-term, or more stable housing.

de. Safety and health requirements. A temporary shelter shall be established in accordance with the following standards:

(1) No more than 100 residents shall be allowed per shelter location. The City may further limit the number of residents as site conditions dictate.

(2) A minimum of 150 square feet of site area per resident shall be required for any given shelter, provided that the site meets all safety, health, logistical, operational, and site plan requirements for temporary shelters, as set forth in this section. Such minimum site area may be proportionally reduced if adjacent existing buildings are used for sleeping or support facilities such as kitchen, dining hall, showers, and latrines.

~~(3) The maximum duration of a temporary shelter shall be 185 consecutive days, except as provided below:~~

~~(a) The Director may extend the permit once for up to 40 days if unforeseen problems arise regarding shelter relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.~~

~~(b) The Director may extend the permit once when inclement weather, natural disaster, or other emergency necessitates the continued use of the shelter location. The Director may extend the permit until the event necessitating the extension has ended but no longer than 90 days. An extension must be requested prior to the event or when reasonable given the circumstances of the event. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.~~

~~(c) The Director may extend the temporary permit for a longer period, up to 180 days, if the shelter has demonstrated continuing need and demonstrated compliance with this chapter. An extension must be requested before the last 60 days of the existing temporary permit. As indicated in Section 13.05.070H, the maximum duration for this type of temporary permit is one year, however, successive permits for one shelter facility can also be approved under this section. If an extension is approved, the decision shall address any appropriate modifications to conditions of approval. This type of long-term extension, or successive long-term permits, shall be processed in the same manner required for the original Temporary Shelters Permit (as outlined in Section 13.05), including the same level of community notification, community meeting, and comment period. The Director's decision regarding this type of extension shall require periodic monitoring not less than every 45 days. An extension shall not be granted if any violation of the existing temporary shelter permit has occurred. In considering whether to grant this type of long-term extension, the Director shall consider factors such as:~~

~~i. The number of code compliance cases.~~

- ~~ii. The number of calls placed to police due to disruptions on site by residents.~~
- ~~iii. The number of community engagements, which may include meetings or volunteer opportunities.~~
- ~~iv. A report documenting the status of resident jobs, skills, or behavioral trainings.~~
- ~~v. A report documenting efforts, up to and including, transitioning of residents into other temporary, long-term, or more stable housing.~~

~~(4) A temporary shelter may only return to the same site after six months has lapsed since the end date of the previous temporary shelter.~~

~~(5) In no event shall there be located in any one Police Sector shelter sites serving more than a cumulative total of 150 residents at any given time, and a minimum of one mile must separate each temporary shelter site, except where the Director determines adjusting proximity will not result in over concentration or an adverse impact to the surrounding community. Prior to approving shelter sites, the total capacity of temporary shelter sites in a given sector will be evaluated. As part of the process for approving additional locations within a sector, the City shall determine whether there are adequate services to support additional locations in a sector.~~

(36) Outdoor shelters shall be enclosed on all sides with a minimum six-foot tall, sight-obscuring fence. No fence will be required if the site is out of view of adjacent properties.

(47) Permanent structures are prohibited from being constructed within the temporary shelter site. Existing permanent structures may be used for sheltering or service provision.

~~(8) Temporary shelters are prohibited in Shoreline Districts, critical areas, and their buffers.~~

(59) The sponsoring religious, non-profit, or governmental organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the shelter during its operation.

(610) One security/office/operations structure shall be provided for the site manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the shelter and be ready and able to alert police and/or other emergency responders if the need arises.

(711) The minimum age for unaccompanied shelter residents is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.

(812) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious, non-profit, or governmental organization. No sex offenders will be permitted as shelter residents.

~~(13) The temporary shelter must be located within one half mile of a transit stop that is in service seven days per week.~~

(914) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

- (a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.

(b) Provide sanitary toilets as provided in the following table:

<u>Number of residents</u>	<u>1-20</u>	<u>21-40</u>	<u>41-60</u>	<u>61-80</u>	<u>81-100</u>
<u>Number of toilets required</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>

(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:

i. Hand washing stations next to toilets provided in the following manner:

<u>Number of residents</u>	<u>1-15</u>	<u>16-30</u>	<u>31-45</u>	<u>46-60</u>	<u>61-75</u>	<u>76-90</u>	<u>91-100</u>
<u>Number of stations required</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>

(d) Showering facilities are required as provided in the following table:

<u>Number of residents</u>	<u>1-33</u>	<u>34-66</u>	<u>67-100</u>
<u>Number of showers required</u>	<u>1</u>	<u>2</u>	<u>3</u>

(e) At least one food preparation area with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.

(f) Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.

(g) An adequate water source must be made available to the site.

(h) Indoor sleeping facilities must meet the following standards:

(i) Must comply with all life safety and building code requirements.

(j) Outdoor sleeping facilities must meet the following standards:

i. Appropriate spacing is required between all temporary, semi-permanent, and permanent sleeping structures of all types, materials, and sizes. Appropriate spacing will be specified during application intake and review.

(k) Waste water disposal, which drains to sanitary sewer.

(l) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Infectious waste/ sharps disposal shall be made available.

(m) Premises must be maintained to control insects, rodents, and other pests.

(1045) Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:

(a) Approval letter from the TFD, should the shelter site contain structures in excess of 200 square feet or canopies in excess of 400 square feet.

(b) Provide fire extinguishers in quantity and locations as specified by TFD.

(c) Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.

(d) No smoking or open flames shall be allowed in sleeping or food prep structures. Smoking within the shelter site will be within designated smoking

areas only.

(e) Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, including to support facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and any sleeping structures.

(f) Security plan. The security plan shall:

i. List the contact name and phone number of the on-site manager;

ii. Contain an evacuation plan for the temporary shelter;

iii. Contain a controlled access plan for residents; and

iv. Contain a fire suppression and emergency access plan.

~~(16) Parking standards.~~

~~(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC § 13.06.090C.~~

~~(b) A minimum of two off street parking spaces per 25 residents are required for all temporary shelters.~~

~~(c) Any required parking for the principal/existing use on site shall not be displaced as a result of the temporary shelter.~~

(1147) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

~~5. Should the state adopt siting requirements in excess of those required by this section, this section shall be considered amended to be in compliance with state law.~~

~~\*\*\*~~

P. Temporary use.

~~\*\*\*~~

~~5. Temporary shelters.~~

~~a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious, non profit, and governmental organizations to use property owned or controlled by them for temporary homeless shelters, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.~~

~~b. Application. In order to allow sponsoring religious, non profit, and governmental organizations to establish a temporary shelter on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC Chapter 13.05, Land Use Permits and Procedures, and the following:~~

~~(1) The Director of Planning and Development Services is authorized to issue permits for temporary shelters only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements. A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based on safety, sanitary conditions or health related concerns or activities have become disorderly or disorganized so as to impact the safety, health, and welfare of the neighborhood adjacent to the site.~~

- ~~(2) An application for a temporary shelter shall include the following:~~
- ~~(a) The dates of the start and termination of the temporary shelter;~~
  - ~~(b) The maximum number of residents proposed;~~
  - ~~(c) The location, including parcel number(s) and address(es);~~
  - ~~(d) The names of the managing agency, proposed self-management plan (the self-management plan would require consultation with the sponsor and oversight by City staff and meetings with neighboring property owners, businesses, Safe Streets organizations, Neighborhood Councils, and/or similar organizations), or manager and sponsor;~~
  - ~~(e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”) principles:~~
    - ~~i. Property lines;~~
    - ~~ii. Property dimensions;~~
    - ~~iii. Location and type of fencing/screening (must be a minimum of ten feet from property lines);~~
    - ~~iv. Location of all support structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;~~
    - ~~v. Method of providing and location of potable water;~~
    - ~~vi. Method of providing and location of waste receptacles;~~
    - ~~vii. Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);~~
    - ~~viii. Location of vehicular access and parking;~~
    - ~~ix. Location of dwellings for each person (must meet Tacoma Pierce County Health Department requirements);~~
    - ~~x. Entry/exit control points;~~
    - ~~xi. Internal pathways, and access routes for emergency services.~~
  - ~~(f) A statement from the sponsoring religious, non profit, or governmental organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary shelter;~~
  - ~~(g) A signed trespass order filed with the Tacoma Police Department;~~
  - ~~(h) A mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate;~~
  - ~~(i) Transition plan for assisting residents in moving to another location.~~
- ~~e. Safety and health requirements. A temporary shelter shall be established in accordance with the following standards:~~
- ~~(1) No more than 100 residents shall be allowed per shelter location. The City may further limit the number of residents as site conditions dictate.~~
  - ~~(2) A minimum of 150 square feet of site area per resident shall be required for any given shelter, provided that the site meets all safety, health, logistical, operational,~~

and site plan requirements for temporary shelters, as set forth in this section. Such minimum site area may be proportionally reduced if adjacent existing buildings are used for sleeping or support facilities such as kitchen, dining hall, showers, and latrines.

~~(3) The maximum duration of a temporary shelter shall be 185 consecutive days, except as provided below:~~

~~(a) The Director may extend the permit once for up to 40 days if unforeseen problems arise regarding shelter relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.~~

~~(b) The Director may extend the permit once when inclement weather, natural disaster, or other emergency necessitates the continued use of the shelter location. The Director may extend the permit until the event necessitating the extension has ended but no longer than 90 days. An extension must be requested prior to the event or when reasonable given the circumstances of the event. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.~~

~~(c) The Director may extend the temporary permit for a longer period, up to 180 days, if the shelter has demonstrated continuing need and demonstrated compliance with this chapter. An extension must be requested before the last 60 days of the existing temporary permit. As indicated in Section 13.05.070H, the maximum duration for this type of temporary permit is one year, however, successive permits for one shelter facility can also be approved under this section. If an extension is approved, the decision shall address any appropriate modifications to conditions of approval. This type of long term extension, or successive long term permits, shall be processed in the same manner required for the original Temporary Shelters Permit (as outlined in Section 13.05), including the same level of community notification, community meeting, and comment period. The Director's decision regarding this type of extension shall require periodic monitoring not less than every 45 days. An extension shall not be granted if any violation of the existing temporary shelter permit has occurred. In considering whether to grant this type of long term extension, the Director shall consider factors such as:~~

~~i. The number of code compliance cases.~~

~~ii. The number of calls placed to police due to disruptions on site by residents.~~

~~iii. The number of community engagements, which may include meetings or volunteer opportunities.~~

~~iv. A report documenting the status of resident jobs, skills, or behavioral trainings.~~

~~v. A report documenting efforts, up to and including, transitioning of residents into other temporary, long-term, or more stable housing.~~

~~(4) A temporary shelter may only return to the same site after six months has lapsed since the end date of the previous temporary shelter.~~

- ~~(5) In no event shall there be located in any one Police Sector shelter sites serving more than a cumulative total of 150 residents at any given time, and a minimum of one mile must separate each temporary shelter site, except where the Director determines adjusting proximity will not result in over concentration or an adverse impact to the surrounding community. Prior to approving shelter sites, the total capacity of temporary shelter sites in a given sector will be evaluated. As part of the process for approving additional locations within a sector, the City shall determine whether there are adequate services to support additional locations in a sector.~~
- ~~(6) Outdoor shelters shall be enclosed on all sides with a minimum six foot tall, sight-obscuring fence. No fence will be required if the site is out of view of adjacent properties.~~
- ~~(7) Permanent structures are prohibited from being constructed within the temporary shelter site. Existing permanent structures may be used for sheltering or service provision.~~
- ~~(8) Temporary shelters are prohibited in Shoreline Districts, critical areas, and their buffers.~~
- ~~(9) The sponsoring religious, non profit, or governmental organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the shelter during its operation.~~
- ~~(10) One security/office/operations structure shall be provided for the site manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the shelter and be ready and able to alert police and/or other emergency responders if the need arises.~~
- ~~(11) The minimum age for unaccompanied shelter residents is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.~~
- ~~(12) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious, non profit, or governmental organization. No sex offenders will be permitted as shelter residents.~~
- ~~(13) The temporary shelter must be located within one half mile of a transit stop that is in service seven days per week.~~
- ~~(14) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma Pierce County Health Department prior to occupancy:
 
  - ~~(a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.~~
  - ~~(b) Provide sanitary toilets as provided in the following table:~~

Number of residents	1-20	21-40	41-60	61-80	81-100
Number of toilets required	1	2	3	4	5
  - ~~(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:
 
    - ~~i. Hand washing stations next to toilets provided in the following manner:~~

Number of residents	1-15	16-30	31-45	46-60	61-75	76-90	91-100
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Number of stations required	1	2	3	4	5	6	7
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~~(d) — Showering facilities are required as provided in the following table:~~

Number of residents	1-33	34-66	67-100
Number of showers required	1	2	3

~~(e) — At least one food preparation area with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.~~

~~(f) — Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.~~

~~(g) — An adequate water source must be made available to the site.~~

~~(h) — Indoor sleeping facilities must meet the following standards:~~

~~(i) — Must comply with all life safety and building code requirements.~~

~~(j) — Outdoor sleeping facilities must meet the following standards:~~

~~i. — Appropriate spacing is required between all temporary, semi-permanent, and permanent sleeping structures of all types, materials, and sizes. Appropriate spacing will be specified during application intake and review.~~

~~(k) — Waste water disposal, which drains to sanitary sewer.~~

~~(l) — Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Infectious waste/ sharps disposal shall be made available.~~

~~(m) — Premises must be maintained to control insects, rodents, and other pests.~~

~~(15) — Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:~~

~~(a) — Approval letter from the TFD, should the shelter site contain structures in excess of 200 square feet or canopies in excess of 400 square feet.~~

~~(b) — Provide fire extinguishers in quantity and locations as specified by TFD.~~

~~(c) — Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.~~

~~(d) — No smoking or open flames shall be allowed in sleeping or food prep structures. Smoking within the shelter site will be within designated smoking areas only.~~

~~(e) — Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, including to support facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and any sleeping structures.~~

~~(f) — Security plan. The security plan shall:~~

- ~~i. — List the contact name and phone number of the on-site manager;~~
- ~~ii. — Contain an evacuation plan for the temporary shelter;~~
- ~~iii. — Contain a controlled access plan for residents; and~~
- ~~iv. — Contain a fire suppression and emergency access plan.~~

~~(16) — Parking standards.~~

- ~~(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC § 13.06.090C.~~
  - ~~(b) A minimum of two off street parking spaces per 25 residents are required for all temporary shelters.~~
  - ~~(c) Any required parking for the principal/existing use on site shall not be displaced as a result of the temporary shelter.~~
- ~~(17) Refuse and recycling containers shall be provided on site, with service provided by Solid Waste Management and paid for by the applicant.~~

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**CHAPTER 13.19**  
**URBAN DESIGN BOARD AND PERMIT REVIEW**

**§ 13.19.010. Short title.**

This chapter may be referenced as “Urban Design Code.”

\* \* \*

**§ 13.19.040. Urban Design Project review.**

- A. Purpose. To foster development that is equitable, well functioning, and logically integrated in the built form of Tacoma, the City requires thoughtful consideration of the design decisions of individual developments through the urban design project review process. In addition to other provisions of this Chapter, the City finds it necessary in the interests of the prosperity, civic pride, and ecological and general welfare of all its citizens to engage in urban design project review. The City further finds that the economic, cultural, and aesthetic standing of the City will be supported and improved by providing urban design guidance to private development applications early in the development design process. The purpose of this Code section is to support those goals and provide a regulatory procedure for urban design decision making bodies.
- B. Authority and responsibilities.
1. Director. Pursuant to TMC Chapter 13.19, and for the purposes of this chapter, the Director shall have the authority to:
    - a. Review and advise upon Urban Design Project Review Concept Design applications subject to an administrative review and decision. Review and advisory statements are limited to the consideration of applicable criteria, adopted City plans, and clear and objective design guidelines contained in the applicable version of the Urban Design Project Review Manual. The review and guidance shall be summarized in a consolidated Concept Review report and provided to the applicant.
    - b. Approve or deny Urban Design Project Permit applications subject to an administrative review and decision. Review and decisions are limited to the consideration of applicable criteria, adopted City plans, and clear and objective design guidelines contained in the applicable version of the Urban Design Project Review Manual.
  2. Urban Design Board. Pursuant to TMC Chapter 13.19, and for the purposes of this chapter, the Urban Design Board shall have the authority to:
    - a. Review and advise upon Urban Design Project Review Concept Design applications subject to a Board review and decision. Review and advisory statements are limited to the consideration of applicable criteria, adopted City plans, and clear and objective design guidelines contained in the applicable version of the Urban Design Project Review Manual. The review and guidance shall be summarized in a consolidated Concept Review report and provided to the applicant.
    - b. Approve or deny Urban Design Project Permit applications subject to a Board review and decision. Review and decisions are limited to the consideration of applicable criteria, adopted City plans, and clear and objective design guidelines

contained in the applicable version of the Urban Design Project Review Manual.

C. Applicability. New development or additions to existing development meeting or exceeding certain location and development size thresholds shall be subject to applicable Urban Design Project Review requirements as described in this section.

1. Location.

a. New development or additions to existing development that exceed the development size thresholds in section “2” and are located within any of the City’s designated Mixed Use Centers and including the Seaport Transition TOD District within the Tideflats Manufacturing and Industrial Center. This consists of all properties with Mixed Use Center and Downtown district zoning.

b. Designated Mixed Use Centers.

Regional Growth Centers	Crossroads Centers	Neighborhood Centers
Downtown Tacoma Mall	Lower Pacific Ave. Lower Portland Ave. James Center Point Ruston Tacoma Central Upper Pacific Ave. Westgate	6th Ave. Lincoln McKinley Narrows Proctor South Tacoma Way

c. Seaport Transition TOD District.

2. Development size thresholds. New development or additions to existing development meeting or exceeding the development size thresholds contained herein shall be subject to applicable Urban Design Project Review requirements as described in this section.

a. Type I: Director decision. Development located in a designated Mixed Use Center that meets or exceeds the minimum cumulative building area threshold and is less than the maximum threshold listed below, as applicable to the type of mixed use center, is subject to a Director Urban Design Project Review decision.

(1) Neighborhood Centers.

Minimum Building Area	Maximum Building Area
10,000 sq. ft.	40,000 sq. ft.

(2) Regional Growth Centers, Crossroads Centers, and Seaport Transition TOD District.

