ORDINANCE NO. 29076

BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBER WALKER

AN ORDINANCE relating to the Tideflats Subarea Plan; amending Title 13 of the Municipal Code, relating to the Land Use Regulatory Code, by amending various chapters to implement the Tideflats Subarea Plan, including updates to land use, zoning, and development standards, as recommended by the Tideflats Steering Committee and Planning Commission, effective January 5, 2026.

WHEREAS the Tideflats Subarea Plan (“Plan”) is a shared long-term vision supported by goals and policies that provide a roadmap to achieve the vision, and

WHEREAS the Plan is intended to create a more coordinated approach to development, environmental review, and strategic capital investments in the Tideflats, and was developed through intergovernmental collaboration and community engagement guided by the vision and guiding principles that came out of this process, and

WHEREAS the five participating governments who co-developed the Plan with community are: City of Tacoma, Port of Tacoma, Puyallup Tribe of Indians (“Puyallup Tribe”), City of Fife, and Pierce County, and

WHEREAS the Plan’s vision, goals, and policies support economic prosperity, strengthens existing center assets, expands transportation choices, and improves environmental quality, and

WHEREAS on December 5, 2024, the Tideflats Steering Committee (“Committee”) members unanimously recommended the draft Plan, with specific aspects including:

(1) Balancing Industrial Success with Environmental Restoration: Plan policies called for coordinated actions and investments to restore ecosystems, improve water quality, and protect biodiversity alongside industrial development;

(2) Indigenous Values: The Plan honors both the natural and cultural landscapes of the region. Policies and action recognize the Puyallup Tribe's rights and interests in the Tideflats and ensure that any development respects their cultural, economic, and environmental connections to the land;

(3) Comprehensive Climate Action: The Plan's policies integrate climate resilience strategies, with specific actions around decarbonization goals, adaptive measures for sea-level rise, and restoration of natural habitats;

(4) Economic and Industrial Adaptation: The Plan supports economic flexibility by preserving core industrial uses and encouraging industries that meet environmental goals and facilitate innovation in clean energy. It demonstrates how a world class port can thrive alongside growing urban neighborhoods;

(5) Transportation and Infrastructure Innovations: The Plan takes a holistic approach to transportation infrastructure, promoting proactive investments in multimodal transportation systems that support both the industrial sector and the surrounding community. It also incorporates green infrastructure solutions to mitigate pollution and improve the urban landscape as well as public access to the waterfront; and

(6) Collaboration and Stakeholder Engagement: The Plan was developed through a seven-year collaborative process that set up ongoing dialogue among

local governments, tribes, businesses, and residents, fostering shared accountability and coordinated problem-solving for long-term implementation, and

WHEREAS following the Committee’s recommendation, the Planning Commission (“Commission”) conducted a public hearing on both the Plan and related amendments to the One Tacoma Plan, Land Use Regulatory Code, and Shoreline Master Program, and

WHEREAS the Commission concluded their review on July 16, 2025, and forwarded their recommendations to the City Council; these recommendations were presented to the City Council on August 12, 2025, and

WHEREAS on September 9, 2025, the City Council adopted Amended Resolution No. 41751, both setting the public hearing date and incorporating the following amendments into the public review exhibits:

1) Nonconforming residential/institutional uses in the Seaport Core Zoning Districts;

2) Transit Oriented Use and Development Standards in the Seaport Transition TOD District;

3) Minor Code Amendments – in response to public comments; and

4) Landscaping Code Amendments for Public Agencies, and

WHEREAS in addition to this ordinance adopting amendments to Title 13 by revising the Zoning Map and incorporating new zoning districts, land use tables, and development standards, the Committee recommended a new chapter of the One Tacoma Comprehensive Plan replacing the Container Port Element and revisions to the Future Land Use Map of the Comprehensive Plan; and amendments to TMC Title 19 the Shoreline Master Program, and

WHEREAS, in support of the Plan and related amendments to Title 13, the City conducted an Environmental Impact Statement ("EIS") which considered a range of future development and land use scenarios, sea level rise and climate vulnerability, and employment growth scenarios for the Subarea, and

WHEREAS the EIS considered area wide cumulative impacts in its assessment, and

WHEREAS the EIS determined that the proposed Plan and related amendments would likely not result in any significant adverse impacts to plants and animals, and

WHEREAS the City partnered with the Tacoma-Pierce County Health Department to conduct a Health Impact Assessment that concluded that the proposed goals, policies, actions, and code amendments would likely result in improved overall public health outcomes, and

WHEREAS the Plan and related amendments were developed through a public process consistent with the procedural requirements of the Growth Management Act, Shoreline Management Act, and State Environmental Policy Act, and

WHEREAS City staff held an informational community meeting on October 16, 2025, and the public hearing was advertised through direct mailings, email to interested parties, legal notice, social media, public notice signs, and direct notifications to public agencies, and

WHEREAS on October 28, 2025, the City Council conducted a public hearing on the draft Tideflats Subarea Plan and related amendments; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

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

Section 2. That the Recommendations of the Tideflats Steering Committee and Planning Commission regarding the Tideflats Subarea Plan and related amendments to the One Tacoma Plan, Land Use Regulatory Code, and Shoreline Master Program, are hereby adopted as additional legislative findings.

Section 3. That Title 13 of the Municipal Code, relating to the Land Use Regulatory Code, is hereby amended by amending various chapters to implement the Tideflats Subarea Plan, including updates to land use, zoning, and development standards, as recommended by the Tideflats Steering Committee and Planning Commission, effective January 5, 2026, as set forth in the attached Exhibit “A.”

Section 4. 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 ____________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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Chief Deputy City Attorney

EXHIBIT "A"

TITLE 13
LAND USE REGULATORY CODE

Chapters:

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.

13.01.060.A

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"Assisted living facility." See "intermediate care facility."

"Auto wrecking." The process of dismantling vehicles to extract parts that can be sold or used in other vehicles. The process involves identifying and recovering usable parts from broken, wrecked, or decommissioned vehicles.

"Automobile house trailers." Any structure used for human habitation constructed on wheels and capable of being moved from place to place, either under its own power or under tow.

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13.01.060.C

"Caliper." Diameter of a tree's trunk or stem measured at a point 6 inches above finish grade if the resulting measurement is up to and including 4 inches. If the resulting measurement is more than 4 inches the point of measurement shall be relocated to 12 inches above finish grade.

"Camouflaged (wireless communication facility)." A wireless communication facility that is integrated with a building or the landscape in terms of design, colors, materials and height, so as to be disguised, hidden, concealed, masked, or screened from view.

"Canopy (or marquee)." An ornamental roof-like structure unenclosed on one or more sides and normally used for pedestrian protection and convenience and/or signage.

"Canopy Factor." A method of calculating tree size by taking into account the tree's mature height, mature crown spread and growth rate. The Canopy Factor is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees.

- Large Trees = Canopy Factor greater than 70,
- Medium Trees = Canopy Factor from 40 to 70,
- Small Trees = Canopy Factor less than 40.

"Car washing facility." A building or portion thereof containing facilities for washing automobiles, either manually or using a fully automatic washing process, requiring no personnel for the conduct of the operation except as is necessary for the collection of money and the maintenance of the facility.

"Cargo and container marshalling and storage (includes imported autos)." A cargo parking lot, or any open area where cargo is stored.

"Carnival." A temporary and often traveling establishment at which a combination of attractions or exhibitions, such as rides, shows, displays, eating concessions, and gaming booths, are provided for the purpose of amusement and entertainment.

"Catering services." Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.

"Cell site." A tract or parcel or land that contains wireless communication facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless communication facilities.

“Cement and asphalt batching plant.” An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction. It includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

“Cemetery and internment services.” Property used for the interring of the dead. This property may include support facilities, such as funeral homes and/or chapels.

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13.01.060.D

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“Director.” For purposes of Chapter 13.06 of the Tacoma Municipal Code, “Director” means the Director of Planning and Development Services unless otherwise specified.

“Distillery.” Any distillery licensed under RCW 66.24.140. Craft distilleries, licensed under RCW 66.24.145 are included in the definition for craft production.

“Drive-through.” A business or a portion of a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to receive services or partake in business while seated in a motor vehicle. This definition does not include uses where the service is not provided while the customer is in the vehicle, such as fueling stations, passenger drop-off/pick-up zones for schools, hospitals, hotels or similar uses.

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13.01.060.F

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“Food and beverage sales.” Retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, groceries, liquor stores, bakeries, and delicatessens.

“Food processing.” Any variety of operations by which raw foodstuffs are made suitable for consumption, cooking, or storage.

“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.H

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“Hearing Examiner.” The Hearing Examiner as established by Chapter 1.23 of the Tacoma Municipal Code.

“Heavy vehicle and driver services.” The transportation of goods and people using large vehicles, such as tractor-trailers and buses, and uses or facilities that provide these services.

“Heliport.” An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

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13.01.060.L

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“Landscaping, perimeter.” A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

“Laundry and dry cleaning plant.” A building or portion of a building, or premises, used or intended for cleaning fabrics, textiles, wearing apparel, or articles of any sort that are cleaned by process of immersion or agitation in volatile solvents, petroleum distillates, and chlorinated hydrocarbons.

“Light rail street.” A street either containing public light rail transportation or planned for such transportation as evidenced by a public transportation agency.

"Live/work." A dwelling or sleeping unit in which up to 50 percent of the space includes a commercial business use. The business owner lives in the residential space.

"Loading space." An off-street space, having a paved surface, within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials and which has direct access to a street or alley.

"Log yard, lumber yard, sawmill." Any area or situation used primarily for the receipt, storage, sorting and preparation of logs immediately before entry to a sawmill. A sawmill is a factory in which logs are sawed into lumber by machine, typically including debarking, sawing, and sawdust handling. This use is not intended to include the production of cross laminated timber.

"Lot." A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum

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13.01.060.N

"Neutral surface" (for purposes of the sign regulations). The building surface, cabinetry, and opaque surfaces which are not an integral part of the sign message.

"Normal maintenance and repair." "Normal maintenance" includes those usual acts designed to keep a building, structure, or site, or portion thereof, in a sound condition and operation. "Normal repair" includes those usual acts designed to restore a building, structure, or site, or portion thereof, to a state comparable to its original condition within a reasonable period after decay or partial destruction. Maintenance or repair does not include acts that would noticeably change the size, shape, location, external appearance, potential impacts, or character of existing development.

"Nonconforming building or structure." A lawfully established building or structure which, on the effective date of this title or the effective date of any amendment to this title, was not in conformance with the height, area, or parking requirements of the zone classification upon which said building or structure is located.

"Nonconforming use." A use which lawfully occupied a building or land at the time this chapter became effective and which does not conform with the use regulations of the district in which it is located, as provided by this chapter and any amendment hereto.

"Noxious weed." A plant that, once established, is highly destructive, competitive, and difficult to control using cultural or chemical practices. For a current listing of Pierce County Invasive/Noxious weeds consult the Pierce County Noxious Weed Control Board.

~~"Nurseries." Establishments primarily engaged in the retail sale of plants grown elsewhere. Merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and compost, mulch, soil additives, and fertilizer of any type are stored and sold in package form only.~~

"Nursing home." See "extended care facility."

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13.01.060.P

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"Parking space." An off-street area for the parking or storage of one automobile that is unobstructed and readily accessible to an alley or a street.

"Passenger terminal." Public or publicly regulated facility for passenger transportation services and operations. This classification includes railroad passenger terminals, rapid rail or street railway passenger terminals, bus passenger terminals, multi-modal transportation passenger terminals, or any combination of the above. This use category includes typical associated components such as pick-up/drop-off areas, bus connection facilities, rail tracks, and utility infrastructure, as well as ~~Typical activities include~~ ticketing, waiting, boarding, baggage and parcel handling, transport, and temporary storage of transit vehicles and equipment. Passenger terminals may include park-and-ride facilities, bicycle facilities, and pedestrian linkages at, above, or below grade (including sky-bridges and/or tunnels within City rights-of-way). Accessory uses may include indoor and/or outdoor retail sales, food and drink sales or other service operations within or adjacent to the terminal.

"Pawn shops." Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property. (See "retail sales.")

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"Pipestem lot." An interior lot in which the buildable area is not bound laterally by a public or private road, and which gains access by means of a lot extension, a driveway easement, or the terminus of a private or public road. Also commonly referred to as flag lots or panhandle lots (see diagram below).

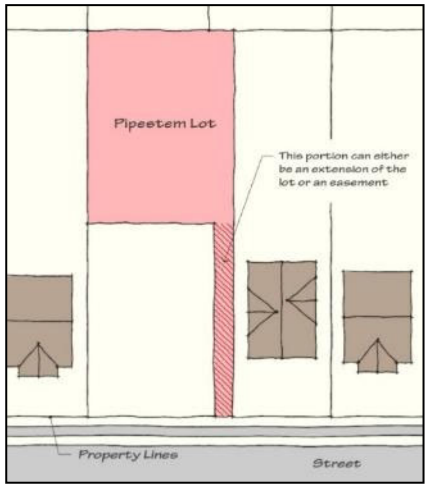

Figure: Pipestem Lot Diagram

"Plant Nurseries." Establishments primarily engaged in the retail sale of plants grown elsewhere. Merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and compost, mulch, soil additives, and fertilizer of any type are stored and sold in package form only.

"Plants; Plant; Plant Material." These terms refer to vegetation in general, including trees, shrubs, vines, groundcovers, ornamental grasses, bulbs, corms, tubers, or herbaceous vegetation.

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13.01.060.S

"School, public or private." Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

"Screening." A continuous fence, wall, or evergreen hedge supplemented with landscape planting of grass, shrubs, or evergreen ground cover, or a combination thereof, that effectively screens visually the property which it encloses, and which is at least four feet high and is broken only for accessways.

"Searchlight." An apparatus for projecting a beam or beams of light.

"Seaport terminal." A facility in which quantities of bulk, roll on roll off or other goods or container cargo are stored without undergoing any manufacturing processes, transferred to other modes of transportation or stored outdoors in order to transfer them to other locations. Seaport cargo terminals may include accessory warehouses, railroad yards, storage yards, support and fender pilings, cargo handling equipment and offices.

"Seasonal sales." Temporary sales, usually outdoors and independent of another use, of merchandise for the celebration of certain seasons. These include items such as Christmas trees and pumpkins.

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"Storage, general." Any real property designed and used for the purpose of renting or leasing storage space to individuals or businesses, for the purpose of indoor dead storage of personal items or business inventory and supplies. This may include self-storage or businesses where storage is provided as a service.

"Storage of bulk or raw materials." The use of a portion or entire parcel or lot for storage of uncontained or open solid materials, typically for materials that will be subsequently used in the production and manufacture of other products.

"Story." That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

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13.01.060.T

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“Tree.” Any self-supporting woody perennial that generally matures over fifteen feet in height, generally has a minimum mature canopy width of ten feet and greater, and is capable of being pruned to develop a branch-free trunk to at least eight feet in height at maturity.

“Tree Credit.” Tree credits quantify the value of a tree’s canopy for the purposes of defining how many trees are required on a site.

“Tree Size.” Categorized as Large, Medium or Small as determined by the Canopy Factor, which takes into account the trees mature height, mature crown spread and growth rate.

“Truck and chassis parking.” A dedicated parking area specifically designed for large commercial vehicles like semi-trucks, where both the tractor (truck) and the trailer (chassis) can be parked together or separately.

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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.

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21. Chemical Manufacturing, Processing, and Wholesale Distribution.

a. Decision: Hearing Examiner.

b. In addition to the general conditional use criteria, Chemical manufacturing, processing, and wholesale distribution must demonstrate the following when a conditional use permit is required:

(1) Consultation:

- Planning and Development Services staff will seek input from the Tacoma Fire Department, Tacoma-Pierce County Health Department, Tacoma Community and Economic Development Department, Puyallup Tribe of Indians, and any other subject matter expert necessary to determine the potential risks and impacts of the proposed facility, as well as appropriate mitigation measures.

(2) Public health and safety:

- The property on which the proposed facility is to be located must not expose large concentrations of people, particularly in residential and commercial areas, to unreasonable adverse impacts. In applying this criteria the City shall consider impacts to employee-dense businesses in the Tideflats as well as to detention/correctional facilities and people detained within those facilities.
- The lot is located, or the use can be appropriately mitigated, to avoid any adverse impacts on receipt or utilization of federal funding for affordable housing and community development in adjacent residential and mixed-use areas, with particular attention given to Trust Lands of the Puyallup Tribe of Indians. The City will consider the current methodology for Acceptable Separation Distances as published by the Department of Housing and Urban Development in determining appropriate separation distances and on-site mitigation measures for this purpose.
- The applicant shall submit a management plan. The City will determine the level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the effects. Discussion of materials handling and storage, odor control, transportation, spill prevention, and other factors may be required.
- The City may impose conditions of approval limiting the nature of the materials produced and/or the scale of manufacturing operations in order to minimize the degree and severity of risks to public health and safety.

(3) Emergency services and risk management:

- The project shall not result in any increased risk of spill within the waters of Puget Sound and Commencement Bay. Updated spill response and emergency response plans shall be provided with the application, for review by all appropriate agencies;
- Plans and sufficient, realistic performance bonding for decommissioning and failure incidents are provided to ensure that the site will be rehabilitated after the use or activity is completed, terminated, or abandoned;
- Permit applicant to provide proof of insurance naming City of Tacoma as additional insured.
- Any adverse impacts to emergency services or increased demands for emergency services necessary to ensure the health and safety of employees and surrounding communities shall be mitigated concurrently with the proposed use or development.

(4) Shoreline Resources and Shorelines of Statewide Significance.

For uses within the shoreline, with a shoreline facility, or that propose to transport products and materials via marine vessel, the following criteria apply, with consideration given to the potential off-site impacts resulting from transport:

- There will be no likely long-term significant adverse impacts to shoreline resources or uses, or shorelines of statewide significance;
- All feasible steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
- All feasible steps are taken to avoid and minimize adverse impacts to fish and wildlife, including impacts on migration routes and habitat areas of species listed as endangered or threatened, environmentally critical and sensitive habitats such as breeding, spawning, nursery, foraging areas and wetlands. All impacts that cannot be avoided can be sufficiently mitigated or compensated so as to achieve no net loss of ecological functions over time.

~~22. Non-Industrial Uses in the Port of Tacoma Manufacturing and Industrial Center.~~

~~a. Decision: Hearing Examiner.~~

~~b. In addition to the general conditional use criteria in TMC 13.05.010.A, non-industrial conditional uses in the Port of Tacoma Manufacturing and Industrial Center shall meet the following criteria. In considering conditional use permit applications, the City will consult with the Puyallup Tribe of Indians and Port of Tacoma to determine potential off-site impacts on port/industrial facilities and operations, and to identify appropriate mitigation measures.~~

~~(1) The location will not significantly interfere with container shipping facilities. Mitigation may be required to avoid and minimize disruptions to nearby industrial activity.~~

~~(2) The location is buffered from potentially high-impact industrial facilities.~~

~~(3) The use will incorporate design elements to reduce impact on employees and customers from adjacent or nearby industrial activities.~~

~~23~~22. Urban Residential – Tier 2 Affordable housing bonus.

The intent of this section is to provide an optional incentive to religious organizations and/or nonprofits seeking to develop and manage multi-unit projects integrating significant affordable housing, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood. Applications for conditional use permits for Tier 2 Affordable housing bonuses on land owned by religious organizations or by nonprofit affordable housing providers shall be processed in accordance with the standard procedures for conditional use permits, with the following additional requirements.

a. Religious organizations as defined by RCW 26.04.007, as amended, as well as nonprofit affordable housing providers, meeting the requirements of these provisions may utilize the land use and development standards of the Tier 2 Affordable housing bonuses in the Urban Residential (UR) Districts.

b. All the dwelling units in the development must be affordable at 60 percent Area Median Income for rentals or 80 percent of Area Median Income for ownership.

c. The provisions of TMC 1.39 Affordable Housing Incentives and Bonuses Administrative Code shall apply. The fee in lieu option is not available for this purpose.

d. Pre-application site inspection for conversion of an existing building.

Prior to submitting an application for a conditional use permit, for conversion of an existing building for use as affordable housing, 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.

e. If the proposed development will include any special needs housing or on-site social service uses the conditional use permit will also follow and comply with the special needs housing conditional use permit process, criteria and conditions 13.05.010.A.

f. In reviewing the Conditional Use Permit, the Director may place such conditions as may be necessary to ensure compatibility with the surrounding area, which may include such items as parking location, pedestrian improvements, and building design.

