# TACOMA PLANNING COMMISSION
# FINDINGS OF FACT AND RECOMMENDATIONS REPORT

APRIL 1, 2026

## A. SUBJECT:

2026 Amendment to the *One Tacoma* Comprehensive Plan and the Land Use Regulatory Code ("2026 Amendment").

## B. SUMMARY OF PROPOSED AMENDMENTS:

The 2026 Amendment consists of the following four applications:

| APPLICATION | AMENDMENT TYPE | COMMISSION'S RECOMMENDATION |
|---|---|---|
| **1. MCKINLEY PRE-ANNEXATION LAND USE DESIGNATIONS AND ZONING** | | |
| This proposal would apply the Low-Scale Residential land use designation in the Comprehensive Plan and the Urban Residential – 1 Zoning (UR-1) District to the properties at 8615, 8717, and 8801 McKinley Ave E, to take effect upon completion of the annexation process. Upon finalization of the annexation process, the UR-1 Zone would guide the types of use and development that could occur on the properties. | Plan Map Amendment and Zoning Map Amendment | **Recommended for Adoption** |
| **2. SPECIAL NEEDS HOUSING** | | |
| The Planning Commission proposal includes the following:<br><br>**Permanent Shelters:** Allowing permanent shelters in any zoning district where hotels are permitted; Require site inspections and operational plans.<br><br>**Temporary Shelters:** Code re-organization to make it easier for customers to find the appropriate standards; Extend permit expiration and reduce dispersion requirements to reduce barriers to providing these services when needed.<br><br>**Special Needs Housing:** Consolidate multiple use classifications into one use category in the zoning table, simplify Conditional Use Permit process; establish bed capacity limits in certain zoning districts. | Code | **Recommended for Adoption** |

| | | |
|---|---|---|
| **3. MINOR PLAN AND CODE AMENDMENTS** | | |
| The "Minor Plan and Code Amendments" proposes minor revisions to various sections of the Tacoma Municipal Code (primarily in Title 13 – Land Use Regulatory Code). The intent is to keep information current, address inconsistencies, correct minor errors, increase clarity, and improve provisions that, through implementation of the Plan and administration of the Code, are found to be unclear or not fully meet their intent. | Code | **Recommended for Adoption** |
| **4. LEGISLATIVE CODE AMENDMENTS** | | |
| This proposal would update the Tacoma Municipal Code to address recent state requirements:<br><br>**Day Care Facilities** (required by SB 5509): The proposal would modify use and development standards to allow Day Care Facilities without a conditional use permit in the UR-1, UR-2 and UR-3 Zones and without a limit on enrollment capacity.<br><br>**Binding Site Plans** (required by SB 5611): This proposal allows the use of binding site plans for the subdivision of multi-dwelling residential development. | Code | **Recommended for Adoption** |

## C. FINDINGS OF FACT: BACKGROUND AND PLANNING MANDATES

### 1. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2025 by Ordinance No. 29042, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.

### 2. Amendment Process

Pursuant to TMC 13.02.070 – Adoption and Amendment Procedures, applications are submitted to the Planning and Development Services Department, and subsequently forwarded to the Planning Commission for their assessment. The Planning Commission decides which applications should move forward as part of that Amendment package. Those applications then receive detailed review and analysis by staff and the Planning Commission and input is solicited from stakeholders and the community.

### 3. Planning Mandates

GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes

can be ascertained. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- The State Shoreline Management Act (SMA);
- The Puget Sound Regional Council's *VISION 2050* Multicounty Planning Policies;
- The Puget Sound Regional Council's *Transportation 2040*;
- The Puget Sound Regional Council's Subarea Planning requirements;
- The Countywide Planning Policies for Pierce County; and
- TMC 13.02.070 – Adoption and Amendment Procedures.

## D. Findings of Fact: Policy Review

### 1. McKinley Pre-Annexation Land Use Designations and Zoning

As documented in the Assessment Report reviewed by the Planning Commission on October 1, 2025, the Commission reviewed the application for consistency with goals and policies from the Growth Management Act, Pierce County Planning Policies, and *One Tacoma* Comprehensive Plan. *One Tacoma* goals and policies included Goal GS-14 and Policy GS-14.7, pertaining to the expansion of the City of Tacoma's boundaries within established urban growth areas (UGAs) in a manner that will benefit the citizens of Tacoma and the citizens of the area to be annexed. Furthermore, as documented in the Assessment Report reviewed by the Planning Commission on November 19, 2025, the Commission reviewed the application for consistency regarding the existing Pierce County Land Use and Zoning designations as well as the adjacent City of Tacoma Land Use and Zoning designations. The adjacent City of Tacoma Land Use and Zoning designations are almost entirely low-scale residential with Urban Residential-1 zoning.

### 2. Special Needs Housing:

As documented in the Assessment Report reviewed by the Planning Commission on October 1, 2025, the Commission reviewed the application for consistency with goals and policies in the Growth Strategy and Housing chapters of the *One Tacoma* Comprehensive Plan. Specific Policy topics included ensuring quality living environments for residents, ensuring accommodation of a full spectrum of housing needs, including preferences, life stages, and financial capabilities; supporting a robust and diverse supply of housing to meet the needs of special populations, and reducing disparities in access to housing.

### 3. Minor Plan and Code Amendments:

All proposals compiled in the Minor Plan and Code Amendments are non-policy, technical amendments.

### 4. Legislative Code Amendments:

As documented in the Assessment Report reviewed by the Planning Commission on August 17, 2022, The One Tacoma Plan recognizes childcare services as an essential daily need and a critical component for achieving complete neighborhoods throughout the City. Access to childcare services was studied as part of the One Tacoma Plan Community Profile which identified disparities in access to childcare services as well as significant unmet need for service.

## E. Findings of Fact: Planning Commission Review

The Planning Commission conducted reviews of the 2026 Amendment Package at the following meetings, listed in reverse chronological order, with key decision points and milestones boldfaced:

- April 1, 2026: Planning Commission concluded review of public comments and finalized exhibits; forwarded a recommendation to the City Council.

- March 18, 2026: Reviewed public comments on McKinley Pre-annexation and Minor Plan and Code Amendments.
- March 4, 2026: Planning Commission conducted a public hearing on the proposed 2026 Amendments.
- January 21, 2026: Released Draft Exhibits for public review and set the public hearing date and comment period.
- December 17, 2025: Provided direction on Legislative Code Amendments, including daycare facilities and binding site plans.
- November 19: Provided direction on Special Needs Housing Code and McKinley Pre-annexation.
- October 1, 2025: Assessment of Applications and Finalized Docket
- November 19, 2025: Reviewed preliminary drafts for McKinley Pre-annexation, Special Needs Housing, and the Legislative Code Amendments.
- December 17, 2025: Provided direction on draft day care facilities code.
- November 19, 2025: Reviewed initial proposals for McKinley Pre-annexation, Special Needs Housing, and Legislative Code Amendments.
- October 1, 2025: Planning Commission reviewed assessment reports for each application and finalized docket for 2026 Amendments.
- July 31, 2025: Application period ended.

## F. Findings of Fact: Environmental Review

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) on the 2026 Amendment was issued on February 4, 2026 (SEPA File Number LU26-0018), based upon a review of an environmental checklist. The DNS and the environmental checklist were: (1) included in the Public Review Documents, available for public review and comment during the Planning Commission's public hearing process; (2) distributed to agencies and individuals identified on the City's list of SEPA Review Stakeholders; (3) reviewed by the State Department of Ecology (SEPA Record #202600453) and published on February 5, 2026 for public review; and (4) referenced in a legal notice published on the Tacoma Daily Index on February 13, 2026. No comments were received by the deadline of March 6, 2026. The preliminary determination became final on March 13, 2026.

## G. Findings of Fact: Consultation with the Puyallup Tribe of Indians

There are no known proposals included in the 2026 Amendment Package that would impact the Puyallup Land Claims Settlement of 1990. A letter of consultation was sent to Chairman Bill Sterud of the Puyallup Tribe of Indians, and directors of planning and natural resources, on February 5, 2026, seeking their feedback on the 2026 Amendment Package. No comments were received.

## H. Findings of Fact: Public Notification and Involvement

### 1. Planning Commission Public Hearing:

The Planning Commission conducted a public hearing on March 4, 2026 to receive oral testimony, and left the hearing record open through March 6, 2026 to accept additional written comments, concerning the 2026 Amendment Package.

The complete text of the proposed amendments, the associated staff analysis, environmental review, and the public hearing notice was posted on the project's website at https://tacoma.gov/government/departments/planning-and-development-services/long-range-strategic-plans/annual-code-update/.

Notification for the public hearing was conducted to reach a broad-based audience, through the following efforts:

(a) **Public Notices –** The notice for the public hearing was mailed on February 5, 2026, to approximately 686 individuals and entities within 2,500 feet of the site associated with the

proposed McKinley annexation. Additionally, two public notice signs were placed near the site of the proposed McKinley annexation at least 14 days prior to the public hearing. Notice was also e-mailed to more than 1400 individuals on the Planning Commission's interested parties list that includes the City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and others.

(b) **News/Social Media –** The City of Tacoma issued a News Release on February 5, 2026. An online advertisement was placed in The News Tribune on February 13, 2026. A legal notice concerning the DNS, the public hearing, and the informational meeting was placed in the Tacoma Daily Index on February 13, 2026. An event page for each of the public hearing and the informational meeting was posted on the City's Facebook, starting the week of February 2.

(c) **60-Day Notices –** A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was filed with the State Department of Commerce (per RCW 36.70A.106) on February 5, 2026. A similar notice was sent to the Joint Base Lewis-McChord (per RCW 36.70A.530(4) on February 5, 2026 asking for comments within 60 days of receipt of the notice.

(d) **Tribal Consultation –** A letter was sent to the chairman of the Puyallup Tribe of Indians on February 5, 2026 to formally invite the Tribe's consultation on the 2026 Amendment.

**2. Other Community Engagement:**

- 12/1/25-1/30/26 – Meeting with Department of Commerce staff to discuss potential code amendment approaches for Special Needs Housing. Email correspondence with Department of Health and Department of Social and Health Services staff.
- 1/1/26-2/30/26 – Outreach meetings with several organizations/providers that have Special Needs Housing facilities in Tacoma. Additional outreach conducted by email to other service providers.
- 2/12/26 – Presentation of proposed Special Needs Housing code amendments to the Tacoma Area Commission on Disabilities.
- 2/26/26 – Community Informational Meeting to provide interested parties an opportunity to learn more about the proposals included in the 2026 Amendment Package and be better prepared for the Planning Commission's Public Hearing on March 4, 2026.

## I. FINDINGS OF FACT: COMMENTS AND RESPONSES

Shown in the table below are the numbers of comments the Planning Commission received on various applications during the public hearing process:

| Application | Comments Received | |
|---|---|---|
| | Oral | Written |
| McKinley Pre-Annexation Land Use Designation and Zoning | - | 1 |
| Special Needs Housing | - | 2 |
| Minor Plan and Code Amendments | - | 2 |
| Legislative Code Amendments | 1 | 2 |
| **TOTAL** | **1** | **7** |

Provided below is a summary, for each application, of the themes of comments received and, where applicable, the Commission's responses and amendments. More detailed information is documented in the "Public Comments and Staff Responses and Suggestions" report reviewed by the Commission on March 18, 2026.

**1. McKinley Pre-Annexation Land Use Designation and Zoning:**

(a) **Theme of Comments:** Consider annexation of a larger area to consolidate sewer utility service.