Minimum Building Area	Maximum Building Area
20,000 sq. ft.	100,000 sq. ft.

b. Type II: Urban Design Board decision. Developments that exceed the maximum building area thresholds contained in section “a” above, as applicable to the type of mixed use center, are subject to Urban Design Board Urban Design Project Review decision.

c. Additions. Urban Design Project Review threshold requirements for additions to

existing developments is determined by the size of the addition separate from the existing building(s). When an addition requires an Urban Design Project Review permit, the existing development is to be considered in the permit review and decision. This includes consideration of any opportunities or constraints the existing development presents toward meeting applicable criteria.

- d. Exempt from urban design project review. Developments that fall below the minimum building area thresholds contained in section “a” above are exempt from Urban Design Project Review but remain subject to other applicable requirements contained in this title.

### 3. Exceptions.

- a. STEP Housing, including Shelters, Transitional Housing, Emergency Housing, and Permanent Supportive Housing, are exempt from the size thresholds for Urban Design Project Review but may elect to apply for departures through the provisions in 13.19.040.E below.

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\* \* \*

**EXHIBIT “C”**

**CHAPTER 1.42  
LANDMARKS PRESERVATION COMMISSION**

\* \* \*

**§ 1.42.050. Terms of Commissioners.**

Terms of the Commissioners of the Landmarks Preservation Commission shall be three years.

A. Terms of all Commissioners shall begin on January 1 and end on December 31.

B. Each Commissioner may serve ~~until an appointment and qualification of a successor~~ up to ten consecutive years, except that one-term exceptions may be granted as needed for institutional knowledge.

C. In the event that a position is vacated before the expiration of the term, the City Council may appoint a successor to serve the remainder of the unexpired term.

\* \* \*

## CHAPTER 13.01 DEFINITIONS

\* \* \*

### § 13.01.060. Zoning definitions.

For the purposes of Chapter 13.06, 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.

#### A. 13.01.060.A.

\* \* \*

“Alley.” A public or private accessway which provides a secondary means of vehicular access to abutting property, unless determined by the Director or Hearing Examiner to be an Officially Approved Accessway as provided under Section 13.04.140B.

“Alter.” To make any change, addition, or modification in construction or occupancy of a building structure.

“Alteration.” A physical change to a structure or a site. Alterations do not include normal maintenance and repair. Alteration includes ~~or any of~~ the following:

1. Changes to the façade of a building;
2. Changes to the interior of a building;
3. Increases or decreases in floor area of a building;
4. Changes to other structures, including parking garages, on the site or the development of new structures;
5. Changes to landscaping, off-street parking spaces, and other improvements to a site; and/or
6. ~~Demolition~~

\* \* \*

#### B. 13.01.060.B.

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“Billboard, wall.” A billboard that is mounted to a wall either by direct application or installed on a device that is mounted to a wall designed to support the billboard advertising copy. A wall billboard may also be referred to as a “wall-mounted billboard” or a “building-mounted billboard”.

“Blank wall.” A continuous, uninterrupted area of wall without a window, door (including garage), or other opening.

“Brewpub.” An eating and drinking establishment having a small brewery on the premises which produces beer, ale, or other malt beverage, or wine, and where the majority of the beer/wine produced is consumed on the premises. This classification allows a brewpub to sell beer/wine at retail and/or act as wholesaler for beer of its own production for off-site consumption, with appropriate state licenses.

\* \* \*

**P. 13.01.060.P.**

\* \* \*

“Police sector.” Areas created by the Tacoma Police Department to support its Community Policing Division, which focuses on proactive policing in partnership with the community.

“Primary entrance.” An entrance that provides direct pedestrian access to residential units, non-residential use(s), or a shared entrance of multiple users/uses and is oriented to and directly accessible from a street. This can include entrances into an interior space as well as exterior spaces such as courtyards, plazas, patios, or other similar spaces that may be covered, uncovered, unenclosed, or partially enclosed.

“Provider (wireless communication facility).” Every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity, and individual that provides wireless communication services over wireless communication facilities.

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**R. 13.01.060.R.**

\* \* \*

“Roof line or ridge line.” The top edge of the roof or top of a parapet, whichever forms the top line of the building silhouette, excluding any cupola, pylon, chimney, mechanical equipment, or other minor projection.

“Rowhouse.” A Housing Type consisting of a building with access to the street from its front door ~~and a private yard~~. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouses ~~buildings~~, which together create a “Rowhouse Cluster” of three to six Rowhouses. These are sometimes, but not always, located on individual lots.

**S. 13.01.060.S.**

\* \* \*

**T. 13.01.060.T.**

\* \* \*

“Transparency.” Glazing through which it is possible to see clearly into and out of a building or into a window display.

“Transportation/freight terminals.” A place where transfer of goods ~~and/or people~~ takes place between modes of transportation. This classification includes marine terminals, freight terminals and transfer yards, container marshalling yards, intermodal rail yards, general rail yards, train and bus stations, and ferry terminals.

“Travel services.” Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.

\* \* \*

**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 up to ten consecutive years, except that one-term exceptions may be granted as needed for institutional knowledge~~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. Members are expected to attend Commission meetings and to fully participate in and contribute to the work of the Commission. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, should be deemed to have forfeited the office and a new member may 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 Chapter 1.46.

\* \* \*

**§ 13.02.070. Comprehensive plan amendment procedures.**

- A. Adoption and amendment by ordinance.
  - 1. The Comprehensive Plan and its elements shall be adopted and amended by ordinance of the City Council, following the procedures identified in this section.
- B. Consistency with Growth Management Act.
  - 1. Adoption and amendment of the Comprehensive Plan must be consistent with the procedural requirements of RCW 36.70A and in compliance with applicable case law.
- C. Timing for proposed amendments.
  - 1. Amendments to the Comprehensive Plan shall be considered no more frequently than once each calendar year except that amendments may be considered more frequently under the following circumstances:
    - a. An emergency exists;
    - b. The initial adoption of a sub-area plan;
    - c. The adoption or amendment of a shoreline master program under the procedures set forth in RCW 90.58;
    - d. The amendment of the Public Facilities and Services element and Capital Facilities Program of the Comprehensive Plan that occurs concurrently with the adoption or

amendment of the City's biennial budget; or

- e. To resolve an appeal of the Comprehensive Plan decided by the Growth Management Hearings Board or a decision of the state or federal courts.
2. All proposed plan amendments shall be considered concurrently and, as appropriate, along with proposed amendments to development regulations, so that the cumulative effect of the various proposals can be ascertained. Proposed amendments may be considered annually, ~~for which the amendment process shall begin in July of any given year and be completed,~~ with appropriate actions taken by the City Council in accordance with Section 13.02.070G and H, by the end of ~~June of the following~~ year.

D. Application for comprehensive plan amendment.

\* \* \*

### § 13.04.230. Lots.

\* \* \*

D. Pipestem lots. The creation of pipestem lots shall be allowed in certain circumstances. The intent of these limitations is to minimize negative impacts of inconsistent development patterns while allowing land to be divided when more traditional layouts are not achievable. The creation of pipestem lots is not allowed when a lot configuration can be provided that is consistent with the established pattern on the block without significantly reducing the number of allowed lots (see examples provided below). Pipestem lots shall provide a lot extension or primary accessway which connects to a public or private street. The creation of a pipestem lot is allowed under the following circumstances:

1. No more than one out of every three proposed lots is a pipestem lot; and
2. One of the following are met:
  - a. An existing dwelling which has been on the site for at least five years precludes a land division that is consistent with Section 13.04.230A and would otherwise not meet the lot width, frontage, or setback requirements without a pipestem configuration (see examples ~~for R-2-District~~ below); or
  - b. The site has dimensions which preclude a land division that is consistent with Section 13.04.230A and would otherwise not meet the lot width, frontage, or setback requirements without a pipestem configuration.

\* \* \*

**CHAPTER 13.05**  
**LAND USE PERMITS AND PROCEDURES**

**§ 13.05.010. Land use permits.**

A. Conditional Use Permits (CUPs).

\* \* \*

25. Mixed-use residential development, limited.

- a. Applicability. Mixed-use residential development, limited shall be permitted in accordance with the district use table in TMC § 13.06.020E.4, subject to other limitations and standards outlined below and applicable to that use.
- b. Purpose. These provisions permit new mixed-use structures in certain Residential and Urban Residential (UR) zones. Mixed-use development can provide convenient access from residences to places of employment and goods and services and support community goals related to reducing automobile dependence. Mixed-use residential development, limited is also permitted without a Conditional Use Permit at corner sites located adjacent to a designated Pedestrian Street or arterial street within the eligible zoning districts (TMC § 13.06.080U). The non-residential use is also subject to specific area cap. These CUP provisions provide a path to locate Mixed-use residential development, limited elsewhere within these zoning districts and without the specific area cap subject to general and specific CUP criteria. A table comparing the two allowances is provided below. The CUP review also allows the addition of conditions that mitigate any negative impacts commercial uses might pose to surrounding residential uses.
- c. General standards.
  - (1) To be eligible, all of the following must be applicable to the site:
    - (a) The site is located in a UR-3, R-4, and R-5 zoning district.
- d. Use standards.
  - (1) All development must conform to the Special Use standards contained in § 13.06.080U.4, except § 13.06.080U.4(3), which limits non-residential uses to 3,000 sq. ft. cumulatively.
- e. Development and design standards.
  - (1) All development must conform to the development standards for the site's zoning in TMC 13.060.020.F and 13.060.020.G, as applicable. Where there are conflicting requirements, those set forth in this section shall prevail.
  - (2) Development is subject to building design standards in TMC 13.06.100 as follows:
    - (a) UR3 zone: Buildings shall conform to the housing type design standards in TMC 13.06.100.F most similar to the proposed development based on the housing types' distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.
    - (b) R-4 and R-5 zones: Buildings shall conform to the design standards in TMC 13.06.100.C.
- ef. Criteria. In addition to the General Criteria, the Director may attach conditions to ensure that the applicable criteria and use standards are met.

fg. Permitted special use and conditional use standards comparison.

\* \* \*

### § 13.05.020. Application requirements for land use permits.

\* \* \*

J. Time periods for decision on application.

\* \* \*

~~K. Required submittals.~~

- ~~1. Administrative review building permit. Application for administrative review and building permit shall include the following:~~
  - ~~a. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, the type and location of plant materials used to screen the facility, including the related equipment facilities, and the proposed color(s) of the facility. The landscape plan shall address the required method of fencing, finished color, and, if applicable, the method of camouflage and illumination.~~
  - ~~b. A signed statement indicating that:
    - ~~(1) The applicant for a new tower has provided notice to all other area wireless service providers of its application to encourage the collocation of additional antennas on the structure. Notice shall be published in a newspaper of general circulation once per week, for a minimum period of 30 days, and an affidavit of publication shall be provided at the time of application as proof that the required notice has occurred. This requirement shall not apply to the development of concealed or camouflaged towers; and~~
    - ~~(2) The applicant and/or landlord agree to remove the facility within one year after abandonment.~~~~
  - ~~c. Copies of any environmental documents required, pursuant to the State Environmental Policy Act ("SEPA") (WAC 197-11). Project actions which are categorically exempt from SEPA shall also be exempt from this requirement. Copies of any environmental documents required by a federal agency. These shall include the environmental assessment required by FCC Para. 1.1307, or, in the event that a FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.~~
  - ~~d. An engineered and stamped site plan clearly indicating the location, type, and height of the proposed tower and antenna, the anticipated antenna capacity of the tower, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.~~
  - ~~e. Legal description of the parcel and Pierce County Assessor's Parcel Number.~~
  - ~~f. A letter signed by the applicant stating the tower will comply with all FAA regulations and applicable standards, and all other applicable federal, state, and local laws and regulations.~~
  - ~~g. A signed statement indicating that such installation, repair, operation, upgrading, maintenance, and removal of antenna(s) by the wireless communication provider shall~~

~~be lawful and in compliance with all applicable laws, orders, ordinances, and regulations of federal, state, and local authorities having jurisdiction.~~

~~h. Where applicable, proof that the applicant is an FCC licensed wireless communication provider or that it has agreements with an FCC licensed wireless communication provider for use or lease of the proposed facility.~~

\* \* \*

#### **§ 13.05.050. 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 § 13.05.050D, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in § 13.05.050B must document specific compliance with the policies and standards set forth in the ~~Downtown Element~~ [Growth Strategy](#), [Housing Element](#), and [Subarea Plans for North Downtown, South Downtown, or Tacoma Mall Neighborhood](#) ~~Subarea Plan~~, as applicable, as well as with other pertinent Comprehensive Plan goals and policies.

It is anticipated that there will be a degree of flexibility in the application of the City's development regulations so that any conditions are tailored to the specifics of the proposed project and community vision in such a manner as to ensure that significant public benefits are secured. Project approval is embodied in a contract designed to assure that anticipated public benefits are realized according to agreed upon terms and conditions that may include, but are not limited to, project vesting, timing, and funding of on-and off-site improvements.

The City is authorized, but not required, to accept, review, and/or approve the proposed Development Regulation Agreements. This process is voluntary on the part of both the applicant and the City.

\* \* \*

- 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 1,050 points, according to the following scoring system ~~(based on the Downtown Element, the Housing Element, or on the Tacoma Mall Neighborhood Subarea Plan, as applicable):~~

\* \* \*

#### **§ 13.05.070. Notice process.**

\* \* \*

- 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
***									
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days <sup>2</sup>	Director	<del>Yes</del> No	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	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 13.05.110C).

**Notes:**

1. 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.
2. Comment on land use permit proposal allowed from date of notice to hearing.
3. Must be recorded with the Pierce County Auditor within five years.
4. Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director’s decision.
5. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.
6. Refer to Section 13.05.120 for preliminary plat expiration dates.
7. Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

\*\*\*

**CHAPTER 13.06  
ZONING**

\* \* \*

**§ 13.06.020. Residential Districts.**

\* \* \*

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict.
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 13.06.080P.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010A.
N = Prohibited use in this district.

4. District use table – Residential Districts (§ 13.06.020).

Uses ( <a href="#">13.06.020, Residential</a> ) (See Footnote 3)	UR-1	UR-2	UR-3 <sup>4</sup>	R-4	R-5	Additional Regulations (See <a href="#">Table</a> Footnotes <a href="#">1,2</a> )
<b>Agriculture and Natural Resources</b>						
Agricultural uses	CU	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed. <b>Within the STGPD overlay district, agricultural uses and greenhouses are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b.</b>
Mining and quarrying	N	N	N	N	N	Existing surface mines considered permitted as conditional use, subject to requirements contained in § 13.06.080, Subsection O.
* * *						
<b>Community and Civic Facilities</b>						
Assembly facility	CU	CU	P/CU	P/CU	P/CU	Conditionally permitted subject to Pre-existing non-residential uses provisions of § 13.05.010A. Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of §§ 13.05.010A and/or § 13.06.080T. Permitted or conditionally permitted subject to Limited Mixed-Use Residential Development provisions. See §§ 13.05.010A and/or 13.06.080U.
Cemetery/Internment services	N/CU	N/CU	N/CU	N/CU	N/CU	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 § 13.05.010A. <b>Within the STGPD overlay district, cemetery and funeral facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b.</b>
Confidential shelter	P	P	P	P	P	Subject to additional requirements contained in § 13.06.080N.
* * *						
<b>Footnotes:</b>						
<ol style="list-style-type: none"> <li>For heritage structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See § 13.05.010A for additional details, limitations and requirements.</li> <li>Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict.</li> <li><a href="#">Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b</a></li> <li><a href="#">Within the ACD overlay district, the maximum density is 2 units per 4,500 square feet.</a></li> </ol>						

F. Urban Residential Districts (UR-1, 2 and 3) Development Standards.

1. Housing types, densities, scale, and lot standards (see Footnote 1).

<b>ZONE NAME</b>	<b>Urban Residential 1 (UR-1)</b>	<b>Urban Residential 2 (UR-2)</b>	<b>Urban Residential 3 (UR-3)</b>
<b>Housing Types permitted</b>	Houseplexes Backyard Buildings Rowhouses Courtyard Housing (detached)	Houseplexes Backyard Buildings Rowhouses Courtyard Housing (all)	Houseplexes Backyard Buildings Rowhouses Courtyard Housing (all) Multiplexes
<b>Additional Uses Permitted</b>	See TMC § 13.06.020E.4		See TMC § 13.06.020E.4
<b>Lot Size, minimum</b>	2,500 square feet (except for Unit Lots per the provisions of TMC § 13.04.093)		
	Separate ownership of dwelling units will be permitted through Unit Lot Subdivisions. Alley lot area credit: 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.		
<b>Lot Width, minimum</b>	Minimum lot width is 25 feet (except for unit lots - see TMC § 13.04.093).		
<b>Lot Frontage, minimum</b>	Minimum lot frontage is 25 feet (except for unit lots – see TMC § 13.04.093).		
	t the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.		
<b>Density, maximum units per site area</b>	1/1500 SF	1/1000 SF	1/750 SF
<b>Density with Bonus, maximum units per site area</b>	Bonus 1: 1/1000 SF Bonus 2: 1/750 SF	Bonus 1: 1/750 SF Bonus 2: 1/500 SF	Bonus 1: 1/500 SF Bonus 2: 1/375 SF
<b>Density Notes</b>	All units on the lot count toward the maximum density or maximum bonus density, including those in separate buildings or in any combination of housing types. In no case shall the total number of units on a lot exceed the maximums in this table. Legal lots of record as of February 1, 2025 <del>which do not meet the minimum area, setbacks and/or frontage requirements</del> , are allowed a minimum of 4 dwellings in the UR-1, 6 dwelling units in the UR-2, and 8 dwelling units in the UR-3, along with the ability to provide 2 additional dwellings through use of the Bonus 1 program.		
<b>Critical Areas Density Bonus</b>	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.		
<b>Planned Residential Districts (PRDs)</b>	Existing PRDs remain in effect, minor modifications allowed. No new PRDs may be created.		
<b>Floor Area Ratio (FAR), maximum</b>	1 to 2 units: 0.6	1 to 2 units: 0.8	1 to 2 units: 1.0
	3 or more units: 0.8	3 or more units: 1.0	3 or more units: 1.2
<b>Floor Area Ratio (FAR), maximum with Bonus</b>	Bonus 1: 1.0	Bonus 1: 1.2	Bonus 1: 1.6
	Bonus 2: 1.2	Bonus 2: 1.6	Bonus 2: 2.0
<b>Height, maximum</b>	35 feet		35 feet
	25 feet high in rear 25 feet of lot		
	15 feet for accessory buildings.		