~~24~~23. Pre-existing non-residential uses in residential districts.

a. A conditional use permit may be granted for the replacement, reuse or expansion of existing structures in a residential zoning district for proposals meeting the General Criteria as well as following criteria. The intent of these provisions is to provide flexibility and development opportunities that promote additional housing opportunities and/or neighborhood-oriented and neighborhood-serving non-residential uses, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood.

b. To be eligible, all of the following must be applicable to the site:

(1) The site is located in a residential zoning district.

(2) The site is less than 1 acre in size.

(3) The uses and/or structures are either legally nonconforming or legally permitted.

(4) The primary building(s) or site improvements constructed for a non-residential use are still in place, irrespective of whether they continue to be used for their original purpose.

c. The proposed use(s) shall be limited to the following:

- Assembly facilities
- Continuing care retirement communities
- Craft production
- Cultural institutions, including art galleries
- Dwellings
- Eating and drinking
- Extended care facilities
- Group housing
- Intermediate care facilities

- Live/Work
- Offices
- Personal services
- Retail, provided it is primarily neighborhood serving
- Retirement homes
- Short-term rentals

d. Provided that the intent of this section is met, the replacement, reuse or expansion of existing structures and improvements shall be permitted subject to the development standards of the Neighborhood Commercial (C-1) Zoning District, along with any specific standards applied through the conditional use permit to meet that intent.

e. In some circumstances, the Director or Hearing Examiner may find that proposed development does not meet the neighborhood compatibility intent of this section and should be denied. For example, structures that are substantially taller than the neighborhood average height that do not provide reasonable transitions to neighboring residential development would not meet the intent. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the size, location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the surrounding area.

f. For proposals consistent with the provisions of this section, this process provides a remedy to nonconforming status as defined in TMC 13.06.010.L. The requirements of this section and the specific conditions of an approved Conditional Use Permit supersede some or all of the nonconforming standards that might otherwise apply.

~~25~~24. Residential Business 2.

a. Purpose.

The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; reduce traffic congestion by providing opportunities for residents to work in their homes and reduce work-related commute trips; and to protect neighborhood character by establishing criteria and standards to ensure that residential business are conducted in a manner that is clearly secondary and incidental to the primary use of the property as residential and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

b. Criteria.

In addition to the General Criteria, a conditional use permit for a Residential Business 2 shall be authorized only if it can be found to be consistent with all of the following criteria.

(1) The occupation must be clearly incidental and subordinate to the use of the dwelling as a residence.

(2) Any outdoor display or storage of materials, goods, supplies, or equipment used in the residential business shall be fully screened from view beyond the site.

(3) Except for signs permitted below, there shall be no change in the outside appearance of the building or premises, or other visible evidence that the residence is being operated as a residential business, along any street-facing facades.

(4) A residential business use shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.

(5) Limited on-premises sales of products or stock-in-trade may be permitted in conjunction with a residential business; provided the applicant can clearly demonstrate that such on-premises sales will be consistent with the criteria set forth above.

(6) The number of people that do not reside on the premises that are engaged in the residential business at the dwelling is not limited, so long as any negative impacts are found to be sufficiently mitigated consistent with the criteria set forth above.

(7) 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.

(8) One non-illuminated sign shall be allowed for each dwelling containing a residential business provided the applicant can clearly demonstrate that such on-premises sales will be consistent with the criteria set forth

above. The maximum size of the sign shall be determined as a condition based on the proposed use, site characteristics, and surrounding context.

(9) The Director may attach additional conditions to a residential business license to ensure that the criteria set forth above are met.

~~26~~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 13.06.020.E.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 13.06.080.U). 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 13.06.080.U.4, except 13.06.080.U.4(3), which limits non-residential uses to 3,000 sq. ft. cumulatively.

e. Criteria.

In addition to the General Criteria, the Director may attach conditions to ensure that the applicable criteria and use standards are met.

f. 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; and corner site	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.	No specific area limit	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

* * *

CHAPTER 13.06
ZONING

13.06.010 General Provisions

A. Applicability.

1. The regulations of this Chapter are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

2. For a Public Facility Site, as defined in Chapter 13.01, that is at least five acres in size, the regulations set forth in Chapter 13.06 shall not apply if a Development Regulation Agreement, pursuant to the provisions of Section 13.05.050, has been approved for the site and is complied with.

3. Puyallup Tribal Trust Lands are under the jurisdiction of the Puyallup Tribe of Indians and not subject to the use and development standards of this Title. If a property held in Tribal Trust status is removed from Trust and becomes subject to City of Tacoma zoning, the least intensive zoning classification associated with the applied Land Use Designation in the Comprehensive Plan Future Land Use Map will be applied to the property until such time as the City conducts a zoning review and amendment process.

B. Zoning code administration – General purposes.

1. The broad purposes of the zoning provisions of the Tacoma Municipal Code are to protect and promote the public health, safety, and general welfare, and to implement the policies of the Comprehensive Plan of the City of Tacoma. More specifically, the zoning code is intended to:

a. Provide a guide for the physical development of the City in order to:

(1) Support the City's housing growth strategy;

(2) Foster convenient, harmonious, and workable relationships among land uses; and

(3) Achieve the arrangement of land uses described in the Comprehensive Plan.

b. Promote the economic stability of existing land uses that are consistent with the Comprehensive Plan and protect them from intrusions by inharmonious or harmful land uses.

c. Promote intensification of land use at appropriate locations, consistent with the Comprehensive Plan, and ensure the provision of adequate open space for light, air, and fire safety.

d. Foster development patterns that offer alternatives to automobile use by establishing densities and intensities that help make frequent transit service feasible, and encourage walking and bicycling. This emphasis on alternative transportation will also have air quality benefits and will conserve energy.

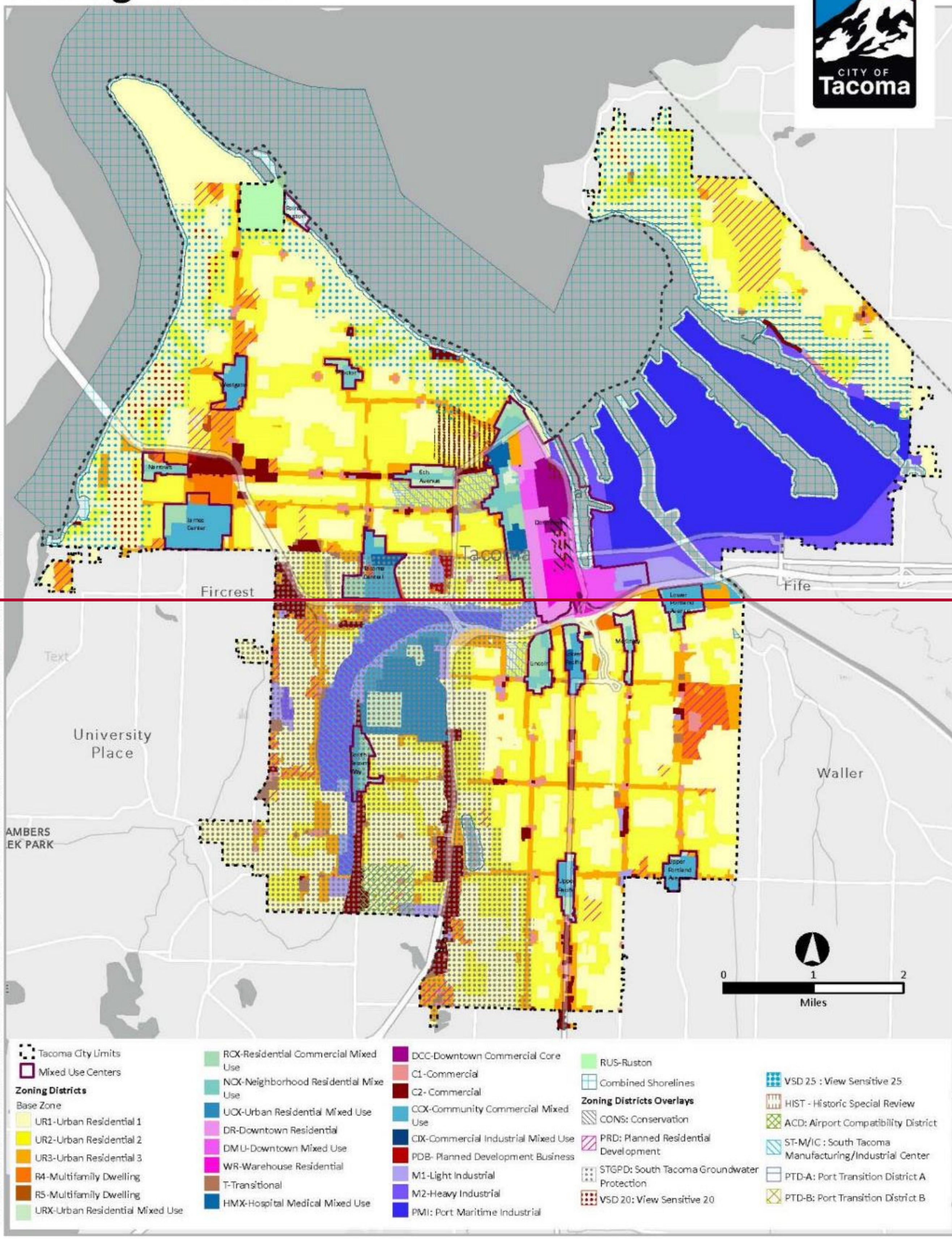
e. Establish review procedures to ensure that new development is consistent with the provisions of this chapter and all other requirements of this code.

C. Official Zoning Map.

The following map is a general representation of the zoning classifications and their boundaries, as established in this Chapter.

[See next page for map.]

Zoning Districts



~~*Figure: Zoning Districts Map*~~

Zoning Districts

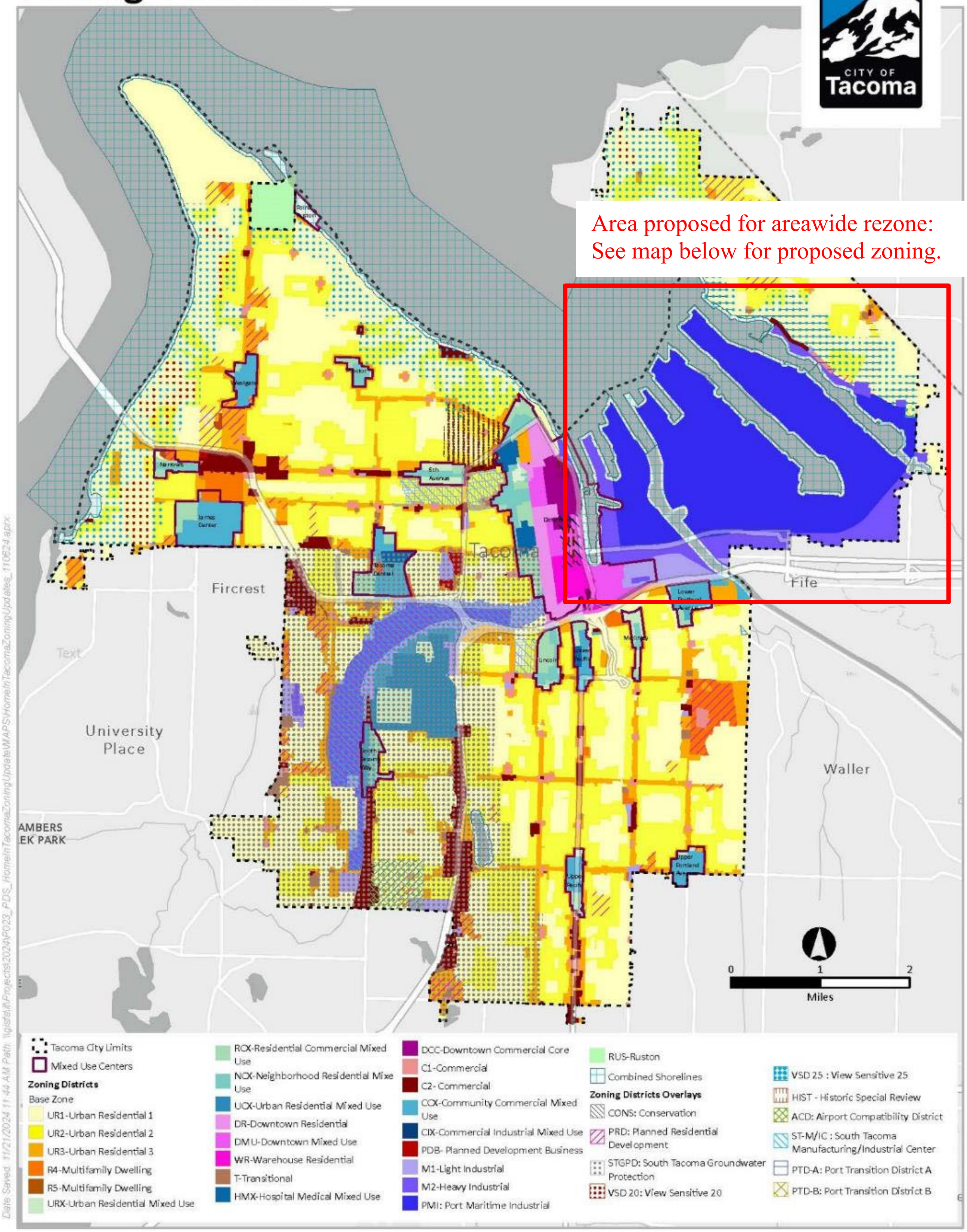
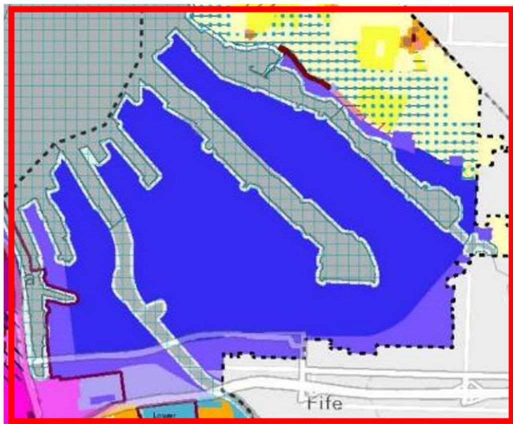
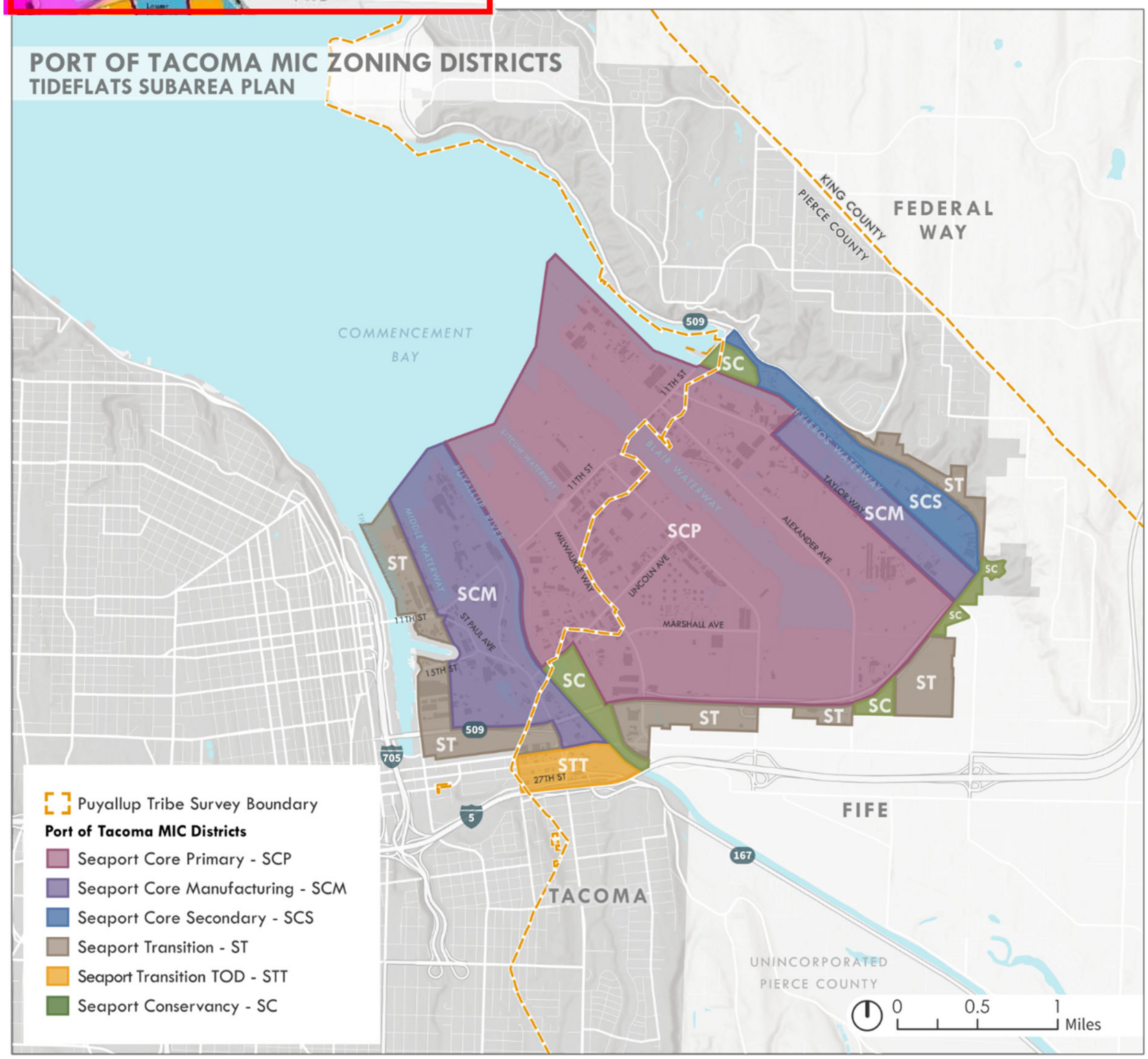


Figure: Zoning Districts Map



Current zoning districts that apply within the Tideflats Manufacturing and Industrial Center include the M-1, M-2, and PMI Industrial Zones, and the S-10, S-9 and S-12 Shoreline Zones.

These districts are proposed for rezone into new Seaport Zoning Districts as shown on the map below.