**2. Special Needs Housing**

(a) **Theme of Comments:** Coordination with Tacoma Fire Department Emergency Management for planning and pre-permitting of shelters within 20-minute walk of most housing units; providing notice to residents of Tacoma of where to seek shelter; concern about expanding Special Needs Housing uses into industrial zoning districts (including in South Tacoma).

(b) **Response:** The Commission modified the proposals to prohibit temporary shelters within the M-2 Heavy Industrial Zone. The Commission concluded that allowing temporary shelters within a heavy industrial zone was contrary to policies promoting the retention of industrial lands for core industrial uses as well as policies promoting safe and healthy housing. In addition, the Commission determined that this change would not detrimentally affect the supply and capacity to provide temporary shelters because the proposal concurrently reduces barriers to providing temporary shelters in other residential, commercial, and mixed-districts that are more appropriate and supportive for housing of all types.

**3. Minor Plan and Code Amendments**

(a) **Theme of Comments:** Comments were received by the Port of Tacoma and City of Tacoma Urban Design Board. The Port suggested a new amendment to a definition that was not part of the released draft amendments and a revision to one of the draft amendments. Staff's response was provided in the "Public Comment and Staff Responses" document included in the March 18, 2026, Planning Commission meeting packet. In response to these comments, the Planning Commission recommends the suggested revision to the maximum density within the Port of Tacoma Overlay District but does not recommend the suggested new amendment to the "Seaport terminal" definition, primarily because it was beyond the scope of the publicly released draft amendments.

The Urban Design Board submitted a letter voicing support for the proposed amendments related to building design standards, Urban Design Board members' terms, and Urban Design Project Review procedures. No changes were suggested.

**4. Legislative Code Amendments:**

(a) **Theme of Comments:** Comments received expressed concerns with allowing daycare facilities within industrial zoning districts; the use of binding site plans in historic districts; and concern with how the city may address the use of binding site plans for phased development sites.

(b) **Response:** The Planning Commission modified the daycare facility proposal to require a conditional use permit within the M-1 Light Industrial District and modified the binding site plan code amendment to maintain the existing expiration timeline. The Commission concluded that requiring a conditional use permit for daycare facilities in the M-1 Light Industrial Zone is consistent with state law; an effective review of site specific land use compatibility, addressing safety of pick up and drop of locations, indoor air quality, and safety of outdoor play areas; and still ensures that daycare can be accessible within and adjacent to industrial employment centers.

## J. CONCLUSIONS:

In drawing its conclusions on the 2026 Amendment Package, the Planning Commission considered the following criteria, the first two as set forth in TMC 13.02.070.H.1 and the third based on the Tacoma 2025 Strategic Plan:

(a) Whether the proposed amendment will benefit the City as a whole, will not adversely affect the City's public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare;
(b) Whether the proposed amendment conforms to applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan; and

(c) 2025 Strategic Priorities: Whether the proposal will reduce racial and other inequities, disparities, or discrimination to under-represented communities, or result in positive impacts on equity, equality, diversity or inclusion.

1. The Planning Commission concludes that the proposed amendments will benefit the City as a whole, will not adversely affect the City's public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare.
2. The Planning Commission concludes that the proposed amendments substantively and procedurally conform to the applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan.
3. The Planning Commission concludes that the proposed amendments support the City Council's Strategic Priorities and will improve equitable access to special needs housing and day care facilities.
4. **McKinley Pre-Annexation Land Use Designations and Zoning:**

   The Planning Commission, in reviewing the existing and adjacent land use and zoning designations, determines that a pre-designation for the subject site of Low-scale Residential with Urban Residential-1 zoning is most appropriate and compatible with surrounding existing and planned land uses.
5. **Special Needs Housing:**

   The Commission concludes that the proposed code amendments will support increased access to critical residential care facilities that support City goals for affordable housing, fair housing, housing choice, and aging in place.
6. **Minor Plan and Code Amendments:**

   The Planning Commission concludes that the Minor Plan and Code Amendments application, with proposed non-policy amendments to various elements of the One Tacoma Comprehensive Plan and various sections of the Tacoma Municipal Code, fulfills the intent to keep information current, address inconsistencies, correct minor errors, clarify and improve provisions of the Plan and the Code and conform to applicable provisions of State statutes and case law.
7. **Legislative Code Amendments**

   The Planning Commission concludes that the undersupply of daycare facilities and the disproportionate access to these facilities is a substantial inequity facing many of Tacoma's communities and that the proposed amendments to Title 13 Land Use Regulatory Code are intended to remove barriers to the expansion of day care facilities to meet these critical community needs.

## K. RECOMMENDATIONS:

1. The Planning Commission recommends that the City Council adopt the 2026 Amendments to the One Tacoma Plan and Land Use Regulatory Code as proposed in Exhibits A-D.

## L. EXHIBITS:

**A: MCKINLEY PRE-ANNEXATION LAND USE DESIGNATIONS AND ZONING**

**B: SPECIAL NEEDS HOUSING**

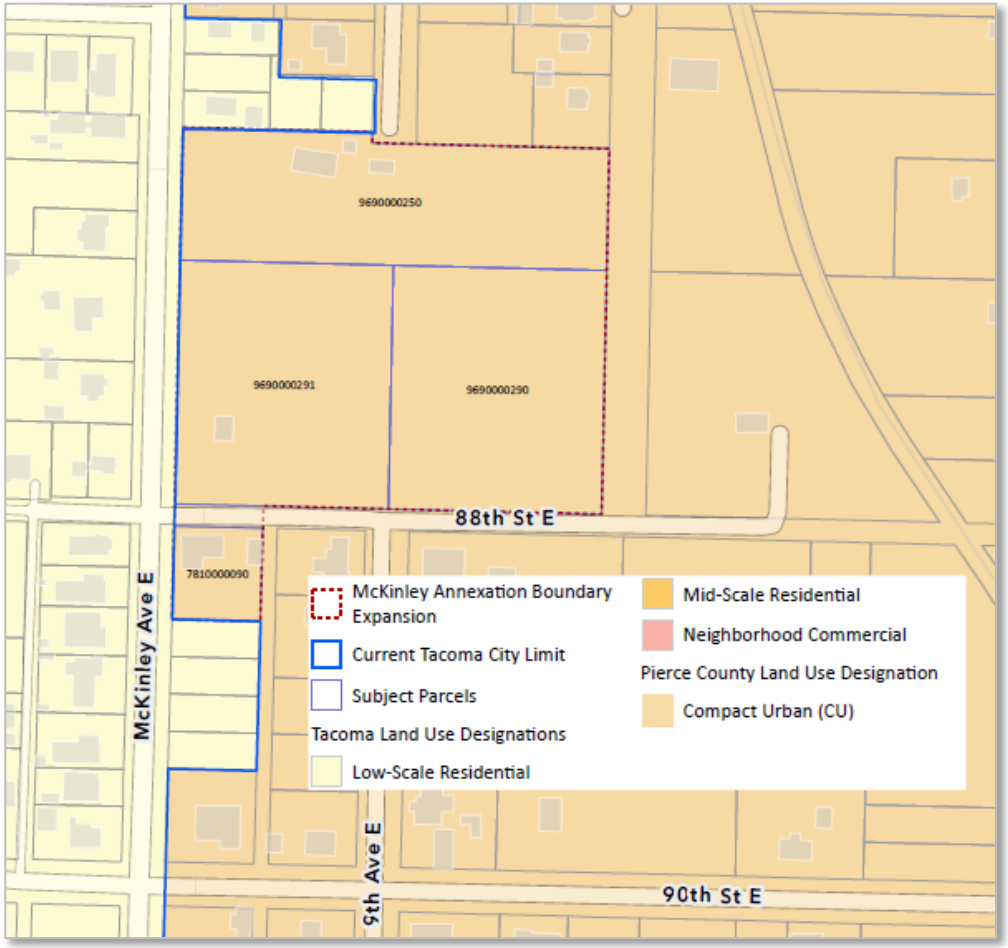
**C: MINOR CODE AMENDMENTS**

**D: STATE LEGISLATIVE CODE AMENDMENTS – DAYCARE FACILITIES AND BINDING SITE PLANS**

###

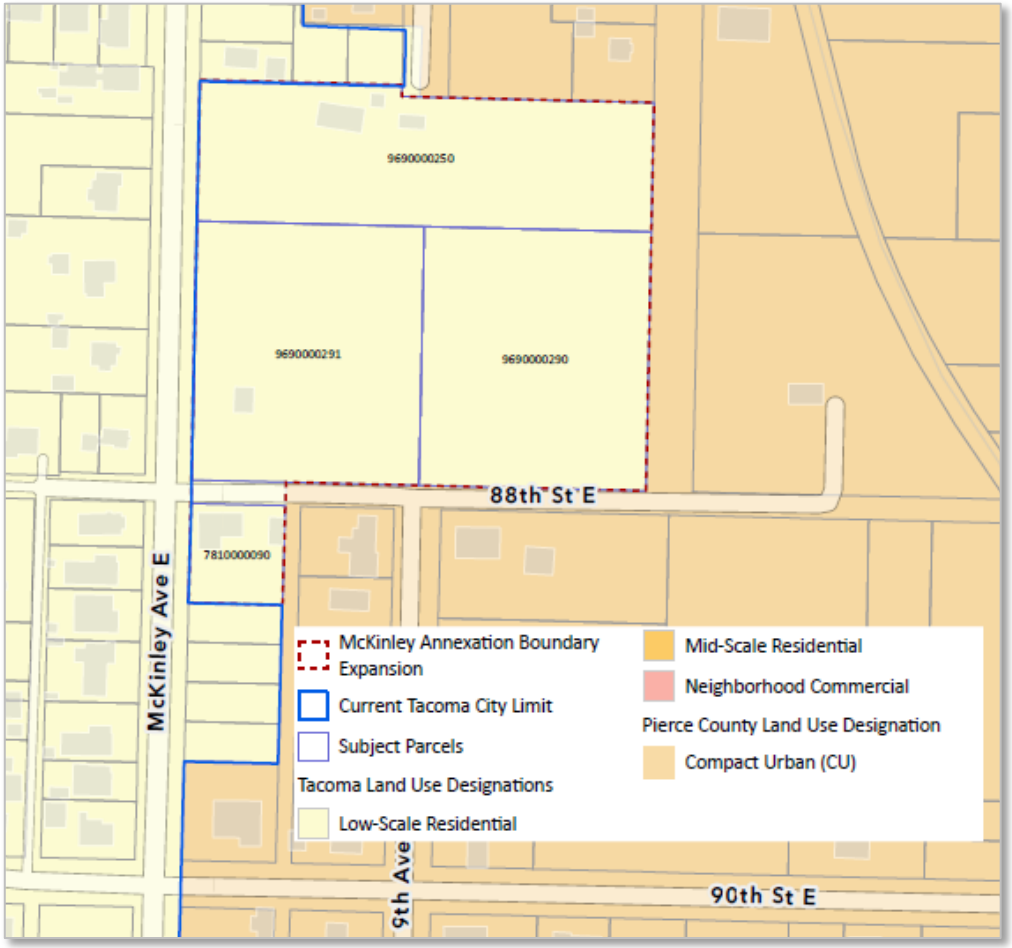
# MCKINLEY ANNEXATION AREA
# Exhibit A-1: Comprehensive Plan Land Use Designation