ZONE NAME	Urban Residential 1 (UR-1)	Urban Residential 2 (UR-2)	Urban Residential 3 (UR-3)
	Buildings within a View Sensitive Overlay district are subject to additional restrictions per § 13.06.070A. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.		
<b>Height with Bonus, maximum</b>	Bonus 1 and 2: 35 feet, including 35 feet in rear yard		45 feet
<b>Number of Stories, maximum</b>	3		3 Bonus 1: 4 Bonus 2: 5
<b>Height flexibility with tree retention</b>	See TMC § 13.06.020F.3		
<b>Front Setback, minimum</b>	15 feet		10 feet
	Exception: porches, entries, and residential transition areas may be located within the front setback per the provisions of TMC § 13.06.010H.		
<b>Front Setback, minimum with Bonus</b>	Bonus 1: 10 feet Bonus 2: 5 feet		Bonus 1: 7.5 feet Bonus 2: 5 feet
<b>Front Setback Averaging</b>	<p><a href="#">For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less. Refer to Diagram G.1.</a></p> <p><a href="#">(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. Refer to Diagram G.2.</a></p> <p><a href="#">(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.</a></p> <p><a href="#">(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. Refer to Diagrams G.1 and G.2.</a></p>		
<b>Front Setback on Pedestrian Streets*, maximum</b> * as designated in TMC § 13.06.010D	<p>Between 5 feet and 15 feet from the front lot line abutting the pedestrian street right-of-way for a minimum of 50 percent of the pedestrian street frontage.</p> <p>Exception: porches, entries and residential transition areas may be located within 5 feet of the lot line abutting the pedestrian street right-of-way per the provisions of TMC § 13.06.010H.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> <li>• Additions to legal, nonconforming buildings are exempt from maximum setbacks, as long as the addition does not contribute to the nonconformance.</li> <li>• When a public easement precludes compliance with this standard, the setback requirement shall be measured as close as possible to the easement, while also providing entry requirements.</li> <li>• Public facilities on sites greater than 5 acres shall be exempt from maximum setbacks. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities.</li> <li>• Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.</li> </ul>		

<b>ZONE NAME</b>	<b>Urban Residential 1 (UR-1)</b>	<b>Urban Residential 2 (UR-2)</b>	<b>Urban Residential 3 (UR-3)</b>
<b>Side Setback, minimum</b>	5 feet or 8 feet on sides of buildings when there are units in that building whose primary entrance faces that same side yard		
	Except side yards accessing new Backyard Buildings behind existing structures that cannot comply due to existing conditions or due to retaining existing buildings may only setback 5 feet. Refer to housing types in § 13.06.100F for measurement of Rowhouse side yards.		
<b>Rear Setback, minimum</b>	15 feet		10 feet
	Refer to housing types in 13.06.100F for exceptions to Backyard Buildings and Courtyard Housing. May be measured from centerline of alley where exists.		
<b>Rear Setback, minimum with Bonus</b>	Bonus 1: 10 feet Bonus 2: 5 feet	Bonus 1: 7.5 feet Bonus 2: 5 feet	
<b>Setback flexibility with tree retention</b>	See TMC § 13.06.020F.3		
<b>Pipestem Lots <a href="#">Setbacks</a></b>	Pipestem lots shall provide a minimum of 5 feet on all sides; and shall provide a front and rear setback on two opposite sides. <a href="#">Pipestem lots are not subject to UR building design standards for building orientation, parking, and habitable space.</a>		
<b>Building Separation on Lot, minimum</b>	Minimum 6-foot separation between buildings, 10 feet when buildings are taller than 25 feet and for spaces oriented to the right-of-way		
<b>Parking stalls per unit, minimum</b>	Refer to Site Development Standards Section 13.06.090C, Table 1, Off Street Parking Areas		
<b>Bicycle Parking</b>	Refer to Site Development Standards Section 13.06.090G, Short and Long Term Bicycle Parking		
<b>Amenity Space per lot area</b>	10 percent	7.5 percent	5 percent
	See TMC § 13.06.100F.4		
<b>Tree Credits, minimum (Canopy coverage of lot equivalent)</b>	30 percent	25 percent	20 percent
<b>Calculating Tree Credits</b>	Refer to Site Development Standards Section 13.06.090B.3.e		
<b>Tree Credits, minimum with Bonus</b>	Bonus 1: 25 percent Bonus 2: 20 percent	Bonus 1: 20 percent Bonus 2: 15 percent	Bonus 1: 15 percent Bonus 2: 10 percent
<b>Footnotes:</b>			
1. Within the JBLM Airport Compatibility Overlay District (ACD), the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict. Bonuses are not available in the ACD.			

\* \* \*

**§ 13.06.030. Commercial Districts.**

\* \* \*

E. District use restrictions.

1. 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 this section are prohibited, unless permitted via Section 13.05.080.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict.
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 13.05.010A.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080P.
N = Prohibited use in this district.

4. District use table – Commercial Districts (§ 13.06.030).

Uses <a href="#">(13.06.030, Commercial)</a> <sup>3</sup> ( <del>Table Footnote 3</del> )	T	C-1	C-2 <sup>1</sup>	PDB	Additional Regulations (See <a href="#">Table</a> Footnotes <del>2 and 3 at bottom of table</del> )
<b>Agriculture and Natural Resources</b>					
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. <b>Within the STGPD overlay district, agricultural uses and greenhouses are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b.</b>
Mining and quarrying	N	N	N	N	Existing surface mines are permitted as conditional uses, subject to specific requirements in § 13.06.080, Subsection O.
Urban horticulture	N	N	N	N	
* * *					
<b>Community and Civic Facilities</b>					
Assembly facility	CU	P	P	P	
Cemetery/Internment services	N	N	N	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. <b>Within the STGPD overlay district, cemetery and funeral facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b.</b>
Confidential shelter	P	P	P	P	See § 13.06.080N. Limit: 15 residents in T District.
* * *					

**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 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 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 § 13.05.010A for additional details, limitations and requirements.
3. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict.
4. [Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b.](#)

F. District development standards.

	T	C-1	C-2	PDB
* * *				
<b>8. Maximum setback standards on designated streets.</b>				
a. Applicability.	Pedestrian streets as defined in TMC § 13.06.010D.1.			
b. Purpose.	To achieve a pedestrian supportive environment, where buildings are located in close proximity to the street and designed with areas free of pedestrian and vehicle movement conflicts, maximum building setbacks are required as follows:			
c. Maximum Setback Applied	<ol style="list-style-type: none"> <li>(1) 10 feet maximum front and/or corner side setback from property lines at the public right-of-way shall be provided for at least 75 percent of building facing the designated street frontage.</li> <li>(2) When the site is adjacent to a designated pedestrian street, that street frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the façade as indicated above.</li> <li>(3) This requirement supersedes any stated minimum setback.</li> <li>(4) Maximum setback areas shall be designed to be sidewalk, pedestrian plaza, public open space, landscaping, and/or courtyard and to be free of motor vehicles at all times.</li> </ol>			
d. Exceptions	<ol style="list-style-type: none"> <li>(1) Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback.</li> <li>(2) Buildings that are 100 percent residential, or that have any portion of the ground floor as a residential use, do not have a maximum setback and instead shall meet the Build-to Area standard in § 13.06.020F.6.</li> <li>(3) The primary building of a <u>gas-fueling</u> station, where <u>gas-fueling</u> stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt.</li> <li>(4) Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.</li> <li>(5) When a public easement precludes compliance with this standard, the setback requirement shall be measured from the back edge of the easement.</li> </ol>			
<b>Examples for <del>Application</del>Application of Maximum Setback</b>				
<i>Figure: Examples for application of maximum setbacks.</i>				

**§ 13.06.040. Mixed-Use Center Districts.**

\* \* \*

- C. 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:
1. NCX Neighborhood Commercial Mixed-Use District. To provide areas primarily for immediate day-to-day convenience shopping and services at a scale that is compatible and in scale with the surrounding neighborhood, including local retail businesses, professional and business offices, and service establishments. This district is intended to enhance, stabilize, and preserve the unique character and scale of neighborhood centers and require, where appropriate, continuous retail frontages largely uninterrupted by driveways and parking facilities with street amenities and direct pedestrian access to the sidewalk and street. Residential uses are encouraged as integrated components in all development.
  2. CCX Community Commercial Mixed-Use District. To provide for commercial and retail businesses intended to serve many nearby neighborhoods and draw people from throughout the City. These areas are envisioned as evolving from traditional suburban development to higher density urban districts. Walking and transit use are facilitated through designs which decrease walking distances and increase pedestrian safety. Uses include shopping centers with a wide variety of commercial establishments; commercial recreation; ~~gas~~-[fueling](#) stations; and business, personal, and financial services. Residential uses are encouraged in CCX Districts as integrated development components.

\* \* \*

- E. District use restrictions.
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 are prohibited, unless permitted via Section 13.05.080.
  2. Use table abbreviations.

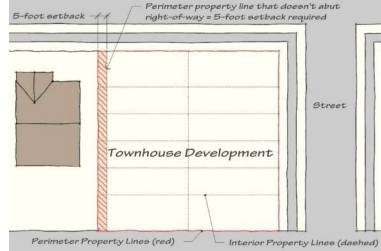
P = Permitted use in this district.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.05.010A.
TU = Temporary use consistent with Section 13.06.080P.
N = Prohibited use in this district.

3. District use table – Mixed-Use Center Districts (§ 13.06.040).

Uses ( <a href="#">13.06.040, Mixed-Use</a> )	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations (see <a href="#">Table Footnotes 3, 4, 5</a> at bottom of table)
***									
<b>Footnotes:</b>									
<ol style="list-style-type: none"> <li>The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.</li> <li>For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See § 13.06.010D. for the list of designated pedestrian and core pedestrian streets.</li> <li>For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.</li> <li>Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in § 13.06.080P.</li> <li>Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see § 13.06.090C.</li> <li>See Figure 4: Tacoma Mall Neighborhood RGC – No Residential Uses in § 13.06.040J.6.</li> <li><a href="#">Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b.</a></li> </ol>									

F. District development standards.

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
<b>1. Lot area and setbacks.</b>									
a. Applicability.									
b. Purpose.									
c. Minimum lot area.	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	3,500 square feet for single-unit dwellings; 2,500 square feet per unit for duplexes; 6,000 square feet for triplexes and multi-unit dwellings; 5,000 square feet total per townhouse development	

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
d. Minimum lot width.	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	25 feet for single-unit dwellings, duplexes and triplexes; 14 feet for townhouses	
e. Minimum setbacks.	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	For single, two- and three-unit dwellings and townhouses: 10-foot front, 5-foot sides, 15-foot rear For other uses: 10-foot front, 7.5-foot sides, 20-foot rear	Maximum setbacks may apply (see Section 13.06.040H). If a buffer is required, a minimum setback is created (see Section 13.06.090J). Townhouse setback standards apply to the perimeter property lines of the development and not to individual internal property lines between townhouses in the same development. See 13.06.100 for additional requirements applicable to duplex, triplex and townhouse developments.
	<p>For townhouse developments, a setback of at least 5 feet shall be provided along the perimeter of the development on all sides that do not abut public street or alley right-of-way.</p> 								
	<p>For X District property abutting a residentially zoned property, equal to the residential zoning district for the first 100 feet from that side.</p> <p>For X District property across a non-designated Pedestrian Street from <b>R-1, R-2 or R-2SRD</b> <b>UR-1, UR-2, or UR-3</b> District property, the following front yard setback shall be provided:</p> <ul style="list-style-type: none"> <li>• Minimum 10-foot front yard setbacks are required along non-designated Pedestrian Streets.</li> <li>• Limited exception: For corner lots that also front on a designated Pedestrian Street, this setback shall not apply for the first 130 feet from the corner, as measured along the edge of the right-of-way.</li> <li>• Covered porches and entry features may project up to 6 feet into the setback.</li> <li>• The setback area may include landscaping, walkways, pedestrian plazas, private patios, porches, or vehicular access crossings (where allowed), but not include parking.</li> </ul>								
<b>2. Height.</b>									
***									

**§ 13.06.060. Industrial Districts.**

\* \* \*

E. District use restrictions. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC § 13.06.070F, which shall prevail in the case of any conflict.
2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC § 13.06.070B, which shall prevail in the case of any conflict.
3. Within the South Tacoma Groundwater Protection District, the land use and development standards of this section are modified as specified in TMC § 13.06.070D, 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 13.05.010A.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080P.
N = Prohibited use in this district.

5. District use table – Industrial Districts (§ 13.06.060).

Uses ( <a href="#">13.06.060 – Industrial</a> )	M-1	M-2	Additional Regulations (see <del>table</del> <a href="#">Table Footnotes</a> <sup>+</sup> )
***			
<b>Community and Civic Facilities</b>			
Assembly facility	P	P	
Cemetery/Internment services	N	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 § 13.05.010A. <a href="#">Within the STGPD overlay district, cemetery and funeral facilities are subject to the STGPD high impact use table contained in § 13.06.070.D.5.b.</a>
Confidential shelter	P/N*	N	See § 13.06.080N. * Not permitted within the South Tacoma M/IC Overlay District.
***			
<b>Commercial Uses</b>			
***			
<b>Storage Uses</b>			
Self-storage	P	P	See specific requirements in § 13.06.090J.
Warehouse/storage	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable. <a href="#">Within the STGPD overlay district, hazardous waste storage is subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b.</a>
Wholesale or distribution	P	P	
***			
<b>Industrial</b>			
***			
Vehicle service and repair, industrial	P	P	Subject to development standards contained in § 13.06.080S. <a href="#">Within the STGPD overlay district, vehicle and boat repair/service/garages/body shops are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b</a>
***			

**Footnotes:**

- For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See § 13.06.640F for additional details, limitations and requirements.
- [Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b.](#)

6. District use table – Seaport manufacturing and industrial districts.

Uses ( <a href="#">13.06.060 – Industrial</a> )	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see <a href="#">Table Footnote 1</a> )
* * *							
<b>Footnotes:</b>							
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 § 13.06.640F for additional details, limitations and requirements.							
2. Seaport related means the use is related to or supports the following types of activities: Tribal customs or treaty protected uses and activities; priority economic sectors including container port activities, maritime, trade, clean fuels, advanced manufacturing, green building and trades, and industrial symbiosis; clean tech and water; or activities related to the environmental characteristics of the Tideflats area.							
3. Ancillary use is subordinate to and supporting an allowed principal use.							

F. District development standards [\(13.06.060\)](#).

	M-1	M-2	SCP	SCM	SCS	ST	STT	SC
1. Minimum Lot Area	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2. Minimum Lot Width	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3. Maximum Lot Coverage	75 percent	85 percent	None	None	None	75 percent	85 percent	N/A
	a) "Lot coverage" means the area of a site covered by buildings or roofed areas including accessory buildings, measured at the building foundation.							
4. Minimum Front Setback	<p>In all districts listed above, 0 feet, unless:</p> <ul style="list-style-type: none"> <li>•Created by requirements in Sections 13.06.090B or 13.06.090J; or</li> <li>•Abutting a dwelling district, then equal to the dwelling district setback for the first 100 feet from that side.</li> </ul> <p>The above setback requirements may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.</p>							
5. Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Sections 13.06.090B or 13.06.090J, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
6. Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Sections 13.06.090B or 13.06.090J, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
7. Maximum Height Limit	75 feet	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.				75 feet	100 feet	75 feet
8. Maximum Height Exceptions	Certain specified uses and structures are allowed to extend above height limits, per Sections 13.06.010E and 13.06.080Q.							
9. Tree Credits, minimum (Canopy coverage of lot equivalent)	15 percent	15 percent	10 percent	15 percent	15 percent	15 percent	10 percent	30 percent

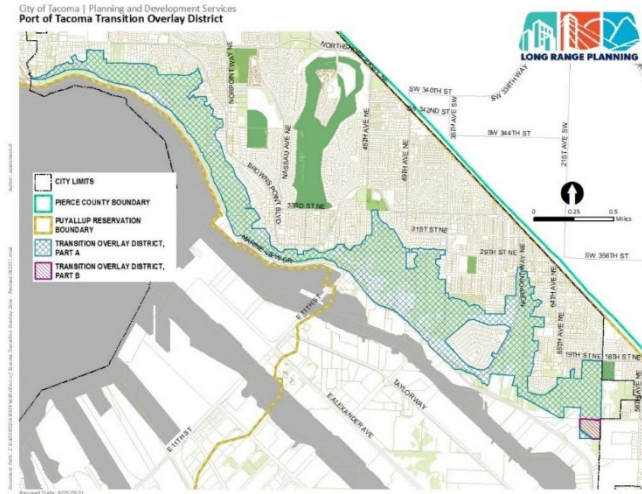
§ 13.06.070. Overlay Districts.

\* \* \*

G. Port of Tacoma Transition Overlay District (PTD).

1. Applicability.

- a. The Port of Tacoma Transition Overlay District applies to all residential platting, subdivision, and land uses within the district boundaries established herein:



- b. Standards established through the overlay district are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply. Unless specifically noted otherwise, all of the standards herein apply within both Parts A (PTD-A) and B (PTD-B) of the overlay district, as identified on the map above.

2. Purpose. The purpose of the Port of Tacoma Transition Overlay District is to maintain an appropriate separation between port/industrial activity in the Port of Tacoma Manufacturing and Industrial Center and residential neighborhoods, to avoid and minimize off-site impacts on residential areas, and to minimize disruption to port operations and associated industrial activity resulting from residential encroachment, consistent with the Container Port Element of the One Tacoma Plan and the Growth Management Act.

3. District development standards.

- a. Prohibited uses. Multi-unit dwellings, duplex, triplex, cottage housing, townhouse, houseplexes with more than one unit (except an ADU), rowhouses, courtyard housing, and multiplexes are prohibited as stand-alone primary uses or as part of a mixed-use development.
- b. Maximum density. Subdivision of existing lots shall average at least one acre per lot no more than one unit per acre. This maximum density shall not apply within Part B of the Port of Tacoma Transition Overlay District, as shown on the map above.
- c. Use and maximum density exception.