D. Pedestrian streets designated.

1. 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		
Street	**From**	**To**
6th Avenue	North Jackson	South L Street
South 12th Street	South Jackson Avenue	South Cushman Ave
19th Street	91st Avenue West	Downtown Regional Growth Center
North 21st Street	North Proctor Street	North Steele Street
North 26th Street	North Highland Street	North Madison Street
East 26th Street	East “L” Street”	Bay Street
East 29th	Crossroads Mixed Use Center	East T Street
East 32nd	East N Street	East Grandview Avenue
South 38th Street	South Tacoma Way	East Portland Avenue
South 47th/48th Street	South Tacoma Way	Interstate 5
South 56th Street	South Orchard Street	East Portland Avenue
East 72nd Avenue	South Tacoma Way	City Limits
South G Street/Delin Street	Downtown Regional Growth Center	South 38th Street
North I Street	North Steele Street	North 3rd Street
McKinley Avenue	Wiley Avenue	East 72nd Street
North Mildred Street	North 9th Street	South 19th Street
Pacific Avenue	South 27th Street	99th Street South
North Pearl Street	North Terminus of Pearl Street	South 19th Street
North Proctor Street	North 24th Street	North 21st Street
East Portland Avenue	Puyallup Avenue	East 72nd Street
Puyallup Avenue	East L Street	East Portland Avenue
South Tacoma Way	Thompson Avenue	City Limits
South Thompson / Yakima Avenue Corridor (South Thompson Avenue from South 39th Street to South 46th Street, Thompson-Yakima transition from South 46th Street to South 48th Street, South Yakima Avenue from South 48th Street to city limits)	South 39th Street	City Limits
North Union Avenue	North 21st Street	South 38th Street

Pedestrian Streets

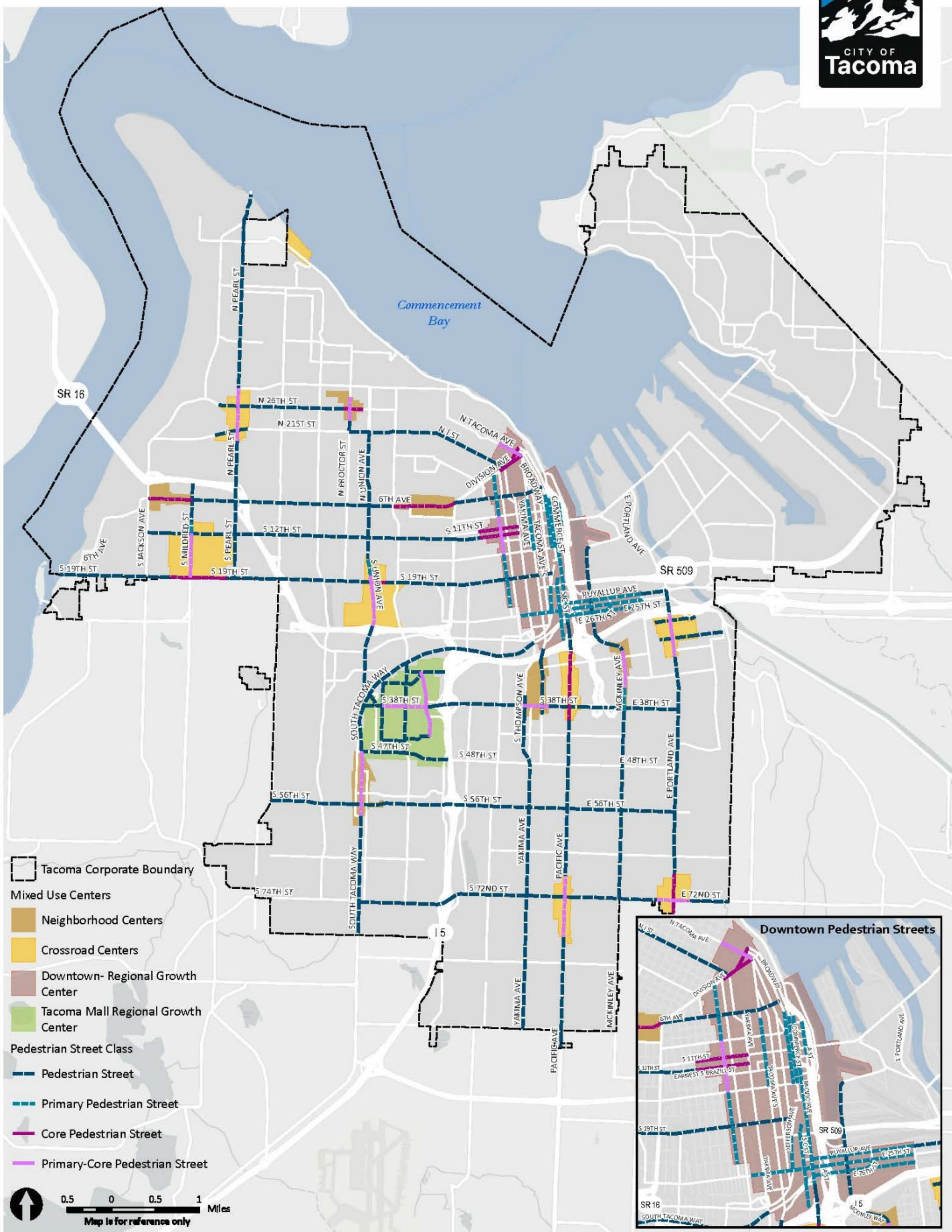


Figure: Pedestrian Streets Map

* * *

* * *

L. Nonconforming parcels/uses/structures.

1. Applicability.

Within the zones established by this title there exist parcels, uses, and structures which were lawful when established, but whose establishment would be prohibited under the requirements of this title.

2. Purpose.

The intent of this section is to allow the beneficial development of such nonconforming parcel, to allow the continuation of such nonconforming uses, to allow the continued use of such nonconforming structures, and to allow maintenance and repair of nonconforming structures. It is also the intent of this section, under certain circumstances and controls, to allow the enlargement, intensification, or other modification of nonconforming uses and structures, consistent with the objectives of maintaining the economic viability of such uses and structures, and protecting the rights of other property owners to use and enjoy their properties. However, relief for nonconforming uses shall be narrowly construed, recognizing that nonconforming uses are disfavored by state law.

3. Pre-existing parcels, uses, and/or structures.

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

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

4. Nonconforming parcels.

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

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

5. Nonconforming use.

a. Continuation of nonconforming use. Except as otherwise required by law, a legal nonconforming use, within a building or on unimproved land, may continue unchanged. In the event that a building, which contains a nonconforming use, is damaged by fire, earthquake, or other natural calamity, such use may be resumed at the time the building is restored; provided that the restoration is commenced in accordance with applicable codes and regulations and that any degree of nonconformity to the land use regulations is not increased. Further, such restoration shall be undertaken only under a valid building permit for which a complete application was submitted within 18 months following said damage, which permit must be actively pursued to completion.

b. The use of unimproved land which does not conform to the provisions of this chapter shall be discontinued one year from the adoption date of the change to this chapter that creates the nonconformity; provided, however, exception may be made for the nonconforming use of unimproved land abutting a lot occupied by a building containing a nonconforming use and which nonconforming use is continuous and entire in the building and over said abutting land, all being in one ownership, and such use shall have been legally established prior to the adoption date of the change to the chapter that creates the nonconformity.

c. Allowed changes to and expansions of nonconforming use.

Changes to a nonconforming use shall be allowed only under the following circumstances:

(1) A nonconforming use, or a portion of a nonconforming use, may be changed to a use that is allowed in the zoning district in which it is located.

(2) A nonconforming use, or a portion of a nonconforming use, may be expanded or changed to another nonconforming use when nonconforming rights for the subject use have been verified by the City of Tacoma.

The applicant must provide evidence to show that the subject use was lawfully permitted prior to May 18, 1953, or if such legal use became nonconforming by reason of subsequent changes in this Chapter, prior to the date of the code change that made the use nonconforming. An application for a review of nonconforming rights shall include the following:

(a) The name, address and phone number of the applicant(s) or applicant's representative.

(b) The name address and phone number of the property owner, if other than the applicant.

(c) Location of the property. This shall, at a minimum, include the property address and/or parcel number(s).

(d) A general description of any proposed change of use and/or proposed expansion.

(e) A general description of the property as it now exists including its physical characteristics and improvements and structures.

(f) A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to clearly depict all required information.

(g) Documenting evidence to prove that the nonconforming use was allowed when established and maintained over time, which may include: photographs, permit documentation, zoning codes or maps, tax/license/utility records, insurance maps, directories, inventories or data prepared by a government agency.

(3) If a determination of nonconforming rights concludes that a use is lawfully in existence, then it may be expanded or changed to another nonconforming use, subject to the limitations and standards provided herein.

(a) Changes in use shall be limited to those uses allowed in the lowest intensity zoning district where the existing nonconforming use is currently permitted outright.

(b) Change in use from one nonconforming use to another is allowed for non-industrial uses only. Nonconforming industrial uses may be expanded per the provisions of this section.

(c) The proposed change or expansion will not increase the cumulative generation of vehicle trips by more than 10 percent, as estimated by the City Traffic Engineer; nor will the change or expansion result in an increase in the number of parking spaces that would be required by this chapter by more than 10 percent. In no event shall multiple changes or expansions be approved that would, in the aggregate, exceed the 10 percent requirement as calculated for the initial request for a change or expansion in use;

(~~c~~d) The proposed change or expansion will not result in an increase in noise such that it exceeds maximum noise levels identified in TMC 8.122;

(~~d~~e) The proposed change or expansion will not result in substantial additional light or glare perceptible at the boundary lines of the subject property;

(~~e~~f) The proposed change or expansion will not result in an increase in the outdoor storage of goods or materials; and

(~~f~~g) The proposed change or expansion will not result in an increase in the hours of operation.

(h) Within the designated Core Area of the Tideflats Manufacturing and Industrial Center, including the Seaport Core Primary, Seaport Core Secondary, and Seaport Core Manufacturing Districts, expansion of any nonconforming residential use or bed capacity and living space associated with a nonconforming community/civic facility or medical/health facility, as defined in the district use table (TMC 13.06.060), shall be strictly prohibited.

(4) Any change from one nonconforming use to another nonconforming use, as allowed herein, shall not be considered converting such nonconforming use to a permitted use.

(5) Changes in use that would exceed the standards herein may be approved through the issuance of a conditional use permit subject to the criteria in subsection 13.05.010.A, or, in specified circumstances, through a conditional use permit as set forth in TMC 13.05.010.A. This allowance does not apply to residential, community/civic facilities, or medical/health within the Seaport Core Primary, Seaport Core Secondary, and Seaport Core Manufacturing Districts.

6. Abandonment or vacation of nonconforming use.

When a nonconforming use is vacated or abandoned for 12 consecutive months or for 18 months during any three-year period, the nonconforming use rights shall be deemed extinguished and the use shall, thereafter, be required to be in accordance with the regulations of the zoning district in which it is located. Nonconforming rights for the use of an existing structure may be re-established through a Conditional Use Permit per the requirements in TMC 13.05.010.A, provided (a) the use has not been abandoned for a period of more than five years and (b) the proposed re-use of the structure is no more intensive than the last permitted use at the site as described in subsection (c.) above.

* * *

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
~~PMI Port Maritime & 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.

~~3. PMI Port Maritime & Industrial District.~~

~~This district is intended to implement the use priorities of the Container Port Element of the Comprehensive Plan, specifically pertaining to the Core Maritime Industrial Area, and to protect the long-term function and viability of the area. These use priorities include: Cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities and other similar uses.~~

~~The Port of Tacoma facilities, facilities that support the Port's operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.~~

~~The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area's employees.~~

~~Expansion beyond current PMI District boundaries should be considered carefully, as such expansion may decrease the distance between incompatible uses.~~

~~Expansion should only be considered contiguous to the existing PMI District. This classification is only appropriate inside Comprehensive Plan areas designated for high intensity uses.~~

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.

~~3.~~ 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.

~~4~~5. District use table – Industrial Districts (13.06.060).

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Agriculture and Natural Resources				
Agricultural uses	N	N	~~N~~	
Mining and quarrying	P*/N	P*/N	~~P*/N~~	* Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
Urban horticulture	P	P	~~P~~	
Residential Uses				
Dwelling Types/Housing Types				*In M-1 houseplex, backyard buildings, rowhouses, and courtyard housing are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision. In M-1 districts, new multi-unit residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.
Houseplex	P/N*	N	~~N~~	
Backyard Building	P/N*	N	~~N~~	
Rowhouse	P/N*	N	~~N~~	
Courtyard Housing	P/N*	N	~~N~~	
Multiplex	P/N	N	~~N~~	
Dwelling, accessory (ADU)	P/N~	N	~~N~~	Subject to additional requirements contained in 13.06.080.A. ~Not permitted within the South Tacoma M/IC Overlay District~~ or the Port of Tacoma M/IC~~.
~~Dwelling, single-unit~~	~~P/N*~~~	~~N*~~	~~N*~~	~~In M-1 districts, single-, two- and three-unit and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision.~~ ~~In M-1 districts, new multi-unit residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~ ~~*In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts.~~ ~~~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC except for quarters for caretakers and watchpersons and temporary worker housing, as noted above, and except where allowed as a conditional use in the Port of Tacoma M/IC.~~ ~~**Conditional use in the Port of Tacoma M/IC.~~
~~Dwelling, two-unit~~	~~P/N*~~~	~~N*~~	~~N*~~	
~~Dwelling, three-unit~~	~~P/N*~~~	~~N*~~	~~N*~~	
~~Dwelling, multi-unit~~	~~P/ CU**/ N*~~~	~~N*~~	~~N*~~	
~~Dwelling, townhouse~~	~~P/ N*~~~	~~N*~~	~~N*~~	
Other Residential			-	
Accessory uses and buildings	P	P		
Adult family home	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. * Not permitted within the South Tacoma M/IC Overlay District ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.

Uses	**M-1**	**M-2**	~~**PMI**~~	**Additional Regulations** (see table Footnote 1)
Day care, family	P/N*	N	~~N~~	*Not permitted within the South Tacoma M/IC Overlay District.
Emergency shelter	P	N		
Foster home	P/N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Group housing	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~
Live/Work	P~~/CU*~~	N	~~N~~	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. ~~*Conditional use in the Port of Tacoma M/IC.~~ Subject to additional requirements contained in Section 13.06.080.I.
Mobile home/ trailer court	N	N	~~N~~	
Residential business	P	P	~~P~~	Subject to additional requirements contained in Section 13.06.080.G
Retirement home	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.
Short-term rental	N	N	~~N~~	
Staffed residential home	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.
Medical and Health Services				
Continuing care retirement community	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Detoxification center	CU	CU	~~N~~	
Hospital	P/CU*	P/N~	~~N~~	*Conditional use within the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC~~. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC.
Intermediate care facility	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.
Residential care facility for youth	P/ ~~CU**/~~ N*	N	~~N~~	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~ See Section 13.06.080.N.
Residential chemical dependency treatment facility	P/ ~~CU**/~~ N*	N	~~N~~	See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District. ~~**Conditional use in the Port of Tacoma M/IC.~~
Community and Civic Facilities				
Assembly facility	P	P	~~N~~	
Cemetery/ Internment services	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. See Section 13.05.010.A
Confidential shelter	P/N*	N	~~N~~	See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District.
Correctional facility	P	P	~~P~~	
Cultural institution	P/CU*	P/CU*	~~N~~	*Conditional use within the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC,~~ unless an accessory use.
Detention facility*	CU	N	~~N~~	Modifications or expansions to existing facilities that increase the inmate/detainee capacity shall be processed as a major modification (see Section 13.05.130). A pre-application community meeting is ~~also~~ required (see Section 13.05.010.A). This CU is only available in the M-1 zones in place as of January 1, 2018. The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.
Juvenile community facility	P/ ~~CU**/~~ N*	P/N*	~~N~~	See Section 13.06.080.H for resident limits and additional regulations. ~~**Conditional use within the Port of Tacoma M/IC.~~ *Not permitted within the South Tacoma M/IC Overlay District ~~or in the M-2 District of the Port of Tacoma M/IC~~.

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Parks, recreation and open space	P~~/CU*~~	P~~/CU*~~	~~P/N~~~	Subject to the requirements of Section 13.06.080.L. ~~* High intensity/destination facilities are a conditional use in the Port of Tacoma M/IC. In the M-2 District, the use must be located indoors.~~ ~~~ High intensity/destination facilities are prohibited in the Port of Tacoma M/IC.~~
Public service facilities	P	P	~~P~~	
Religious assembly	P	P	~~P~~	
School, public or private	P/ ~~CU~/~~ N*	P/N*	~~P/N*~~	~~~Conditional use permit in the Port of Tacoma M/IC.~~ * General K through 12 education not permitted ~~in the PMI and M-2 District of the Port of Tacoma M/IC or~~ in the South Tacoma M/IC Overlay District.
Work release center	CU	CU/N*	~~N~~	Subject to development standards contained in Section 13.06.080.R. *Not permitted within the Port of Tacoma M/IC
Commercial Uses				
Craft Production	P	P	~~P~~	
Hotel/Motel	P/N*	N	~~N~~	*Not permitted within the South Tacoma M/IC Overlay District.
Office[1]	P*	P*	~~P~~	* Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. * Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.
Work/Live	P	N	~~N~~	Projects incorporating live/work in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.
Eating and Drinking Establishments			-	
Brewpub	P	P	~~P~~	
Eating and drinking	P	P	~~P~~	
Microbrewery/ winery	P	P	~~P~~	
Entertainment and Recreation			-	
Adult retail and entertainment	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.B.
Carnival	P/TU*	N	~~N~~	*Temporary use only within the South Tacoma M/IC Overlay District
Commercial recreation and entertainment	P/CU*	P/ CU*~~~~	~~N~~	*Within the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC,~~ a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district. ~~~Within the Port of Tacoma M/IC, only indoor facilities are permitted in the M-2 District.~~
Golf Courses	P~~/N*~~	P~~/N*~~	~~N~~	~~*Not permitted within the Port of Tacoma M/IC.~~
Theater	P/N*	N	~~N~~	*Not permitted within the South Tacoma M/IC Overlay District.

[1] Code Reviser's Note: Text related to Office 'allowed uses' and 'additional regulations' was inadvertently deleted when this table was reorganized per Amended Ord. 28786 (passed Nov. 16, 2021). The scrivener's error was corrected by re-inserting the text in July 2022.

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Retail	P~	P~~~/~~ ~~CU*~~~	~~N~~	~ Size limitations: Limited to 7,000 square feet of floor area, per development site, in the JBLM Airport Compatibility Overlay District. Within the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC,~~ unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. Outside of the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC~~, limited to 65,000 square feet per use, unless approved with a conditional use permit. ~~*Conditional use within the Port of Tacoma M/IC.~~
Marijuana retailer	P~	P~~~/~~ ~~CU*~~	~~N~~	~Within the South Tacoma M/IC Overlay District ~~and Port of Tacoma M/IC~~, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. ~~*Conditional use within the Port of Tacoma M/IC. Size limitations apply as noted above.~~ See additional requirements contained in Section 13.06.080.J.
Plant Nursery	P	P	~~N~~	
Services			-	
Ambulance services	P	P	~~P~~	
Animal sales and service	P	P	~~N~~	
Building material and services	P	P	~~P~~	
Business support services	P	P	~~P~~	
Day care center	P	P	~~N~~	Subject to development standards contained in Section 13.06.080.E.
Funeral home	P	P	~~N~~	
Personal services	P	P	~~P~~	
Repair services	P	P	~~P~~	
Storage Uses			-	
Self-storage	P	P	~~P~~	See specific requirements in Section 13.06.090.J.
Warehouse/ storage	P	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.
Wholesale or distribution	P	P	~~P~~	
Vehicle Related Uses				
Drivethrough with any permitted use	P	P	~~P~~	Subject to the requirements of TMC 13.06.090.A.
Vehicle rental and sales	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.S.
Vehicle storage	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.S.

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Industrial				
Prohibited industial uses in all districts: • Animal slaughter • Animal and fat rendering facility • Acid manufacture • Blast furnaces • Coal facility • Chemical manufacturing, processing, and wholesale distribution • Explosives, fertilizer, and petrochemical manufacturing • Petroleum fuel facility • Smelting	N	N		
Industry, heavy	N	P	~~P~~	~~Animal slaughter, fat rendering, acid manufacture, and blast furnaces allowed in the PMI District only.~~
~~Chemical manufacturing, processing and wholesale distribution~~	~~N~~	~~CU*/ N~~~	~~P/ CU*/ N~~~	~~*A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials, subject to conditional use criteria in Section 13.05.010.A. ~Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts.~~
Cleaner Fuel Infrastructure	N	P*	~~P*~~	*Subject to special use standards in TMC 13.06.080.F.
~~Coal facility~~	~~N~~	~~N~~	~~N~~	
~~Petroleum Fuel Facility~~	~~N~~	~~P*/N~~	~~P*/N~~	~~*Facilities legally permitted at the time of adoption of this ordinance are permitted, subject to special use standards in Section 13.06.080.F. Otherwise prohibited.~~
~~Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19)~~	~~N~~	~~N~~	~~P*~~	~~*Preferred use.~~
~~Smelting~~	~~N~~	~~N~~	~~N~~	
Industry, light	P	P	~~P~~	
Marijuana processor, producer, and researcher	P	P	~~P~~	See additional requirements contained in Section 13.06.080.J
Research and development industry	P	P	~~N~~	
Vehicle service and repair, industrial	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.S.
Utilities, Transportation and Communication Facilities				
Airport	N	N	~~N~~	
Communication facility	P	P	~~P~~	
Heliport	CU	CU	~~CU~~	
Passenger terminal	P	P	~~P~~	
Transportation/ freight terminal	P	P	~~P~~	
Utilities	P	P	~~P~~	
Wireless communication facility	P*	P*/	~~P*/~~	*Wireless communication facilities are also subject to Section 13.06.080.Q.
	CU**	CU**	~~CU**~~	**Wireless communication facilities are also subject to Section 13.06.080.Q.

Uses	M-1	M-2	~~PMI~~	Additional Regulations (see table Footnote 1)
Accessory and Temporary Uses				
Seasonal sales	TU	TU	~~TU~~	Subject to development standards contained in Section 13.06.080.P.
Temporary uses	P	P	~~P~~	Subject to development standards contained in Section 13.06.080.P.
Unlisted Uses				
Uses not prohibited by City Charter and not prohibited herein	N	N	~~CU~~	
Footnotes: 1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.				