## Current County Land Use Designation
## "Compact Urban"




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

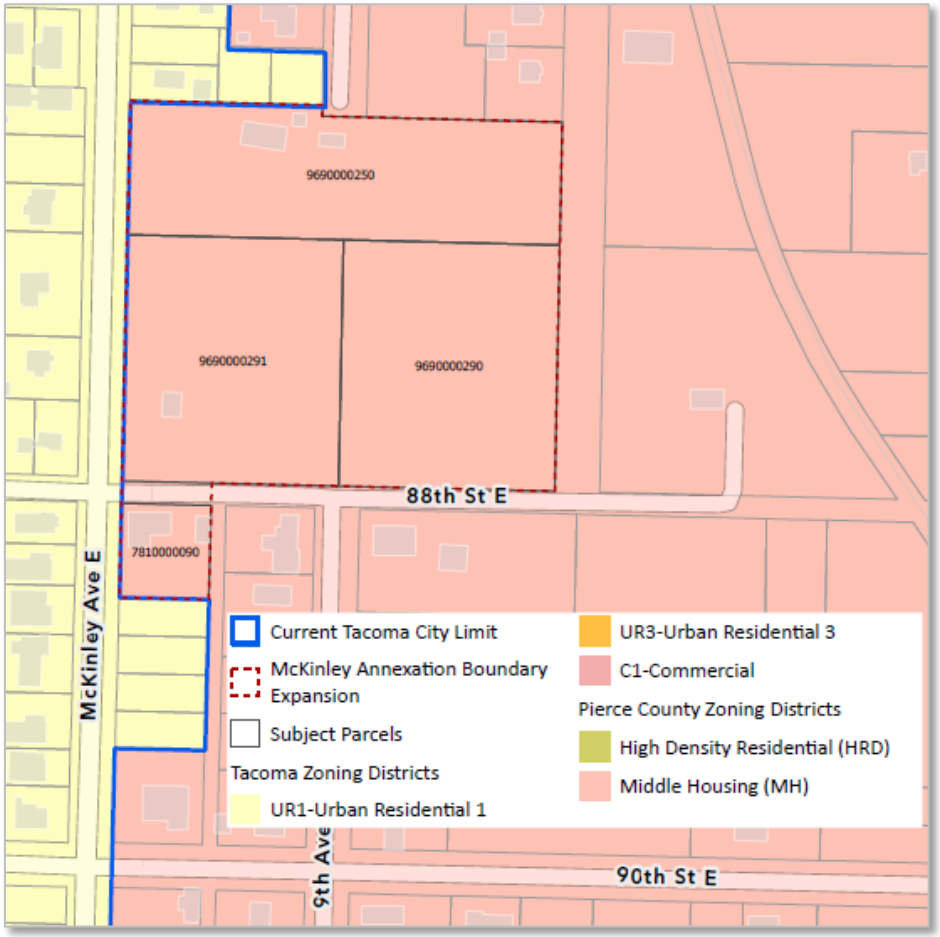
## Proposed Tacoma Land Use Designation
## "Low-Scale Residential"



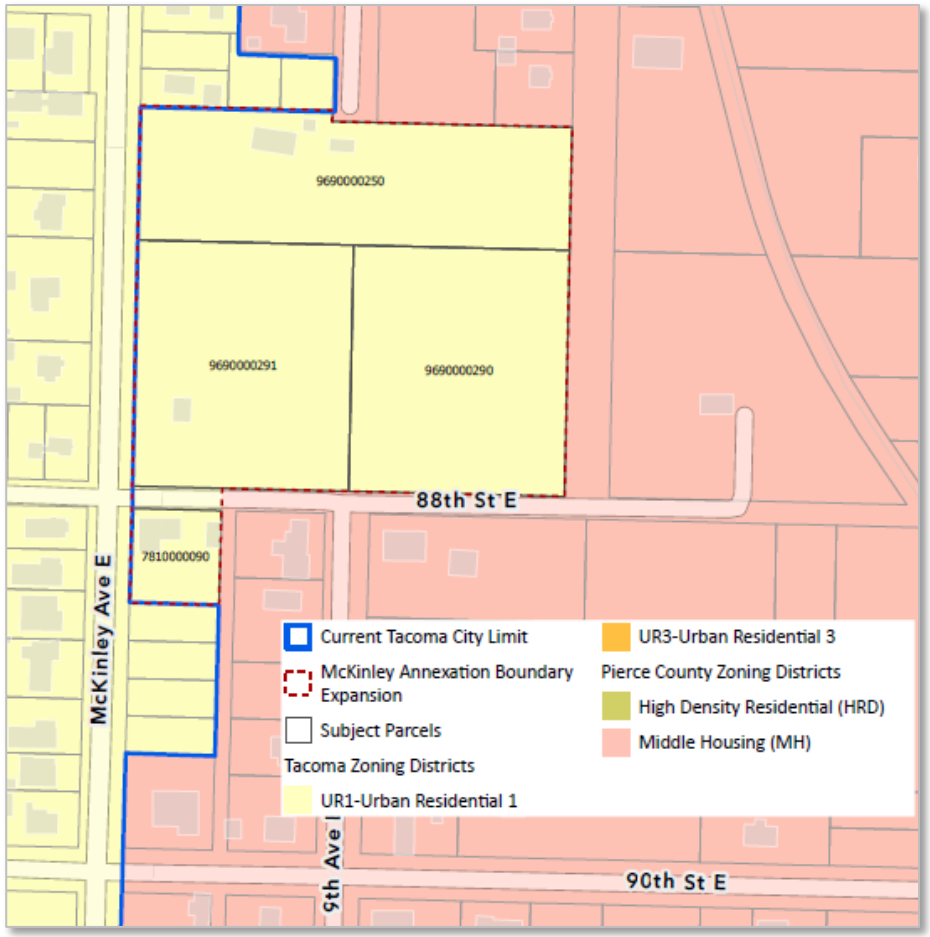

**Low-Scale Residential** – Located in quieter settings of complete neighborhoods that are a short to moderate walking distance from parks, schools, shopping, transit and other neighborhood amenities.

# MCKINLEY ANNEXATION AREA
# Exhibit A-2: Proposed Zoning Map Amendment

## Current County Zoning
## "Middle Housing"




## Proposed Tacoma Zoning
## "UR1 – Urban Residential 1"




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

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

# Exhibit B: Special Needs Housing

## April 1, 2026

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is blue underlined and text that has been deleted is shown as ~~red strikethrough~~. Text that has been moved is indicated as purple text.

**Tacoma Municipal Code Title 13: Land Use Regulatory Code**

### 13.01.060 Zoning Definitions.

**13.01.060.A**

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

"Assisted living facility." ~~See "intermediate care facility."~~ See "special needs housing."

**13.01.060.C**

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

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

"Convalescent home." ~~See "extended care facility."~~ See "special needs housing."

**13.01.060.D**

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

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

**13.01.060.E**

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

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

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

**13.01.060.F**

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

**13.01.060.G**

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

**13.01.060.H**

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

**13.01.060.I**

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

**13.01.060.J**

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

**13.01.060.P**

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

**13.01.060.R**

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

~~"Residential chemical dependency treatment facility. " A residential facility, licensed by the state, provides chemical dependency treatment and includes room and board in a twenty-four-hour-a-day supervised facility.~~

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

1. Food preparation, service, and storage on a group basis;
2. Indoor and outdoor recreation facilities;
3. Religious assembly facilities;
4. Medical and nursing facilities for the care of temporary and permanent illness;
5. Administrative offices and staff quarters;
6. Commissary facilities;
7. Common lobby and lounge areas.

**13.01.060.S**

"Special needs housing." Housing licensed by the state to provide accessible, supportive living for people with disabilities, the elderly, and those with chronic conditions. Special needs housing includes a broad range of residency types and duration, physical and mental health care and assistance with activities of daily living, as well as other supportive services to promote social inclusion. For the purposes of applying this use classification, special needs housing does not include hospitals, acute emergency response medical facilities, or emergency and

temporary shelters. Special needs housing may include a single building or a complex of buildings and may include multiple state licenses to provide different types of care on a single premises.

Typical state license types that fall under this use category include:

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

Common accessory support services that may be provided onsite for residents and their guests include:

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

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

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

~~"Substance abuse facility." (See "Drug rehabilitation facility").~~

**13.01.060.T**

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

"Temporary shelters." ~~A temporary type of accommodation for persons without permanent housing or a fixed address that provides shelter by means of a structure or dwelling unit.~~ A temporary structure or dwelling unit erected to provide shelter and accommodation for persons without permanent housing or a fixed address.

* * *

**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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~~*5. Special needs housing.*~~

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

~~a. Pre-application community meeting.~~

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

~~b. Pre-application site inspection.~~

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

~~c. Required submittals.~~

~~Applications for conditional use permits for special needs housing facilities shall include the following:~~

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

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

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

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

~~d. Review criteria.~~

~~In addition to the General Criteria, a conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:~~

~~(1) There is a demonstrated need for the use due to changing demographics, local demand for services which exceeds existing facility capacity, gaps in the continuum of service, or an increasing generation of need from within the community.~~
~~(2) The proposed use is consistent with the goals and policies of the City of Tacoma Comprehensive Plan, any adopted neighborhood or community plan, and the City of Tacoma Consolidated Plan for Housing and Community Development.~~
~~(3) The proposed location is or will be sufficiently served by public services which may be necessary or desirable for the support and operation of the use. These may include, but shall not be limited to, availability of utilities, access, transportation systems, education, police and fire facilities, and social and health services.~~
~~(4) The use shall be located, planned, and developed such that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing in the facility or residing or working in the surrounding community. The following shall be considered in making a decision:~~

~~(a) The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety and the ability of the proponent to mitigate any potential impacts.~~
~~(b) The provision of adequate off-street parking, onsite circulation, and site access.~~
~~(c) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties, to include the following development criteria:~~

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

~~(d) Compatibility of the proposed structure and improvements with surrounding properties, including the size, height, location, setback, and arrangements of all proposed buildings, facilities, and signage, especially as they relate to less intensive, residential land uses.~~
~~(e) The generation of noise, noxious, or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.~~

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

~~(a) Provision of an operation plan which will provide for sufficient staffing, training, and program design to meet the program's mission and goals.~~
~~(b) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control and solid waste disposal.~~
~~(c) Demonstration of knowledge of the City's Public Nuisance Code, TMC 8.30, and plans to educate the facility staff in the provisions of the nuisance code.~~
~~(d) Participation in the City's Multi-Family Crime-Free Housing program by both the property owner and by on-site staff.~~

~~(e) Provision of a point of contact for the facility to both the Neighborhood Council and the City.~~
~~(f) Written procedures for addressing grievances from the neighborhood, City, and facility residents.~~

~~e. Concomitant Agreement.~~
~~Upon issuance of a conditional use permit for a special needs housing facility, the applicant shall sign and record with the Pierce County Auditor a notarized concomitant agreement. Such agreement shall be in a form specified by Planning and Development Services and subject to the approval of the City Attorney, and shall include as a minimum: (a) the legal description of the property which has been permitted for the special needs housing facility, and (b) the conditions of the permit and applicable standards and limitations. The property owner shall submit proof that the concomitant agreement has been recorded prior to issuance of a certificate of occupancy by Planning and Development Services. The concomitant agreement shall run with the land as long as the facility is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for termination of the concomitant agreement. Such termination shall be granted upon proof that the facility no longer exists on the property.~~
~~f. An application for a conditional use permit for a special needs housing facility shall also comply with the standards in 13.06.080.N Special Needs Housing.~~
~~g. The Director may, when appropriate, utilize other staff or outside parties in the review of such applications.~~

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### 13.05.070 Notice process.