\* \* \*

**§ 13.06.080. Special use standards.**

\* \* \*

H. Juvenile community facilities.

\* \* \*

3. Use restrictions. A conditional use permit shall be required for juvenile community facilities in the following instances: a juvenile community facility for no more than eight residents in the ~~R-1, R-2, R-2SRD~~ UR-1, UR-2, HMR-SRD, NRX, ~~R-3~~ UR-3, R-4-L, and C-1 Districts. A juvenile community facility for greater than eight residents, but no more than 16 residents, in the R-4, R-5, URX and RCX Districts. The Director, in reviewing a request for a conditional use permit for juvenile community facilities, shall use the criteria found in subsection 4 below, as well as the conditional use permit criteria found in Section 13.05.010A.
4. Use standards.
  - a. Maximum number of residents. No juvenile community facility shall house more than eight residents in the ~~R-1, R-2, R-2SRD~~ UR-1, UR-2, HMR-SRD, NRX, ~~R-3~~ UR-3, R-4-L, and C-1 Districts. No juvenile community facility shall house more than 16 residents in the R-4, R-5, URX, RCX, NCX, CCX, UCX, CIX, C-2, M-1, M-2, and PMI Districts.

\* \* \*

I. Live/work and work/live.

\* \* \*

3. Live/work use standards.
  - a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;
  - b. The residential portion of the unit shall be inhabited by the business owner or employee of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;
  - c. The residential portion of the unit shall be limited in occupancy to one household;
  - d. The Director may attach additional conditions to permits that are required for live/work units to ensure that the intent and standards are met as outlined above.
  - e. The live/work use shall be subject to any additional requirements within the Building Code.
4. Work/Live use standards.
  - a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;
  - b. The residential portion of the unit shall be inhabited by the business owner or employee of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;
  - c. The residential portion of the unit shall be limited in occupancy to one household.
  - d. The Director may attach additional conditions to permits that are required for work/live

units to ensure that the intent and standards are met as outlined above.

- e. The work/live use shall be subject to any additional requirements within the Building Code.

\*\*\*

Q. Wireless communication facilities.

\*\*\*

3. Permits required.

- a. Where a transmission tower or antenna support structure is located in a zoning district, which allows such use as a permitted use activity, administrative review, and a building permit shall be required, subject to the project’s consistency with the development standards set forth in Section 13.06.080Q.9. In instances where the antenna height exceeds the height limit of the zoning district or is not allowed as a permitted use activity, a conditional use permit and building permit shall be required in addition to a demonstration of consistency with all required development standards. The table in Section 13.06.080Q.5 specifies the permits required for the various types of wireless service facilities that meet the standards of this ordinance.

\*\*\*

5. Use restrictions.

Wireless Facility Use Category	Zoning District Classifications			
	<del>R-1</del> UR-1; <del>R-2</del> UR-2; <del>R-2SRD</del> ; <del>R-3</del> UR-3; R-4; R-4-L; R-5; T; HMX; DR; NRX	PDB; C-1; C-2, NCX; CCX; RCX; URX; UCX; DCC; DMU; WR	CIX; M-1	M-2; PMI
Level 1	A <sup>1, 3</sup>	A	A	A
Level 2	C <sup>3</sup>	C <sup>2</sup>	A	A
Level 3	C <sup>3</sup>	C	C	A
Level 4	C <sup>3</sup>	C	C	C
Symbols:				
A - Allowed with administrative review				
C - Allowed only with approval of a Conditional Use Permit				
Footnotes:				
1. Permitted on public facility sites, subject to administrative review and building permit.				
2. Allowed 16 feet above underlying zoning district height limit, except in the C-1, C-2, and NCX Districts.				
3. New wireless communication towers and antennas prohibited in <del>R-1, R-2, R-2SRD, and R-3UR-3</del> Districts, except on public or quasi-public property developed with existing public or quasi-public facilities and properties developed with existing wireless communication facilities.				

- 6. Priority for siting and type of facility. The order of priority for the siting of new wireless communication towers and facilities is intended as guidance to applicants for the development of sites with wireless communication towers, antennas, and associated facilities. The priority for the type of facility shall be subject to the provisions set forth in Section 13.06.080Q.8.

\* \* \*

- h. Place antennas and any necessary support structures on public property developed with existing public facilities and properties developed with existing wireless communication facilities in UR-1, UR-2~~R-1, R-2, R-2SRD~~, NRX, and ~~R-3~~UR-3 Districts.
- i. New antennas and necessary support structures shall be prohibited in UR-1, UR-2~~R-1, R-2, R-2SRD~~, NRX, and ~~R-3~~UR-3 Districts, except as noted above.

\* \* \*

9. Use standards.

\* \* \*

b. Setbacks.

\* \* \*

- (5) Equipment structures shall comply with the setback requirements of the underlying zone, except in the ~~R-1, R-2, R-2SRD~~ UR-1, UR-2, NRX, and ~~R-3~~UR-3 Districts, in which case a minimum setback of 20 feet from all property lines shall be provided, or the minimum setback of the underlying zone, whichever is greater.

\* \* \*

10. Required submittals for Administrative review-building permit.

Application for administrative review and building permit shall include the following:

- a. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, the type and location of plant materials used to screen the facility, including the related equipment facilities, and the proposed color(s) of the facility. The landscape plan shall address the required method of fencing, finished color, and, if applicable, the method of camouflage and illumination.
- b. A signed statement indicating that:
  - (1) the applicant for a new tower has provided notice to all other area wireless service providers of its application to encourage the collocation of additional antennas on the structure. Notice shall be published in a newspaper of general circulation once per week, for a minimum period of 30 days, and an affidavit of publication shall be provided at the time of application as proof that the required notice has occurred. This requirement shall not apply to the development of concealed or camouflaged towers; and
  - (2) the applicant and/or landlord agree to remove the facility within one year after abandonment.
- c. Copies of any environmental documents required, pursuant to the State Environmental Policy Act ("SEPA") (WAC 197 11). Project actions which are categorically exempt from SEPA shall also be exempt from this requirement. Copies of any environmental documents required by a federal agency. These shall include the environmental assessment required by FCC Para. 1.1307, or, in the event that a FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.

- d. An engineered and stamped site plan clearly indicating the location, type, and height of the proposed tower and antenna, the anticipated antenna capacity of the tower, on site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.
- e. Legal description of the parcel and Pierce County Assessor's Parcel Number.
- f. A letter signed by the applicant stating the tower will comply with all FAA regulations and applicable standards, and all other applicable federal, state, and local laws and regulations.
- g. A signed statement indicating that such installation, repair, operation, upgrading, maintenance, and removal of antenna(s) by the wireless communication provider shall be lawful and in compliance with all applicable laws, orders, ordinances, and regulations of federal, state, and local authorities having jurisdiction.
- h. Where applicable, proof that the applicant is an FCC-licensed wireless communication provider or that it has agreements with an FCC-licensed wireless communication provider for use or lease of the proposed facility.

~~10~~11. Non-use/abandonment. Not less than 30 days prior to the date that a wireless communication provider plans to abandon the operation of a facility, the provider must notify the City, by certified mail, of the proposed date of abandonment. In the event that such notice is not provided, the records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of abandonment. Upon such abandonment, the provider shall have one year to reactive the use of the facility or dismantle and remove it. If the tower, antenna, foundation, and/or associated facility are not removed within one year, the City may remove them at the expense of the wireless communication providers.

Nothing in this subsection shall be construed to require the removal of architectural elements, including, but not limited to, false church steeples or flag poles that have been installed, pursuant to a valid building or conditional use permit, to conceal wireless communication facilities.

~~11~~12. Enforcement. Enforcement of the provisions set forth in this section shall be in accordance with the provisions set forth in Section 13.05.150.

\* \* \*

U. Mixed-use residential development, limited

\* \* \*

4. Use standards.

- a. All development must conform to the following limitations.
  - (1) Residential uses must occupy more than 50% of the interior building area.
  - (2) All non-residential uses are limited to the ground-floor or below.
  - (3) All non-residential uses may not occupy more than 3,000 sq. ft. cumulatively.
  - (4) All non-residential uses must be within 100 ft. of a designated Pedestrian Street or arterial classified street.
  - (5) Exterior non-residential activities are limited to outdoor seating, retail display, and may not exceed 50% of the interior space per tenant. Permanent outdoor storage is prohibited and items for sale and display furniture must be stored indoors outside of the associated business's public hours of operation.
  - (6) Public hours of operation. Any aspects of the business that are available to the

public shall only be conducted between 8 a.m. to 8 p.m.

- b. The proposed use(s) shall be limited to the following:
  - (1) Assembly facilities.
  - (2) Commercial recreation/entertainment.
  - (3) Craft production.
  - (4) Cultural institutions, including art galleries.
  - (5) Eating and drinking.
  - (6) Offices.
  - (7) Personal services.
  - (8) Retail.
  - (9) Theater.
- c. Exemptions from development standards.
  - (1) No additional parking shall be required for the limited uses in 4b that are less than 3,000 square feet in area.

5. Development and design standards.

a. All development must conform to the development standards for the site’s zoning in TMC 13.060.020.F and 13.060.020.G, as applicable. Where there are conflicting requirements, those set forth in this section shall prevail.

b. Development is subject to building design standards in TMC 13.06.100 as follows:

(1) UR3 zone: Buildings shall conform to the housing type design standards in TMC 13.06.100.F most similar to the proposed development based on the housing types’ distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.

(2) R-4 and R-5 zones: Buildings shall conform to the design standards in TMC 13.06.100.C.

**56.** Permitted special use and conditional use standards comparison. Mixed-use residential development, limited is permitted by-right subject to Special Use standards and with fewer restrictions subject to Conditional Use Permit approval. Whereas some eligibility and use standards are common to both, they differ in important ways. The table below identifies which aspects are shared and which are different.

Standard	Special Use, by-right	Conditional Use	Comparison
Eligibility	UR-3, R-4, or R-5 zoning; Pedestrian Street or arterial street frontage	UR-3, R-4, or R-5 zoning	Different
Residential use	Must occupy more than 50% of building	Must occupy more than 50% of building	Same
Non-residential use, location	Limited to ground floor; within 100 ft. of a Pedestrian Street or arterial street	Limited to ground floor	Different
Non-residential use, area	Max. 3,000 sq. ft.	Max. 3,000 sq. ft.	Different
Non-residential use, exterior uses	Max. 50% of interior space, use and storage limited to public hours of operation	Max. 50% of interior space, use and storage limited to public hours of operation	Same
Hours of operation	Public hours limited to 8 a.m. to 8 p.m.	Public hours limited to 8 a.m. to 8 p.m.	Same
Non-residential uses	Limited to specified uses	Limited to specified uses	Same

**§ 13.06.090. Site development standards.**

\* \* \*

C. Off-street parking areas.

\* \* \*

15. Off-street parking area development standards.

- a. 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.
- b. Minimum standards. Parking areas for motorized vehicles, trailers, or a combination thereof, shall be developed in accordance with the following requirements:

\* \* \*

(6) Parking space standards.

- (a) Standard parking spaces shall have a minimum width of eight feet, a minimum length of 16.5 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code.
- (b) Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code. A maximum ~~30~~50 percent of the total parking spaces provided may be composed of compact stalls. The parking area shall be arranged such that a row of compact stalls has an exclusive aisleway or shares an aisleway with full size stalls. In no case shall two rows of compact stalls share the same aisleway. Aisleway widths shall conform to the requirements of full size parking. All compact stalls shall be clearly marked "COMPACT."
- (c) Parking stalls accessed directly from alleys shall be a minimum depth of 20 feet to prevent vehicle overhang into the alley.

\* \* \*

J. Zoning transition standards.

\* \* \*

4. Landscaping buffers:

\* \* \*

- f. Mobile home/trailer courts abutting Residential districts (where permitted).
  - A wall, fence, vegetated wall, evergreen hedge, or other suitable enclosure of minimum height four and one half feet and maximum height of seven feet placed at least five feet from the side and rear lot lines. The area between such enclosures and the property lines shall be landscaped to form a permanent screening area.
  - A landscaped screening area at least five feet in depth must be provided along the street frontage on a non-arterial street forming a boundary between a mobile

home park site and an ~~an~~ [UR-1, UR-2, or UR-3](#)~~R-1, R-2, or R-3~~ District.

- No signs shall be permitted on any part of a screening enclosure or within a screening area.

\* \* \*

#### L. Utilities.

\* \* \*

#### 4. Standards in Mixed-use Districts and Downtown Districts.

##### a. Utility meters, electrical conduit, and other service utility apparatus.

- (1) Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street and other pedestrian areas.
- (2) If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, customer parking lots-~~(alleys are excluded)~~, or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. [Alleys and courts are exempt from these requirements.](#)
- (3) All landscape screening shall provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting.
- (4) Items that exceed 4 feet in height must use an opaque fence or structure to screen the element.

##### b. Service, loading, and garbage areas.

- (1) Developments shall provide a designated area for service elements (refuse and disposal).
- (2) Such elements shall be sited along the alley, where available.
- (3) Where there is no alley available, service elements shall be located and/or screened to minimize the negative visual, noise, odor, and physical impacts.

##### c. Rooftop utility screening.

- (1) All rooftop mechanical 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. Flexibility in this standard is allowed to ensure that the function of the HVAC equipment or the building's overall energy performance is not compromised by these requirements. [This standard shall not apply to existing buildings undergoing substantial alteration.](#)

#### 5. Standards in Commercial Districts.

\* \* \*

~~6. Standards in Downtown Districts~~

~~a. Utility meters, electrical conduit, and other service utility apparatus.~~

- ~~(1) Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street and other pedestrian areas.~~
- ~~(2) If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, customer parking lots, or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. Alleys and courts are exempt from these requirements.~~
- ~~(3) All landscape screening shall provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting.~~
- ~~(4) Items that exceed 4 feet in height must use an opaque fence or structure to screen the element.~~

~~b. Service, loading, and garbage areas.~~

- ~~(1) Developments shall provide a designated area for service elements (refuse and disposal).~~
- ~~(2) Such elements shall be sited along the alley or court, where available.~~
- ~~(3) Where there is no alley available, service elements shall be located and/or screened to minimize the negative visual, noise, odor, and physical impacts.~~

~~c. Rooftop utility screening.~~

- ~~(1) All rooftop mechanical 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. Flexibility in this standard is allowed to ensure that the function of the HVAC equipment or the building's overall energy performance is not compromised by these requirements. This standard shall not apply to existing buildings undergoing substantial alteration.~~

76. Standards for residential buildings and developments.

\* \* \*

87. Examples.

\* \* \*

**§ 13.06.100. Building design standards.**

A. Commercial District minimum design standards.

\* \* \*

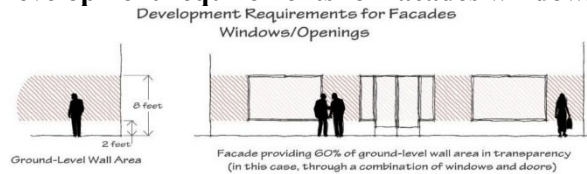
5. Windows and openings. Purpose: The following standards are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, and to provide architectural detailing and variety to building elevations on each story.

\* \* \*

c. Exemptions.

- (1) Residential privacy. On sides where C, T, or PDB District boundaries adjoin [UR-1, UR-2, or UR-3](#) ~~R-1, R-2, R-2SRD, or R-3~~ District boundaries, structures within the C, 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.

**Figure: Development requirements for facades windows/openings**



6. Façade surface standards.

Purpose: The following standards 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.

a. Blank walls ~~limitation~~.

- (1) Applicability. A blank wall on the first story that is more than 25 feet in length and faces a public street and/or highway right-of-way, residential zone, or customer parking lot is subject to these requirements.
- (2) Requirements. These blank wall areas must employ at least one of the following treatments to create a visual break between blank wall segments. The visual break treatment must be at least 1 foot in width and employed at least every 25 ft. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.

- Building modulation
- Windows
- Openings
- Landscaping
- Architectural relief, such as visibly different textured material

~~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.~~

\* \* \*

B. Mixed-Use District minimum design standards.

\* \* \*

3. Ground level design.

\* \* \*

c. Building orientation & entrances.

~~(1) Definitions. "Primary entrance." An entrance that provides direct pedestrian access to all or a plurality of residential units, non-residential building main lobby, or a shared entrance of multiple users/uses. For the purposes of applying associated provisions, this can include entrances into an enclosed interior space as well as covered and uncovered, unenclosed or partially enclosed spaces such as shared walkways, gates, or other similar features.~~

(21) Residential buildings/uses.

- (a) Location. Primary entrances must be oriented to the abutting street and must include features that visually communicate its prominence and function such as signage, weather protection, wayfinding, pedestrian lighting, landscaping, walls/fences, etc. If the building has more than one street frontage where one is a designated Pedestrian Street, the primary entrance must be oriented to the Pedestrian Street except that the primary entrance for residential units within a mixed-use building may be located on non-Pedestrian Street so long as a Primary Entrance for the non-residential uses are provided along the Pedestrian Street~~for buildings with more than one street frontage~~. If no entrance clearly meets the definition of a Primary ~~entrance~~Entrance, at least one entrance must be designated and designed as such according to these standards.
- (b) Dimensions. Each Primary ~~residential and shared entries~~ Entrance must include a covered space that is at least 4 feet wide and 6 feet deep except for developments that only include individual, ground-related unit entrances (see below) located on the development site. For shared entrances that are not a Primary Entrance, the required covered space must be at least 4 feet wide and 5 feet deep. For entries to individual ground-related units, the covered space must be at least 4 feet wide and 3 feet deep. This space may either be recessed or projecting from the front building wall and may encroach into the right-of-way. The weather protection cover may not be more than 12 feet above grade.

(32) Non-residential buildings/uses.

- (a) Location. A publicly-accessible Primary Entrance must be oriented to the abutting street, located within 20 feet of the street, and must include features that visually communicate its prominence and function such as signage, weather protection, wayfinding, pedestrian lighting, landscaping, walls/fences, etc. If the building has more than one street frontage where one is a designated Pedestrian Street, the primary entrance must be oriented to the Pedestrian Street. If no entrance clearly meets the definition of a Primary entrance, at least one entrance must be designated and designed according to these standards.

- (b) Customer entrances. Additional publicly-accessible entrances shall be provided along building elevations containing a publicly-accessible entrance at a minimum interval of 250 feet.
- d. Building transitions. Applicability: The following standards apply to the area located between street right-of-way and the building.
- (1) General requirements.
    - (a) Fences, walls, or hedges greater than 36 inches in height are prohibited.
    - (b) Where a building is located more than 5 feet from the right-of-way, the areas located between the right-of-way and the building must consist of pedestrian amenities, landscaping, vegetated LID BMPs, or works of art. Landscaping shall be consistent with TMC § 13.06.090B.4.h. Review of any proposed public art shall be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator. Parking is prohibited in the setback areas.
  - (2) Residential entrances: Individual ground-related unit entrances. Each unit shall provide a transition area including one of the following features between the right-of-way and unit entrance.
    - Grade changes that elevate the unit's entrance at least 2 feet above adjacent grade.
    - A common exterior amenity space meeting the requirements of 13.06.040I.3.a.
    - A private exterior amenity space meeting the requirements of 13.06.040I.3.b and that includes a fence or wall to provide physical and visual separation from public spaces.
  - (3) Residential entrances: Shared multi-unit entrances. ~~Each shared~~ The primary entrance shall provide a transition area between the right-of-way and entrance. Transitions can be accomplished by employing at least one of the following options:
    - Grade changes that elevate the entrance at least 2 feet above adjacent grade.
    - ~~An common exterior amenity space meeting the requirements of 13.06.040I.3.a~~ exterior area that is at least 64 square feet with no dimension less than eight feet.
  - (4) Pedestrian street-facing facades.
    - (a) Where a building is located 5 feet or less from the right-of-way, the areas located between the right-of-way and the building must be hard-surfaced.