6. District use table – Seaport manufacturing and industrial districts

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
Agriculture and Natural Resources							
Agricultural uses	N	N	N	N	N	N	
Mining and quarrying	N	N	N	P*/N	N	N	* Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
Urban horticulture	N	P	P	P	N	N	For wholesale production and distribution. May include a retail component subject to limitations on retail uses in this chapter.
Residential Uses							
Prohibited Residential Uses in all districts • Houseplex • Dwelling, accessory (ADU) • Courtyard Housing • Backyard House • Mobile Home/Trailer Court • Rowhouse	N	N	N	N	N	N	
Housing Types							
Multiplex	N	N	N	N	P	N	Residential uses prohibited on the ground floor.
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	
Adult family home	N	N	N	N	N	N	
Day care, family	N	N	N	N	CU	N	

Uses		SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
	Emergency Shelter	N	N	N	N	CU	N	
_	Foster home	N	N	N	N	CU	N	
_	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	
_	Staffed residential home	N	N	N	N	N	N	
_	Retirement home	N	N	N	N	P	N	See Section 13.06.080.N. Residential uses prohibited on the ground floor.
Medical and Health Services								
Prohibited medical and health services, in all districts • Continuing care retirement community • Detoxification center • Hospital • Intermediate care facility • Residential care facility for youth • Residential chemical dependency treatment facility		N	N	N	N	N	N	
Medical 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.
Community and Civic Facilities								
Prohibited community and civic facilities in all districts: • Cemetery/internment services • Confidential shelter • Correctional facility • Detention facility • Juvenile community facility • Work release center		N	N	N	N	N	N	
Assembly facility		N	N	P*	P	P	N	* Seaport related only

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
Cultural and historical establishments	N	P*	P	P	P	N	* In the Seaport Core Manufacturing District ancillary to a primary use only. In all districts, the use must be seaport related only
Detention facility	N	N	N	N	N	N	
Parks, recreation and open space	P	P	P	P	P	P	Subject to the requirements of Section 13.06.080.L. High intensity park and recreation facilities prohibited.
Public art installations	P	P	P	P	P	P	
Public service facilities	P*	P*	P	P	P	N	* Seaport related only
Religious assembly	N	N	N	P*	P*	N	* Limited to 15,000 square feet of floor area in the ST and STT districts.
School, public or private	N	N	N	N	N	N	General K-12 only.
Workforce training and hiring services	P	P	P	P	P	N	To support seaport and related trades.
Commercial Uses							
Commercial uses prohibited in all districts: • Adult retail and entertainment • Carnival • Golf course • Mini storage • Self storage	N	N	N	N	N	N	
Bakery - wholesaler	N	P	P	P	P*	N	* Required to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
Craft Production	N	N	N	P	P	N	Subject to standards in TMC 13.06.080.D
Hotel/Motel	N	N	N	N	P	N	
Office	P	P	P	P	P	N	Limited to 10,000 square feet building footprint in the SCP, SCM, and SCS districts and 15,000 square feet of building footprint in the ST and STT districts.
Work/Live	N	N	N	N	P	N	Projects incorporating live/work in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.
Eating and Drinking Establishments							
Brewpub	N	N	P*	P*	P*	N	* Limited to 10,000 square feet of floor area in the SCS district and 15,000 square feet of floor area in the ST and STT districts.
Eating and drinking	P*	P*	P*	P*	P*	N	* Limited to 10,000 square feet of floor area in the SCP, SCM, and SCS districts and 15,000 square feet of floor area in the ST and STT districts.

Uses		SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
_	Microbrewery/ winery	N	P*	P*	P	P*	N	* Retail component limited to 10,000 square feet of floor area in the SCM and SCS districts and 15,000 square feet of floor area in the ST and STT districts. No size limit on the production and wholesaling component.
Entertainment and Recreation								
_	Commercial recreation and entertainment	N	N	P/CU	P/CU	P/CU	N	A conditional use permit is required for facilities over 10,000 square feet of building footprint in the SCS district and over 15,000 square feet in the ST and STT districts. Only indoor facilities are permitted in the SCS and ST Districts.
_	Theater	N	N	N	N	P	N	
Retail		N	P*	P*	P	P	N	In SCM, SCS and ST districts: must be seaport related. *Ancillary to a primary use only. Size limitations in all districts: 10,000 square feet of floor area per development site in SCP, SCM, SCS, and ST Districts, and 15,000 square feet in the STT.
	Marijuana retailer	N	N	N	P	P	N	Size limitations: Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.
	Plant Nursery	N	N	N	P	P	N	Retail components limited to 15,000 square feet of lot area.
Services								
	Ambulance services	P	P	P	P	P	N	_
	Animal sales and service	N	N	N	P	P	N	_
	Building material and services	P	P	P	P	P	N	_
	Business support services	P	P	P	P	P	N	_
	Day care 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. Subject to development standards contained in Section 13.06.080.E.
	Funeral home	N	N	N	P	P	N	Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.
	Personal services	N	N	N	P	P	N	Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.
	Repair services	N	N	N	P	P	N	_

Uses		SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
Storage Uses								
	Storage of bulk or raw materials	P	P	P*	P*	N	N	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. * Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
	Warehouse/Storage	P	P	P	P	N	N	
	Wholesale goods, equipment and materials	N	P	P	P	P	N	Heavy equipment and construction supply only
Industrial								
Pre-existing Industrial Uses		P	P	P	P	P	P	Except where otherwise specified below, industrial uses legally established prior to the adoption of this ordinance whose use classification is prohibited, shall be considered permitted uses but subject to the standards and limitations in TMC 13.06.010 L.
Industrial uses prohibited in all districts: • Acid manufacture • Airport • Animal and fat rendering facility • Animal slaughter and husbandry • Auto wrecking yard • Cannabis processing, production, research • Coal facility • Explosives, fertilizer, and petrochemical manufacturing • Petroleum fuel facility* • Pulp and paper mill • Smelting • Tire related manufacturing and processing • Wood treatment		N	N	N	N	N	N	* Petroleum fuel facilities legally permitted at the time of adoption of this ordinance are permitted, subject to special use standards in Section 13.06.080.F.
	Boat and ship building, storage and maintenance	P	P	P	P	N	N	
	Cargo and container marshalling and storage (includes imported autos)	P	P	P	P	N	N	

Uses		SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
	Cement and asphalt batching	N	P	N	N	N	N	No new stormwater or wastewater discharge to water bodies permitted.
	Chemical manufacturing, processing and wholesale distribution	N	CU	N	N	N	N	* A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials, subject to conditional use criteria in Section 13.05.010.A.23. ~ Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts. No new stormwater or wastewater discharge to water bodies permitted.
	Cleaner Fuel Infrastructure	CU	CU	N	N	N	N	Subject to special use standards in TMC 13.06.080.F. No new stormwater or wastewater discharge to water bodies permitted.
	Commercial Bakery	N	P	P	P	P	N	
	Distillery	N	P	P	P*	P*	N	* May include retail component per standards of this chapter.
	Food processing	P~	P	P*	P*	N	N	~ Limited to seafood processing only * Required to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
	Laundry and drycleaning plant	N	P	P	N	N	N	No new stormwater or wastewater discharge to water bodies permitted.
	Log yard/lumber mill/sawmill	P	P	P*	N	N	N	Wood treatment facilities and activities are prohibited. No new stormwater or wastewater discharge to water bodies permitted. * Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
	Manufacturing – basic processing from raw materials	N	P	P*	N	N	N	* Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
	Manufacturing – final assembly, processing, fabrication, and packaging	P~	P	P	P	P*	N	~ Must be Seaport related. * Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
	Marina	N	N	P	P	N	N	
	Research and development industry	P*	P	P	P	P	N	In all districts: Seaport related only * Ancillary use only
	Recycling facilities – industrial waste, food, metal	CU	P*	CU*	N	N	N	* Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
Utilities, Transportation and Communication Facilities							
Communication facility	P	P	P	P	P	P	* Wireless communication facilities are also subject to Section 13.06.080.Q.
Heliport	CU	CU	N	N	N	N	
Passenger terminal	P	P	P	P	P	N	
Rail yards and services	P	P	P	P	P	N	
Seaport terminal	P	P	P	N	N	N	
Transportation/Freight Terminal	P	P	P	P	P	N	
Utilities	P	P	P	P	P	P	
Vehicle Related Uses							
Commercial parking lot	P	P	P	P	P*	N	* New stand alone commercial surface parking lots are prohibited.
Drive-through with any permitted use	P	P	P	P	N	N	Subject to the requirements of TMC 13.06.090.A.
Heavy vehicle and driver services	P	P	P	P	P	N	
Truck and chassis parking	P	P	P	P	N	N	Must be related to seaport operations.
Vehicle fueling	P*	P*	P	P	P	N	* Ancillary use only
Vehicle rental and sales	N	N	P	P	P	N	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair	P	P	P	P	P	N	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair, industrial	N	N	P	P*	N	N	* Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.
Vehicle storage	N	N	N	P*	P*	N	* Water-related only Does not apply to vehicle import facilities. Subject to development standards contained in Section 13.06.080.S.
Accessory and Temporary Uses							
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.
Other Uses							
Tribal Treaty protected uses	P	P	P	P	P	P	
Habitat mitigation and restoration	P	P	P	P	P	P	
Coastal resilience/floodplain management projects	P	P	P	P	P	P	
Educational/informational signage	P	P	P	P	P	P	

Uses	SCP	SCM	SCS	ST	STT	SC	Additional Regulations (see table Footnote 1)
Unlisted Uses							
Uses not prohibited by City Charter and not prohibited herein	N*	N*	N*	N*	N*	N*	* Unlisted uses are prohibited unless expressly permitted by Title 19 of the Tacoma Municipal Code – Shoreline Master Program or subject to Director's interpretation in TMC 13.05.080.
Footnotes:							
1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F 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.

	M-1	M-2	~~PMI~~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~~[1]~~	85 percent~~[1]~~	None	None	None	75 percent	85 percent	NA
	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	In all districts listed above, 0 feet, unless: • Created by requirements in Sections 13.06.090.B or 13.06.090.J; or • Abutting a dwelling district, then equal to the dwelling district setback for the first 100 feet from that side. The above setback requirements may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
5. Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Sections 13.06.090.B or 13.06.090.J, 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 13.06.090.B or 13.06.090.J, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
~~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.~~	~~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.~~					
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 13.06.010.E and 13.06.080.Q.							
9. Tree Credits, minimum (Canopy coverage of lot equivalent)	15 percent~~[1]~~	15 percent~~[1]~~	~~N/A~~10 percent	15 percent	15 percent	15 percent	10 percent	30 percent
~~Footnotes:~~ ~~1. Industrial Districts within Tideflats Manufacturing Industrial Center are exempt from Maximum Lot Coverage and Tree Credits, minimum (Canopy coverage of lot equivalent) standards.~~								

G. Performance standards.

All land uses within the Seaport Industrial Districts shall comply with the following minimum performance standards:

1. Application of the Shoreline Master Program – TMC Title 19.

2. Application of the City's Noise Ordinance – TMC Chapter 8.122

3. Application of federal and state criteria pollutants and air toxics limits regarding use operation and transportation generation. This is demonstrated by compliance with PSCAA regulations, Ecology air quality permits, and associated agency with jurisdiction SEPA conditions where applicable.

4. All odor emissions must comply with the applicable requirements of the Puget Sound Clean Air Agency and State Department of Ecology

5. Application of Critical Areas Preservation Ordinance, TMC Chapter 13.11.

6. Wellhead protection – Projects within 10-year wellhead time of travel zones shall meet the standards in TMC 13.06.070.D.

7. Application of Zoning transition standards in TMC 13.06.090.J including light trespass standards and landscaping buffers.

8. Application of tree canopy standards in TMC 13.06.060 and landscaping standards in TMC 13.06.090.B.

9. Federal, state and local standards pertaining to water quality and stormwater runoff control must be complied with, including the City of Tacoma Stormwater Management Manual and Tacoma Municipal Code 12.08A through D.

10. Hazardous Materials and Bulk Petroleum Products. Plans for the handling, storage, disposal and spill control of hazardous materials, hazardous wastes, and bulk petroleum products shall be approved prior to the issuance of any building permit.

11. Cultural resources:

a. Comply with the requirements established by RCW 27.53.060 (Disturbing archaeological resource or site – Permit required – Conditions – Exceptions – Penalty) and Chapter 25-48 WAC (Archaeological Excavation and Removal Permit).

b. Comply with procedures included in Indian Graves and Records (RCW 27.44), Human Remains (RCW 68.50), and Abandoned and Historic Cemeteries and Historic Graves (RCW 68.60) shall apply.

c. Comply with TMC Chapter 13.13, Archaeological, cultural, and historic resources.

~~G~~H. Residential Development.

1. In the M-1 and M-2 Districts:

~~1~~a. Minimum Usable Yard Space.

Residential development shall provide usable yard space in accordance with the provisions of 13.06.020 based on the building type.

~~2~~b. Tree canopy coverage.

Residential uses shall meet the tree canopy coverage requirements in 13.06.020 in accordance with the R-4 District.

2. In the STT District new non-industrial, residential, or mixed-use developments with a residential component shall meet the setback and amenity space standards associated with the CIX district in TMC 13.06.040 and the building design standards associated with Mixed-use Districts in TMC 13.06.100.B.

I~~H~~. References to other common requirements.

13.01	Definitions.
13.05.010	For Land use permits, including conditional use and variance criteria.
13.06.010	General provisions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area, as well as nonconforming uses/parcels/structures.)
13.06.070	Overlay districts (these districts may modify allowed uses and/or the development regulations of the underlying zoning district.)
13.06.090.B	Landscaping standards.

13.06.090.C	Off-street parking areas.
13.06.090.D	Loading spaces.
13.06.090.I	Signs standards.
13.06.100	Building design standards.

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13.06.080 Special Use Standards

* * *

F. Fuel Facilities.

1. Applicability.

The following standards apply to all "Petroleum Fuel Facilities" and "Cleaner Fuel Infrastructure."

2. Purpose:

The purpose of these standards is to minimize the risk of spill or discharge of fuels into the Puyallup River or marine waters; to support a reduction in greenhouse gas emissions and a transition to cleaner fuel and energy production consistent with Federal, state and local targets; to avoid and minimize any impacts to adjacent communities from fire, explosion, or increased air emissions resulting from facility expansion; and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

3. Baseline established.

a. The baseline for refining, storage, transportation, and transshipment facilities is established by the following information available as of November 16, 2021 (the adoption date of this ordinance.)

(1) Crude oil refining baseline capacity shall be established by the U.S. Energy Information Administration Refinery Capacity Report as measured in atmospheric crude distillation barrels per day (https://www.eia.gov/petroleum/refinerycapacity/) or comparable. The baseline for other product refining, including liquefied natural gas, shall be based on the documented refining capacity in the most recent local permits issued for the facility.

(2) Storage baseline capacity shall be established using Washington Department of Ecology industrial section permits and oil spill prevention plans.

(3) Transshipment and transportation facility baseline is established through the most recent spill prevention plans approved by the Department of Ecology or where a local permit documenting such facilities has been approved more recently.

(4) If an existing facility does not have an established refining or storage baseline from a past industrial section permit or spill prevention plan, the baseline must be established as part of a permit application.

4. New facilities or expansion of existing facilities beyond the established baseline shall meet the following special use standards:

a. Mitigation for local greenhouse gas impacts calculated consistent with the definition of facility emissions in TMC 13.01.060:

(1) Assessment: Greenhouse gas emissions impacts shall be assessed using current valid modeling techniques.

(2) Mitigation: Greenhouse gas emissions that create specific adverse environmental impacts may be offset through mitigation projects that provide real and quantifiable greenhouse gas mitigation.

(3) Location: Greenhouse gas emissions offsets for local impacts shall be located in the following order of preference:

- Within the City of Tacoma;
- Within the Puyallup River Watershed;
- Within Pierce County;
- Within the Central Puget Sound region, including Pierce County, Kitsap County, Snohomish County, and King County.

b. The applicant shall provide annual reporting of the following:

- The number of vessel transfers of fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.
- The number of rail cars transporting fuels, both to and from the site, including a description of the product, volume, and destination.
- The number of trucks transporting fuel, both to and from the site, including a description of the product, volume, and destination.
- A description of on-site storage capacity including the number of tanks, tank volumes, and products.
- A description of all facility emissions for previous five years and a three year forecast.

c. An applicant must provide proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Tacoma as an additional insured as a condition of permit issuance.

5. Petroleum Fuel Facilities.

a. New "Petroleum Fuel Facilities" are prohibited.

b. Existing facilities, legally permitted at the time of adoption of this ordinance, shall be considered permitted uses, subject to the following limitations:

(1) Existing facilities shall not exceed the established baseline as of November 16, 2021 (the adoption date of this ordinance) except where specifically authorized in this section.

(2) Except as specifically authorized under 13.06.080.F.5.b.(3), (4), and (5), the following new improvements are prohibited:

- New driveways, private rail sidings, docks, piers, wharves and floats.
- Site or facility improvements that would increase the capacity of a driveway, private rail siding, dock, pier, wharf or float.
- New storage tanks, refining or processing facilities.

(3) Expansion of or addition to existing petroleum fuel facilities is allowed through the normal permitting process when the particular expansion would create the maximum proposed capacity of a facility that was the subject of an Environmental Impact Statement prepared and published by the City under RCW 43.21C and TMC Chapter 13.12 as of November 16, 2021 (the adoption date of this ordinance) and for which the City has accepted on or before November 16, 2021 (the adoption date of this ordinance) all funds that fully mitigate the adverse environmental impacts of the facility's maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent. Provided that any proposed expansion which is eligible under this section remains subject to the full permit review process, including environmental review, as applicable, and this section does not guarantee the issuance of a permit.

(4) Expansion of production, storage, transportation and transshipment of petroleum fuels when requested in writing by the Department of Defense supporting Joint Base Lewis McChord, Naval Region Northwest Installations or other national defense needs shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director.

(5) Replacement of and improvements to existing petroleum infrastructure shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, for maintenance, for improvement of the safety or security of the infrastructure, decrease air or water emissions, or to allow the infrastructure to meet new regulatory requirements.

(6) Where a "Petroleum Fuel Facility" provides direct-to-vessel fueling, new infrastructure that is necessary to support vessel fueling may be allowed so long as overall facility storage and refining does not exceed the established baseline.

(7) Improvements are limited to property owned or occupied by the use as of the adoption of this ordinance.

(8) Baseline monitoring. On an annual basis, Planning and Development Services will evaluate information from the U.S. Energy Information Administration, WA Department of Ecology, Puget Sound Clean Air Agency, as well as from local permits, to ensure compliance with the requirements herein.

6. Cleaner Fuel Infrastructure.

a. New and Expanded Cleaner Fuel Infrastructure as defined in ~~this chapter shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, and~~ TMC Chapter 13.01.060 shall be permitted as a conditional use in the SCP and SCM districts only, with the Washington State Department of Ecology acting as SEPA lead agency, unless declined, and subject to the following requirements:

(1) New Cleaner Fuel Infrastructure permitted through this chapter shall not be used for production, storage, transportation and transshipment of petroleum. Total or partial conversion of permitted New Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum shall constitute grounds for permit revocation and civil enforcement.

(2) Any Expanded Cleaner Fuel Infrastructure permitted through this chapter shall not exceed a cumulative total increase of fifteen percent (15%) more storage over the applicant's total petroleum storage as of November 16, 2021 (the adoption date of this ordinance). Total or partial conversion of permitted Expanded Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum fuels shall constitute grounds for permit revocation and civil enforcement. The limitation on cumulative petroleum storage does not apply to expansions allowed under TMC 13.06.080.F.5.b (3), (4), and (5) above.

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13.06.090 Site Development Standards.

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B. Landscaping standards.

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3. General Landscaping Requirements.

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g. Incentives and Flexibility.

The following incentives and flexibility towards required trees may be utilized separately or in combination.

(1) New Evergreen Trees.

New evergreen trees, above and beyond those otherwise required, shall receive an additional 10% Tree Credit (a scale factor of 1.1). For example, 2 Medium evergreen trees beyond the required number of evergreen trees = 500 credits x 2 trees x 1.1 = 1,100 tree credits. If greater than two-thirds of required trees are evergreens, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090.B.4.g.(6)

(2) Retained Tree Groves

A tree grove is comprised of 8 or more existing trees, of 12" DBH or greater, that form a continuous canopy. It excludes trees listed in the Prohibited and Not Recommended tree list in the UFM. Additional flexibility is available per TMC 13.06.020.F.3 for retention of a tree grove, which includes retention of trees and/or understory vegetation that cannot be removed without damaging the health of the grove.

(3) Low Impact Development.

LID BMPs that meet both stormwater management and tree requirements, like tree retention (BMP L615) and permeable pavement over planting soil (BMP L633 with suspended pavement systems), are encouraged. Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements. For sites utilizing LID BMPs as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090.B.4.g.(6).

(4) Tree Credit Fee and Fee in Lieu of Tree Planting.