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H. Notice and Comment Period for Specified Permit Applications.

Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

**Table H – Notice, Comment and Expiration for Land Use Permits**

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Interpretation of code | Recommended | 100 feet for site specific | For general application | Yes | 14 days | Director | No | No | None |
| Uses not specifically classified | Recommended | 400 feet | Yes | Yes | 30 days | Director | No | No | None |
| Boundary line adjustment | Required | No | No | No | No | Director | No | No | 5 years[3] |
| Binding site plan | Required | No | No | No | No | Director | No | No | 5 years[3] |

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Environmental SEPA DNS* (see TMC 13.05.070.I) | Optional | Same as case type | Yes if no hearing required | No | Same as case type | Director | No | No | None |
| Environmental Impact Statement (EIS)* (see TMC 13.05.070.I) | Required for scoping, DEIS and FEIS | 1000 feet | Yes | Yes | Minimum 30 days | Director | No, unless part of associated action. Public scoping meeting(s) required | No | None |
| Variance, height of main structure | Required | 400 feet | No | Yes | 30 days | Director | No[1] | No | 5 years |
| Open space classification | Required | 400 feet | No | Yes | 2 | Hearing Examiner | Yes | Yes | None |
| Plats 10+ lots | Required | 1000 feet | Yes | Yes | 21 days SEPA[2] | Hearing Examiner | Yes | Final Plat | 5 years[6] |
| Rezones | Required | 400 feet; 1000 feet for public facility site | No; Yes for public facility site | Yes | 21 days SEPA[2] | Hearing Examiner | Yes | Yes | None |
| Shoreline/CUP/ variance* (see TMC 13.05.070.I) | Required | 400 feet | No | Yes | 30 days[5] | Director | No[1] | No | 2 years/ maximum[6] |
| Short plat (2-4 lots) | Required | No | No | No | No | Director | No | No | 5 years[3] |
| Short plat (5-9 lots) | Required | 400 feet | No | Yes | 14 days | Director | No[1] | No | 5 years[6] |
| Site approval | Required | 400 feet | No | Yes | 30 days[5] | Director | No | No | 5 years |
| Conditional use* (see TMC 13.05.070.I) | Required | 400 feet; 1000 feet for develop-ment sites over 1 acre in size | No | Yes | 30 days[5] | Director | No | No | 5 years[4] |
| Conditional use, correctional facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, detention facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, large-scale retail | Required | 1,000 feet | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Conditional use, master plan | Required | 1000 feet | Yes | Yes | 30 days[2] | Director | Yes | No | 10 years |
| Conditional Use, Minor Modification | Optional | No | No | No | No | Director | No | No | 5 years |
| Conditional Use, Major Modification | Required | 400 feet; 1000 feet for public facility sites and master plans | No | Yes | 14 days[5] | Director | No | No | 5 years |
| Temporary Shelters Permit[6] | Required | 400 feet | ~~Yes~~ No | Yes | 14 days | Director | No | No | ~~1~~ 5 years |
| Minor Variance | Optional | 100 feet[7] | No | No | 14 days | Director | No[1] | No | 5 years |
| Variance | Optional | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years |
| Wetland/Stream/ FWHCA development permits | Required | 400 feet | No | Yes | 30 days | Director | No[1] | No | 5 years* |
| Wetland/Stream/ FWHCA Minor Development Permits | Required | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years* |
| Wetland/Stream/ FWHCA verification | Required | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years |
| Urban Design Project Review, Type I Concept design; (Final design) | Required; (Required) | 400 feet; (400 feet) | No; (No) | Yes; (Yes) | 14 days; (14 days) | Director; (Director) | No; (No) | No; (No) | 1 year; (5 years) |
| Urban Design Project Review, Type II Concept design; (Final design) | Required; (Required) | 400 feet; (400 feet) | No; (No) | Yes; (Yes) | 30 days; (30 days) | Urban Design Board; (Urban Design Board) | Yes; (No) | No; (No) | 1 year; (5 years) |

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

6. A temporary shelter may only return to the same permitted site after six-months has lapsed since the end date of the previous temporary shelter. A site may be permitted for up to 5 years to provide a periodic temporary shelter. Public comment is required only during the initial permitting of a site for a temporary shelter. Public notice will be provided when the temporary use is re-established following the required lapse or when the temporary shelter is granted an extension.

* * *

**13.06.020 Residential Districts.**

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E. District use restrictions.

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

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| **Agriculture and Natural Resources** | | | | | | |
| Agricultural uses | CU | CU | CU | CU | CU | Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed. |
| Mining and quarrying | N | N | N | N | N | Existing surface mines considered permitted as conditional use, subject to requirements contained in Section 13.06.080.O. |
| Urban horticulture | N | N | N | N | N | |
| **Residential Uses** | | | | | | |
| Dwelling Types/Housing Types | | | | | | |
| Houseplex | P | P | P | * | * | In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.<br>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Backyard Building | P | P | P | * | * | In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.<br>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Rowhouse | P | P | P | * | * | Referred to as Dwelling, Townhouse in the R-4 and R-5 Districts.<br>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.<br>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Courtyard Housing | P | P | P | * | * | In UR-1 District, Detached Courtyard Housing only.<br>In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.<br>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Multiplex | CU | CU | P | * | * | In UR Districts, subject to the standards of Section 13.06.020.F, Section 13.06.100.F, and other applicable standards.<br>In UR-1 and UR-2, conditionally permitted subject to Section 13.05.010.A Adaptive Reuse of Heritage Buildings and Pre-existing non-residential uses.<br>* In R-4 and R-5 Districts, residential development is subject to the standards of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Dwelling, accessory (ADU) | P | P | P | P | P | Subject to additional requirements contained in 13.06.080.A. |
| Dwelling, One-unit | * | * | * | P | P | * In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.<br>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Dwelling, Two-unit | * | * | * | P | P | * In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.<br>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Dwelling, Three-Unit | * | * | * | P | P | * In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.<br>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Dwelling, multi-unit | * | * | * | P | P | * In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.<br>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Dwelling, townhouse | * | * | * | P | P | * In UR Districts, see standards of the applicable housing type per Section 13.06.020.F, and Section 13.06.100.F.<br>In R-4 and R-5 Districts, subject to the requirements of Section 13.06.020.G, Section 13.06.100.G, and other applicable standards. |
| Other Residential | | | | | | |
| Accessory uses and buildings | P | P | P | P | P | Subject to additional requirements contained in Section 13.06.020.F |
| ~~Adult family home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N~~ |
| Day care, family | P | P | P | P | P | Must be licensed by the State of Washington. |
| ~~Emergency~~ Permanent shelter | N | N | CU | CU | CU | Subject to additional requirements contained in Section 13.06.080.N. |
| ~~Foster home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~-~~ |
| Group housing | P | P | P | P | P | Maximum occupancy is not regulated by the Zoning Code, but is subject to Building Code provisions. |
| Live/Work | P/CU | P/CU | P | P | P | In UR Districts, permitted or conditionally permitted subject to the Adaptive Reuse of Heritage Building provisions of 13.06.050.A, the Pre-existing non-residential uses provisions of 13.05.010.A, and/or 13.06.080.T.<br>Subject to Live/Work – Work/Live provisions of 13.06.080.I |
| Mobile home/trailer court | N | N | CU | N | N | Subject to additional requirements contained in Section 13.06.090.B. |
| Residential Business | P/CU | P/CU | P/CU | P/CU | P/CU | Residential Business 1. Subject to additional requirements contained in Section 13.06.080.G.<br>Residential Business 2. Conditionally permitted subject to requirements contained in Section 13.05.010.A. |
| Short-term rental (1-2 guest rooms) | P | P | P | P | P | Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A. |
| Short-term rental (3-9 guest rooms) | N | N | CU | CU | CU | Subject to additional requirements contained in Sections 13.06.080.M. |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Short-term rental (entire dwelling) | P | P | P | P | P | Subject to additional requirements contained in Section 13.06.080.M. |
| ~~Staffed residential home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N.~~ |
| Special Needs Housing | P/CU* | P/CU~ | P | P | P | Requires state license.<br><br>*In the UR-1, Special Needs Housing with more than 12 beds is allowed subject to approval of a conditional use permit.<br><br>~ In the UR-2 Special Needs Housing with more than 24 beds is allowed subject to approval of a conditional use permit. |
| Retirement home | CU | CU | P | P | P | In UR-1 and UR-2 Districts, conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Subject to additional requirements contained in Section 13.06.080.N. |
| **Medical and Health Services** | | | | | | |
| ~~Continuing care retirement community~~ | ~~CU~~ | ~~CU~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N.~~ |
| ~~Detoxification center~~ | ~~CU~~ | ~~CU~~ | ~~CU~~ | ~~CU~~ | ~~CU~~ | ~~-~~ |
| ~~Extended care facility~~ | ~~CU~~ | ~~CU~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N.~~ |
| Emergency medical care | N | N | CU | CU | CU | Limited to 10,000 square feet of building floor area. |
| Hospital | N | N | CU | CU | CU | |
| ~~Intermediate care facility~~ | ~~CU~~ | ~~CU~~ | ~~N~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N.~~ |
| ~~Residential care facility for youth~~ | ~~CU~~ | ~~CU~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in 13.06.080.N.~~ |
| ~~Residential chemical dependency treatment facility~~ | ~~CU~~ | ~~CU~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in 13.06.080.N.~~ |
| **Community and Civic Facilities** | | | | | | |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Assembly facility | CU | CU | P/CU | P/CU | P/CU | Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Permitted or conditionally permitted subject to Limited Mixed-Use Residential Development provisions. See Sections 13.05.010.A and/or 13.06.080.U. |
| Cemetery/Internment services | N/CU | N/CU | N/CU | N/CU | N/CU | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A. |
| Confidential shelter | P | P | P | P | P | Subject to additional requirements contained in Section 13.06.080.N. |
| Correctional facility | N | N | N | N | N | |
| Cultural institution | CU | CU | P/CU | P/CU | P/CU | Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Permitted or conditionally permitted subject to Limited Mixed-Use Residential Development provisions. See Sections 13.05.010.A and/or 13.06.080.U. |
| Detention facility | N | N | N | N | N | |
| Juvenile community facility | CU | CU | CU | CU | CU | Subject to additional requirements contained in Section 13.06.080.H. |
| Parks, recreation and open space | P/CU | P/CU | P/CU | P/CU | P/CU | Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit:<br>Destination facilities<br>High-intensity recreation facilities<br>High-intensity lighting<br>Development of more than 20 off-street parking spaces<br>Parks, recreation and open space uses are subject to the requirements of Section 13.06.080.L, where the above features are defined. |
| Public service facilities | CU | CU | CU | CU | CU | Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Religious assembly | CU | CU | CU | CU | CU | |
| School, public or private | CU | CU | CU | CU | CU | |
| Work release center | N | N | N | N | N | Subject to additional requirements contained in Section 13.06.080.R. |
| **Commercial Uses** | | | | | | |
| Craft Production | P/CU | P/CU | P/CU | P/CU | P/CU | Permitted or conditionally permitted subject to Live/Work – Work/Live provisions of 13.06.080.I.<br>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Conditionally permitted subject to Limited Mixed-Use Residential Development 13.06.080.U. |
| Hotel/Motel | N | N | N | N | N | |
| Office | P/CU | P/CU | P/CU | P/CU | P/CU | Permitted or conditionally permitted subject to Live/Work – Work/Live provisions of 13.06.080.I.<br>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Conditionally permitted subject to Limited Mixed-Use Residential Development 13.06.080.U. |
| Work/Live | N | N | N | N | N | |
| Eating and Drinking Establishments | | | | | | |
| Brewpub | N | N | N | N | N | |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Eating and drinking | N | N | CU | P/CU | P/CU | Permitted subject to Live/Work – Work/Live provisions. 13.06.080.I.<br>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions. See Sections 13.05.010.A and/or 13.06.080.T.<br>Conditionally permitted subject to Pre-existing non-residential uses provisions. See Sections 13.05.010.A.<br>UR3, R-4, and R-5: Permitted subject to Limited Mixed-Use Residential Development. See Sections 13.06.080.U.<br>R-5: Minor eating and drinking establishments designed primarily to serve on-site residents and consistent with a restaurant use per Section 13.01.060 are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities. |
| Microbrewery/ winery | N | N | N | N | N | |
| Entertainment and Recreation | | | | | | |
| Adult retail and entertainment | N | N | N | N | N | |
| Carnival | N | N | N | N | N | Subject to additional requirements contained in Section 13.06.080.P. |
| Commercial recreation and entertainment | N | N | N | N | N | |
| Golf Courses | P | P | P | P | P | |
| Theater | CU | CU | P/CU | P/CU | P/CU | Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions. See Sections 13.05.010.A and/or 13.06.080.T. |
| Retail | P/CU | P/CU | P/CU | P/CU | P/CU | Permitted subject to Live/Work – Work/Live provisions of 13.06.080.I.<br>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Permitted subject to Limited Mixed-Use Residential Development of 13.06.080.U.<br>R-5: Minor retail uses designed primarily to serve on-site residents are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities. |
| Marijuana retailer | N | N | N | N | N | |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Nursery | N | N | N | N | N | |
| Services | | | | | | |
| Ambulance services | N | N | N | N | N | |
| Animal sales and service | N | N | N | N | N | |
| Building material and services | N | N | N | N | N | |
| Business support services | N | N | N | N | N | |
| Day care center | CU | CU | P/CU | P | P | Subject to additional requirements contained in Section 13.06.080.E.<br>For UR-3, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit. |
| Funeral home | N | N | N | N | N | |
| Personal services | P/CU | P/CU | P/CU | P/CU | P | Permitted subject to Live/Work – Work/Live provisions of 13.06.080.I.<br>Permitted or conditionally permitted subject to Adaptive Reuse of Heritage Building provisions of 13.05.010.A and/or 13.06.080.T.<br>Conditionally permitted subject to Pre-existing non-residential uses provisions of 13.05.010.A.<br>Permitted subject to Limited Mixed-Use Residential Development of 13.06.080.U.<br>R-5: Minor retail uses designed primarily to serve on-site residents are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities. |
| Repair services | N | N | N | N | N | |
| Storage Uses | | | | | | |
| Warehouse/storage | N | N | N | N | N | |
| Wholesale or distribution | N | N | N | N | N | |
| Self-storage | N | N | N | N | N | |
| Vehicle Related Uses | | | | | | |
| Commercial parking facility | N | N | N | N | N | Subject to additional requirements contained in Section 13.06.090.C |
| Drivethrough with any permitted use | N | N | N | N | N | |
| Fueling station | N | N | N | N | N | |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Vehicle rental and sales | N | N | N | N | N | |
| Vehicle service and repair | N | N | N | N | N | |
| Vehicle storage | N | N | N | N | N | |
| **Industrial** | | | | | | |
| Industry, heavy | N | N | N | N | N | |
| Coal facility | N | N | N | N | N | |
| Chemical manufacturing, processing and wholesale distribution | N | N | N | N | N | |
| Cleaner Fuel Infrastructure | N | N | N | N | N | |
| Petroleum Fuel Facility | N | N | N | N | N | |
| Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19) | N | N | N | N | N | |
| Smelting | N | N | N | N | N | |
| Industry, light | N | N | N | N | N | |
| Vehicle service and repair, industrial | N | N | N | N | N | |
| Research and development industry | N | N | N | N | N | |
| Marijuana processor | N | N | N | N | N | |
| Marijuana producer | N | N | N | N | N | |
| **Utilities, Transportation and Communication Facilities** | | | | | | |
| Airport | CU | CU | CU | CU | CU | |
| Communication facility | CU | CU | CU | CU | CU | Antennas for such facilities are subject to the additional requirements contained in Section 13.06.080.Q. |
| Heliport | CU | CU | CU | CU | CU | |
| Passenger terminal | N | N | N | N | N | |