\* \* \*

f. Blank walls.

(1) ~~Definition.~~

~~“Blank wall.” A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door.~~ Applicability. An area of a ground floor wall measured 4 feet above the adjacent finished grade that is 15 feet or more in length and faces a street, residential zone not separated by an alley, internal

pathway, courtyard, plaza, or an associated surface parking lot of 20 stalls or greater that meets the definition of blank wall is subject to these requirements.

- (2) Requirements. These blank walls areas facing a street, internal pathway, courtyard, plaza, or an associated surface parking lot of 20 stalls or greater must be treated in employ at least one or more of the following ways treatments occupying at least 60 percent of the wall surface area and ~~and must be~~ accompanied by lighting that enhances the selected treatment. More than one treatment may be used to achieve the minimum surface area coverage.

- Window display(s) ~~must be~~ at least 2 feet in depth and recessed into the building. Display cases attached to the exterior wall do not qualify.
- Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to ~~obscure or screen at least 60 percent of the wall's surface~~ achieve the minimum coverage area within 3 years.
- Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to ~~obscure or screen at least 60 percent of the wall's surface~~ achieve the minimum coverage area within 3 years. ~~For large areas, trellises should be used in conjunction with other blank wall treatments.~~
- Artwork. Review of any proposed public art shall be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.

4. Building form and expression.

- a. Façade articulation. Applicability: Buildings greater than 3 stories in height must conform to the building articulation standards in section (1). Buildings that have more than 60 feet of frontage along a street, open space, or parking area must conform to the articulation standards in section (2).

(1) Required building articulation.

- (a) Buildings 4 or 5 stories in height shall provide bipartite articulation by incorporating design treatments that provide a clear delineation of the building's top and base.
- (b) Buildings over 5 stories shall provide tripartite articulation by incorporating design treatments that provide a clear delineation of the building's top, middle, and base.
- (c) This articulation can be accomplished through a combination of building form, materials, and detailing.
  - Top: Features may include a sloped roofline or strong cornice line. For façades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street).
  - Middle: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing.

- Base: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of varying window design and/or configuration, and exterior materials, architectural details, and/or other methods.
- (2) Optional articulation features. All buildings shall include at two of the following articulation features at intervals of no more than 30 feet along all façades facing a street, open space, or parking area.

Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide one of the articulation features.

Modulation Choices in TMC § 13.06.100B.4.b that exceed similar options listed here can be used to satisfy these requirements if employed.

- (a) Repeating distinctive window patterns at intervals less than the required interval.
- (b) Minor vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation.
- (c) Major vertical building modulation. Minimum depth and width of modulation is 10 and 15 feet, respectively.
- (d) Horizontal modulation (upper level step-backs). Provide a minimum horizontal modulation of 5 feet from the building face for at least 75 percent of the facade.
- (e) Roofline modulation consistent with TMC § 13.06.100B.4.c(3).
- (f) Balconies or bay windows. To qualify, balconies must be recessed or project at least 18 inches beyond the primary building face and bay windows must project at least 18 inches beyond the primary building face. These may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way.

b. Mass reduction.

Purpose: The following standards are intended to reduce the appearance of bulk.

- Applicability: ~~Buildings~~ Building façades that have more than 60 feet of frontage along a public or private street, public open space, or on-site parking area (45 feet or greater average width) must conform to these standards.

- (1) Building modulation choices: Buildings fronting a designated Pedestrian Street must employ two of the following modulation approaches. Buildings fronting a street not designated as Pedestrian Street must employ one.

- (a) Horizontal modulation: Upper floor streetfront stepback (choose one as applicable).

Pedestrian Street Facades:

- 8' minimum stepback along the streetfront façade for 4th floor and above in RCX Districts.
- 8' minimum horizontal stepback along ~~the~~ for 5th floor and above in X Districts other than RCX, where the ROW width is less than 100'.

- 8' minimum horizon stepback ~~for~~ along the 6th floor and above in X zones other than RCX, where the ROW width is 100' or greater.
- Proportional Stepback option for any district other than RCX: A 8' stepback ~~from~~ along the building face above the level which corresponds to a 1:2 proportional relationship to the street

Other ~~street~~ façades:

- 5' minimum stepback along the ~~streetfront façade for~~ 4th floor and above in RCX Districts.
- 5' minimum horizontal stepback along ~~for~~ the 5th floor and above in X Districts other than RCX, where the ROW width is less than 100'.
- 5' minimum horizon stepback ~~for~~ along the 6th floor and above in X zones other than RCX, where the ROW width is 100' or greater.
- Proportional Stepback option for any district other than RCX: A 5' stepback ~~from~~ along the building face above the level which corresponds to a 1:2 proportional relationship to the street

Notes:

- Encroachments: ~~One distinct design element of no more than 25 feet in width is allowed to~~ Portions of the building may encroach vertically into these stepbacks up to 25 feet in cumulative width for each façade.
- Buildings that do not exceed the number of floors at which a stepback would apply are considered to satisfy horizontal modulation requirements for purposes of meeting mass reduction requirements.
- Portions of the building located 8' or further from a designated Pedestrian Street or 5' or further from other façades are considered to satisfy horizontal modulation requirements for purposes of meeting mass reduction requirements. For façades that face qualifying parking lots, this is measured from the improvement associated with the parking lot such as a curb or pedestrian walkway nearest the building face.

(b) Vertical modulation: Façade wall width options (choose one):

- Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.
- Façade employs building walls with contrasting articulation that make it appear like two or more distinct buildings. To qualify for this option, these contrasting façades must employ the following:
  - o Different building materials and/or configuration of building materials.
  - o Contrasting window design (sizes or configurations).
  - o Off-set front walls – Front facing façades are off-set from the property line by a minimum 8 foot difference.

(c) Common exterior amenity space. A common exterior amenity space, such

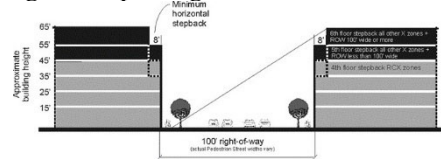
as a courtyard or public plaza, of at least 800 square feet or 5 percent of ~~building floor site~~ area, whichever is greater. The amenity space shall be located within 50 feet of and visible to the primary entrance; accessible to the residents and/or customers; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or artwork for each 200 square feet of ~~plaza~~-area.

(d) Facade articulation. Employ at least two (2) of the following select optional articulation features from TMC § 13.06.100B.4.a(2) as listed below. These features may be different or repeated to meet this requirement.

- Minor vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation.
- Major vertical building modulation. Minimum depth and width of modulation is 10 and 15 feet, respectively.
- Horizontal modulation (upper level step-backs). Provide a minimum horizontal modulation of 5 feet from the building face for at least 75 percent of the facade.
- Roofline modulation consistent with TMC § 13.06.100B.4.c(3).
- Balconies. To qualify, balconies must be recessed at least 18 inches from the primary building face.

**Example Figures:**

*Diagram depicting horizontal modulation.*



*Articulation examples of mixed-use buildings containing residential uses on upper floors. These examples include vertical and horizontal modulation and changes in building materials at no more than 30-foot articulation intervals.*



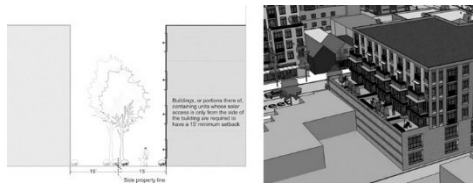
*Examples of façades that effectively use techniques to reduce the apparent bulk and scale of the structure. The image on the left uses street and upper level courtyards whereas the right image uses both vertical building modulation and the use of contrasting building materials and articulation.*



- (2)c. Light and air access for residential units. Every residential unit shall have access to a minimum amount of light, direct or indirect, and air per these requirements. Units that face a side or rear property line or an internal exterior space shall provide sufficient separation as follows. Units that directly face a street, alley, other public rights-of-way, or land determined to be undevelopable are exempt.
  - (a1) Units that only face a side or rear property line shall be set back from the property line at least 8 feet for a ~~horizontal dimension~~ width of at least 10 feet.
  - (2b) Units that only face an internal exterior space, such as a courtyard or light well, shall be no closer than 15 feet from any parallel wall.
  - (e3) Units that face a side or rear property line and an internal exterior space is required to only meet (a1) or (b2) above.
  - (d4) Every unit shall be afforded at least 10 feet of total exterior wall width and each shall include at least one operable window.
  - ~~(e) This standard shall not apply in cases where the rear or side property line abuts a street or alley.~~
  - (f5) Private amenity spaces, such as balconies, may encroach up to 5 feet into this space.

**Example Figures:**

*Examples of buildings that meet minimum light and air standards for residential units.*



ed. Roofline design.

\*\*\*

de. Transparency.

\*\*\*

C. Multi-unit residential minimum design standards (in non-Urban Residential Districts).

\*\*\*

8. Façade surface standards.

Purpose: The following standards 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.

- a. Building face orientation. All dwellings shall maintain primary orientation to an 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, such as loading docks, utility meters, and/or dumpsters.

- b. All residential buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all façades facing a street, common open space, or common parking areas. Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.
- (1) Repeating distinctive window patterns at intervals less than the required interval.
  - (2) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/ siding style and/or roofline modulation. Otherwise, minimum depth and width of modulation is 2 and 15 feet, respectively. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade at least 18 inches.
  - (3) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 percent of the façade.
  - (4) Roofline modulation.
  - (5) Vertical articulation of the façade. This refers to design treatments that provide a clear delineation of the building's top, middle and bottom.
    - (a) Top features may include a sloped roofline or strong cornice line as defined in Section 13.06.501.D.4. For façades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street).
    - (b) Middle features: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing.
    - (c) Bottom: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of both contrasting window design/configuration and contrasting exterior materials.
    - (d) Façade reduction elements including balconies and bay windows may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way.



*Above: Residential building articulation at intervals of 30-foot or less.*

- c. Blank walls limitation

- (1) ~~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 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.~~  
Applicability. A blank wall on the first story that is more than 25 feet in length and faces a public street and/or highway right-of-way, residential zone, or customer parking lot is subject to these requirements.

- (2) Requirements. These blank wall areas must employ at least one of the following treatments to create a visual break between blank wall segments. The visual break treatment must be at least 1 foot in width and employed at least every 25 ft. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.

- Building modulation
- Windows
- Openings
- Landscaping
- Architectural relief, such as visibly different textured material.

\* \* \*

D. Downtown District minimum design standards.

\* \* \*

3. Ground level design.

- a. Façade details & articulation. Applicability: All building façades fronting a designated Pedestrian Street must include the following required and selected articulation features at intervals no greater than 40 feet. Buildings that have 60 feet or less of frontage on the designated pedestrian street are exempt from this standard.

- (1) Required features: DCC zoning.
- (a) The floor area abutting at least 50 percent of the linear sidewalk level frontage shall meet the following standards, in addition to any other required basic or additional design standards.
- The distance from the finished floor to the finished ceiling above shall be at least 12 feet.
  - The interior area must have a minimum average depth of 25 feet measured from the sidewalk level façade.
  - Use of vertical piers (minimum 2 inch projection) and arrangement of windows and/or entries that reinforce the pattern of small storefront spaces.

- (2) Required features: Other Downtown zones (non-DCC).

- (a) The floor area abutting at least 25 percent of the linear sidewalk level

frontage shall meet the following standards, in addition to any other required basic or additional design standards.

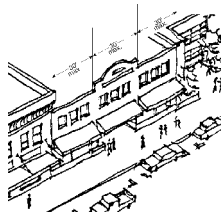
- The distance from the finished floor to the finished ceiling above shall be at least 12 feet.
  - The interior area must have a minimum average depth of 25 feet measured from the sidewalk level façade.
  - Use of vertical piers (minimum 2 inch projection) and arrangement of windows and/or entries that reinforce the pattern of small storefront spaces.
- (3) Optional features: Choose one from each of the following categories:
- (a) Window and/or entry treatment:
- Display windows divided into a grid of multiple panes.
  - Transom windows.
  - Roll-up windows/doors.
  - Recessed entry.
  - Decorative door.
  - Arcade.
  - Landscaped trellises or other permanent decorative elements that incorporate landscaping near the building entry.
- (b) Building materials and other façade elements:
- Decorative weather protection element(s) such as a steel canopy or glass, fixed-fabric, or retractable awning.
  - Decorative building-mounted light fixtures.
  - Use of brick, stonework, and architectural pre-cast concrete for at least 10 percent of siding material on the façade.
  - Incorporating a decorative mix of building materials.
  - Decorative kick-plate, pier, or belt course.

### **Example Figures**

*These figures all depict acceptable façade articulation examples.*

*All use window configurations to reinforce the desired small storefront pattern.*

*This building uses roofline modulation, window configurations, and weather protection elements to reinforce the pattern of small storefronts.*



*This building employs a regular pattern of vertical piers.*



*This building incorporates different weather protection elements.*



- b. Weather protection.
  - (1) General requirements.
    - (a) Weather projection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features.
    - (b) Weather protection must cover at least 5 feet in width of the public or semi-public sidewalk but reduced to accommodate trees, lighting, bay windows, or similar building features to not less than 3 feet in width.
  - (2) Minimum requirements.
    - (a) Pedestrian Street-facing building facades. Weather protection shall be provided above all entrances and along a minimum of 80 percent of ground level building facades abutting or located within 5 feet of a hard-surfaced public or private sidewalk, walkway, and/or amenity space.
    - (b) Building facades facing a non-Pedestrian Street or common amenity space. Weather protection shall be provided above all entrances and along a minimum of 50 percent of ground level building facades abutting or located within 5 feet of a hard-surfaced public or private sidewalk, walkway, and/or amenity space.
- c. Building orientation & entrances.
  - ~~(1) Definitions. "Primary entrance." An entrance that provides direct pedestrian access to all or a plurality of residential units, non-residential building main lobby, or a shared entrance of multiple users/uses. For the purposes of applying associated provisions, this can include entrances into an enclosed interior space as well as covered and uncovered, unenclosed or partially enclosed spaces such as shared walkways, gates, or other similar features.~~
  - (2) Residential buildings/uses.
    - (a) Location. Primary entrances must be oriented to the abutting street and must include features that visually communicate its prominence and function such as signage, [weather protection](#), wayfinding, pedestrian

lighting, landscaping, walls/fences, etc. If the building has more than one street frontage where one is a designated Pedestrian Street, the ~~primary-Primary entrance-Entrance~~ must be oriented to the Pedestrian Street except that the ~~primary-Primary entrance-Entrance~~ for residential units within a mixed-use building may be located on non-Pedestrian Street for buildings ~~with more than one street frontage~~ so long as a Primary Entrance for the Non-residential uses are provided along the Pedestrian Street. If no entrance clearly meets the definition of a Primary ~~entrance~~Entrance, at least one entrance must be designated as such and designed according to these standards.

- (b) Dimensions. A covered space of weather protection is required for all building/use entries. Each Primary ~~residential and shared entries-Entrance~~ must include a covered space that is at least 4 feet wide and 6 feet deep except for developments that only include individual, ground-related unit entrances (see below)~~located on the development site~~. This space may either be recessed or projecting from the front building wall and may encroach into the right-of-way. The weather protection cover may not be more than 12 feet above grade.

(32) Non-residential buildings/uses.

- (a) Location. A publicly-accessible Primary Entrance must be oriented to the abutting street, located within 20 feet of the street, and must include features that visually communicate its prominence and function such as signage, weather protection, wayfinding, pedestrian lighting, landscaping, walls/fences, etc. If the building has more than one street frontage where one is a designated Pedestrian Street, the primary entrance must be oriented to the Pedestrian Street. If no entrance clearly meets the definition of a Primary Entrance, at least one entrance must be designated as such and designed according to these standards.
- (b) Customer entrances. Additional publicly-accessible entrances shall be provided along building elevations containing a publicly-accessible entrance at a minimum interval of 250 feet.

d. Building transitions. Applicability: The following standards apply to the area located between street right-of-way and the building.

- (1) General requirements.
- (a) Fences, walls, or hedges greater than 36 inches in height are prohibited.
- (b) Where a building is located more than 5 feet from the right-of-way, the areas located between the right-of-way and the building must consist of pedestrian amenities, landscaping, vegetated LID BMPs, or works of art. Landscaping shall be consistent with TMC § 13.06.090B.4.h. Review of any proposed public art shall be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator. Parking is prohibited in the setback areas.
- (2) Residential entrances: Individual ground-related unit entrances. Each unit shall provide a transition area including one of the following features between the right-of-way and unit entrance.
- Grade changes that elevate the unit's entrance at least 2 feet above

adjacent grade.

- A common exterior amenity space meeting the requirements of 13.06.040I.3.a.
  - A private exterior amenity space meeting the requirements of 13.06.040I.3.b and that includes a fence or wall to provide physical and visual separation from public spaces.
- (3) Residential entrances: Shared multi-unit entrances. ~~Each shared~~ The primary entrance shall provide a transition area including one of the following features between the right-of-way and entrance. ~~Transitions can be accomplished by the following:~~
- Grade changes that elevate the entrance at least 2 feet above adjacent grade.
  - An exterior area that is at least 64 square feet with no dimension less than eight feet.
- ~~• A common exterior amenity space meeting the requirements of 13.06.040I.3.a.~~
- (4) Pedestrian street-facing facades.
- (a) Where a building is located 5 feet or less from the right-of-way, the areas located between the right-of-way and the building must be hard-surfaced.

\* \* \*

f. Blank walls.

(1) ~~Definition.~~

~~“Blank wall.” A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door.~~ Applicability. An area of a ground floor wall measured 4 feet above the adjacent finished grade that is 15 feet or more in length and faces a street, residential zone not separated by an alley, internal pathway, courtyard, plaza, or an associated surface parking lot of 20 stalls or greater that meets the definition of blank wall is subject to these requirements.