As an alternative to planting or retaining trees on the site to meet the applicable Tree Credit requirements, funds may instead be placed into an account established by the City to support the Urban Forestry Program in planting, maintenance, and replacement of trees on public property or the right-of-way. The required amount will be assessed per Tree Credit as specified in the Urban Forest Manual, and equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment. This provision is limited to reducing the actual provision of on-site Tree Credits through tree planting and preservation to no less than 10% of the lot area in all UR zones. The City should utilize these fees to plant and maintain trees in the same Watershed as the project that generated the fees.

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

(5) Right-of-Way Trees.

New trees planted or retained in the right-of-way above and beyond those required per TMC 13.06.090.B.4.f.(3) can count toward on-site Tree Credit requirements. To use this mechanism, separately determine required tree credits per TMC 13.06.090.B.4.f.(3) to be met in the right-of-way, and required tree credits to be met on-site per TMC 13.06.090.B.4.e.(2)(a). Any additional tree credits provided with new trees in the right-of-way above the required minimum can count toward meeting the required on-site tree credits, provided the trees planted in the right-of-way meet TMC 13.06.090.B.4.f.

(6) Multiple Co-owned Parcels.

Multiple adjoining parcels under the same ownership may be combined for the purposes of calculating and meeting required on-site Tree Credits, provided that the requirements are met for the overall site. The City may require legal property restrictions to ensure the required trees are protected.

(7) Tree Banks.

Required trees may also be planted on a separate private property, such as a religious organization, or public property, such as a park or school, as long as it is within the same Watershed as the project and necessary agreements are in place to ensure the long-term maintenance and protection of the tree(s). In order to use this option, the project proponent is responsible for identifying the alternative location and securing an agreement, that conforms to City requirements, from the owner of the receiving property transferring the responsibility for the required tree(s).

(8) Prioritization of Tree Retention and Tree Canopy over Parking

(a) Purpose

If complying with both tree requirements and on-site vehicular parking requirements would result in it being infeasible to achieve the maximum number of units permitted in the zone, then the tree credit and tree retention requirements shall prevail and the parking requirements will be reduced or waived, as required by RCW 36.70A. This reduction in parking requirements may occur during permit review as described below. The parking exceptions related to tree retention do not apply if the project chooses not to retain the potential conflicting trees.

(b) Criteria:

A development is exempt from residential off-street vehicle parking requirements if the applicant demonstrates that without such an exemption, at least one of the following would be necessary:

i. Removal of trees exceeding 6-inches DBH to create space for vehicle driveways, parking, or pedestrian access, despite exploring reasonable site layout alternatives;

ii. Removal of trees in the public right-of-way for driveway construction; or,

iii. Purchase of off-site tree canopy credits to meet tree canopy requirements.

(9) Self managed agencies.

An optional process is available for public agencies with urban forestry programs and plans. This option is intended to encourage public agencies to take a leadership role in implementing urban forestry goals and policies of the One Tacoma Plan and related Neighborhood or Subarea Plans. This flexibility can facilitate more intensive development of a particular development site, while meeting the urban forestry policies of the Comprehensive Plan and the standards of the landscaping code by planting the required landscaping at another site within the City of Tacoma and preferably within the same watershed or planning area, in the agency's permanent control.

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

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

iii. Shoreline and Critical area buffers (Title 19, TMC 13.11) and zoning transition buffers (13.06.090.J), when required, must be provided on the development site and cannot be relocated to another site except as authorized by those standards. In addition, to the extent feasible, some portion of required street trees and parking lot landscaping shall be planted at the development site, or if shifted from the development site shall be planted in proximity to impervious surfaces, in order to achieve commensurate stormwater benefits.

iv. Within the Tideflats Manufacturing and Industrial Center, off-site plantings must be located within the Center and preferably withing the same watershed as the development site. Off-site plantings under this provision apply only to industrial uses.

4. Landscaping Requirements for Districts.

a. Applicability.

(1) The landscaping standards of this section apply to new development and substantial alterations, as specified in TMC 13.06.090.B.1. LID BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the LID BMP is comparable to the requirements.

(2) Exemptions:

(a) Passive open space areas, including City-owned forests, wetlands, streams and habitat areas, are exempt from all landscaping requirements (however development activities on such sites may trigger landscaping requirements).

(b) Park and recreation uses are exempt from the Overall Site, Site Perimeter and Buffer requirements of this section.

b. Purpose.

The standards of this section are intended to implement the goals of the Comprehensive Plan.

c. Determining Required Trees

The following standards contain both numerical and distribution requirements for trees. In each case, whichever requirement would generate the larger number shall control and be the required number of trees. Trees that meet the requirements of this section count toward required Tree Credits.

d. Overall Site Landscaping.

(1) Purpose.

Overall Site Landscaping is intended to ensure that a minimum amount of landscaping is provided with development per TMC 13.06.090 B.2.

(2) Overall Site Landscaping Minimums.

This requirement may be provided anywhere on the site. The amount is determined as a percentage of the site which is not covered with structures. It may be satisfied by landscaping provided to meet other requirements.

- Residential Districts and Urban Residential Districts: 5 percent
- Commercial Districts: 10 percent
- Industrial Districts: No less than 10 percent of overall site
- ~~Industrial Districts within Tideflats Manufacturing Industrial Center: 5 percent of parking areas over 20,000 sf~~
- X Districts: 15 percent (for single-purpose residential projects)
- In the Seaport Industrial Districts: 5 percent of the site area in the SCP District; 10% of overall site in the SCM, SCS, ST, and STT Districts.

(3) Planting requirements.

When Required, Overall Site Landscaping shall consist of a mixture of trees, shrubs and groundcover plants, as follows:

- In all but Urban Residential Districts: At least one Small Tree per 200 square feet, one Medium Tree per 300 square feet, or one Large Tree per 4oo square feet of required overall site landscaped area.
- In Urban Residential Districts: See tree credit requirements in TMC.
- Shrubs and groundcover shall be designed to completely cover the remaining area within 3 years.

(4) X Districts Exceptions.

Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no overall site landscaping requirement. If 50 percent of the parking is structured, then the amount of required overall site landscaping is reduced by 50 percent.

- Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements.
- Planting strips within street rights-of-way shall not be counted toward this requirement.

e. Site Perimeter Landscaping:

(1) Purpose.

Site Perimeter Landscaping is intended to ensure that areas abutting property lines, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.

(2) Exceptions.

- Site Perimeter Landscaping is not required in ~~Industrial Districts within Tideflats Manufacturing Industrial Center,~~ Urban Residential or X Districts.
- In the Seaport Districts, site perimeter landscaping is not required in the SCP and SCM Districts, except as specifically provided for in (3)(d) below, and is only required for industrial uses within the STT Zone.

(3) General Standards.

(a) When applicable, a Site Perimeter is required around the entire perimeter of the site. Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys, but not by accessory structures, paved areas, outdoor storage or other development.

(b) A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.

(c) A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.

(d) In the M-1 and M-2 Industrial districts, i~~I~~ndustrial uses shall provide a minimum 15-foot wide site perimeter strip along all adjacent right-of-ways.

(e) In the Seaport Industrial Districts a 15' site perimeter strip will be provided along any property line abutting:

- I-509 between E Alexander Ave and Taylor Way,
- Marine View Drive,
- East 11th Street west of Portland Avenue,
- Portland Avenue (south of East 11th Street),
- Port of Tacoma Road (south of Lincoln Ave to City Limit)
- East 15th Street,
- St. Paul Ave,
- Taylor Way.

Along these rights-of-way, Site Perimeter strip requirements may be met within the public right-of-way and combined with street tree standards where the strict application of the requirement would pose a conflict with port/rail operations, or where a corridor design has been approved that meets the overall tree and landscaping standards.

(4) Planting Requirements.

The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants, as follows:

(a) At least one Small Tree per 200 sf; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required landscaped area.

(b) Trees planted shall be generally evenly distributed over the site.

(c) Place trees to create a canopy in desired locations without obstructing necessary view corridors.

(d) Shrubs and groundcover to completely cover the remaining area within 3 years.

f. Street trees:

(1) Purpose.

Street trees are intended to provide multiple benefits including aesthetics, traffic calming, environmental, shading, visual buffering and noise separation from streets.

~~(2) Exceptions.~~

~~In the PMI District, street trees are required with new development, alterations, and street improvements as specified in TMC 13.06.090.B, for development on the following gateway corridors: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street). In other locations within the PMI District, street trees are only required for street and sidewalk improvements as specified in Section 1.e, above.~~

(~~3~~2) Planting Requirements.

(a) Four Small Trees; Three Medium Trees; or Two Large Trees per 100 linear feet of site frontage. This can also be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet of site frontage. Small, Medium and Large Trees may be used in combination, according to the applicable ratios. When dividing linear frontage to determine required tree quantities, a fraction of 0.3 or greater must be rounded up to the nearest whole number.

EXAMPLE: A site with 50 feet of street frontage would require 2 Small (25 x 2), 2 Medium (50 x 3/100 = 1.5, which rounds up to 2), or 1 Large (50 x 2/100 = 1).

EXAMPLE: A site with 60 feet of street frontage would require 3 Small (60 x 4/100 = 2.4 which rounds up to 3), 2 Medium (60 x 3/100 = 1.8, which rounds up to 2), or 1 Large (60 x 2/100 = 1.2, which rounds down to 1).

(b) Street trees should generally be evenly spaced to create or maintain a rhythmic pattern but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, traffic signs, or other streetscape features, or if such variations are demonstrated to better achieve the intent. For Seaport Districts, this flexibility may be applied when the strict application of street tree planting requirements would pose a safety hazard for freight mobility or conflict with rail operations.

(c) Street trees shall, when possible, be planted within the right-of-way adjacent to the curb and between the pedestrian lane/sidewalk and curb. When this is not possible or a different location would better achieve the intent, street trees may be located elsewhere within the right-of-way, including behind the sidewalk, in street medians, parking strips or bulbouts. If neither of these preferred locations is possible, such as when existing infrastructure prevents trees from being planted within the right-of-way, trees located within 10 feet of the right-of-way may be counted as street trees. In this case, such trees only count toward the street tree requirement and do not count toward on-site Tree Credits.

(d) Installation and maintenance of street trees shall adhere to the provisions in TMC 13.06.090.B.3.e.

(~~4~~3) Street Tree Retention

Existing street trees shall be preserved in a healthy, thriving, and safe condition per the tree installation and maintenance requirements of this section, TMC 9.20, and the technical specifications of the UFM. If required street trees are improperly pruned, damaged, or removed, they shall be replaced per the provisions of this section and TMC 9.20. Trees within the right-of-way that are retained consistent with TMC 13.06.090.B.3.f.(1) and TMC 9.20 count as required Street Trees according to their species as Small, Medium and Large Trees.

(~~5~~4) Street Trees in Downtown Districts.

(a) Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear feet of frontage. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.

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

(c) When the minimum sidewalk width standards for the roadway designation and ADA compliance cannot be met with the minimum surface planting diameter, alternative pervious surface materials may be used to cover the tree pits, such as a porous, rubberized pavement, to accommodate pedestrians in the planting area.

g. Parking Lot Landscaping.

(1) Purpose.

Parking lot landscaping is intended to provide visual relief, to enhance the aesthetic appearance, screening from adjacent sites and public areas, to reduce environmental impacts of parking and other paved areas, and to provide shade and shelter for pedestrians.

(2) Exceptions.

(a) ~~Parking Lot Perimeter Landscaping is not required in Industrial Districts within Tideflats Manufacturing Industrial Center.~~ In Industrial districts, parking lot landscaping standards do not apply to outdoor storage areas or cargo and container marshalling yards.

(b) Parking Lot Perimeter Landscaping is required only between parking lots and streets in Urban Residential (UR) Districts.

(c) Parking lots of 16 stalls or less are not required to meet Interior Planting requirements.

(d) Parking lots of 16 stalls or less, located behind buildings and accessed by alleys, are exempt from the Interior Planting and Site Perimeter requirements.

(3) Parking Area tree minimum – overall.

One Small Tree per 700 square feet; one Medium Tree per 1,000 square feet; or, one Large Tree per 1,400 square feet of parking lot area, including drive lanes.

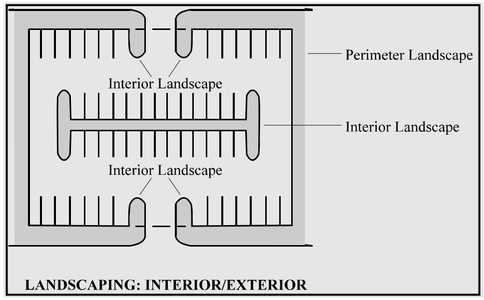
(4) Parking Lot – Interior Planting Requirements.

A mixture of trees, shrubs and groundcover meeting the following requirements:

(a) At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.

(b) Trees planted shall be generally evenly distributed over the site. Shrubs and groundcover plants as required above.

(c) Parking lot landscaping areas example:



(5) Distribution.

(a) No stall shall be more than 50 feet from a tree trunk.

(b) Long rows of parking shall be broken by islands or peninsulas with trees, such that there are no more than eight parking stalls in a row without a tree.

(c) Planting areas with trees are required at all parking aisle ends.

(d) Trees shall be provided along walkways per 13.06.090.F.

(6) Distribution Flexibility Bonuses.

For each of the following bonuses provided, Parking Lot Distribution requirements may be modified as follows: The maximum distance from each stall may increase by 10 feet; and, maximum parking row length may increase by 1 stall.

- Tree retention: Retention of trees at least 20 inches in diameter constitutes at least 50 percent of the number of required trees.
- Evergreen trees: Evergreen trees constitute greater than two-thirds of required trees.
- Low Impact Development: Sites utilizing Low Impact Development (LID) techniques as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach.

(7) Parking lot - Perimeter landscaping Planting Requirements.

(a) Parking Lots with more than 20 stalls are required to provide a 10-foot wide planting strip per the planting requirements below.

(b) Where the subject property is 150 feet or less in depth, the perimeter strip can be reduced to 5 feet in width.

(c) When applicable, a Parking Lot Perimeter is required around the shortest circumferential line defining the exterior boundary of a parking, loading or similar paved area, excluding primary structures, driveways or walkways providing access to the facility.

(d) Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements:

- At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.
- Trees planted shall be generally evenly distributed over the site.
- Shrubs and groundcover plants as required above.
- Trees placed to create a canopy in desired locations without obstructing necessary view corridors.

(e) When site constraints do not allow for the full 10 feet of perimeter width, the perimeter landscaping can be accommodated elsewhere on site, adjacent to the parking lot.

(8) Downtown Districts.

(a) All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees, shrubs and groundcover per the General Landscaping requirements and the Parking Lot Perimeter requirements of TMC 13.06.090.B.

- In no case shall fewer than three trees per 100 linear feet of frontage be provided.
- Masonry walls no lower than 15” and no higher than 30” may be substituted for shrubs.
- For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees, shrubs and groundcover.
- Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.

(b) Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed subject to approval from a certified arborist and the Director of Planning and Development Services to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

h. X District Front Yard and Foundation Landscaping:

(1) Purpose. Trees, shrubs and groundcover plantings intended to soften the visual appearance of exposed foundations and building frontages in highly pedestrian areas.

(2) In areas where buildings are not located adjacent to the sidewalk, the area between the public sidewalk and buildings shall incorporate expanded sidewalk space, outdoor seating, plazas and/or landscaping with a combination of trees, shrubs, and/or ground cover plants.

(3) All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building façade that provide access for pedestrians or vehicles to the building.

(4) The foundation landscaping must meet the following standards:

(a) The landscaped area must be at least three feet wide.

(b) There must be at least one shrub for every three lineal feet of foundation.

(c) Groundcover plants must fully cover the remainder of the landscaped area.

C. Off-street parking areas.

1. Applicability.

Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas.

2. Purpose.

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

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

3. Off-street parking spaces quantity.

The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

a. Fractions.

Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.

b. Multiple uses.

Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.

c. Use not listed.

In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.

d. Historic buildings and sites.

Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

e. For buildings in existence prior to the adoption of the Tacoma Municipal Code on May 18, 1953, no additional parking shall be required for changes in use. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

f. In Commercial Districts (T, C-1, C-2, HM, and PDB), no additional parking shall be required for a change of use in a structure that existed prior to September 25, 2012. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

g. If a new use would have required more parking before October 8, 2012, the accessible parking requirements shall be based on the standards in place before October 8, 2012, except in cases where, after consulting with the City's ADA coordinator, the Building Official approves an alternative to providing on-site accessible parking upon a determination that the alternative is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.

h. The following parking quantity standards apply to the Zoning Districts established in 13.06.020 Residential Districts, 13.06.030 Commercial Districts, and 13.06.060 Industrial Districts.

i. Where no alley is present to provide vehicular access to the rear of the site, and where one (1) onsite stall is required, the development is exempt from onsite parking requirements (unless the stall is a required accessible stall).

TABLE 1 – Required Off-Street Parking Spaces[9, 14, 20] (All footnotes are in Table 2, below.)		
Use	**Unit** [1]	**Required parking spaces Minimum**
Residential		
UR-1 District	Dwelling unit	1.00 [17, 18, 19]
UR-2 District	Dwelling unit	0.75 [17, 18, 19]
UR-3 District	Dwelling unit	0.50 [17, 18, 19]
R-4, C-1, C-2, PBD, M-1 Districts	Dwelling unit	1.25 [17, 18, 19]
R-5 District	Dwelling unit	1.00 [17, 18, 19]
Group housing	Guest room, suite or dwelling unit	0.75 (0.5 in UR-3) [17, 18, 19]
Mixed-Use Center District	See TABLE 2 (next table).	
Residential in DR, DCC, DMU, and WR Districts	See Section 13.06.050 Downtown.	
Retail[10]		
Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area	1,000 square feet of floor area.	2.50
Shopping Center	1,000 square feet of floor area.	4.00
Retail commercial establishments, except as otherwise herein	1,000 square feet of floor area.	4.00
Eating and drinking establishments[11]	1,000 square feet of floor area.	6.00

TABLE 1 – Required Off-Street Parking Spaces[9, 14, 20] (All footnotes are in Table 2, below.)		
Use	**Unit** [1]	**Required parking spaces Minimum**
Office		
Business and professional offices	1,000 square feet of floor area.	3.00
Medical and dental clinics	1,000 square feet of floor area.	3.00
Lodging		
Hotel or Motel[1]	Guestroom or suite.	0.50
Institutional		
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
Special needs housing, as listed in 13.06.080.N, and not otherwise listed in this table	Bed.	0.10 plus one per employee
Extended care facilities	Bed.	0.33
Religious assembly	Seat.[4]	0.20
Elementary, middle, and junior high schools	Classroom.	1.20
High school	Student.	0.40
College and university	Student.	0.75
Work release or juvenile rehabilitation	Employee.	1.00 [5]
Recreational		
Auditoriums, stadiums, and theaters	Seat. [4]	0.25
Miniature golf course	1,000 square feet of lot area, excluding parking.	2.50
Skating rink	1,000 square feet of floor area.	6.00
Bowling establishment	Lanes.	5.00
Public dance halls and private clubs	1,000 square feet of floor area.	7.50
Marina	Moorage space.	0.50
Boat launch	Ramp.	25.00 [6]
Recreational uses not listed elsewhere	Same as retail, based on size.	
Warehouse/Industrial[13]		
Self-service storage	Storage unit.	See note 7.
Warehousing	2,000 square feet of floor area.	1.00
Industrial/manufacturing	1,000 square feet of floor area.	1.00
Services		
Laundromat	Washing and dry-cleaning machine.	0.50
Car wash	Wash stall or 25 feet of wash lane.	4.00 [8]
Day-care centers	Each 10 children in care.	2.00

TABLE 2 – Exceptions to quantity requirements.
1. Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required.
2. For purposes of this regulation, a mobile home shall be construed to be a single-unit dwelling.
3. Tandem parking is permitted for all types of residential development.
4. Seat, 18 inches of bench or 25 square feet of floor space.
5. There shall be 2 visitor-parking stalls provided for each 10 required employee stalls.
6. Parking spaces shall be minimum 10 feet wide and 40 feet long.