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3** | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2) |
|---|---|---|---|---|---|---|
| Transportation/freight terminal | N | N | N | N | N | |
| Utilities | CU | CU | CU | CU | CU | |
| Wireless communication facility | CU | CU | CU | CU | CU | Subject to additional requirements contained in Section 13.06.080.Q and the time limitations set forth in Chapter 13.05, Table H. |
| **Accessory and Temporary Uses** | | | | | | |
| Seasonal sales | TU | TU | TU | TU | TU | Subject to additional requirements contained in Section 13.06.080.P. |
| Temporary uses | TU | TU | TU | TU | TU | See Section 13.06.080.P |
| Temporary shelter | TU | TU | TU | TU | TU | Subject to Section 13.06.080.N.2 |
| **Unlisted Uses** | | | | | | |
| Uses not prohibited by City Charter and not prohibited herein | N | N | N | N | N | |

**Footnotes:**

1. For heritage structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

**13.06.030 Commercial Districts.**

***

E. District use restrictions.

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4. District use table – Commercial Districts (13.06.030).[1]

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| **Agriculture and Natural Resources** | | | | | |
| Agricultural uses | CU | CU | CU | CU | Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed. |
| Mining and quarrying | N | N | N | N | Existing surface mines are permitted as conditional uses, subject to specific requirements in Section 13.06.080.O. |
| Urban horticulture | N | N | N | N | |
| **Residential Uses** | | | | | |
| Dwelling Types/Housing Types | | | | | |
| Houseplex | n/a | n/a | n/a | n/a | |
| Backyard Building | n/a | n/a | n/a | n/a | |
| Rowhouse | n/a | n/a | n/a | n/a | |
| Courtyard Housing | n/a | n/a | n/a | n/a | |
| Multiplex | n/a | n/a | n/a | n/a | |
| Dwelling, accessory (ADU) | P | P | P | P | Subject to additional requirements contained in 13.06.080.A. |
| Dwelling, one-unit | P | P | P | P | Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, two-unit | P | P | P | P | Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, three-unit | P | P | P | P | Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, mult-unit | P | P | P | P | |
| Dwelling, townhouse | P | P | P | P | |
| Other Residential | | | | | |
| ~~Adult family home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See definition for bed limit.~~ |
| Day care, family | P | P | P | P | |
| ~~Emergency~~ Permanent shelter | CU | CU | P | ~~CU~~ P | See Section 13.06.080.N |
| ~~Foster home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~-~~ |

[1] Code Reviser's note: Ord. 28906 Ex. C (Aug. 15, 2023) reorganized land use table order; due to scrivener's errors not all language from existing tables was carried over. Corrections were made during codification to re-insert language re: emergency and transitional; short-term rentals; extended care facility; commercial parking facility; and fueling station.

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Group housing | P | P | P | P | |
| Live/Work | P | P | P | P | Projects incorporating live/work in new construction shall contain no more than 20 live/work units.<br>Subject to additional requirements contained in Section 13.06.080.I. |
| Mobile home/trailer court | N | N | CU | N | |
| Residential business | P | P | P | P | Subject to additional requirements contained in Section 13.06.080.G |
| Retirement home | P | P | P | P | See Section 13.06.080.N. |
| Short-term rental (1-2 guest rooms) | P | P | P | P | Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A. |
| Short-term rental (3-9 guest rooms) | P | P | P | P | Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A. |
| Short-term rental (entire dwelling) | P | P | P | P | Subject to additional requirements contained in Sections 13.06.080.M and 13.06.080.A. |
| Special Needs Housing | P | P | P | P | Requires state license. |
| ~~Staffed residential home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N. See definition for bed limit.~~ |
| **Medical and Health Services** | | | | | |
| ~~Continuing care retirement community~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N.~~ |
| ~~Detoxification center~~ | ~~N~~ | ~~N~~ | ~~N~~ | ~~N~~ | ~~-~~ |
| ~~Extended care facility~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N~~ |
| Emergency medical care | P | P | P | P | Limited to 10,000 square feet of building floor area. |
| Hospital | N | CU | CU | N | |
| ~~Intermediate care facility~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N.~~ |
| ~~Residential care facility for youth~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N. See definition for bed limit.~~ |
| ~~Residential chemical dependency treatment facility~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N.~~ |
| **Community and Civic Facilities** | | | | | |
| Assembly facility | CU | P | P | P | |
| Cemetery/Internment services | N | N | N | N | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. |

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Confidential shelter | P | P | P | P | See Section 13.06.080.N. Limit: 15 residents in T District. |
| Correctional facility | N | N | N | N | |
| Cultural institution | P | P | P | N | |
| Detention facility | N | N | N | N | |
| Juvenile community facility | N | N | N | N | Prohibited except as provided for in Section 13.06.080.H. |
| Parks, recreation and open space | P | P | P | P | Subject to the requirements of Section 13.06.080.L. |
| Public service facilities | P | P | P | P | |
| Religious assembly | P | P | P | P | |
| School, public or private | P | P | P | P | |
| Work release center | N | N | N | N | Prohibited except as provided for in Section 13.06.080.R. |
| **Commercial Uses** | | | | | |
| Craft Production | CU | P | P | P | Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public.<br>Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E.<br>All production, processing and distribution activities are to be conducted within an enclosed building. |
| Hotel/Motel | N | N | P | P | |
| Office | P | P | P | P | *Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District. |
| Work/Live | P | P | P | P | Projects incorporating work/live in new construction shall contain no more than 20 work/live units.<br>Subject to additional requirements contained in Section 13.06.080.I. |
| Eating and Drinking Establishments | | | | | |
| Brewpub | N | N | P | N | 2,400 barrel annual brewpub production maximum, equivalent volume wine limit. |

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Eating and drinking | N | P/CU | P | P*/CU* | In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See Chapter 13.01 for the definitions of restaurants and drinking establishments.<br>In the C-2 district, live entertainment is limited to that consistent with either a Class "B" or Class "C" Cabaret license as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a Class "C" cabaret license as designated in Section 6B.70.<br>*Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District, and PDB Districts |
| Microbrewery/ winery | N | N | N | N | |
| Entertainment and Recreation | | | | | |
| Adult retail and entertainment | N | N | N | N | Prohibited except as provided for in Section 13.06.080.B. |
| Carnival | TU | TU | TU | TU | Subject to Section 13.06.080.P. |
| Commercial recreation and entertainment | N | N | P | P | |
| Golf Courses | P | P | P | P | |
| Theater | N | P | P | N | Movie theaters are limited to 4 screens. This does not include adult entertainment. |
| Retail | N | P | P/CU~ | P* | ~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District.<br>*Limited to 7,000 square feet of floor area, per business, in the HM, JBLM Airport Compatibility Overlay District, and PDB Districts. |
| Marijuana retailer | N | P | P | P* | *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.<br>See additional requirements contained in Section 13.06.080.J. |
| Nursery | N | N | P | N | |
| Services | | | | | |
| Ambulance services | N | P | P | P | |
| Animal sales and service | N | P | P | N | Must be conducted entirely within an enclosed building. |
| Building material and services | N | N | P | N | |
| Business support services | N | P | P | P | |
| Day care center | P | P | P | P | Subject to development standards contained in Section 13.06.080.E. |