(2) Requirements. These ~~Blank~~ blank walls areas facing a street, internal pathway, courtyard, plaza, or an associated surface parking lot of 20 stalls or greater must be treated in employ at least one or more of the following ways and must be treatments occupying at least 60 percent of the wall surface area and accompanied by lighting that enhances the selected treatment. More than one treatment may be used to achieve the minimum surface area coverage.

- Window display(s) ~~must be~~ at least 2 feet in depth and recessed into the building. Display cases attached to the exterior wall do not qualify.
- Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to ~~obscure or screen at least 60 percent of the wall's surface~~ achieve the minimum coverage area within 3 years.
- Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to ~~obscure or screen at least 60 percent of the wall's~~

~~surface achieve the minimum coverage area within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.~~

- Artwork. Review of any proposed public art shall be coordinated with the City's Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.

4. Building form and expression.

- a. Façade articulation. Applicability: Buildings greater than 3 stories in height must conform to the building articulation standards in section (1). Buildings zoned DR that have more than 60 feet of frontage along a street, open space, or parking area must conform to the articulation standards in section (2).

- (1) Required building articulation for buildings 4 to 10 stories in height in all zoning districts.

Buildings greater than 10 stories in height are exempt from these requirements.

For the purposes of applying this requirement, floor heights are counted from the street-facing façade containing the Primary Entrance.

- (a) Buildings 4 or 5 stories in height shall provide bipartite articulation by incorporating design treatments that provide a clear delineation of the building's top and base.
- (b) Buildings over 5 stories shall provide tripartite articulation by incorporating design treatments that provide a clear delineation of the building's top, middle, and base.
- (c) This articulation can be accomplished through a combination of building form, materials, and detailing.
- Top: Features may include a sloped roofline or strong cornice line. For façades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street).
  - Middle: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing.
  - Base: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of varying window design and/or configuration, and exterior materials, architectural details, and/or other methods.

- (2) Optional articulation features for development within the DR zoning district. Development within other zones are exempt.

All buildings shall include at two of the following articulation features at intervals of no more than 30 feet along all façades facing a street, common open space, or common parking areas.

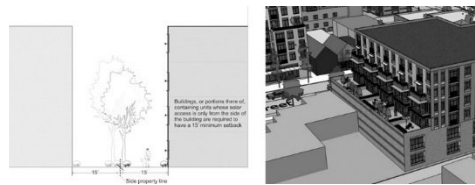
Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide one of the articulation features.

Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard.

Modulation Choices in TMC § 13.06.100B.4.b that exceed similar options listed here can be used to satisfy these requirements if employed.

- (a) Repeating distinctive window patterns at intervals less than the required interval.
- (b) Minor vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation.
- (c) Major vertical building modulation. Minimum depth and width of modulation is 10 and 15 feet, respectively.
- (d) Horizontal modulation (upper level step-backs). Provide a minimum horizontal modulation of 5 feet from the building face for at least 75 percent of the façade.
- (e) Roofline modulation consistent with TMC § 13.06.100B.4.c(3).
- (f) Balconies or bay windows. To qualify, balconies must be recessed or project at least 18 inches beyond the primary building face and bay windows must project at least 18 inches beyond the primary building face. These may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way.

#### Figures:



#### b. Mass reduction.

Purpose: The following standards are intended to reduce the appearance of bulk.

Applicability: ~~Buildings~~ Building façades that have more than 60 feet of frontage along a public or private street, public open space, or on-site parking area (45 feet or greater average width) must conform to these standards, except where exempted.

- (1) Building modulation choices: Buildings fronting a designated Pedestrian Street must employ two of the following modulation approaches. Building fronting a street not designated as Pedestrian Street must employ one. This requirement applies to buildings 4 to 10 stories in height in all districts. Buildings greater than 10 stories in height are exempt from these requirements. For the purposes of applying this requirement, floor heights are counted from the street-facing façade containing the Primary Entrance.

- (a) Horizontal modulation: Upper floor streetfront stepback measured from the building face closest to the street (choose one as applicable)

Pedestrian street ~~façades~~ façades:

- 8' minimum horizontal stepback along ~~for the~~ 5th floor and above where the ROW width is less than 100'.
- 8' minimum horizon stepback ~~for~~ along the 6th floor and above where the ROW width is 100' or greater.
- Proportional Stepback option: A 8' stepback ~~from~~ along the building face above the level which corresponds to a 1:2 proportional relationship to the street.

Other ~~street~~ façades:

- 5' minimum horizontal stepback along ~~for the~~ 5th floor and above where the ROW width is less than 100'.
- 5' minimum horizon stepback ~~for~~ along the 6th floor and above ~~in X-zones other than RCX~~, where the ROW width is 100' or greater.
- Proportional Stepback option: A 5' stepback ~~from~~ along the building face above the level which corresponds to a 1:2 proportional relationship to the street

Notes:

- Encroachments: ~~One distinct design element of no more than 25 feet in width is allowed to~~ Portions of the building may encroach vertically into these stepbacks up to 25 feet in cumulative width for each façade.
- Buildings that do not exceed the number of floors at which a stepback would apply are considered to satisfy horizontal modulation requirements for purposes of meeting mass reduction requirements.
- Portions of the building located 8' or further from a designated Pedestrian Street or 5' or further from other facades are considered to satisfy horizontal modulation requirements for purposes of meeting mass reduction requirements. For facades that face qualifying parking lots, this is measured from the improvement associated with the parking lot such as a curb or pedestrian walkway nearest the building face.

(b) Vertical modulation: Façade Wall Width Options (choose one)

- Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.
- Façade employs building walls with contrasting articulation that make it appear like two or more distinct buildings. To qualify for this option, these contrasting façades must employ the following:
- Different building materials and/or configuration of building materials.
- Contrasting window design (sizes or configurations).
- Off-set front walls – Front facing facades are off-set from the property line by a minimum 8 foot difference.

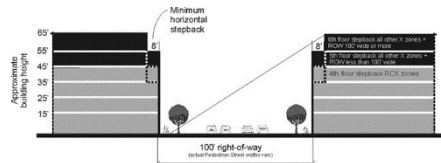
(c) Common exterior amenity space. A common exterior amenity space, such as a courtyard or public plaza, of at least 800 square feet or 5 percent of ~~building floor~~ site area, whichever is greater. The amenity space shall be located within 50 feet of and visible to the primary entrance; accessible to the residents and/or customers; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or artwork for each 200 square feet of ~~plaza~~ area.

(d) Facade articulation. Employ at least two (2) of the following select optional articulation features from TMC 13.06.100.D.4.a(2) as listed below. These features may be different or repeated to meet this requirement.

- Minor vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation.
- Major vertical building modulation. Minimum depth and width of modulation is 10 and 15 feet, respectively.
- Horizontal modulation (upper level step-backs). Provide a minimum horizontal modulation of 5 feet from the building face for at least 75 percent of the facade.
- Roofline modulation consistent with TMC 13.06.100.D.4.c(3).
- Balconies. To qualify, balconies must be recessed at least 18 inches beyond the primary building face.

### Example Figures

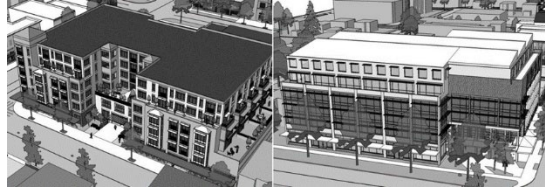
*Diagram depicting horizontal modulation.*



*Articulation examples of mixed-use buildings containing residential uses on upper floors. These examples include vertical and horizontal modulation and changes in building materials at no more than 30-foot articulation intervals.*



*Examples of façades that effectively use techniques to reduce the apparent bulk and scale of the structure. The image on the left uses street and upper level courtyards whereas the right image uses both vertical building modulation and the use of contrasting building materials and articulation.*



~~c.~~(2) Light and air access for residential units. Every residential unit shall have access to a minimum amount of light, direct or indirect, and air per these requirements.

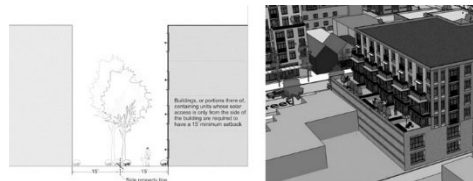
This requirement applies to the lower 10 stories of buildings in all districts. Floors over ten are exempt from these requirements. For the purposes of applying this requirement, floor heights are counted from the street-facing façade containing the Primary Entrance.

Units that face a side or rear property line or an internal exterior space shall provide sufficient separation as follows. Units that directly face a street, ~~or~~ alley, other public rights-of-way, or land determined to be undevelopable are exempt.

- (a1) Units that only face a side or rear property line shall be set back from the property line at least 8 feet for a ~~horizontal dimension~~ width of at least 10 feet.
- (b2) Units that only face an internal exterior space, such as a courtyard or light well, shall be no closer than 15 feet from any parallel wall.
- (c3) Units that face a side or rear property line and an internal exterior space is required to only meet (a) or (b) above.
- (d4) Every unit shall be afforded at least 10 feet of total exterior wall width and each shall include at least one operable window.
- ~~(e) This standard shall not apply in cases where the rear or side property line abuts a street or alley.~~
- (f5) Private amenity spaces, such as balconies, may encroach up to 5 feet into this space.

### Example Figures

*Examples of buildings that meet minimum light and air standards for residential units.*



~~e~~d. Roofline design.

\* \* \*

~~e~~c. Historic resources.

\* \* \*

F. Urban Residential (UR) minimum design standards.

1. General applicability. The Housing Type Standards and Additional Standards (together called design standards) of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The design standards apply to all new development in the Urban Residential (UR) districts as outlined below, except as follows:
  - a. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
  - b. Alterations.
    - (1) Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:
      - Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.
      - Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.
      - Level III alterations include all remodels and/or additions within a two year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code. Such alterations shall conform to ALL standards.
    - (2) 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.
    - (3) No addition or remodel shall increase the level of nonconformity or create new nonconformities to the development or design standards.
  - c. Temporary. Temporary structures are exempt from the design standards of this section.
  - d. Historic. Refer to TMC 13.07 (Landmarks and Historic Special Review Districts) for applicable standards for entries and other building elements in Historic Districts. When conflicts in the code exist, Historic Standards take priority over Building Design Standards.
  - e. Religious assembly facilities which can demonstrate that the design standards impose a substantial burden, administratively or financially, on their free exercise of religion, shall be exempt from compliance.
  - f. Adaptive reuse of heritage building. Refer to TMC 13.05.010.A.6 & 13.06.080.T.3, as applicable, for standards for adaptive reuse of heritage buildings.
- 2b. Relationship to other standards. These Design Standards work together with the other code sections to regulate buildings, open space, trees, parking and other elements on a site. Standards in one section are not repeated in another section. Refer to the following sections

for other standards applicable to lots within the Urban Residential (UR) Districts:

- (+)a. TMC § 13.06.020F District Development Standards and Table: Housing types allowed, Uses permitted, Lot area & measurements, Density, Floor Area Ratio, Maximum height, Number of stories, Setbacks, Building separation, Floor area ratio, Amenity space.
- (2)b. TMC § 13.06.090 Site Development Standards: Landscaping standards, Off-street parking areas, Pedestrian and bicycle support standards, Fences and retaining walls, Utilities, Street level building transitions.

### 3. Determining applicable housing type building design standards.

- a. When applying for a permit, the applicant must indicate which Housing Type is being proposed, and must comply with Building Design Standards for that type.
- b. Multiple buildings and different housing types may be combined on a site, especially on large sites. These are often, but not always, platted for separate ownership. Backyard Buildings, by definition, are anticipated behind many of the other housing types. When combining housing types on a site, the applicable Housing Standards will be applied individually to each portion of the site as appropriate and indicated on the permit application. In no case shall the maximum density standards for a site be exceeded.
- c. Limited mixed-use residential. Buildings shall conform to the housing type design standards most similar to the proposed development based on the housing types' distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.
- ~~d. When applying for a permit, the applicant must indicate which Housing Type is being proposed, and must comply with Building Design Standards for that type.~~
- ~~e. Multiple buildings and different housing types may be combined on a site, especially on large sites. These are often, but not always, platted for separate ownership. Backyard Buildings, by definition, are anticipated behind many of the other housing types. When combining housing types on a site, the applicable Housing Standards will be applied individually to each portion of the site as appropriate and indicated on the permit application. In no case shall the maximum density standards for a site be exceeded.~~
- ~~f. Alterations.  
(1) Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:  
  
Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.  
  
Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the~~

~~existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.~~

~~Level III alterations include all remodels and/or additions within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code. Such alterations shall conform to ALL standards.~~

~~(2) 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.~~

~~(3) No addition or remodel shall increase the level of nonconformity or create new nonconformities to the development or design standards.~~

#### 24. Overview.

\* \* \*

#### 35. Housing type standards.

##### a. Houseplex – House, Duplex, Triplex, 4-plex, 5-plex, 6-plex.

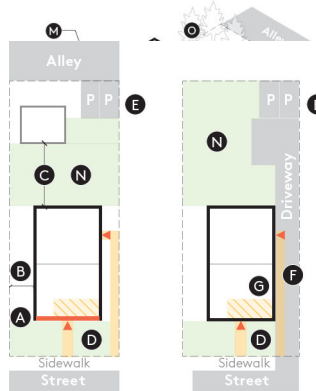
\* Refer also to Additional Standards TMC § 13.06.100F.4.

- (1) Description. A single building containing 1 to 6 units, which may be in a “side-by-side” or “stocked configuration. At least one private or shored entry is required from the street, and a private or shored yard is often included behind the building. Multi-story units that are oriented perpendicular to the street and where vehicular and/or pedestrian access is provided from a shored facility along the side (often called “slot homes”) are included in this type.
- (2) Applicability. The following requirements apply to all Houseplex dwellings in all Urban Residential districts, as well as to new units added to or built within existing houses. The total number of units per lot is subject to District Development Standards density maximums.
- (3) Purpose. Houseplexes are intended to continue the existing pattern of low-scale neighborhoods with detached homes along the street, generous backyards, as well as sideyards creating a rhythm of light and air between buildings. This housing type enables “house scaled” structures with higher densities that allow more people to enjoy a traditional house and yard arrangement.

### **Character examples for Houseplexes**



### Houseplex - House, Duplex, Triplex, 4-plex, 5-plex, 6-plex Design Standards



*Figures: Houseplex Design Standards*

- (4) Building placement.
  - (A) Building orientation\*: Must have primary orientation to street. Corner buildings may orient to two streets.
  - (B) Setbacks: Refer to District Standards, TMC § 13.06.020F.
  - (C) Separation between buildings on same site:
    - 10'
    - 6' if building height of both buildings is less than 25' or existing tree is retained.
- (5) Access and parking.
  - (D) Pedestrian access. Primary entry:
    - One entry required at primary street.

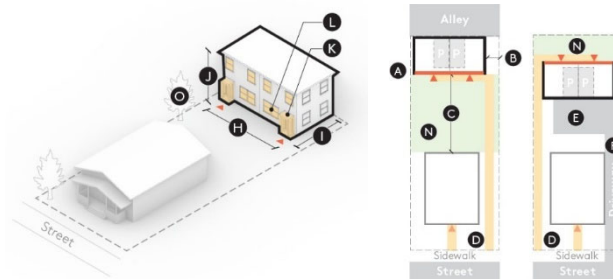
- Additional Entries: Allowed from street, side yard, or rear yard. Sidewalk or pedestrian path required from the street.
- (E) Parking.
- Required access from an alley if exists [unless the alley is not practically available \(TMC § 13.06.090.C14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\).](#)
  - Prohibited between building and street.
  - Prohibited within front setback (except in front of garages). Garages must be setback 20' from lot line.
  - Refer to Site Development Standards (TMC § 13.06.090C for vehicle, and § 13.06.090G for bike parking ratios).
- (F) Driveway.
- Max number: 1 per 12,000 SF of lot area.
  - Limited to access from alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\).](#)
  - Refer to Site Development standards TMC § 13.06.090C
- (G) Habitable space\*.
- 10' deep along 75 percent of street-facing facades.
- (6) Building size.
- (H) Building width.
- UR-1 and UR-2: 50' max
  - UR-3: 75' max
- (I) Building depth.
- UR-1 and UR-2: 75' max
  - UR-3: 90' [max](#)
- (J) Height limits: Refer to District Standards, TMC § 13.06.020F.
- (7) Building articulation.
- (K) Covered entry\*.
- Covered entries required: 3' deep min.
  - Single unit entry: 20 sf min
  - Shared entry: 30 sf min
- (L) Transparency/Windows and openings\*.
- 15% transparent to street

- 10% transparent to alleys, shared open space, and surface parking courts
  - [Non-residential uses: 25% transparency between 2-10' above sidewalk grade](#)
- (M) Articulation\*. Street-facing façades may be articulated to look like a single dwelling or to emphasize distinct dwelling units; one feature required for façades over 40' wide. Two features required for façades over 60' wide.
- (8) Open space.
- (N) Amenity space\*. Private, common, or mix. Refer to District Standards, TMC § 13.06.020F.
- (O) Tree credit. Refer to District Standards, TMC § 13.06.020F.
- b. Backyard building. \*Refer also to Additional Standards TMC § 13.06.100F.4.
- (1) Description. A building located behind another structure at the rear of a lot. The building may contain a garage. The building may be accessed from a shared or private path from the front sidewalk or from a secondary street on a corner lot. A small yard and parking space can be included. This housing type can include detached accessory dwelling units (DADU), but also includes any structure containing no more than six units.
- (2) Applicability. The following standards apply to all Backyard Buildings in all Urban Residential districts. The total number of units per lot is subject to District Development Standards density maximums.
- (3) Purpose. Backyard Buildings are intended to create additional housing on infill lots, while maintaining neighborhood character and promoting retention of existing buildings, with “gentle density” that is less visible from the street. Backyard buildings can provide homeowners with a means to provide for companionship and security nearby, and they can also contribute to neighborhood stability and protect property values by creating avenues for additional income, aging in place, and the meeting of personal and property needs. With smaller footprints, these buildings can also be lower cost units that are more affordable to low- and moderate-income people.