TABLE 2 – Exceptions to quantity requirements.
7. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide when storage facilities open onto one side of the lane only and at least 25 feet wide when storage facilities open onto both sides of the lane. Driving lanes shall be designed to accommodate single unit vehicles. Two parking spaces shall be provided adjacent to the manager's quarters. One parking space for every 200 storage spaces or fraction thereof shall be located adjacent to, or within 100 feet of, the office. A minimum of two such spaces shall be provided. Required parking spaces may not be rented as, or used for, long-term vehicular storage.
8. The required stalls may include waiting and finishing or drying space.
9. The number and size of required accessible parking spaces shall be consistent with the applicable Building Code.
10. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 3,000 square feet of retail space.
11. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 750 square feet of eating and drinking establishments.
12. Additional off-street parking for existing residential uses, including those nonconforming as to off-street parking, in all Residential Districts shall only be required if the number of dwelling units is increased.
13. Storage warehousing, distribution warehousing, and industrial uses. a. The off-street parking requirements, set forth in Table 1 of this section, shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed utilizing the requirements set forth in Table 1. b. In determining whether to apply the parking standard based on floor area or the standard based on the number of employees, the City shall consider the following: (1) The extent to which automation is utilized in the operation of the facility; (2) The long-term versus the short-term nature of the use; (3) The means of product delivery and distribution; (4) The need for storage of company vehicles on-site; (5) The availability of accurate employee counts; (6) Future expansion plans; (7) The amount of available area which could be converted to additional off-street parking should the need arise; for example, due to an increase in the work force or change in use. If, after reviewing the project in light of the above factors, the City finds that the off-street parking standard based on number of employees more accurately reflects the parking needs of the facility while still protecting the general health, safety, and welfare of the community, such standards shall be applied.
14. In instances where the parking requirement is based on number of employees and the employees work in shifts, the number of regular employees in the largest shift shall be used for the purpose of determining the required number of parking stalls.
15. For purposes of calculating parking quantity requirements, "floor area," when used, shall not include space devoted to parking.
16. Parking requirements in Commercial Zoning Districts may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (TMC 13.06.090.C.4, below), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table.
17. Accessory Dwelling Units: No parking is required for Accessory Dwelling Units which meet the provisions of TMC 13.06.080.A.
18. Bonuses – Urban Residential (UR) Districts: Required parking quantities may be reduced through the bonus options of the UR Districts. For projects with Tier 1 bonuses, the additional units allowed through the bonus program are exempt from parking requirements. For Tier 2 bonuses, the entire development is exempt from parking requirements.
19. Reduced Parking Area: See j. below
20. In the Seaport Transition – TOD District, no minimum parking requirements shall apply except for accessible parking stalls when required per TMC 13.06.090.C.5.

* * *

F. Pedestrian and bicycle support standards.

* * *

5. Street Furniture.

a. Purpose.

To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including resting places at reasonable intervals.

b. Minimum.

A minimum of one fixed bench or equivalent seating area for every 250 feet of street frontage. This requirement determines quantity and not distribution, and is not required if the site has less than 250 feet of street frontage. Projects in the ~~PMI~~ SCP and SCM Districts are exempt from this requirement. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.

c. Minimum on designated pedestrian streets in Mixed-Use Center Districts.

A minimum of one fixed bench or equivalent seating area for every 150 feet of street frontage. This requirement determines quantity and not distribution, and is not required if the site has less than 150 feet of street frontage. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.

d. Design.

Furniture shall be consistent with any applicable adopted business area improvement plans and shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. See examples below.



e. Credit.

Any adjacent public street furniture can be counted toward this requirement.

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CHAPTER 13.12
ENVIRONMENTAL CODE

* * *

Part Two – General Requirements

13.12.200 Purpose of this part and adoption by reference.

The purpose of this part is to set forth general requirements that apply to all environmental determinations and all environmental review responsibilities on the part of the City. The following sections apply to environmental review in general, and to specific regulations for cities planning under the Growth Management Act. They also describe the procedures when environmental review is applied in conjunction with other state environmental laws. It also incorporates the following sections of the Washington Administrative Code by reference:

197-11-050 Lead agency.
197-11-060 Content of environmental review.
197-11-070 Limitations on actions during SEPA process.
197-11-080 Incomplete or unavailable information.
197-11-090 Supporting documents.
197-11-100 Information required of applicants.

197-11-158	GMA project review. Reliance on existing plans, laws, and regulations.
197-11-164	Planned actions. Definition and criteria.
197-11-168	Ordinance or resolution designating planned actions. Procedures for adoption.
197-11-172	Planned actions. Project review.
197-11-210	SEPA/GMA integration.
197-11-220	SEPA/GMA definitions.
197-11-228	Overall SEPA/GMA integration procedures.
197-11-230	Timing of an integrated SEPA/GMA process.
197-11-232	SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.
197-11-235	Documents.
197-11-238	Monitoring.
197-11-250	SEPA/Model Toxics Control Act integration.
197-11-253	SEPA lead agency for MCTA actions.
197-11-256	Preliminary evaluation.
197-11-259	Determination of non-significance for MCTA remedial action.
197-11-262	Determination of significance and EIS for MCTA remedial actions.
197-11-265	Early scoping for MCTA remedial actions.
197-11-268	MCTA interim actions.

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Part Four – Categorical Exemptions And Threshold Determination

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13.12.420 Environmental checklist.

Any action or proposal which is not determined to be exempt shall require environmental review under SEPA, which shall commence with the filing of a SEPA checklist. However, a checklist is not needed if the responsible official has decided to prepare an EIS, or the responsible official and applicant agree an EIS is required; see section 13.12.400 for the requirements for an EIS.

A. The Environmental checklist form shall be the same as that on file with the SEPA Public Information Center, titled "Environmental Checklist," which is incorporated by reference in this chapter.

B. The checklist shall be filed no later than the time an application is filed for a permit, license, certificate, or other approval. {13.12.315(1)}

C. For private proposals, the responsible official shall require the applicant to complete the environmental checklist, providing assistance as necessary. For public proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.

D. The items in the environmental checklist are not weighted. The mention of one or many adverse environmental impacts does not necessarily mean that the impacts are significant or that the impacts cannot be mitigated. Conversely, a probable significant adverse impact on the environment identified in the checklist may result in the need for an EIS.

13.12.425 Air Quality Assessment.

A. Purpose.

To support the air quality assessment of the Environmental Checklist by providing clear submittal requirements to applicants; ensuring submittal documentation is consistent with best practices; and providing for consistent review and application of assessment and mitigation strategies for air quality impacts.

B. Applicability.

The following supplemental materials are required for industrial, manufacturing, warehousing, and distribution facilities that are required to prepare an environmental checklist under the provisions of 13.12.420.

C. Supplemental Environmental Checklist Submittal Requirements.

a. An inventory of GHG emissions will be provided based on the accepted methodologies from the Department of Ecology, Puget Sound Clean Air Agency, or equivalent based on the best available information.

b. A GHG reduction plan regarding construction, initial operations and operations through the 2050 horizon of the City of Tacoma Climate Action Plan (or as later updated).

c. An inventory of air toxics using an accepted methodology from the Department of Ecology, Puget Sound Clean Air Agency or equivalent based on the best available information. The inventory shall include criteria air pollutants, volatile organic compounds (VOCs), and heavy metals as documented in the Puget Sound Clean Air Agency's "Tacoma and Seattle Air Toxics Trends Technical Report, December 2023", or as later updated.

d. All projects shall submit a completed Tacoma Climate Action Plan Consistency Checklist.

D. Based on the applicant's assessment of compliance with these plans and regulations, and a review of EPA's **Air Toxics Screening Assessment (AirToxScreen), 2023 Tacoma Seattle Air Toxics Report,** or other best available information to estimate health risks for air toxics, the City may condition projects to reduce pollutant generation and apply mitigation recommendations from these sources as well as the Northwest Ports Clean Air Strategy, or other air quality mitigation plans and strategies as adopted by the Department of Ecology or Puget Sound Clean Air Agency.

E. Based on the review of the GHG inventory and reduction plan and the completed Tacoma Climate Action Plan Consistency Checklist, the City may condition projects to mitigate significant impacts and to align with overall GHG reduction targets. Proposed GHG reductions and mitigation measures shall be based first on the Optional elements identified in the Tacoma Climate Action Plan Consistency Checklist.

Tacoma Climate Action Plan Indicator Checklist

Category	Better Strategy	Indicator	Performance Standard	Project Compliance
Natural Systems & Local Food	Breathing	Exceed national average per capita rate spent on tree care	Required. Submit tree care plan for landscaping that is privately maintained.	
		Increase tree planting and care in high heat, very low and low opportunity equity neighborhoods	Required. Achieved through implementation of landscaping and tree canopy standards. Optional: Contribute funds to Urban Forestry Program.	
		Increase acres of actively managed open space ecosystem habitat by 24%. Protect 6% more acres.	Protection: Required. Achieved through critical area standards (TMC 13.11) and Shoreline Master Program, Title 19. Enhancement: Optional. May be achieved through critical area buffer restoration, contribution to Open Space Fund, voluntary stewardship agreements, or purchase of Transfer of Development Rights Credits.	
	Living	Increase natural heat Island intervention projects in hottest neighborhoods by 100%	Optional. Contribute funds to Urban Forestry Program; Provide grant funding for depave and rain garden programs through the Pierce Conservation District, Make a Splash Grant, or Watershed Council Grants or equivalent	
Buildings & Energy	Living	Reduce fossil fuel energy use from buildings by 33%	Required. Achieved through application of Washington State Building Code. Optional: Provide capacity for electric vehicle charging that exceeds building and energy code	

Category	Better Strategy	Indicator	Performance Standard	Project Compliance
			requirements; Achieve LEED status or equivalent; Provide solar ready roof.	
Mobility & Land Use	Living	Eliminate fatalities and serious injuries from collisions by 2035 to achieve Vision Zero (reduce by 66% by 2030)	Achieved through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee	
	Breathing	Increase public electric vehicle charging locations by 5 times, especially in low and very low opportunity equity neighborhoods	Required: Onsite electrical vehicle charging per building codes. Optional: Establish off-site or public charging stations.	
	Living	Increase bicycle infrastructure miles by 80%	Required: Achieved through compliance with SEPA transportation mitigation fee and public access improvements.	
		Increase miles of sidewalks by 14%	Achieve through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee.	
		Increase number of ADA-compliant curb ramps by 78%	Achieved through compliance with street frontage standards.	
		Increase compact, complete, walkable neighborhoods	Achieved through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee.	
Consumption	Resource Use	Decrease per-capita waste generation by 14% Increase metric tons of GHGs from diverted materials from Recycling and Recovery Center by 17%	Deconstruction required if demolition is proposed. Provide plan for diverting reusable and recyclable materials for day to day operations. Other actions consistent with CAP.	
Green Economy	Resource Use	Increase number of EnviroStar businesses by 5x	Required. Achieved through Envirostar certification or equivalent.	
Governance and Engagement	Together	Community-led climate equity projects and programs Northwest Ports Clean Air Strategy Transportation Demand Management (TDM)	 Contribute funds towards implementation of Northwest Ports Clean Air Strategy. This option is available for all planned action projects if an Interlocal Agreement is in place with the local Port district. Required. For projects that are subject to the Commute Trip Reduction Program (per TMC 13.15), achieved by meeting the required elements of TMC 13.15.070. Optional: Incorporate one or more of the additional measures described in TMC 13.15.070.D.	

13.12.430 Determination of non-significance (DNS).

A. If the responsible official determines there will be no probable significant adverse environmental impacts from a proposal, the responsible official shall prepare and issue a determination of non-significance (DNS). If the City adopts another environmental document in support of a threshold determination as set forth in Part Six of this chapter, the City shall issue a notice of adoption and/or combine the documents.

B. A DNS issued under the provisions of this section shall not become effective until the expiration of the appeal period. The filing of an appeal shall stay the effect of the DNS and no major action in regard to a proposal may be taken during the pendency of an appeal and until all action regarding the appeal is final. A decision to reverse the determination of the responsible official and uphold the appeal shall further stay any decision, proceedings, or actions in regard to the proposal.

C. When a DNS is issued for any of the proposals listed below, the requirements in this subsection shall be met. The requirements of this subsection do not apply to a DNS issued when the optional DNS process is used (Section 13.12.450).

1. The City shall not act upon a proposal for 14 days after the date of issuance of a DNS if the proposal involves:

a. Another agency with jurisdiction;

b. Non-exempt demolition of any structure or facility;

c. Issuance of clearing or grading permits not otherwise exempted; or

d. A DNS when the applicant has changed the project in response to early review by the responsible official in order to avoid or withdraw a Determination of Significance; or

e. A mitigated DNS.

2. The responsible official shall send the DNS and environmental checklist to agencies with jurisdiction, the Department of Ecology, and affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal, and shall give notice as set forth in this chapter.

3. Any person, affected tribe, or agency may submit comments to the City within 14 days of the date of issuance of the DNS, or as may be extended by the planning and/or public hearing process for non-project actions.

4. The date of issuance for the DNS is the date the DNS is sent to the Department of Ecology and agencies with jurisdiction and is made publicly available.

5. An agency with jurisdiction may assume lead agency status only within this comment period.

6. The responsible official shall reconsider the DNS based on timely comments and may retain or modify the DNS or, if the responsible official determines that significant adverse impacts are likely, withdraw the DNS. When a DNS is modified, the responsible official shall send the modified DNS to agencies with jurisdiction.

D. The responsible official shall withdraw a DNS if:

1. There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts;

2. There is significant new information regarding a proposal's probable significant adverse environmental impacts (this section shall not apply when a nonexempt license has been issued on a project); or

3. The DNS was procured by misrepresentation or lack of material disclosure; if the DNS resulted from such actions by an applicant, any subsequent environmental checklist on the proposal shall be prepared directly by the responsible official or their consultants at the expense of the applicant.

If the responsible official withdraws a DNS, a new threshold determination shall be made and other agencies with jurisdiction shall be notified of the withdrawal and new threshold determination.

13.12.440 Mitigated DNS.

A. The responsible official may issue a determination of nonsignificance based upon conditions attached to the proposal by the responsible official or upon changes to, or clarifications of, the proposal made by the applicant.

B. If an applicant requests early notice of whether a Mitigated Determination of Nonsignificance (MDNS) or a Determination of Significance (DS) is likely, the request must:

1. Be submitted in writing;

2. Follow submission of a completed environmental checklist for a nonexempt proposal for which the department is lead agency; and

3. Precede the department’s actual threshold determination for the proposal.

4. The responsible official shall respond to the request in writing and shall state whether the responsible official is considering issuance of an MDNS or a DS and, if so, indicate the general or specific area(s) of concern that are leading to consideration of an MDNS or DS;

5. The response must also state that the applicant may change or clarify the proposal to mitigate the impacts indicated in the letter, revising the environmental checklist as necessary to reflect the changes or clarifications. {13.12.350.2 and 3}

C. As much as possible, the responsible official should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.

D. If the applicant submits a changed or clarified proposal, along with a revised environmental checklist, the responsible official will make a threshold determination based on the changed or clarified proposal:

1. If the responsible official indicated specific mitigation measures in a response to the request for early notice that would allow him or her to issue a DNS, and the applicant changed or clarified the proposal to include those specific mitigation measures, the responsible official shall issue a determination of nonsignificance.

2. If the responsible official indicated general or specific areas of concern, but did not indicate specific mitigation measures that would allow a DNS to be issued, the responsible official shall make the threshold determination, issuing a DNS or DS as appropriate.

3. The applicant’s proposed mitigation measures (clarifications, changes, or conditions) must be in writing and must be specific.

4. Mitigation measures which justify issuance of a DNS shall be incorporated in the DNS by inclusion in the determination, or by reference to staff reports, studies or other documents.

E. Mitigation measures incorporated in the DNS or MDNS shall be deemed conditions of approval of the associated building, work order, land use, or other development permit or license, unless revised or changed by the decision maker, and shall be placed as conditions directly upon the permit decision. The conditions shall be incorporated into the permit and shall be enforced in the same manner as any term or condition of the permit. {13.12.350(7)}

F. If the tentative decision for an approval of a permit does not include mitigation measures that were incorporated in the SEPA determination for the proposal, the threshold determination should be evaluated to assure consistency with Section 13.12.430.D of this chapter (withdrawal of DNS).

G. The responsible official’s written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussions of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the responsible official to a mitigated DNS.

13.12.450 Optional DNS process.

A. The responsible official may use the optional DNS process if they have determined that significant adverse environmental impacts are unlikely, and a single integrated comment period is desired to obtain comments for the application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued.

B. If the optional DNS process is used, the following shall apply:

1. The notice shall state on the first page that the City expects to issue a DNS for the proposal, and that:

a. The optional DNS process is being used;

b. This may be the only opportunity to comment on the environmental impacts of the proposal;

c. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

d. A copy of the subsequent threshold determination for the specific proposal may be obtained upon request.

2. The notice shall list the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.

3. The City shall comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

4. The City shall send the notice and environmental checklist to:

a. Agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

b. Anyone requesting a copy of the environmental checklist for the specific proposal.

C. If the City indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice.

D. The responsible official shall consider timely comments on the notice and either:

1. Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

2. Issue a DNS, or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the City determines a comment period is necessary;

3. Issue a DS, or

4. Require additional information or studies prior to making a threshold determination.

E. If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the City shall send a copy of the DNS or mitigated DNS to the Department of Ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be re-circulated.

* * *

Part Five – Environmental Impact Statement (EIS)

13.12.500 Purpose of this part and adoption by reference.

The purpose of this part is to describe the process, content, and format of an EIS, and to set forth the procedures for two specific kinds of non-project EIS reviews. It also incorporates the following sections of the Washington Administrative Code by reference:

197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonprofit proposals.
197-11-443	EIS contents when prior non-project EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.

13.12.510 Scoping.

A. The responsible official shall narrow the scope of every EIS to the probable significant adverse impacts and reasonable alternatives, including mitigation measures. For example, if there are only two or three significant impacts or reasonable alternatives, the EIS shall be focused on those.

B. To ensure that every EIS is concise and addresses the significant environmental issues, the responsible official shall:

1. Invite agencies with jurisdiction, if any, affected tribes, and the public to comment on the DS (WAC 197-11-360). The responsible official shall require comments in writing. Agencies with jurisdiction, affected tribes, and the public shall be allowed 21 days from the date of issuance of the DS in which to comment, unless expanded scoping is used. The date of issuance for a DS is the date it is sent to the Department of Ecology and other agencies with jurisdiction, and is publicly available;

2. Identify reasonable alternatives and probable significant adverse environmental impacts;

3. Eliminate from detailed study those impacts that are not significant;

4. Work with other agencies to identify and integrate environmental studies required for other government approvals with the EIS, where feasible.

C. Meetings or scoping documents, including notices that the scope has been revised, may be used but are not required. The responsible official shall integrate the scoping process with the existing planning and decision making process in order to avoid duplication and delay.

D. The responsible official shall revise the scope of an EIS if substantial changes are made later in the proposal, or if significant new circumstances or information arise that bear on the proposal and its significant impacts.

E. DEISs shall be prepared according to the scope decided upon by the responsible official in the scoping process.

F. EIS preparation may begin during scoping.

13.12.520 Expanded scoping (optional).

The responsible official may expand the scoping process to include any or all of the provisions found in WAC 197-11-410, which may be applied on a proposal-by-proposal basis.

13.12.530 EIS preparation.

For draft, final, and supplemental EISs:

A. Preparation of the EIS is the responsibility of the City, by or under the direction of its responsible official, as specified by Section 13.12.220 of this chapter. Regardless of who participates in the preparation of the EIS, it is the EIS of the responsible official. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with these rules and the procedures of the City of Tacoma.

B. The responsible official may have an EIS prepared by City staff, an applicant or its agents, or by an outside consultant retained by either an applicant or the responsible official. The responsible official shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

C. If a person other than the responsible official is preparing the EIS, the responsible official or designee shall:

1. Coordinate any scoping procedures so that the individual preparing the EIS receives all substantive information submitted by any agency or person;

2. Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS;

3. Allow any party preparing an EIS access to all public records of the City that relate to the subject of the EIS, under Chapter 42.56 RCW (Public Records Act);

4. Review and examine pertinent sections of the EIS to assure the completeness, accuracy, and objectivity of the EIS.

D. Any outside person, firm, or corporation assisting in the preparation of an EIS shall have expertise and experience in preparing environmental impact statements and shall be approved by the responsible official prior to participation in the EIS development process.

E. Field investigation or research by the applicant, reasonably related to determining the environmental impacts associated with the proposal, may be required, with the cost of such field investigation or research to be borne by the applicant.

13.12.540 Issuance of final environmental impact statement (FEIS).

A. A FEIS shall be issued by the responsible official and sent to the Department of Ecology (two copies), to all agencies with jurisdiction, to all agencies who commented on the DEIS, and to anyone requesting a copy of the FEIS. (Fees may be charged for the FEIS, see WAC 197-11-504)

B. The responsible official shall send the FEIS, or a notice that the FEIS is available, to anyone who commented on the DEIS or scoping notice and to those who received but did not comment on the DEIS. If the responsible official receives petitions from a specific group or organization, a notice or EIS may be sent to the group and not to each petitioner. Failure to notify any individual under this subsection shall not affect the legal validity of the City's SEPA compliance.