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Funeral home | P | P | P | N | |
| Personal services | N | P | P | P* | *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. |
| Repair services | N | P | P | N | Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair. |
| Storage Uses | | | | | |
| Warehouse/storage | N | N | N | N | |
| Self-storage | N | N | P | P | Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.090.J. |
| Wholesale or distribution | N | N | N | P | |
| Vehicle Related Uses | | | | | |
| Commercial parking facility | P | P | P | P | |
| Drivethrough with any permitted use | N | N | P | N | Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). Subject to the requirements of TMC 13.06.090.A. |
| Fueling station | N | P | P | N | |
| Vehicle rental and sales | N | N | P | N | Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). |
| Vehicle service and repair | N | P* | P | P | *In the C-1 District, car washes are allowed with a limit of 2 washing bays. Washing bays shall be enclosed on at least 2 sides and covered with a roof. No water shall spray or drain off site.<br>Subject to development standards contained in Section 13.06.080.S.<br>Prohibited in any commercial district combined with a VSD View Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). |
| Vehicle storage | N | N | N | N | |
| **Industrial** | | | | | |
| Industry, heavy | N | N | N | N | |
| Coal facility | N | N | N | N | |

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Chemical manufacturing, processing and wholesale distribution | N | N | N | N | |
| Cleaner Fuel Infrastructure | N | N | N | N | |
| Petroleum Fuel Facility | N | N | N | N | |
| Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19) | N | N | N | N | |
| Smelting | N | N | N | N | |
| Industry, light | N | N | N | N | |
| Marijuana processor, producer, and researcher | N | N | N | N | |
| Research and development industry | N | N | N | P | |
| Vehicle service and repair, industrial | N | N | N | N | |
| **Utilities, Transportation and Communication Facilities** | | | | | |
| Airport | CU | CU | CU | CU | |
| Communication facility | N | N | P | P | |
| Heliport | N | N | N | N | |
| Passenger terminal | N | N | P | N | |
| Transportation/ freight terminal | N | N | P | P | |
| Utilities | CU | CU | CU | CU | |
| Wireless communication facility | P/CU | P/CU | P/CU | P/CU | Wireless communication facilities are also subject to Section 13.06.080.Q. |
| **Accessory and Temporary Uses** | | | | | |
| Seasonal sales | TU | TU | TU | TU | Subject to Section 13.06.080.P. |
| Temporary uses | TU | TU | TU | TU | Subject to Section 13.06.080.P. |
| Temporary shelter | TU | TU | TU | TU | Subject to Section 13.06.080.N.2 |
| **Unlisted Uses** | | | | | |
| Uses not prohibited by City Charter and not prohibited herein | N | N | N | N | |
| **Footnotes:** | | | | | |

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
|---|---|---|---|---|---|
| Footnotes:<br>1. Designated Pedestrian Streets - For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and offices.<br>2. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.<br>3. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict. | | | | | |

## 13.06.040 Mixed-Use Center Districts.

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

| **Uses** | **NCX** | **CCX** | **UCX** | **RCX**[1] | **CIX** | **HMX** | **URX** | **NRX** | **Additional Regulations** (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| **Agriculture and Natural Resources** | | | | | | | | | |
| Agricultural uses | N | N | N | N | N | N | N | N | |
| Mining and quarrying | N | N | N | N | N | N | N | N | |
| Urban horticulture | N | N | N | N | P | N | N | N | |
| **Residential Uses** | | | | | | | | | |
| Dwelling Types/ Housing Types | | | | | | | | | |
| Houseplex | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | |
| Backyard Building | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | |
| Rowhouse | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | |
| Courtyard Housing | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | |
| Multiplex | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Dwelling, accessory (ADU) | P | P | P | P | P | P | P | P | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>See Section 13.06.080.A for specific Accessory Dwelling Unit (ADU) Standards.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Dwelling, single-unit | P | P | P | P | P | P | P | P | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.<br>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, two-unit | P | P | P | P | P | P | P | CU | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.<br>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, three-unit | P | P | P | P | P | P | P | CU | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.<br>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.H. |
| Dwelling, multi-unit | P | P | P | P | P | P | P | N | In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>In the NRX District, multiple-unit dwellings lawfully in existence on August 31, 2009, the time of reclassification to this district, shall be considered permitted uses; said multiple-unit dwellings may continue and may be changed, repaired, replaced or otherwise modified, provided, however that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-unit dwelling at the time of reclassification to this district.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Dwelling, townhouse | P | P | P | P | P | P | P | CU | In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Other Residential | | | | | | | | | |
| ~~Adult family home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX.2 Not subject to minimum densities. Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.~~ |
| Day care, family | P | P | P | P | N | P | P | P | |
| ~~Emergency~~ Permanent shelter | ~~CU~~ P*~ | P~ | P~ | CU* | ~~N~~ P~ | ~~CU~~ P~ | CU* | CU | * See additional standards and dispersion requirements in TMC 13.06.080.N<br>~ In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>• Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| ~~Foster home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.~~ |
| Group housing | P | P | P | P | P | P | P | P | In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Live/Work | P | P | P | P | P | P | P | P | Projects incorporating live/work in new construction shall contain no more than 20 live/work units.<br>Subject to additional requirements contained in Section 13.06.080.I.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Mobile home/trailer court | N | N | N | N | N | N | N | N | |
| Residential Business | P | P | P | P | P | P | P | P | Residential businesses shall be allowed in all X-Districts pursuant to the standards found in Section 13.06.080.G. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Retirement home | P | P | P | P | P | P | P | P | See Section 13.06.080.N.<br>In NCX,CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>Prohibited in Commercial-only area of the UCX District. |
| Short-term rental (1-2 guest rooms) | P | P | P | P | P | P | P | P | Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2).<br>Subject to additional requirements contained in Section 13.06.80.M and 13.06.080.A.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Short-term rental (3-9 guest rooms) | P | P | P | CU | P | P | P | CU | Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX and HMX Districts (see table footnote 2).<br>Subject to additional requirements contained in Section 13.06.080.M and 13.06.080.A.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Short-term rental (entire dwelling) | P | P | P | P | P | P | P | P | Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2).<br>Subject to additional requirements contained in Section 13.06.080.M and 13.06.080.A.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| ~~Staffed residential home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts (see table footnote 2).~~<br>~~Not subject to minimum densities.~~<br>~~Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.~~ |