## Character examples for Backyard Buildings



## Backyard Building Design Standards



*Figures: Backyard building design standards*

- (4) Building placement.
  - (A) Building orientation\*. May orient to a backyard, alley, or a street on a corner lot based on site conditions.
  - (B) Setbacks. 0' rear and side setback from alley. Refer to District Standards, TMC § 13.06.020F.
  - (C) Separation between buildings on same site.
    - 10'
    - 6' if building height of both buildings is less than 25' or existing tree is retained.
- (5) Access and parking.
  - (D) Pedestrian access. Sidewalk or pedestrian path required from street.
  - (E) Parking. Limited to access from an alley or existing driveway if exists. Prohibited between building and street. Prohibited within front setback. Garage doors must be setback 20' from lot lines abutting streets. Refer to

Site Development Standards (TMC § 13.06.090C for vehicle and TMC § 13.06.090G for bike parking ratios).

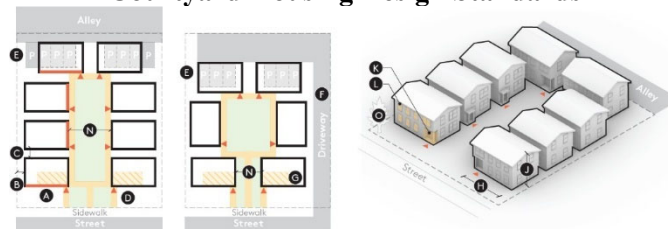
- (F) Driveway. Max number: 1 per 12,000 SF of lot area shared with street-facing buildings. Required to be shared with driveways serving street-facing buildings, or must occur from alley if one exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Refer to Site Development Standards TMC § 13.06.090C.
- (G) Habitable space\*. Not applicable.
- (6) Building size.
  - (H) Building width.
    - UR-1 and UR-2: 40' max.
    - UR-3: 75' max.
  - (I) Building depth. 40' max.
  - (J) Height limits. Refer to District Standards, TMC § 13.06.020F.
- (7) Building articulation.
  - (K) Covered entry\*. Covered entries required:
    - 3' deep min.
    - Single unit entry: 20 SF min.
    - Shared entry: 30 SF min.
  - (L) Transparency/Windows & openings\*.
    - 15% transparent to street if one exists.
    - 10% transparent to alleys. Placement should endeavor to provide privacy from adjacent units.
    - [Non-residential uses: 25% transparency between 2-10' above sidewalk grade](#)
  - (M) Articulation\*. Not applicable.
- (8) Open space.
  - (N) Amenity space\*. Private, common or mix. Refer to District Standards, TMC § 13.06.020F.
  - (O) Tree credit. Refer to District Standards, TMC § 13.06.020F.
- c. Courtyard housing. \* Refer also to Additional Standards TMC § 13.06.100F.4.
  - (1) Description. A group of buildings or units arranged around a shared courtyard. Depending on the zone, units may be detached or attached. The courtyard is entered from the street, provides pedestrian access to the units, and is a shared social space which takes the place of private back yards. Detached buildings within Courtyard Housing developments may include up to six dwelling units per building.

- (2) **Applicability.** The following standards apply to Courtyard Housing developments in all Urban Residential districts where allowed. The total number of units per lot is subject to District Development Standards density maximums.
- (3) **Purpose.** Courtyard housing offers an alternative spatial arrangement, while fitting the scale and adjacency to open spaces enjoyed in detached housing neighborhoods. The courts can contribute aesthetically to the street, or provide social spaces that foster children’s play. The central courts allow residents to look in on each other occasionally, or to organize into semi-communal “co-housing” arrangements.

**Character examples for Courtyard Housing**



**Courtyard Housing Design Standards**



*Figures: Courtyard Housing Design Standards*

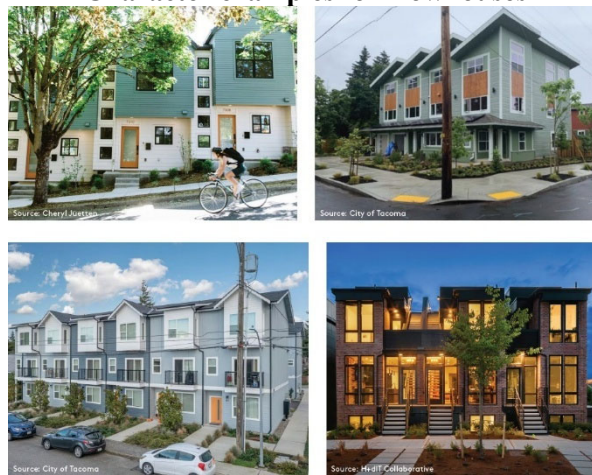
- (4) **Building placement.**
  - (A) **Orientation\*.** Buildings along a street must have primary orientation to the street. Internal buildings must orient to courtyard.
  - (B) **Setbacks.** 0’ Rear Setback from alley when parking is provided directly from alley. Refer to District Standards, TMC § 13.06.020F.
  - (C) **Separation between buildings on same site:**
    - 10’
    - 6’ if building height of both buildings is less than 25’ or existing tree is retained.
- (5) **Access and parking.**

- (D) Pedestrian access. Entry from common courtyard to each building and/or unit; entry from street ok at front units.
- (E) Parking. Required access from an alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to Site Development Standards, TMC § 13.06.090C for vehicle and TMC § 13.06.090G for bike parking ratios.
- (F) Driveway. Max number. 1 per 12,000 SF of lot area. Limited to access from alley if exists [unless the alley is not practically available \(TMC § 13.06.090.C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC 13.06.020.F.4\) or Incentives for Accessory Dwelling Units \(TMC 13.06.020.F.5\)](#). Refer to Site Development Standards, TMC § 13.06.090C.
- (G) Habitable space\*. 10' deep along 75% of street-facing facades.
- (6) Building size.
- (H) Building width: 40' max for a detached building or the wing of an attached building.
- (I) Building depth: Not applicable.
- (J) Height limits: Refer to District Standards, TMC § 13.06.020F.
- (7) Building articulation.
- (K) Covered entry\*. Covered entries required:
- 3' deep min.
  - Single unit entry: 20 SF min.
  - Shared entry: 30 SF min.
- (L) Transparency/Windows & openings\*.
- 15% transparent to street and courtyard.
  - 10% transparent to alleys and surface parking lots.
  - [Non-residential uses: 25% transparency between 2-10' above sidewalk grade](#)
- (M) Articulation\*. Not applicable.
- (8) Open space.
- (N) Amenity space\*. Shared courtyard required. Min width: 20'. Refer to District Standards, TMC § 13.06.020F.
- (O) Tree credit. Refer to District Standards, TMC § 13.06.020F.
- d. Rowhouse.
- (1) Description. Typically a multi-story building with access to the street from its

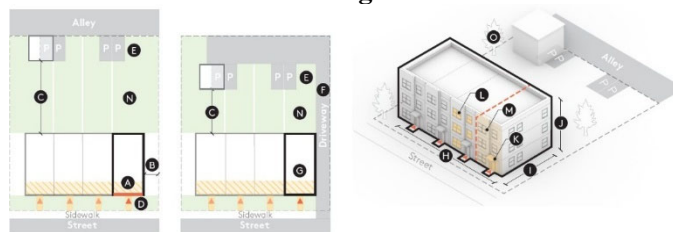
front door ~~and a private yard~~. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouses ~~buildings~~, which together create a “Rowhouse Cluster” of 3 to 6 Rowhouses.

- (2) Applicability. The following requirements apply to all Rowhouse dwellings in all Urban Residential districts. The total number of units per lot is subject to District Development Standards density maximums.
- (3) Purpose. Rowhouses are intended to provide housing at a scale between detached housing and multiplexes. With immediate street access to the units ~~and to private backyards~~, this housing type can work well for families. Often provided for sale, they can create home ownership opportunities, and usually at a lower cost than detached houses because the buildings are connected and on smaller lots.

### Character examples for Rowhouses



### Rowhouse Design Standards



*Figures: Rowhouse Design Standards.*

- (4) Building placement.
  - (A) Building orientation\*: Must have primary orientation to street; Rowhouse Clusters on corner lots may choose to orient to two streets.
  - (B) Setbacks: Refer to District Standards, TMC § 13.06.020F, which measure to Rowhouse Clusters.
  - (C) Separation between buildings on same site:
    - 0’ between Rowhouses
    - 10’ between each Rowhouse Cluster
    - 6’ if building height of both buildings is less than 25’ or existing tree is retained.

- (5) Access and parking.
- (D) Pedestrian access. Individual access via a sidewalk or pedestrian path is required to each Rowhouse from the street. Rowhouses on corner lots may select which street to orient to.
- (E) Parking. Required access from an alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Prohibited between building and street. Prohibited within front setback. Garages prohibited on front facades. Garages must be setback 20' from lot line. Refer to Site Development Standards, TMC § 13.06.090C for vehicle and TMC § 13.06.090G for bike parking ratios.
- (F) Driveway. Max number: 1 per 12,000 SF of lot area. Rowhouse Clusters must share a driveway if parking from alley is not available. Limited to access from alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Refer to Site Development Standards, TMC § 13.06.090C.
- (G) Habitable space\*. 10' deep along 75% of street-facing facades.
- (6) Building size.
- (H) Building width. UR-1 and UR-2: 75' max, 40' min (for each Rowhouse Cluster). UR-3: 90' max, 40' min (for each Rowhouse Cluster)
- (I) Building depth. UR-1 and UR-2: 60' [max](#). UR-3: 80' [max](#).
- (J) Height limits. Refer to District Standards, TMC § 13.06.020F.
- (7) Building articulation.
- (K) Covered entry\*. Covered entries required:
- 3' deep min
  - Single unit entry: 20 SF min
  - Shared entry: 30 SF min
- (L) Transparency/Windows & openings\*.
- 15% transparent to streets,
  - 10% transparent to alleys, shared open space, and parking drives or lots
  - [Non-residential uses: 25% transparency between 2-10' above sidewalk grade.](#)
- (M) Articulation\*. Street-facing facades must be articulated to emphasize each individual Rowhouse using at least one Articulation Feature.
- (8) Open space.
- (N) Amenity space\*. Private. Common open space of the same area is allowed. Refer to District Standards, TMC § 13.06.020F.

(O) Tree credit. Refer to District Standards, TMC § 13.06.020F.

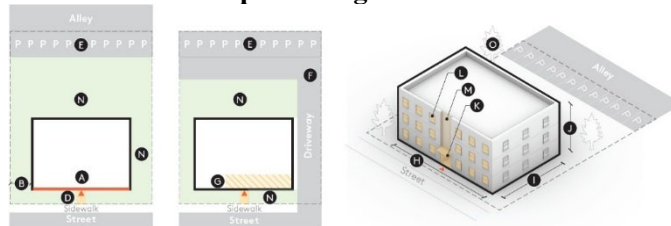
e. Multiplex. \* Refer also to Additional Standards TMC § 13.06.100F.4 at the end of this chapter.

- (1) Description. A building consisting of 7 or more stacked units, with the appearance of a large house or a small apartment building. Access is often from one shared entry at the street leading to a central corridor accessing all units, but other configurations are possible (including a few single-stair buildings connected together).
- (2) Applicability. The following standards apply to Multiplex developments in all Urban Residential district. The total number of units per lot is subject to District Development Standards density maximums. Refer to Tacoma Municipal Code Section 13.06.100 C. for multi-unit developments in other zones.
- (3) Purpose. Multiplexes are intended to provide housing at an intermediate scale between detached houses and the larger apartments buildings in mixed use centers. Located nearer transit and anticipated to contain smaller units, they can provide naturally occurring affordable housing.

### Character examples for Multiplexes



### Multiplex Design Standards



- (4) Building placement.
  - (A) Building orientation\*. Must have primary orientation to street.
  - (B) Setbacks. Refer to District Standards, TMC § 13.06.020F.
  - (C) Separation between buildings on same site.

- 10'
  - 6' if building height of both buildings is less than 25' or existing tree is retained.
- (5) Access and parking.
- (D) Pedestrian access. At least one shared entry to the building is required from the street within 15' of the sidewalk. Individual entries to ground floor units are permitted.
- (E) Parking. Required access from an alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to Site Development Standards, TMC § 13.06.090C for vehicle and TMC § 13.06.090G for bike parking ratios.
- (F) Driveway. Max number: 1 per 12,000 SF of lot area. Limited to access from alley if exists [unless the alley is not practically available \(TMC § 13.06.090C.14\) or the site meets the Incentives for Ownership Opportunities \(TMC § 13.06.020F.4\) or Incentives for Accessory Dwelling Units \(TMC § 13.06.020F.5\)](#). Refer to Site Development Standards, TMC § 13.06.090C.
- (G) Habitable space\*. 10' deep along 75% of street-facing facades.
- (6) Building size.
- (H) Building width. 90' max.
- (I) Building depth. 100' max.
- (J) Height limits. Refer to District Standards, TMC § 13.06.020F.
- (7) Building articulation.
- (K) Covered entry\*. Covered entries required:
- 3' deep min
  - Single unit entry: 20 SF min
  - Shared entry: 30 SF min
- (L) Transparency/Windows & openings\*.
- 15% transparent to street,
  - 10% transparent to alleys, shared open space, and surface parking lots.
  - [Non-residential uses: 25% transparency between 2-10' above sidewalk grade.](#)
- (M) Articulation\*. Required for street facing facades: One feature for facades up to 60' wide. Two features for facades over 60' wide.
- (8) Open space.
- (N) Amenity space\*. Private amenity space may count for no more than 25%

- of total required. Refer to District Standards, TMC § 13.06.020F.
- (O) Tree credit. Refer to District Standards, TMC § 13.06.020F.

46. Additional building design standards.

a. Building orientation.

- (1) A building shall have a front elevation with a primary entrance oriented to the adjacent street, right of way, or other space required by the Housing Type. Front setbacks are calculated to this front elevation, and Building Width is measured along this elevation. Refer to Habitable Space requirements required at the primary building elevation.
- (2) Other building entries are allowed on other building facades in addition to the required entry on the front elevation.
- (3) This front elevation and all street-facing facades shall not contain elements commonly associated with a rear elevation appearance, such as utility meters, refuse containers, loading docks, and/or dumpsters.

b. Habitable space.

- (1) Purpose. To promote active, welcoming, neighborly activities along streets and sidewalks.
- (2) Spaces include: residential spaces such as foyers, entries, living rooms, dining rooms, kitchens, bedrooms, dens, lofts, home offices, common amenity spaces, playrooms, and mudrooms, as well as shared ancillary. ~~Also includes non-residential~~ spaces such as lobbies, mailrooms, and bicycle storage rooms. Also includes the active portions of permitted or conditionally permitted non-residential uses per TMC § 13.06.020E, ~~cafes, or commercial spaces~~. Excludes spaces such as garages, storage spaces, loading, mechanical, electrical, or other utility rooms.
- (3) Location. The floor of a Habitable Space must be within 5 feet of sidewalk grade elevation, unless site conditions prohibit such a relationship. This is to allow garages or other utility spaces to be located partially underground along the street-frontage without counting against the Habitable Space requirements.

c. Articulation features.

\* \* \*

d. Transparency/Windows & openings.

\* \* \*

e. Covered entries.

\* \* \*

f. Amenity space.

\* \* \*

~~g. Non residential use.~~

- ~~(1) Applicability. Refer to District Standards TMC § 13.06.020F. for uses allowed per zone. Non residential uses except garages, loading and utility spaces count~~

towards “Habitable Space Requirements”.

~~(2) Location.~~

~~(a) Must be on ground level, and include a front entry within 2’ of sidewalk grade elevation.~~

~~(b) Commercial uses must be on a corner lot.~~

~~(c) Must be in street facing building and in a street facing space within the building.~~

~~(3) Area and number.~~

~~(a) Maximum area of 3,000 SF.~~

~~(b) No limit to number of businesses.~~

~~(4) Setbacks. Comply with District Standards, except commercial uses have 0’ front setback min, and 10’ front setback max.~~

~~(5) Transparency. 25% min transparent facade between 2-10’ above sidewalk grade.~~

**hg.** Corner sites.

\* \* \*

**ih.** Large sites.

\* \* \*

**ji.** Addressing. All buildings must have clear addressing visible from the street. If Backyard Buildings or any Courtyard Housing buildings are not visible from the street, an address and some form of directional notation must be located along a walkway, on a fence, on a front building, or in some location that differentiates the front building address from the rear building address and is visible from the main access point to the property.

\* \* \*

**CHAPTER 13.19**  
**URBAN DESIGN BOARD AND PERMIT REVIEW**

\* \* \*

**§ 13.19.030. Urban Design Board.**

\* \* \*

- D. Terms of Urban Design Board members. Terms of the Board members of the Urban Design Board shall be three years.
1. Each Board member may serve up to ten consecutive years, except that one-term exceptions may be granted as needed for institutional knowledge~~until an appointment and qualification of a successor.~~
  2. In the event that a position is vacated before the expiration of the term, the City Council may appoint a successor to serve the remainder of the unexpired term.
  3. Initial Board appointments will consist of three 2-year appointments, and four full 3-year appointments. At least three of the initial 3-year appointments shall be for Design and Development Professional Positions 1 through 4.

\* \* \*

**§ 13.19.040. Urban Design Project review.**

\* \* \*

- F. Permit processes. This section describes the permit review steps and associated time frames for Director and Urban Design Board decisions.
1. Type I: Director decision.
    - a. Concept Design package review.
      - (1) Completeness review. The initial completeness review of an application shall be conducted consistent with TMC § 13.05.020E.
      - (2) Complete application review. Once the application is deemed complete, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, a Concept Design review and guidance summary report will be provided to the applicant.
    - b. Final Design package review.
      - (1) Initial review. The application package will be reviewed by staff and the applicant will be informed of the need of additional or missing information or advised of recommended revisions.
      - (2) Subsequent review(s). Following the initial review, the applicant will either provide the requested information or changes OR inform staff that no additional information or changes will be provided. Once all necessary information is provided, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, the Director will either approve (as submitted or with conditions) or deny the application.
    - c. Decisions are subject to all provisions in TMC 13.05.090.