C. The responsible official shall make additional copies available for review in their office and in the SEPA Public Information Center.

D. The date of issue is the date the FEIS, or notice of availability, is sent to the persons and agencies specified in the preceding subsections and the FEIS is publicly available. Copies sent to the Department of Ecology shall satisfy the statutory requirement of availability to the governor.

E. The City shall not act on a proposal for which an EIS has been required prior to 15 days after issuance of the FEIS. Further, filing of an appeal of the adequacy of a FEIS pursuant to Section 13.12.xxx of this chapter shall stay the effect of such FEIS and no major action in regard to a proposal may be taken during the pendency of an appeal and until the appeal is finally disposed of by the Hearing Examiner. A decision that the FEIS is inadequate and upholding the appeal shall further stay any decision, proceedings, or actions in regard to the proposal.

F. The responsible official shall issue the FEIS within 60 days of the end of the comment period for the DEIS, unless the proposal is unusually large in scope, the environmental impact associated with the proposal is unusually complex, or extensive modifications are required to respond to public comments.

G. The form and content of the FEIS shall be as specified in WAC 197-11-400-460.

13.12.550 SEPA Planned Action EIS

A. The Responsible Official may authorize preparation of a Planned Action for a specific type of development, other than for an essential public facility or facilities as defined in RCW 36.70A.200, or for a specific geographical area that is less extensive than the jurisdictional boundaries of the City. The Planned Action must have the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with a comprehensive plan, a comprehensive plan amendment, a subarea plan or for the phased project.

B. Ordinance. A Planned Action must be designated by ordinance of the City Council. The adopting ordinance must describe the planned action projects and may establish a time period for completion of the planned action projects.

C. Project actions must be included in the designated ordinance and impacts addressed in an EIS prepared in conjunction with a comprehensive plan, amendment thereto, a subarea plan or a phased project.

D. Planned action project review. Projects developed within a planned action area shall be exempted from further environmental review. However, the project proponent shall describe the environmental mitigation to be provided by subsequent or implementing projects, and must include a checklist (not a SEPA Checklist, but as set forth in the planned action EIS) that is to be filed with the project application and used to verify that:

1. The project meets the description in, and will implement, any such mitigation and

2. The probable significant adverse environmental impacts of the project have been adequately addressed in the EIS.

E. The adopting ordinance will state that if notice is otherwise required for the underlying permit the notice shall state that the project has qualified as a planned action and that if notice is not otherwise required for the underlying permit no special notice is required. The adopting ordinance may limit a planned action to a time period identified in the ordinance.

13.12.560 Optional Plan Elements and Development Regulations

A. The City may adopt optional comprehensive plan elements and optional development regulations that apply within designated centers or for subareas within one-half mile of a major transit stop zoned for higher density housing consistent with RCW 43.21C.240.

B. Designation of areas:

The centers must be designated by the Puget Sound Regional Council as a Regional Growth Center or a Manufacturing-Industrial Center or be an area within one-half mile of a major transit stop that is zoned to have an average minimum density of fifteen dwelling units or more per gross acre.

C. The City shall prepare a non-project (as defined in WAC 197-11-774) environmental impact statement.

1. The EIS must assess and disclose probable adverse impacts of the optional comprehensive plan element and development regulations and of future development consistent with the plan and regulations.

2. The EIS may have appended to it an analysis of the extent to which the proposed plan may result in the displacement or fragmentation of existing businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups; the results of the analysis must be discussed at a community meeting that is separate from the EIS/plan public hearings.

D. Community Meeting.

1. At least one community meeting must be held on the proposed optional plan and development regulations before the scoping notice is issued. Notice of scoping and notice of the community meeting must be mailed to all taxpayers of record within the sub-area to be studied, and within four hundred feet of the boundaries of the subarea, to affected Tribes and to agencies with jurisdiction over the future development within the subarea. See Part Five for notice requirements.

2. Notice must also be mailed to all small businesses as defined in RCW 19.85.020 and to all community preservation and development authorities established under chapter 43.167 RCW. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea plan.

3. The notice of the community meeting must include general illustrations and descriptions of buildings generally representative of the maximum building envelope that will be allowed under the proposed plan and indicate that future appeals of proposed developments that are consistent with the plan will be limited. Notice of the community meeting must include signs located on major travel routes in the sub-area posted within 7 days of the mailing of the meeting notice. If the building envelope increases during the process, another notice complying with the requirements of this section must be issued before the next public involvement opportunity.

E. Appeal.

Any person that has standing to appeal the adoption of the sub-area plan or the implementing regulations under RCW 36.70A.280 has standing to bring an appeal of the non-project EIS as set forth in this chapter.

F. Transfer of Development Rights.

As an integral part of preparing a sub-area plan/non-project EIS the City shall consider establishing a transfer of development rights program in consultation with Pierce County, a program that that conserves county-designated agricultural and forest land of long-term commercial significance. If the city decides not to establish a transfer of development rights program, the city must state in the record the reasons for not adopting the program. The city's decision not to establish a transfer of development rights program is not subject to appeal. Nothing in this sub-section may be used as a basis to challenge the sub-area plan.

G. Fees for Environmental Review.

The City may recover its reasonable expenses of preparation of a non-project EIS prepared under this section through access to financial assistance under RCW 36.70A.490 or funding from private sources. In addition, the City is authorized to recover a portion of its reasonable expenses of preparation of such a non-project EIS by the assessment of reasonable and proportionate fees upon subsequent development that is consistent with the plan and development regulations adopted under this section as long as the development makes use of and benefits from the non-project EIS prepared by the City. Any assessment fees collected from subsequent development may be used to reimburse funding received from private sources. In order to collect such fees, the city must enact an ordinance that sets forth objective standards for determining how the fees to be imposed upon each development will be proportionate to the impacts of each development and to the benefits accruing to each development from the non-project EIS. Any disagreement about the reasonableness or amount of the fees imposed upon a development may not be the basis for delay in issuance of a project permit for that development. The fee assessed by the city may be paid with the written stipulation "paid under protest" and if the city provides for an administrative appeal of its decision on the project for which the fees are imposed, any dispute about the amount of the fees must be resolved in the same administrative appeal process.

H. Additional Environmental Review.

If a proposed development is inconsistent with the subarea plan policies and development regulations, the City shall require additional environmental review in accordance with this chapter.

I. Effective Dates.

1. Until July 1, 2018, a proposed development that is consistent with the sub-area plan policies and development regulations adopted under this section and that is environmentally reviewed under this section may not be challenged in administrative or judicial appeals for noncompliance with this chapter as long as a complete application for such a development that vests the application or would later lead to vested status under city or state law is submitted to the City within a time frame established by the City, but not to exceed ten years from the date of issuance of the final EIS.

2. After July 1, 2018, the immunity from appeals under this section of any application that vests or will vest under this subsection or the ability to vest under this subsection is still valid, provided that the final subarea EIS is issued by July 1, 2018. After July 1, 2018, a city may continue to collect reimbursement fees under this section for the proportionate share of a subarea EIS issued prior to July 1, 2018.

13.12.570 Archaeological, Cultural, and Historic Resources.

A. Projects located within the following areas are subject to the Archaeological, cultural, and historic resources standards in TMC 13.13:

1. Where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Manufacturing and Industrial Center;

2. In areas subject to the City of Tacoma’s Shoreline Jurisdiction as defined in Title 19 Shoreline Master Program;

3. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.

~~Regional Growth Centers and Urban Residential (UR) Districts.~~

~~1. Applicability.~~

~~This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located within the following areas. The Planning and Development Services Department will use this process and any required assessments to evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.~~

~~a. Regional Growth Centers.~~

~~The Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed.~~

~~b. Urban Residential Districts. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.~~

~~2. Cultural Site Assessment Requirements.~~

~~a. All applications for a permit shall indicate whether the property is within 500 feet of a site known to contain an historic, cultural or archaeological resource(s) based upon historic registers and records. Locations of known archaeological sites are restricted and consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.~~

~~(1) If there are no known historically designated or significant sites within 500 feet of the subject property, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the research methods used and resources consulted.~~

~~(2) If the property is determined to be within 500 feet of a site known to contain historic, cultural, or archaeological resources, the City shall require a cultural resource site assessment; provided that, the provisions of this section may be waived if the Director determines that the proposed development activities do not include any ground disturbing activities and will not impact a known historic, cultural or archaeological site. The intent of the site assessment is to identify potentially affected historic or cultural significant properties near the project area, and to provide a general assessment of the potential impacts to these properties. The site assessment shall contain the following elements:~~

~~(a) The Cultural Resource Assessment shall catalog known significant historic or cultural sites in the vicinity (500 feet) of the proposed project, and assess whether there are any probable impacts to those sites resulting from the development activity. This assessment shall include photographs and a brief description of significant sites, a description of anticipated impacts (if any) and a map showing locations relative to the proposed development.~~

~~(b) Where there is a large planned development that may affect numerous historically significant properties, and for any project that includes demolitions of structures 50 years of age or older, the documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.~~

~~(c) Demolition of historically significant structures or the disturbance of documented archaeological sites will automatically require the preparation of a Cultural Resource Management Plan (see below).~~

~~(d) Waivers of the Cultural Site Assessment. Applicants may request that the provisions of this section be waived by submittal of a written request stating the basis for such a waiver, including the resources consulted and research conducted.~~

~~(e) The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party, if needed.~~

~~(3) From the date of receipt of the Cultural Resource Assessment, the Historic Preservation Officer shall have thirty (30) days to review the document. The Historic Preservation Officer may accept the assessment as presented, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, a Cultural Resource Management Plan should be completed.~~

~~3. Cultural Resource Management Plan.~~

~~a. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, for which there is an anticipated adverse effect resulting from the proposed development activity, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional archaeologist or historic preservation professional paid by the landowner or responsible party. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended conditions of the CRMP to the maximum extent practicable.~~

~~b. The CRMP is intended to provide documentation that allows a thorough assessment of the anticipated adverse impacts to historic and culturally significant properties resulting from development activities within the regional growth center or subarea. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation, and shall contain the following minimum elements and information:~~

~~(1) A Description of the Area of Potential Effect ("APE") for the project, defined as geographic area or areas within which the development project may directly or indirectly cause changes in the character or use of historic or culturally significant properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of the project and may be different for different kinds of effects caused by the project. The justification for the APE shall include a general description of the scope of work for the project and the extent and locations of ground disturbing activities (ground disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground disturbances that may occur as a result of construction activities);~~

~~(2) An inventory and assessment of all historically and culturally significant/designated properties within the APE, including citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included, such as the Washington State Department of Archaeology and Historic Preservation, the City of Tacoma Historic Preservation Office, and the Puyallup Tribe of Indians;~~

~~(3) An assessment of probable direct and indirect impacts within the APE resulting from development activities, including:~~

~~(a) Demolition of any buildings or structures over 50 years of age.~~

~~(b) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.~~

~~(4) An examination of project on-site design alternatives, including an explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and~~

~~(5) A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:~~

~~(a) Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks Commission.~~

~~(b) Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction.~~

~~(c) Avoidance of historic/cultural resources;~~

~~(d) Retention of all or some of a historic structure into a new development;~~

~~(e) Interpretive/educational measures;~~

~~(f) Off-site/on site preservation of another historic resource;~~

~~(g) Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic register formally adopted by the City of Tacoma;~~

~~(h) Preservation in place;~~

~~(i) Reinternment in the case of grave sites;~~

~~(j) Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);~~

~~(k) Excavation and recovery of archaeological resources;~~

~~(l) Inventorying prior to covering of archaeological resources with structures or development; and~~

~~(m) Monitoring of construction excavation.~~

~~c. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.~~

~~d. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.~~

~~e. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.~~

~~B. Demolition of Historic Resources – Citywide.~~

~~1. Scope and Applicability.~~

~~This section sets forth provisions for review of demolition permits that affect structures that are 125 years of age or greater at the time of permit application, and that involve demolition of 4,000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:~~

~~a. Demolition of single-unit dwellings that are not located within National Register Historic Districts or listed on the National Register of Historic Places;~~

~~b. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers.~~

~~c. Demolitions of structures that are owned by a religious organization and used for church purposes as defined by Washington State WAC 458-16-190.~~

~~2. Demolitions affecting designated City Landmarks.~~

~~All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.040.E and TMC 13.07.110.~~

~~3. The provisions of this chapter are not intended to be duplicative of other related cultural resource or historic review processes, including those mandated by Section 106 of the National Historic Preservation Act, National Environmental Policy Act or other applicable review processes.~~

~~4. Projects involving locations where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Subarea; projects involving areas subject to City of Tacoma Shoreline jurisdiction as defined in Title 19 Shoreline Master Program; and projects involving sites within Urban Residential (UR) districts where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units, shall be reviewed under the provisions of TMC 13.13 Archaeological, Cultural and Historic Resources Protection.~~

~~5. Requirements.~~

~~Applications for a demolition permit shall include a demolition summary report that identifies all affected structures that are 125 years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:~~

~~a. Current photographs of all elevations of all affected structures; and~~

~~b. Historical photographs of the affected structures, if available from public sources; and~~

~~c. Narrative description of the proposed project; and~~

~~d. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events); and~~

~~e. A narrative statement that evaluates the historical or cultural significance of the property in terms of the Designation Criteria listed in TMC 13.07.050; and,~~

~~f. A narrative statement that assesses the physical characteristics of the property, including condition and an architectural description.~~

~~g. A pre-existing historical survey form or document, such as a Washington State Historic Property Inventory Form, may be submitted to satisfy items d-f above, if the required information is addressed in the survey document.~~

~~6. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.~~

~~a. Demolition affecting properties under 125 years of age that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of mitigation as described in Section 7 below, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.~~

~~b. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040.~~

~~7. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant shall be directed to provide a feasibility analysis that includes potential alternative approaches and/or mitigation strategies. The analysis should include whether alternatives that would reduce impacts to historic resources have been considered to mitigate potential impacts, and may contain mitigation proposals for the Commission's consideration. Mitigation should be proportional to the anticipated impact and historic importance of the subject property, and could include:~~

- ~~Avoidance of the historic or cultural resource.~~
- ~~Retention of all or some of the historic structure in the new development.~~
- ~~Voluntary design review for the new structure to ensure compatibility of the new structure into its surrounding context.~~
- ~~Additional documentation of the historic property, such as completing an intensive level Washington State historic property inventory form (HPI).~~
- ~~On site interpretation, such as display panels.~~
- ~~Commissioning of online interpretive materials, such as a local history website, or other offsite interpretive measures.~~
- ~~Architectural salvage/deconstruction of reusable or significant architectural elements and building materials from the site.~~
- ~~Relocation of the historic structures to be demolished.~~
- ~~Contributing funds to another historic site restoration, documentation or survey effort.~~

~~8. The demolition summary report and feasibility analysis shall be forwarded to the Landmarks Preservation Commission for its review. When considering its recommendation, the Commission shall weigh the balance of the public benefit of protecting the subject property against the potential impacts to the development project, and to consider alternatives and mitigations proposed in making the determination as to whether a property should be historically designated.~~

~~9. If the Commission determines that the proposed mitigation is appropriate by a quorum vote, the mitigation proposal shall be recorded as a condition of the demolition permit.~~

~~10. If the Commission finds that the affected properties over 125 years of age should be included in the Tacoma Register of Historic Places, the Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.~~

~~11. During the demolition review process, all requirements of TMC 13.05.040.C relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.~~

~~C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.~~

~~All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.~~

13.12.580 Traffic Impact Assessment.

A. Purpose and Applicability.

1. This section sets forth provisions for Traffic Impact Assessments for projects located within the following areas. Transportation impacts generally relate to the size of the development, the number of trips generated, and their effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.

The Department of Public Works will use the Traffic Impact Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable sub-area plans. In those cases where the Department of Public Works identifies potential impacts to State Highways, they will consult with the Washington State Department of Transportation ("WSDOT") in identifying mitigation measures.

a. In the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed.

b. Urban Residential Districts. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units.

2. Exemptions.

The Director of Public Works may be able to provide an exemption from this impact analysis if a proposal has no meaningful potential for significant and adverse transportation or traffic impacts. This may occur if the proposal has characteristics that may limit its net new vehicle traffic generation, or if only non-congested roadways and intersections are nearby, or if the net increase in traffic would not be significant compared to traffic from existing development.

B. Definitions.

For definitions, see Section 13.01.

C. Traffic Impact Assessments.

Transportation information is required to be prepared and submitted to the Public Works Department at the time of permit intake. If such information is not submitted, the Public Works Department may delay completing the application process until such time as the information is made available. After the application is accepted, permit review by Public Works Department staff may result in a request for additional information, which will be detailed in a correction notice. The type and extent of analysis required, which is outlined below, is based on the project size, as follows:

1. Within the Downtown Tacoma RGC.

DOWNTOWN TACOMA RGC		
USE	**"Level 1" Analysis**	**"Level 2" Analysis**
Residential	100 to 199 dwelling units	Over 199 dwelling units
Commercial	30,000 – 59,999 sq. feet	Over 59,999 sq. feet
If the residential unit count in a mixed-use development is less than the listed size ranges, but the non-residential use exceeds 20,000 square feet:	20,000 – 59,999 sq. feet	Over 59,999 sq. feet

2. Within the Tacoma Mall Neighborhood RGC.

TACOMA MALL NEIGHBORHOOD RGC		
USE	**"Level 1" Analysis**	**"Level 2" Analysis**
Residential	Development that exceeds SEPA categorical exemptions as defined in TMC 13.12.310	Over 199 dwelling units
Commercial		Over 59,999 sq. feet
Mixed-use or industrial		Over 59,999 sq. feet
Large block developments as defined in TMC 13.05.010 Site Approval.	Optional: Analyze Site Approval connections as part of TIA	Required: Analyze Site Approval connections as part of TIA

3. In Urban Residential (UR) Districts.

(a) Residential development from 21-40 units shall perform a Level 1 TIA as described in this section. Residential development above 40 dwellings as well as non-residential or mixed-use development shall submit an Environmental Checklist and otherwise follow the review process laid out in this Chapter.

4. Level 1: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition

c. The proposed ingress/egress routes, such as alleys and streets, on which vehicles will enter and leave the site's parking garage or lot, and whether or not new curb-cuts will be proposed.

d. An estimate of what proportion of the development's traffic is likely to use which streets.

e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of traffic control.

f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity.

g. Describe any pedestrian or bicycle facility improvements proposed, using the City's Comprehensive Plan.

h. Describe any impacts to state highways.

i. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development.

j. Assessment of existing transportation network conditions, level of service, planned capital improvement projects, and potential effect on mode choice shift in the Subarea.

k. Additional information determined by the Public Works Department to be necessary to identify the impacts of the proposal and to determine the appropriate mitigation actions pursuant to City policies and standards.

5. Level 2: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle trips generated by the development, specifically:

(1) Information to describe the local streets and state highways, existing traffic volumes and turning movements, and traffic control devices on affected streets, state highways, and intersections;

(2) Level of service information or alternate equivalent measures of traffic operation, delay, volume-to-capacity ("v/c") ratio for affected intersections and/or streets/highway;

(3) Traffic safety information – accident/collision history, latest 3 years;

(4) Trip Generation: use the ITE Trip Generation Manual, 8th Edition (or successor), or alternate method to provide the following:

(a) Calculate reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g., proportion likely to use modes other than single-occupant vehicle travel), at the applicant's discretion.

(b) Calculate any other reductions justifiable due to the nature of the development or site.

(c) Summarize the resulting trip calculations for residential and commercial uses.

b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak hours, specifically:

(1) Using comparable methods described under Subsection C.1. above, calculate peak hour vehicle trip generation; and

(2) Providing the proposed ingress/egress routes, such as alleys and streets, on which automobiles will enter and leave the site's parking garage or lot, and whether or not new curb-cuts will be proposed.

c. The applicant's estimate of "trip distribution" and assignment – what proportion of the development's traffic is likely to use which streets.

d. Identify the probable extent of traffic impacts on affected streets, highways, and intersections as follows:

(1) Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the potential magnitude of impact, including roadway level of service, intersection level of service, and/or other methods of evaluating impacts on street and intersection operations.

(2) Site access operations, including information such as peak hour volumes, delay and/or level of service, and relationship to freight operations if relevant.

e. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development, including:

(1) Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity.

(2) Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities, and whether it would contribute traffic to a high accident location.

(3) Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the development site.

f. Describe any impacts to state highways.