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

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | **Additional Regulations** (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| ~~Residential care facility for youth~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N. See definition for bed limit.~~<br>~~In NCX,CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).~~<br>~~Not subject to minimum densities.~~<br>~~Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.~~ |
| ~~Residential chemical dependency treatment facility~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~See Section 13.06.080.N.~~<br>~~In CCX, NCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).~~<br>~~Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6.~~ |
| **Community and Civic Facilities** | | | | | | | | | |
| Assembly facility | P | P | P | CU | P | N | N | N | Prohibited at street level along designated pedestrian streets in NCX (see table footnote 2). |
| Cemetery/Internment services | N | N | N | N | N | N | N | N | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. |
| Confidential shelter | P | P | P | P | P | P | P | P | See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX.[2] Not subject to minimum densities.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |
| Correctional facility | N | N | N | N | N | N | N | N | |
| Cultural institution | P | P | P | N | P | N | N | N | |
| Detention facility | N | N | N | N | N | N | N | N | |
| Juvenile community facility | P | P | P | P/CU | P | N | P/CU | CU | In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>See Section 13.06.080.H for additional information about size limitations and permitting requirements.<br>Prohibited within the area indicated in Figure 4 in Section 13.06.040.J.6. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | **Additional Regulations** (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Parks, recreation and open space | P | P | P | P | P | P | P | P | Not subject to RCX residential requirement (see table footnote 1).<br>Subject to the requirements of Section 13.06.080.L. |
| Public service facilities | P | P | P | P | P | P | P | CU | In the NRX District, unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit.<br>Not subject to RCX residential requirement (see table footnote 1). |
| Religious assembly | P | P | P | P | P | P | P | CU | Not subject to RCX residential requirement (see table footnote 1). |
| School, public or private | P | P | P | P | P | P | P | CU | Not subject to RCX residential requirement (see table footnote 2). |
| Work release center | N | N | CU | N | CU | N | N | N | Permitted with no more than 15 residents in the UCX and no more than 25 residents in the CIX, subject to a Conditional Use Permit and the development regulations found in Section 13.06.080.R. |
| **Commercial Uses** | | | | | | | | | |
| Craft Production | P | P | P | P | P | N | N | N | Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public.<br>Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E.<br>All production, processing and distribution activities are to be conducted within an enclosed building. |
| Hotel/Motel | P | P | P | N | P | P | N | N | |
| Office | P | P | P | P | P | P | N | N | Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street (see table footnote 1). |
| Work/Live | P | P | P | P | P | P | P | P | Projects incorporating work/live in new construction shall contain no more than 20 work/live units.<br>Subject to additional requirements contained in Section 13.06.080.I.<br>Prohibited in Commercial-only area of the UCX District. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Eating and Drinking Establishments | | | | | | | | | |
| Brewpub | P | P | P | P | P | N | N | N | Brewpubs located in NCX, CCX, UCX, and RCX shall be limited to producing, on-premises, a maximum of 2,400 barrels per year of beer, ale, or other malt beverages, as determined by the annual filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply. |
| Eating and drinking | P | P | P | P | P | P* | N | N | Outdoor seating is permitted with a 12 seat maximum in RCX. In RCX live entertainment is limited to that consistent with a Class "C" Cabaret license, as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a either a Class "B" or Class "C" Cabaret license, as designated in Chapter 6B.70.<br>*Limited to 7,000 square feet of floor area, per business, in the HMX District. |
| Microbrewery/ winery | N | N | CU | N | P | N | N | N | Microbreweries shall be limited to 15,000 barrels per year of beer, ale, or other malt beverages, as determined by the filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply. |
| Entertainment and Recreation | | | | | | | | | |
| Adult retail and entertainment | N | N | N | N | N | N | N | N | Prohibited, except as provided for in Section 13.06.080.B. |
| Carnival | TU | TU | P | N | TU | TU | TU | N | Subject to Section 13.06.080.P. |
| Commercial recreation and entertainment | P | P | P | N | P | N | N | N | |
| Golf Courses | N | N | N | N | N | N | N | N | |
| Theater | P | P | P | N | P | N | N | N | Theaters only permitted up to 4 screens in NCX and CCX.<br>Theaters only permitted up to 6 screens in CIX. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Retail | P | P/CU ~ | P/CU ~ | P | P/CU ~ | P* | N | N | ~ A conditional use permit is required for retail uses exceeding 45,000 square feet.<br>* Limited to 7,000 square feet of floor area, per business, in the HMX District.<br>* Commissary Kitchens are limited to 6,000 SF of net building area and exterior display or storage of equipment is prohibited.<br>* Retail uses are required to primarily conduct in-person, direct customer sales along the designated pedestrian street storefront. |
| Marijuana retailer | P | P | P | N | P | P* | N | N | *Limited to 7,000 square feet of floor area, per business, in the HMX District.<br>See additional requirements contained in Section 13.06.080.J |
| Nursery | P | P | P | N | P | N | N | N | |
| Services | | | | | | | | | |
| Ambulance services | N | CU | CU | N | P | P | N | N | |
| Animal sales and service | P | P | P | N | P | N | N | N | Except in the CIX District, must be conducted entirely within an enclosed structure. Must be set back 20 feet from any adjacent residential district or use. |
| Building material and services | N | P | CU | N | P | N | N | N | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). |
| Business support services | P | P | P | N | P | N | N | N | In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. Offices must be located at building fronts on designated pedestrian streets in NCX. |
| Day care center | P | P | P | P | P | P | P | CU | Not subject to RCX residential requirement (see table footnote 1). |
| Funeral home | P | P | P | N | P | P | N | N | |
| Personal services | P | P | P | P | P | P* | N | N | *Limited to 7,000 square feet of floor area, per business, in the HMX District. |
| Repair services | P | P | P | N | P | N | N | N | In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. |
| Storage Uses | | | | | | | | | |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | **Additional Regulations** (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Self-storage | N | P | P | N | P | N | N | N | See specific requirements in Section 13.06.090.J.<br>Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). |
| Warehouse/ storage | N | N | CU | N | P | N | N | N | In the UCX, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). |
| Wholesale or distribution | N | N | CU | N | P | N | N | N | In the UCX, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). |
| Vehicle Related Uses | | | | | | | | | |
| Commercial parking facility | P | P | P | N | P | P | N | N | Prohibited at street level along frontage of designated pedestrian streets (see table footnote 2).<br>Stand-alone surface commercial parking lots are prohibited in the UCX District. |
| Drivethrough with any permitted use | P | P | P | N | P | P* | N | N | * In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses.<br>All drive-throughs are subject to the requirements of TMC 13.06.090.A. |
| Fueling station | N | P | P | N | P | N | N | N | Prohibited along frontage of designated pedestrian streets within the UCX and CCX Districts (see table footnote 2).<br>Fueling station pump islands, stacking lanes and parking areas shall be located at the side or rear of the building. |
| Vehicle rental and sales | N* | P | P | N | P | N | N | N | In CCX Districts, prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>*Use permitted in the South Tacoma Way Neighborhood Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Vehicle service and repair | N* | P | CU | N | P | N | N | N | All activities must occur within buildings; outdoor storage and/or repair is prohibited. Subject to development standards contained in Section 13.06.080.S.<br>Prohibited along frontage of designated core pedestrian streets (see table footnote 2).<br>*Use permitted in the South Tacoma Way Neighborhood Center NCX only, provided all activities occur entirely within buildings; outdoor storage and/or repair is prohibited. |
| Vehicle storage | N | N | N | N | P | N | N | N | Subject to development standards contained in Section 13.06.080.S. Prohibited at street level along frontage of designated pedestrian streets (see table footnote 2). |
| **Industrial** | | | | | | | | | |
| Industry, heavy | N | N | N | N | N | N | N | N | |
| Coal facility | N | N | N | N | N | N | N | N | |
| Chemical manufacturing, processing and wholesale distribution | N | N | N | N | N | N | N | N | |
| Cleaner Fuel Infrastructure | N | N | N | N | N | N | N | N | |
| Petroleum Fuel Facility | N | N | N | N | N | N | N | N | |
| Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19) | N | N | N | N | N | N | N | N | |
| Smelting | N | N | N | N | N | N | N | N | |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | Additional Regulations (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Industry, light | N | N | N | N | P | N | N | N | |
| Marijuana processor, producer, and researcher | N | N | N | N | P | N | N | N | See additional requirements contained in Section 13.06.080.J |
| Research and development industry | N | N | CU | N | P | N | N | N | |
| Vehicle service and repair, industrial | N | N | CU | N | P | N | N | N | Subject to additional development standards contained in Section 13.06.080.S.<br>Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2). |
| **Utilities, Transportation and Communication Facilities** | | | | | | | | | |
| Airport | CU | CU | CU | CU | CU | CU | CU | CU | |
| Communication facility | CU | CU | P | N | P | N | N | N | Prohibited at street level along frontage of designated pedestrian streets (see table footnote 2). |
| Heliport | N | N | N | N | CU | CU | N | N | |
| Passenger terminal | P | P | P | N | P | N | N | N | |
| Transportation/ freight terminal | P | P | CU | N | P | P | N | N | Prohibited at street level along frontage of designated core pedestrian streets(see table footnote 2). |
| Utilities | CU | CU | CU | CU | CU | CU | CU | CU | Prohibited at street level along frontage of designated core pedestrian streets (see table footnote 2).<br>Not subject to RCX residential requirement (see table footnote 1). |
| Wireless communication facility | P/CU | P/CU | P/CU | P/CU | P/CU | P/CU | P/CU | P/CU | Wireless communication facilities are also subject to Section 13.06.080.Q. |
| **Accessory and Temporary Uses** | | | | | | | | | |
| Seasonal sales | TU | TU | TU | TU | TU | TU | TU | TU | Subject to Section 13.06.080.P. |

| Uses | NCX | CCX | UCX | RCX[1] | CIX | HMX | URX | NRX | **Additional Regulations** (see footnotes 3, 4, 5 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| Temporary uses | TU | TU | TU | TU | TU | TU | TU | TU | See Section 13.06.080.P. |
| Temporary shelter | TU | TU | TU | TU | TU | TU | TU | TU | Subject to Section 13.06.080.N.2 |
| **Unlisted Uses** | | | | | | | | | |
| Uses not prohibited by City Charter and not prohibited herein | N | N | N | N | N | N | N | N | |

**Footnotes:**

1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.
2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.010.D. for the list of designated pedestrian and core pedestrian streets.
3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.
4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.
5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.090.C.
6. See Figure 4: Tacoma Mall Neighborhood RGC – No Residential Uses in Section 13.06.040.J.6.

## 13.06.060 Industrial Districts.

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

B. Purpose.

The specific purposes of the Industrial districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.

2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.

3. Create a variety of industrial settings matching scale and intensity of use to location.

4. Provide for predictability in the expectations for development projects.

C. Districts established.

M-1 Light Industrial District
M-2 Heavy Industrial District

SCP Seaport Core Primary District
SCM Seaport Core Manufacturing District
SCS Seaport Core Secondary District
ST Seaport Transition District
STT Seaport Transition - Transit Oriented Development District
SC Seaport Conservancy District

1. M-1 Light Industrial District.

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

2. M-2 Heavy Industrial District.

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

3. SCP Seaport Core Primary District.

The SCP district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085(3)(a). SCP implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping. Use priorities include cargo shipping terminals, seaport-related container and industrial activity, seaport-related offices, cargo and equipment storage yards, warehousing, transportation facilities, vessel fueling operations and support facilities,

and rail yards. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

4. SCM Seaport Core Manufacturing District.

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

5. SCS Seaport Core Secondary District.

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

6. ST Seaport Transition District.

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

7. STT Seaport Transition - Transit Oriented Development District.

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

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

8. SC Seaport Conservancy District.

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

Street segments that are considered key areas for integrating land use and transportation and achieving the goals of the Comprehensive Plan are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity. Pedestrian Streets are defined in Section 13.06.010.D.

E. District use restrictions.

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

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

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC 13.06.070.B, which shall prevail in the case of any conflict.

3. Within the South Tacoma Groundwater Protection District, the land use and development standards of this section are modified as specified in TMC 13.06.070.D, which shall prevail in the case of any conflict.4. Use table abbreviations.

| | | |
|---|---|---|
| P | = | Permitted use in this district. |
| CU | = | Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.05.010.A. |
| TU | = | Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P. |
| N | = | Prohibited use in this district. |

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

| Uses | M-1 | M-2 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| **Agriculture and Natural Resources** | | | |
| Agricultural uses | N | N | |
| Mining and quarrying | 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 | |
| **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.<br>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.<br>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 | |
| Backyard Building | P/N* | N | |
| Rowhouse | P/N* | N | |
| Courtyard Housing | P/N* | N | |
| Multiplex | P/N | N | |
| Dwelling, accessory (ADU) | P/N~ | N | Subject to additional requirements contained in 13.06.080.A.<br>~Not permitted within the South Tacoma M/IC Overlay District. |
| Other Residential | | | |
| Accessory uses and buildings | P | P | |
| ~~Adult family home~~ | ~~P/~~<br>~~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.~~<br>~~* Not permitted within the South Tacoma M/IC Overlay District~~<br>~~See Section 13.06.080.N.~~ |
| Day care, family | P/N* | N | *Not permitted within the South Tacoma M/IC Overlay District. |
| ~~Emergency~~ Permanent shelter | P/N* | N | *Not permitted within the South Tacoma M/IC Overlay District. |
| ~~Foster home~~ | ~~P/N*~~ | ~~N~~ | ~~In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~ |

| Uses | M-1 | M-2 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| Group housing | P/ N* | N | In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.<br>*Not permitted within the South Tacoma M/IC Overlay District. |
| Live/Work | P | N | Projects incorporating live/work in new construction shall contain no more than 20 live/work units.<br>Subject to additional requirements contained in Section 13.06.080.I. |
| Mobile home/ trailer court | N | N | |
| Residential business | P | P | Subject to additional requirements contained in Section 13.06.080.G |
| Retirement home | P/ N* | N | In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.<br>*Not permitted within the South Tacoma M/IC Overlay District.<br>See Section 13.06.080.N. |
| Short-term rental | N | N | |
| ~~Staffed residential home~~ | ~~P/ N*~~ | ~~N~~ | ~~In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~<br>~~See Section 13.06.080.N.~~ |
| Special Needs Housing | P/N* | N | Requires state license.<br><br>*Not permitted within the South Tacoma M/IC Overlay District. |
| **Medical and Health Services** | | | |
| ~~Continuing care retirement community~~ | ~~P/ N*~~ | ~~N~~ | ~~In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~<br>~~See Section 13.06.080.N.~~ |
| ~~Detoxification center~~ | ~~CU~~ | ~~CU~~ | - |
| Emergency medical care | P | P | Limited to 10,000 square feet of building floor area. |
| Hospital | P/CU* | P/N~ | *Conditional use within the South Tacoma M/IC Overlay District.<br>~Not permitted within the South Tacoma M/IC Overlay District |

| Uses | M-1 | M-2 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| ~~Intermediate care facility~~ | ~~P/ N*~~ | ~~N~~ | ~~In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~<br>~~See Section 13.06.080.N.~~ |
| ~~Residential care facility for youth~~ | ~~P/ N*~~ | ~~N~~ | ~~In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed use building where a minimum of 1/3 of the building is devoted to industrial or commercial use.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~<br>~~See Section 13.06.080.N.~~ |
| ~~Residential chemical dependency treatment facility~~ | ~~P/ N*~~ | ~~N~~ | ~~See Section 13.06.080.N.~~<br>~~*Not permitted within the South Tacoma M/IC Overlay District.~~ |
| **Community and Civic Facilities** | | | |
| Assembly facility | P | P | |
| Cemetery/ Internment services | N | N | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A |
| Confidential shelter | P/N* | N | See Section 13.06.080.N.<br>*Not permitted within the South Tacoma M/IC Overlay District. |
| Correctional facility | P | P | |
| Cultural institution | P/CU* | P/CU* | *Conditional use within the South Tacoma M/IC Overlay District unless an accessory use. |
| Detention facility* | CU | 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).<br>A pre-application community meeting is required (see Section 13.05.010.A).<br>This CU is only available in the M-1 zones in place as of January 1, 2018.<br>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/N* | P/N* | See Section 13.06.080.H for resident limits and additional regulations.<br>*Not permitted within the South Tacoma M/IC Overlay District. |
| Parks, recreation and open space | P | P | Subject to the requirements of Section 13.06.080.L. |
| Public service facilities | P | P | |
| Religious assembly | P | P | |
| School, public or private | P/ N* | P/N* | * General K through 12 education not permitted in the South Tacoma M/IC Overlay District. |
| Work release center | CU | CU/N* | Subject to development standards contained in Section 13.06.080.R.<br>*Not permitted within the Port of Tacoma M/IC |