- [ed.](#) All permit review time frames will be conducted consistent with applicable State law. The Department shall make all attempts to process permits in less time than the maximum allowed by State law.
2. Type II: Urban Design Board decision.
- a. Concept Design package review.
- (1) Completeness review. The initial completeness review of an application shall be conducted consistent with TMC § 13.05.020E.
  - (2) Complete application review. Once the application is deemed complete, a public hearing will be scheduled, public notice will be made, and comment will be received within the specified time.
  - (3) Public hearing. The Urban Design Board will conduct a public hearing, providing an opportunity for public comment on the proposed development germane to the applicable permit criteria. Following the public hearing, a Concept Design review and guidance summary report will be provided to the applicant.
  - (4) Allowance for administrative final design review. The Urban Design Board may authorize the Director to conduct the Final Design review and make the final decision, subject to the requirements of Type I application processes. Applications eligible for this action must demonstrate specific site and/or application qualities established by the Urban Design Board procedures.
- b. Final Design package review.
- (1) Initial review. The application package will be reviewed by staff and the applicant will be informed of the need of additional or missing information or advised of recommended revisions.
  - (2) Subsequent review(s). Following the initial review, the applicant will either provide the requested information or changes OR inform staff that no additional information or changes will be provided. Once all necessary information is provided, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, the Urban Design Board will either approve (as submitted or with conditions) or deny the application.
- [c. Notice 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 provided to those who commented in writing or requested a copy of the decision within the time period specified in Section 13.05.070.](#)
  - (2) [A summary of the decision shall be provided to 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.](#)
  - (3) [A summary of the decision shall also be posted on the property and published in a paper of general circulation. This summary shall state that affected property](#)

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.

(4) All notices of decision shall include procedures for appeal.

- ed.** All permit review time frames will be conducted consistent with applicable State law. The Department shall make all attempts to process permits in less time than the maximum allowed by State law.
- 3. Except as specified otherwise in this section, the provisions in TMC § 13.05.020 shall apply.

G. Criteria.

- 1. General criteria. An Urban Design Project Review application will be approved if the applicant has demonstrated the proposal complies with the Design Objectives contained within the Urban Design Project Review Manual. This determination shall be based on consideration of the clear and objective guidance contained within the Urban Design Project Review Manual in effect at the time application is made.
- 2. Design departure criteria.

  - a. In addition to the general criteria, a design departure will be approved if the applicant has demonstrated the proposed alternative design achieves at least one of the following:

    - (1) Provides equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.
    - (2) Allows the design to better address the general criteria for Urban Design Project Review approval.
  - b. Aspects of the development that may be considered in support of a proposed design departure include:

    - (1) Mitigation of impacts to and/or preservation of natural and built features including, but not limited to, trees, other vegetation, natural grade, historic or cultural artifacts, and public views of landmarks.
    - (2) Optimization or innovative use of low impact design/green stormwater infrastructure, energy efficient design (e.g. passivehaus, solar orientation), or other green building best practices, methods and/or technologies.
    - (3) Supports relevant adopted City goals and/or policies.
- 3. Factors reviewed through Urban Design Project Review and limitations. The review may evaluate most aspects of a given development including those pertaining to site planning, including structure placement, points of access, on-site connections, parking placement and access, public and private streets; architectural design, including dimensions, massing, entry orientation, environmental responsiveness, building materials, fenestration; open spaces, including active spaces, passive spaces, landscaping; as they relate to the relevant Design Objectives and the clear and objective guidance contained within the Urban Design Project Review Manual.

While the review may evaluate the distribution of massing and placement of structures on the site, the review may not require the applicant to reduce the total floor area, height, bulk, scale, or density.

H. Public notice.

- 1. General. Public notice shall be provided consistent with TMC § 13.05.070.

2. Type I: Director decisions. Type I permits are subject to Process II requirements in TMC § 13.05.070D.
3. Type II: Urban Design Board decision. Type II permits are subject to Process III requirements in TMC § 13.05.070E.

#### I. Reconsideration.

1. Type I: Director decisions. A request for reconsideration may be made in accordance with the processes and requirements in TMC 13.05.090.G.
2. Type II: Board decisions. A request for reconsideration may be made on any decision or ruling of the Board 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 Board'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. Accordingly, motions for reconsideration that are not timely filed with Planning and Development Services or do not set forth the alleged errors shall be dismissed by the Board. Following the timely filing of a request, the Board is to review the reconsideration request at the next regular Board meeting. It shall be within the sole discretion of the Board to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. After review of the matter, the Board shall take such further action deemed proper, which may include the issuance of a revised decision.

#### H. Appeals.

1. Type I: Director decisions. Appeals of a Type I permit decision is referred to the Hearing Examiner for public hearing. Such appeals are subject to the processes and requirements in TMC § 13.05.100.
2. Type II: Board decisions. Appeals of a Type II permit decision is referred to the Hearing Examiner for public hearing. Such appeals are subject to the processes and requirements in TMC § 13.05.100.

\* \* \*  
\* \* \*

**Exhibit “D-1”  
(Day care Facilities)**

**CHAPTER 13.01  
DEFINITIONS**

**§ 13.01.060 Zoning definitions.**

\* \* \*

**13.01.060.D**

~~“Day care center.” Any facility which receives 13 or more children or adults for day care.~~

~~“Day care, family.” An occupied dwelling in which a person provides day care for children or adults other than their own family and those of close relatives. Such care in a family day care home is limited to 12 or fewer children or adults, including children or adults living in the dwelling and those of close relatives cared for in the dwelling.~~

“Day care facility.” An institution that provides care to a group of children or adults for less than 24 hours per day. This use classification is inclusive of both “child care centers” and “family day care homes,” terms used for state licensing, but excludes schools, seasonal camps, or facilities for the care of children where the parents remain on premises for purposes other than employment (such as a grocery store, health club, or courthouse).

\* \* \*

**CHAPTER 13.06  
ZONING**

\*\*\*

**§ 13.06.020 Residential Districts**

\*\*\*

E. District use restrictions.

\*\*\*

4. District use table – Residential Districts (§ 13.06.020)

	UR-1	UR-2	UR-3	R-4	R-5	Additional Regulations
***						
<del>Day Care, family</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	
***						
Day Care <u>Facility</u> <del>Center</del>	<u>P*CU</u>	<u>P*CU</u>	<u>P*/CU</u>	P	P	<p><del>Subject to additional requirements contained in Section 13.06.080.E. For UR 3, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.</del></p> <p><u>State license required.</u></p> <p><u>*In UR districts, day care facilities shall not exceed the maximum floor area ratio. For the purposes of this standard, each building used for day care services will count as a “unit” towards the maximum floor area ratio.</u></p>

\*\*\*

**13.06.030 Commercial Districts**

\*\*\*

E. District use restrictions.

\*\*\*

4. District use table – Commercial Districts (§13.06.030)

	T	C-1	C-2	PDB	Additional Regulations
***					
<del>Day Care, family</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	
***					
Day Care <u>Facility</u> <del>Center</del>	P	P	P	P	<p><u>State license required.</u></p> <p><del>Subject to development standards contained in § 13.06.080E.</del></p>

\*\*\*

**13.06.040 Mixed-use Center Districts**

\*\*\*

E. District use restrictions.

\*\*\*

3. District use table – Mixed-use Center Districts (§ 3.06.040)

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Regulations
***									
Day Care, family	P	P	P	P	P	P	P	P	
***									
Day Care Facility Center	P	P	P	P	P	P	P	PCU	State license required. Not subject to RCX residential requirement (see table footnote 1).

\*\*\*

**13.06.060 Industrial Districts**

E. District use restrictions.

\*\*\*

5. District use table – Industrial Districts.

	M-2	M-1	Additional Regulations
***			
Day Care, family	N	P/N*	*Not permitted within the South Tacoma M/IC Overlay District.
***			
Day Care Facility Center	PN	PCU	Subject to development standards in Section 13.06.080.E

\*\*\*

6. District use table – Seaport manufacturing and industrial districts.

	SCP	SCM	SCS	ST	STT	SC	Additional Regulations
***							
Day Care, family	N	N	N	N	CU	N	*Not permitted within the South Tacoma M/IC Overlay District.
***							
Day Care Facility Center	N	N	P *~	P *~	P~	N	*Ancillary to a permitted primary use. ~Limited to 10,000 square feet of floor area per development site in the SCS and ST district and 15,000 square feet in the STT and M-1 districts. Subject to development standards in Section 13.06.080.E

\* \* \*

### 13.06.070 Overlay Districts

\* \* \*

B. South Tacoma Manufacturing/Industrial Overlay District.

\* \* \*

#### 4. District use restrictions.

##### a. Prohibited uses.

- Adult family home
- Confidential shelter
- Continuing care retirement community
- ~~Day care, family~~
- [Day care facility prohibited in the M-2 District; conditional use in the M-1](#)
- Dwellings, not permitted except quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.
- Emergency and transitional housing
- Extended care facility
- Foster home
- Golf course
- Group Housing
- Hospital uses are prohibited in the M-2 District
- Hotel Motel
- Animal slaughter, fat rendering, smelters, and blast furnaces
- Intermediate care facility
- Juvenile community facility
- Residential care facility for youth
- Residential chemical dependency treatment facility
- Retirement home
- General K through 12 education facilities
- Staffed residential home
- Student housing
- Theater

##### b. Conditional uses.

- Commercial recreation and entertainment facilities over 10,000 square feet in the M-1 District and 15,000 square feet in the M-2 District.
- Cultural institution.
- Hospital uses in the M-1 District

##### c. Temporary uses.

- Carnival

#### 5. District Development Standards

- Office: 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 of floor area per development site in the M-1 District.
- Marijuana retailer: limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.

- Retail: 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 of floor area per development site in the M-1 District.
- [Day care facility: Limited to 15,000 square feet of building floor area per development site in the M-1 District.](#)

\* \* \*

### 13.06.080 Special Use Standards

\* \* \*

#### ~~E. Day care centers.~~

##### ~~1. Applicability.~~

##### ~~2. Purpose.~~

~~It is found and declared that day care centers are facilities which perform a needed community service. The City of Tacoma recognizes the need for locating day care centers within areas which they service and ensuring, to the extent possible, that day care centers in residential districts will be compatible with the surrounding neighborhood and will not adversely affect adjacent properties.~~

##### ~~3. Use standards.~~

~~The following development standards are hereby established for the location, design, and operation of day care centers in addition to any other requirements of law:~~

~~a. In residential zoning districts, the lot size and setbacks for day care centers shall conform to the requirements for single unit dwellings in the underlying zoning district. In addition, day care centers with an enrollment of more than 50 children or adults shall provide minimum side yard setbacks of 20 feet in all residential zoning districts, except that on corner lots the side yard facing the street shall provide the same setback as that required for a single unit dwelling (or houseplex in Urban Residential (UR) Districts).~~

~~b. Day care centers located in Urban Residential (UR 1, UR 2 and UR 3) Districts shall be limited to one building face sign with a maximum area of six square feet. Sign regulations for day care centers located in PRD and multi unit dwelling districts shall be the same as those specified in the R 4 Multiple Family Residential District.~~

~~c. No structured area for active play shall be located in a front yard. Play structures shall maintain a minimum ten foot setback from any side or rear lot line.~~

~~d. In Urban Residential (UR 1, UR 2 and UR 3) Districts, the site shall be landscaped in a manner consistent with adjacent residences. In all zoning districts, day care centers shall be landscaped in a manner approved by the Director prior to the operation of the day care center.~~

~~e. Day care centers in existing structures which are located in residential districts shall maintain a residential appearance. Any new building, building addition, or building exterior which is remodeled shall be designed to be compatible with the residential character of the surrounding neighborhood. Elevations of the proposed structure shall be approved by the Director prior to the issuance of any building permits for the day care center.~~

##### ~~4. Waiver.~~

~~The Director may waive any of the aforementioned development standards where a finding is made that such waiver(s) does not violate the spirit or intent of such development standards or the Comprehensive Plan. Applications for waivers shall be processed in accordance with the provisions of Chapter 13.05.~~

\* \* \*

**Exhibit “D-2”  
(Binding Site Plans)**

**CHAPTER 13.01  
DEFINITIONS**

**§ 13.01.040     Platting and Subdivisions Definitions**

\* \* \*

“Binding site plan” is an alternative process for the dividing of commercial and industrial land for sale or lease in accordance with RCW 58.17.035 and for the development of condominium units pursuant to Chapter 64.34 RCW. For the purposes of this definition commercially zoned property includes property that is zoned to permit or conditionally permit any multi-dwelling residential uses. ~~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.~~

\* \* \*

**CHAPTER 13.04  
PLATTING AND SUBDIVISIONS**

\* \* \*

**TMC 13.04.088            Binding site plan approval.**

~~A. Divisions of commercial, mixed use, or industrial zoned land for sale or lease may be permitted by approval of a binding site plan by the Director or designee; provided, that the property to be divided has had land use actions specifying use and building, parking and driveway layouts.~~

~~B. Applications for binding site plans shall be submitted in a manner consistent with applications for short plats.~~

~~C. When considering requests for binding site plan approval, the Director shall utilize the criteria for approving short subdivisions. In addition, the binding site plan shall be consistent with the land use action precedent to the request for binding site plan approval.~~

~~D. After approval of a general binding site plan, subsequent amendments shall be considered by the Director as a modification to the original approval.~~

~~E. The approved binding site plan and any modification approved subsequently shall be recorded with the Pierce County Auditor's office.~~

A. Purpose. The purpose of this chapter is to provide both a method of dividing land for sale or lease into lots zoned for commercial or industrial zoned land in accordance with RCW 58.17.035 and for the development of condominium units pursuant to Chapter 64.34 RCW. For the purposes of this section, commercially zoned property includes property that is zoned to permit or conditionally permit any multi-dwelling residential uses. The binding site plan process merely creates or alters existing lot lines and does not authorize construction, improvements or changes to the property or the uses thereon.

In all cases, the property owners execute written agreements which are recorded against the affected property, ensuring that all lots within the binding site plan will continue to function as one site for any number of purposes, including but not limited to: lot access; interior circulation; common utilities; open space; landscaping and drainage; common facilities maintenance; and coordinated parking.

B. Applicability.

1. Commercial and industrial land uses in all zoning districts where such uses are permitted.
2. Multi-dwelling residential use in all zoning districts where such uses are permitted, with the following exception:
  - a. In the UR-1 and UR-2 zones, the binding site plan is only allowed for residential uses on development sites greater than 1 acre in size. In these zoning districts the preferred alternative to traditional platting and subdivision is the Unit Lot Subdivision process as described in TMC 13.04.093.
3. Residential condominiums where such division is the result of subjecting a portion of a parcel or tract of land to either Chapters 64.32 or 64.34 RCW subsequent to the recording of a Binding Site Plan for all such land, and the improvements constructed or to be constructed thereon are required by the provisions of the Binding Site Plan to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest.

C. General Requirements.

1. Applications for binding site plans shall be submitted in a manner consistent with applications for short plats (13.04.090). In addition, the following shall be provided:
  - a. Identification of 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;

- b. A phasing plan and time schedule, if the site is intended to be developed in phases;
  - c. A completed environmental checklist.
2. Recording. The approved binding site plan and any modification approved subsequently shall be recorded with the Pierce County Auditor's office.
  3. Deviation from Dimensional Standards. The overall development on the parent lot proposed for subdivision shall maintain consistency with the site development standards applicable to the zoning district at the time the application is vested, as specified by the applicable code provisions and this section. Subsequent additions or modification to the structure(s) shall not create any nonconformity of the parent lot. Deviation from setback, lot width, and lot area standards in TMC 13.06.020 may be approved for individual lots through the approval of the binding site plan, subject to any limitations in this section.
  4. Nonconformities. Legally existing structures shall not be required to correct existing nonconforming setbacks to meet current regulations as a condition of Binding Site Plan approval.
  5. The city may authorize sharing of open space, parking, access and other improvements among contiguous properties. Conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access and other improvements shall be identified on the binding site plan and enforced by covenants, easements or other similar mechanisms. Such agreements and restrictions shall be filed with the Pierce County auditor and run with the property. Such agreements shall be approved as to form by the city attorney prior to the time that a decision is made on the binding site plan application. The binding site plan shall contain the conditions to which the binding site plan is subject, including any applicable irrevocable dedications of property. The binding site plan shall contain a provision requiring that any development of the site shall be in conformity with the approved site plan and any applicable development regulations.

D. Criteria for Approval. The Director's written decision on the Binding Site Plan shall include findings and conclusions, based on the record, to support the decision. A proposed Binding Site Plan shall only be approved if the Director makes written findings that:

1. The limitations and conditions for the uses depicted on the Binding Site Plan are consistent with the Comprehensive Plan, City codes and standards, and state laws;
2. Specific use types and conditions shall be binding on the property and shall remain in effect for all future owners of the site unless altered in accordance with the procedures of this chapter.
3. The proposed lots will continue to function and operate as one site, for fully developed sites.

E. Approval. The Director may approve, or approve with conditions, the proposed Binding Site Plan if the general requirements contained in this Title have been met.

F. Alteration or vacation of a binding site plan.

1. General Requirements.

- a. Any change, other than those authorized by an affidavit of correction or scrivener's rules, to a recorded Binding Site Plan constitutes an alteration.
- b. The application for alteration shall be requested by all parties having ownership interest in the affected lots or condominium units within the Binding Site Plan.
- c. In the case of a proposed vacation of a Binding Site Plan, the justification for the vacation of affected lots or condominium units shall be provided by the petitioner. The petitioner must

demonstrate that property within or adjacent to the boundaries of the Binding Site Plan will not be adversely impacted and the vacation will not have an adverse impact on the provision of utilities in the area. Additionally, the vacation shall not result in a conflict with the Comprehensive Plan or Development Regulations.

d. Legally existing structures and uses shall not be required to correct existing nonconforming features to meet current regulations as a condition of approval of a Binding Site Plan alteration or vacation.

e. Additional lots cannot be created through a Binding Site Plan alteration.

2. Director's Authority. The Director has the authority to approve or deny any proposed Binding Site Plan alteration or vacation and may impose additional or modified conditions and requirements as necessary to assure that the proposal conforms with the intent of the Comprehensive Plan and other applicable City codes and state laws.

3. Required Written Findings and Determinations. The Director's written decision on the Binding Site Plan alteration or vacation shall include findings and conclusions, based on the record, to support the decision. A proposed Binding Site Plan alteration shall not be approved unless the Director makes written findings that:

a. The alteration conforms to the requirements and provisions of this Chapter;

b. The alteration conforms to the goals and policies of the Comprehensive Plan;

c. The public use and interest will be served as a result of the proposed alteration;

4. Approval. The Director may approve, or approve with conditions, the proposed Binding Site Plan alteration/vacation if the criteria contained in this Section have been met.

**CHAPTER 13.05  
LAND USER PERMITS AND PROCEDURES**

**13.05.070 Notice process.**

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**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>3</sup>
Binding site plan	Required	<del>No</del> <u>1000 feet</u>	No	No	<del>No</del> <u>30 days</u>	Director	No	No	5 years <sup>3</sup>
Environmental SEPA DNS* (see TMC 13.05.070.I)	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
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