* * *

CHAPTER 13.13

ARCHAEOLOGICAL, CULTURAL, AND HISTORIC RESOURCES PROTECTION

~~*REPEALED*~~

~~SOLAR LOT DEVELOPMENT STANDARDS~~

~~*Repealed by Ord. 25988*~~

~~*(Ord. 25988 § 1; passed Dec. 12, 1989)*~~

Sections:

13.13.010 Purpose.

The City recognizes that development may impact cultural resources of federally recognized Tribes. The purpose of this Title is to identify, evaluate, and protect cultural resources within the City of Tacoma for future generations, in order to:

1. Safeguard the heritage of the city as represented by cultural resources including buildings, sites, structures, and objects which reflect significant elements of history;

2. Promote and facilitate the early identification and resolution of conflicts between preservation of cultural resources and land uses in a manner consistent with the City of Tacoma Comprehensive Plan; and

3. Comply with applicable state and federal laws related to the regulation of cultural resources.

13.13.020 Applicability.

A. This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located in the following areas:

1. Where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Manufacturing and Industrial Center;

2. In areas subject to the City of Tacoma's Shoreline Jurisdiction as defined in Title 19 Shoreline Master Program;

3. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.

B. In Washington State, archaeological sites and archeological objects are protected by both federal and state laws. This chapter does not repeal, modify, or waive any provision of federal or state law currently enacted, or as enacted in the future, that regulates archaeological sites including, but not limited to: the Archaeological Resource Protection Act of 1979 (16 U.S.C. 470aa-mm); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); the National Historic Preservation Act (16 U.S.C. 470 et seq.); Procedures For State, Tribal, And Local Government Historic Preservation Programs (36 CFR 61); Chapter 27.44 RCW titled "Indian Graves and Records"; and Chapter 27.53 RCW titled "Archaeological Sites and Resources"; Chapter 68.50 RCW titled "Human Remains"; Chapter 68.60 RCW titled "Abandoned and Historic Cemeteries and Historic Graves.

C. The provisions of this chapter are not intended to be duplicative of other related cultural resource or historic review processes, including those mandated by Section 106 of the National Historic Preservation Act, National Environmental Policy Act or other applicable review processes.

D. Where the provisions of this chapter conflict with each other or with other laws, ordinances or programs, the more restrictive shall govern.

13.13.030 Administration.

The Planning and Development Services Department, herein after "Department" shall be responsible for administering these provisions in an efficient, effective, and transparent review process. The Department, in coordination with affected Tribes and the Washington State Department of Archaeology and Historic Preservation (DAHP), shall determine whether the proposed development activity has a high probability of cultural resources and how the site shall be investigated, and protected, and shall apply appropriate monitoring and management procedures as set forth in this Title. No development activity or structure shall be established, expanded, constructed, or otherwise changed except in conformance with this Title.

13.13.040 Compliance.

The applicant and landowner shall be responsible for compliance with this Title. Compliance with conditions established in a permit or approval is required. Any violation of this Title shall be subject to enforcement actions, penalties, and/or revocation of permit or approval identified in TMC 1.82 Uniform Enforcement Code.

13.13.050 Exemptions and Waivers.

The following shall be exempted from the provisions of this chapter:

A. Emergencies that result in the imminent threat or hazard to the public or environment or immediate rescue and salvage operations conducted to preserve life or property are exempt. The exemption to this section based on an emergency that shall not extend for more than thirty days. The Department, in its discretion, may extend the exemption for an additional 30 days.

B. Interior residential remodel and commercial tenant improvement permits within the foundation of the existing structure, pier, or footing.

C. Exterior residential and commercial modifications without soil disturbance.

D. New or replacement of residential or commercial decks, patios, fences, signs, sheds, and driveways.

E. Operation, maintenance, repair, modification, minor addition to, or replacement of existing structures, infrastructure improvements, utilities, public or private roads, or draining systems -provided the activity only requires minimal soil disturbance.

F. Vegetation management performed in accordance with best management practices; provided that such management actions are part of regular and ongoing maintenance and the activity only requires minimal soil disturbance.

13.13.060 Review Procedures.

This section shall be construed as the local review process in accordance with 36 CFR 61.6(e)(1)(ii).

A. Cultural Resource Review Required.

One or more of the following project factors may trigger a cultural resource review:

1. Properties with a known or high probability for presence of archaeological, cultural or historic sites, including:

    a. Properties with archaeological and historic resources listed or inventoried in the Washington Information System for Architectural and Archaeological Records Data (WISAARD).

    b. Construction or ground disturbing activities within 500 feet of a previously documented cultural resource.

    c. Properties with resources that are listed on any historic register, including the National Register of Historic Places, the Washington State Heritage Register, or the Tacoma Register of Historic Places.

    d. Areas identified as high probability for the presence of cultural resources based on information provided by Tribes with jurisdiction.

    e. The proposed development will involve soil disturbance and reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground disturbing action or activity has been submitted.

2. Activities subject to development review under Title 13 Land Use Regulatory Code and Title 19 Shoreline Master Program that include soil disturbance or excavation.

3. On parcel(s) where information provided by a Tribe, or by a Pierce County, federal, or state professional archaeologist demonstrates that the project location contains, or that the project will have probable adverse effect to, cultural resources, provided the information is submitted to the Department within thirty (30) days of notification or within the applicable State or Federal regulatory comment period.

a. Locations of known archaeological sites are restricted and consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.

b. The Applicant may submit notification to Tribal Historic Preservation Officer (THPO) with jurisdiction in advance of submitting the application to the Department. The advanced notice shall fulfill the notice requirement of TMC 13.13.060.B after 30 days of submittal to the THPO with jurisdiction if the notice sufficiently describes the project, the location, and the estimated depth of ground disturbance. The applicant shall provide the advance notice and any correspondence received to the Department.

B. Tribal Coordination.

Tribal Historic Preservation Officers (THPO) with jurisdiction shall be provided the opportunity to review and comment on all applications subject to the provisions of this chapter. Comments from the Tribe shall be submitted within 30 days of notification or within the applicable SEPA comment period.

1. Advance notification to the Tribe may be provided by the applicant pursuant to 13.13.060.A; or

2. If no advance notice and correspondence is submitted with the permit application, the Department shall provide such notice.

C. Risk Assessment.

For proposed activities with project factors that trigger a cultural resource review, the applicant's Professional Archaeologist shall conduct a risk assessment:

1. The Risk Assessment shall include a review of cultural resources located within one mile from the project location. The distance shall be measured on a horizontal plane extending in all directions.

2. Whether the project site is within 500 feet of a site known to contain historic, cultural or archaeological resource(s) based upon historic registers and records.

3. Whether the project site is classified as a moderate to high risk for the presence of archaeological sites according to the Washington Information System of Architectural and Archaeological Records Data (WISAARD).

4. Following confirmation by the Department, within ten (10) years of a complete application, a property in which a previous Risk Assessment or Cultural Resource Survey was prepared by a Professional Archaeologist shall satisfy the Risk Assessment requirement. Cultural Resource Surveys older than ten (10) years may satisfy the Risk Assessment requirement if there is concurrence from affected Tribes.

5. The Department shall review the Risk Assessment and coordinate with affected Tribes. Affected Tribes shall be provided the opportunity to comment on the proposed action and Risk Assessment. Response from affected Tribes on potential adverse effects to cultural resources shall be submitted to the Department within thirty (30) days of notification.

6. A Risk Assessment may be waived if the applicant proposes conducting a Cultural Resource Survey instead.

D. Determination of Impact.

1. Following coordination with affected Tribes and DAHP, the Department shall determine if the project site is determined to have a potential to impact cultural or historic resources City shall require a cultural resource assessment to be prepared at the applicant's expense by an individual meeting the applicable Secretary of the Interior's Professional Qualification Standards for Archaeology and/or Architectural History. Potential impact is defined as:

a. For archaeological sites, any project within 500 feet of a known archaeological site, or that is within a moderate to very high risk area according to WISAARD, a high probability area as defined in the Puyallup Tribe of Indians Comprehensive Plan, or for which THPO has indicated a potential impact after being duly notified as described in this chapter.

b. For historic structures, any project that will demolish or substantially alter the exterior appearance of any structure listed on the National Register of Historic Places, the Washington State Heritage Register, or demolition of any structure for which a Determination of National Register Eligibility has been made by the State Historic Preservation Officer (SHPO).

2. If there are no potential impacts to archaeological, cultural or historic sites resulting from the project, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the resources consulted and any correspondence between the applicant and THPO with jurisdiction supporting a no-impact assessment. “No potential impact” includes projects that:

a. Do not have any known archaeological or historically designated sites within 500 feet of the subject property; and

b. Are not within any areas that are categorized as moderate to very high risk for archaeological sites according to WISAARD records or based on publicly available information from the Puyallup Tribe of Indians, or

c. Have received confirmation from THPO indicating no concern, or for which 30 days has elapsed since the applicant has provided notification to THPO, where no concerns have been received.

d. For permit applications that meet the criteria under TMC 13.12.570.2.a.(3), the Department shall find that the project will have no effect on cultural or historic resources and may conclude the review, provided that an Unanticipated Discovery Plan is filed with the permit pursuant to the provisions elsewhere in this chapter.

E. Cultural Resources Assessment Requirements

Depending upon the nature of the potential impact, the Cultural Assessment may be required to address impacts to archaeological sites, historic structures, or both.

1. A cultural resources assessment for archaeology shall contain the following elements:

a. A title page that includes:

(1) Report title

(2) Principal Investigator, author, and organization

(3) Date of submission

b. Introduction.

(1) Table of contents and list of figures and tables

(2) Project description that includes proposed project activities and elements, defines the location and size of the project, and a description of the vertical depth and horizontal area of disturbance

c. A summary of the environmental setting with an emphasis on current and historical vegetation, geomorphology, regional depositional history, watershed information and natural resources.

(1) If this information has been provided in a previous report for the project, it does not need to be replicated. Reference to the original report or inclusion of an abbreviated version of the summary will suffice.

d. Summary of the cultural history, ethnography, and history of the region with an emphasis on historical settlement and activity in the specific project area.

(1) If this information has been provided in a previous report for the project, it does not need to be replicated. Reference to the original report or inclusion of an abbreviated version of the summary will suffice.

e. Existing Data and Background Data based on current knowledge about archaeological properties, both in the project area and within a study area, based on the impacts of the project. The review should include existing archaeological inventories, historic records, and other archival repositories.

f. Sufficient figures, images, and maps to convey the project’s relation to cultural resources. This shall include but not be limited to the United State Geological Survey 7.5 minute quadrangle map with the location of the project, and aerial image with the location of the project.

g. Recommendations for future archaeological work, including survey, monitoring or data recovery, property management, and avoidance or mitigation options based on the nature of the undertaking, as described in TMC13.12.570.3.

h. Full citation of all published sources of information including author, title, publisher, and date.

F. A Cultural Resource Assessment addressing impacts to historic structures shall contain:

1. A title page that includes:

a. Report title.

b. Author and organization.

c. Date of submission.

2. Introduction.

a. Table of contents and list of figures and tables.

b. Project description.

c. An inventory of affected historic structures, including representative exterior photographs from present day as well as any historic period photographs available through historic archives or architectural databases, condition and integrity assessment, associated State Historic Property Inventory forms in WISAARD. For demolition of any structure over the age of 50 years, documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.

d. Maps and site plans as applicable clearly showing affected structures and their relation to the proposed development.

3. A previous archaeological survey or cultural assessment that meets the standards established within this section completed within 10 years of the date of application may be used in place of a new assessment.

G. From the date of receipt of the Cultural Resource Assessment, the Department shall have thirty (30) days to review the document. The Department may accept the assessment as presented and concur with any conclusions or recommendations for additional work, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, additional assessment or mitigation is warranted that was not identified in the Cultural Assessment.

H. Archaeological Field Survey.

Following coordination with affected Tribes and DAHP, the Department shall determine if the project has the potential for adverse effects to cultural and archaeological resources. If there are potential adverse effect, the applicant shall be notified by the Department and the applicant shall provide an Archaeological Field Survey, prepared by a Professional Archaeologist.

1. The Archaeological Field Survey shall include the following elements:

a. The elements of a Cultural Resources Assessment Report.

b. The survey boundaries and how the boundary was determined.

c. How survey methods were determined including number and spacing of pedestrian transects and subsurface examination procedures.

d. Define survey goals and research questions based on both the environmental and cultural setting.

e. Summarize the observations and results of the survey, quantify and describe the surface and subsurface survey. If subsurface testing is not utilized, justify the decision against such methodology.

I. Archaeological monitoring.

1. Archaeological monitoring shall be required if:

a. A Cultural Resource Survey or Risk Assessment determines there is a potential for adverse effect to cultural resources, or;

b. The project has been discussed with affected Tribes and DAHP; and the Department determines that the Unanticipated Discovery Plan is insufficient.

2. Monitoring reports, when required, shall include the following elements:

a. The elements of a Cultural Resources Assessment Report.

b. Detail the date(s) of monitoring activities, noting the field and weather conditions.

c. Summarize archaeological monitoring methodology and results of monitoring efforts.

d. Quantify and describe the ground-disturbing activities monitored, including area and depth of ground disturbance, and types of equipment used.

e. Describe any artifacts, features, and/or other archaeological objects identified during archaeological monitoring activities.

f. The applicant may elect to include proactively these elements when completing the Cultural Assessment report submitted with the development permit.

J. Avoidance, Minimization, or Mitigation.

1. For impacts to historic structures, additional submittals shall include:

a. A description of how potential adverse effects to historic structures as a result of construction activities will be avoided, minimized, or mitigated. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:

(1) Additional consultation with historic preservation officials at the federal, state, or local level or the Tacoma Landmarks Commission.

(2) Additional documentation, including intensive level documentation of affected structures (as defined by the Washington State Department of Archaeology and Historic Preservation survey and reporting standards)

(3) Avoidance of historic structures

(4) Retention of all or some of a historic structure into a new development;

(5) Interpretive/educational measures, including onsite interpretation, context statements or documentation of thematically or historically related structures or historical narratives;

(6) Off-site/on site preservation of another historic resource.

2. For impacts to archaeological and cultural resources, prior to requiring archaeological monitoring, the Department, affected Tribes, and DAHP may opt to resolve adverse effects through avoidance, minimization, or mitigation following the process outlined in 36 CFR 800.6 Resolution of adverse effects.

K. Unanticipated Discovery Plan Required.

1. An unanticipated discovery plan (UDP) is required as a permit condition for all development permits issued citywide where there is ground disturbance as a result of the permitted project, to be titled "Plan and Procedures for the Unanticipated Discovery of Cultural Resources and Human Skeletal Remains".

2. The City will provide a UDP template to be used by permit applicants. Applicants may elect to provide their own UDP, so long as it meets the requirements set forth below.

3. The UDP shall be attached to the permit as a permit condition, and included with permit submittals if the applicant is providing their own UDP for the project (such as a UDP included with a cultural assessment report as an appendix), and contain the following sections:

a. A general description of cultural resources that may be encountered during the project.

b. Responsibilities of the project management, should a discovery occur.

c. Steps for consultation with Tribal representatives, and City and State officials.

d. A contact list including the State Historic Preservation Office/State Archaeologist, City Historic Preservation Officer, Tribal Historic Preservation Officer(s), Pierce County Medical Examiner and Tacoma Police Department Non-Emergency number.

e. A section specifically outlining procedures in the event of discovery of human remains.

f. Steps for further documentation.

g. Steps for resuming development activities on the site.

4. The Unanticipated Discovery Plan must be posted onsite along with other permitting documents during the course of construction.

L. If archaeological resources, archaeological indicators, or human remains are unearthed or exposed during a project's construction, the following shall apply:

1. Conform to Chapter 25-48 WAC (Archaeological Excavation and Removal Permit).

2. If Human Remains as defined in RCW 68.50 are encountered, the applicant or landowner shall contact the appropriate law enforcement agency.

3. Failure to comply with RCW 27.53.060 is punishable under Chapter 9A.20 RCW. The procedures and penalties included in Indian Graves and Records (RCW 27.44), Human Remains (RCW 68.50), and Abandoned and Historic Cemeteries and Historic Graves (RCW 68.60) shall also apply.

4. The landowner shall be responsible for any required curation. The Department, at the discretion of the Director, may assist the landowner with curation by recommending permanent repositories or providing temporary storage. The permanent repository shall meet the standards of 36 CFR 79, for curation of materials other than human remains. Whenever feasible, the Department in coordination with affected Tribes shall encourage methodological approaches that do not require curation.

13.13.070 Demolition of Historic Resources – Citywide.

A. Scope and Applicability.

This section sets forth provisions for review of demolition permits that affect structures that are 125 years of age or greater at the time of permit application, and that involve demolition of 4,000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:

1. Demolition of single-unit dwellings that are not located within National Register Historic Districts or listed on the National Register of Historic Places;

2. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers.

3. Demolitions of structures that are owned by a religious organization and used for church purposes as defined by Washington State WAC 458-16-190.

B. Demolitions affecting designated City Landmarks.

All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.040.E and TMC 13.07.110.

C. The provisions of this chapter are not intended to be duplicative of other related cultural resource or historic review processes, including those mandated by Section 106 of the National Historic Preservation Act, National Environmental Policy Act or other applicable review processes.

D. Projects involving locations where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Subarea; projects involving areas subject to City of Tacoma Shoreline jurisdiction as defined in Title 19 Shoreline Master Program; and projects involving sites within Urban Residential (UR) districts where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units, shall be reviewed under the provisions of TMC 13.13 Archaeological, Cultural and Historic Resources Protection.

E. Requirements.

Applications for a demolition permit shall include a demolition summary report that identifies all affected structures that are 125 years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:

1. Current photographs of all elevations of all affected structures; and

2. Historical photographs of the affected structures, if available from public sources; and

3. Narrative description of the proposed project; and

4. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events); and

5. A narrative statement that evaluates the historical or cultural significance of the property in terms of the Designation Criteria listed in TMC 13.07.050; and,

6. A narrative statement that assesses the physical characteristics of the property, including condition and an architectural description.

7. A pre-existing historical survey form or document, such as a Washington State Historic Property Inventory Form, may be submitted to satisfy items d-f above, if the required information is addressed in the survey document.

F. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.

1. Demolition affecting properties under 125 years of age that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of mitigation as described in Section 7 below, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.

2. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040.

G. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant shall be directed to provide a feasibility analysis that includes potential alternative approaches and/or mitigation strategies. The analysis should include whether alternatives that would reduce impacts to historic resources have been considered to mitigate potential impacts, and may contain mitigation proposals for the Commission's consideration. Mitigation should be proportional to the anticipated impact and historic importance of the subject property, and could include:

- Avoidance of the historic or cultural resource.
- Retention of all or some of the historic structure in the new development.
- Voluntary design review for the new structure to ensure compatibility of the new structure into its surrounding context.
- Additional documentation of the historic property, such as completing an intensive level Washington State historic property inventory form (HPI).
- On site interpretation, such as display panels.
- Commissioning of online interpretive materials, such as a local history website, or other offsite interpretive measures.
- Architectural salvage/deconstruction of reusable or significant architectural elements and building materials from the site.
- Relocation of the historic structures to be demolished.
- Contributing funds to another historic site restoration, documentation or survey effort.

H. The demolition summary report and feasibility analysis shall be forwarded to the Landmarks Preservation Commission for its review. When considering its recommendation, the Commission shall weigh the balance of the public benefit of protecting the subject property against the potential impacts to the development project, and to consider alternatives and mitigations proposed in making the determination as to whether a property should be historically designated.

I. If the Commission determines that the proposed mitigation is appropriate by a quorum vote, the mitigation proposal shall be recorded as a condition of the demolition permit.

J. If the Commission finds that the affected properties over 125 years of age should be included in the Tacoma Register of Historic Places, the Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.

K. During the demolition review process, all requirements of TMC 13.05.040.C relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.

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CHAPTER 13.19

URBAN DESIGN BOARD AND PERMIT REVIEW

* * *

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 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 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.	6th Ave. Lincoln McKinley Narrows Proctor South Tacoma Way

Regional Growth Centers	Crossroads Centers	Neighborhood Centers
	Upper Portland Ave. Westgate	

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, ~~and~~ 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.

D. Compatibility with Urban Design Project Review Manual and TMC standards

1. All development subject to Urban Design Project Review, shall be subject to all of the controls, standards, and procedures set forth in Title 13, applicable to the area in which it is presently located, and the owners of the property shall comply with the mandates of this Title in addition to all other applicable Tacoma Municipal Code requirements for the area in which such property is located. In the event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.

2. Coordination with historic preservation land use controls.

Properties designated as a City Landmark and subject to historic preservation land use controls, including design review, are exempt from Urban Design Project Review.

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