| Uses | M-1 | M-2 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| **Commercial Uses** | | | |
| Craft Production | P | P | |
| Hotel/Motel | P/N* | N | *Not permitted within the South Tacoma M/IC Overlay District. |
| Office116F116F[1] | 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.<br>* Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District. |
| Work/Live | 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 | P | P | |
| Eating and drinking | P | P | |
| Microbrewery/ winery | P | P | |
| Entertainment and Recreation | | | |
| Adult retail and entertainment | P | P | Subject to development standards contained in Section 13.06.080.B. |
| Carnival | P/TU* | N | *Temporary use only within the South Tacoma M/IC Overlay District |
| Commercial recreation and entertainment | P/CU* | P/ CU* | *Within the South Tacoma M/IC Overlay District 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. |
| Golf Courses | P | P | |
| Theater | P/N* | N | *Not permitted within the South Tacoma M/IC Overlay District. |
| Retail | P~ | P~ | ~ Size limitations:<br>Limited to 7,000 square feet of floor area, per development site, in the JBLM Airport Compatibility Overlay District.<br>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.<br>Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per use, unless approved with a conditional use permit. |
| Marijuana retailer | P~ | P~ | ~Within the South Tacoma M/IC Overlay District, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district.<br>See additional requirements contained in Section 13.06.080.J. |
| Plant Nursery | P | P | |
| Services | | | |

[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 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| Ambulance services | P | P | |
| Animal sales and service | P | P | |
| Building material and services | P | P | |
| Business support services | P | P | |
| Day care center | P | P | Subject to development standards contained in Section 13.06.080.E. |
| Funeral home | P | P | |
| Personal services | P | P | |
| Repair services | P | P | |
| Storage Uses | | | |
| Self-storage | P | P | See specific requirements in Section 13.06.090.J. |
| Warehouse/ storage | P | P | Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable. |
| Wholesale or distribution | P | P | |
| Vehicle Related Uses | | | |
| Drivethrough with any permitted use | P | P | Subject to the requirements of TMC 13.06.090.A. |
| Vehicle rental and sales | P | P | Subject to development standards contained in Section 13.06.080.S. |
| Vehicle service and repair | P | P | Subject to development standards contained in Section 13.06.080.S. |
| Vehicle storage | P | P | Subject to development standards contained in Section 13.06.080.S. |
| **Industrial** | | | |
| Prohibited industrial uses in all districts:<br>• Animal slaughter<br>• Animal and fat rendering facility<br>• Acid manufacture<br>• Blast furnaces<br>• Coal facility<br>• Chemical manufacturing, processing, and wholesale distribution<br>• Explosives, fertilizer, and petrochemical manufacturing<br>• Petroleum fuel facility<br>• Smelting | N | N | |
| Industry, heavy | N | P | |
| Cleaner Fuel Infrastructure | N | P* | *Subject to special use standards in TMC 13.06.080.F. |
| Industry, light | P | P | |
| Marijuana processor, producer, and researcher | P | P | See additional requirements contained in Section 13.06.080.J |

| Uses | M-1 | M-2 | Additional Regulations (see table Footnote 1) |
|---|---|---|---|
| Research and development industry | P | P | |
| Vehicle service and repair, industrial | P | P | Subject to development standards contained in Section 13.06.080.S. |
| Airport | N | N | |
| Communication facility | P | P | |
| Heliport | CU | CU | |
| Passenger terminal | P | P | |
| Transportation/ freight terminal | P | P | |
| Utilities | P | P | |
| Wireless communication facility | P* | P*/ | *Wireless communication facilities are also subject to Section 13.06.080.Q. |
| | CU** | CU** | **Wireless communication facilities are also subject to Section 13.06.080.Q. |
| **Accessory and Temporary Uses** | | | |
| Seasonal sales | TU | TU | Subject to development standards contained in Section 13.06.080.P. |
| Temporary uses | P | P | Subject to development standards contained in Section 13.06.080.P. |
| Temporary shelter | P | N | Subject to Section 13.06.080.N.2 |
| **Unlisted Uses** | | | |
| Uses not prohibited by City Charter and not prohibited herein | N | N | |

6. District use table – Seaport manufacturing and industrial districts

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| **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** | | | | | | | |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| Prohibited Residential Uses in all districts<br>• Houseplex<br>• Dwelling, accessory (ADU)<br>• Courtyard Housing<br>• Backyard House<br>• Mobile Home/Trailer Court<br>• 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 | |
| ~~Emergency~~ Permanent 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.<br>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~~ | |
| Special needs housing | N | N | N | N | CU | N | |
| Retirement home | N | N | N | N | P | N | See Section 13.06.080.N.<br>Residential uses prohibited on the ground floor. |
| **Medical and Health Services** | | | | | | | |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| Prohibited medical and health services, in all districts<br>~~• Continuing care retirement community~~<br>~~• Detoxification center~~<br>• Hospital<br>~~• Intermediate care facility~~<br>~~• Residential care facility for youth~~<br>• ~~Residential chemical dependency treatment facility~~ | N | N | N | N | N | N | |
| Emergency medical care ~~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:<br>• Cemetery/internment services<br>• Confidential shelter<br>• Correctional facility<br>• Detention facility<br>• Juvenile community facility<br>• Work release center | N | N | N | N | N | N | |
| Assembly facility | N | N | P* | P | P | N | * Seaport related only |
| Cultural and historical establishments | N | P* | P | P | P | N | * In the Seaport Core Manufacturing District ancillary to a primary use only.<br>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. |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| **Commercial Uses** | | | | | | | |
| Commercial uses prohibited in all districts:<br>• Adult retail and entertainment<br>• Carnival<br>• Golf course<br>• Mini storage<br>• 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. |
| 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.<br>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.<br>Only indoor facilities are permitted in the SCS and ST Districts. |
| Theater | N | N | N | N | P | N | |

| Uses | | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|---|
| Retail | | N | P* | P* | P | P | N | In SCM, SCS and ST districts: must be seaport related.<br>*Ancillary to a primary use only.<br>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:<br>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.<br>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.<br>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 | |
| 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.<br>* 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** | | | | | | | | |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| 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:<br>• Acid manufacture<br>• Airport<br>• Animal and fat rendering facility<br>• Animal slaughter and husbandry<br>• Auto wrecking yard<br>• Cannabis processing, production, research<br>• Coal facility<br>• Explosives, fertilizer, and petrochemical manufacturing<br>• Petroleum fuel facility*<br>• Pulp and paper mill<br>• Smelting<br>• Tire related manufacturing and processing<br>• 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 | |
| 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.<br>~ Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts.<br>No new stormwater or wastewater discharge to water bodies permitted. |

| Uses | | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|---|
| | Cleaner Fuel Infrastructure | CU | CU | N | N | N | N | Subject to special use standards in TMC 13.06.080.F.<br>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<br>* 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.<br>No new stormwater or wastewater discharge to water bodies permitted.<br>* 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.<br>* 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<br>* 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. |
| **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 | |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| 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<br>Does not apply to vehicle import facilities.<br>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. |
| Temporary shelter | N | N | N | N | CU | N | Subject to Section 13.06.080.N.2 |
| **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 | |
| **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. |

| Uses | SCP | SCM | SCS | ST | STT | SC | Additional Regulations (see table Footnote 1) |
|---|---|---|---|---|---|---|---|
| **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.<br>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.<br>3. Ancillary use is subordinate to and supporting an allowed principal use. | | | | | | | |

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

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

2. ~~Emergency~~ Permanent shelters.

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

~~3. Use Standards.~~

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

~~**Special Needs Housing - Use Table**~~

~~(P = Permitted Outright, CU = Conditional Use Permit Required, N = Not Permitted)~~

~~* Note: See Subsection 4, below, for additional siting restrictions~~

~~** Note: The residency limitations indicated in this use table apply to the number of residents housed at a facility, exclusive of any support or care staff. Where specific residency limitations are provided in the definition of the use, the size information herein is provided for reference only.~~

| | ~~UR-1 and UR-2 and NRX~~ | ~~UR-3, R-4, R5, PRD, URX, RCX, NCX, T, C-1, HM, HMX, PDB~~ | ~~UCX, CCX, CIX, C-2, M-1, DCC, DMU, DR, WR~~ | ~~M-2, PMI~~ |
|---|---|---|---|---|
| ~~Emergency Shelter~~ | ~~N~~ | ~~CU~~ | ~~P~~ | ~~N~~ |
| ~~Staffed Residential Home~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~N~~ |
| ~~Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~N~~ |
| ~~Residential Chemical Dependency Treatment Facility, Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth~~ | ~~CU~~ | ~~P~~ | ~~P~~ | ~~N~~ |

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

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

b. Siting and dispersion

(1) Applicability.

- Facilities lawfully in existence on the adoption date of this section, are exempt from the dispersion requirement. Such facility shall be permitted to expand from the

site it lawfully occupied at the time of the passage of this section only onto contiguous property owned by or under lease to the use at the time of the adoption of this section.

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

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

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

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

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

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

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

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

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

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

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

2. ~~Purpose.~~ Temporary Shelters.

~~a. Purpose.~~

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

b. Applicability.

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

c. Application submittal requirements.

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

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

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

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

(b) The maximum number of residents proposed;

(c) The location, including parcel number(s) and address(es);

(d) The names of the managing agency, proposed self-management plan (the self-management plan would require consultation with the sponsor and oversight by City staff and meetings with neighboring property owners, businesses, Safe Streets organizations, Neighborhood Councils, and/or similar organizations), or manager and sponsor;

(e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design ("CPTED") principles:

i. Property lines;

ii. Property dimensions;

iii. Location and type of fencing/screening (must be a minimum of ten feet from property lines);

iv. Location of all support structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;

v. Method of providing and location of potable water;

vi. Method of providing and location of waste receptacles;

vii. Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);

viii. Location of vehicular access and parking;

ix. Location of dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);

x. Entry/exit control points;

xi. Internal pathways, and access routes for emergency services.

(f) A statement from the sponsoring religious, non-profit, or governmental organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary shelter;

(g) a signed trespass order filed with the Tacoma Police Department;

(h) a mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate;

(i) transition plan for assisting residents in moving to another location.

d. Siting and dispersion

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

(2) The lot line of any new temporary shelter shall be located ~~1~~ ½ mile or more from the lot line of any other emergency or temporary shelter. Where existing proximity to a limited access highway or freeway affords comparable protection, the ~~1~~ ½ mile distance requirement may be waived. ~~In no event shall there be located in any one Police Sector shelter sites serving more than a cumulative total of 150 residents at any given time, and a minimum of one mile must separate each temporary shelter site, except where the Director determines adjusting proximity will not result in over-concentration or an adverse impact to the surrounding community. Prior to approving shelter sites, the total capacity of temporary shelter sites in a given sector will be evaluated. As part of the process for approving additional locations within a sector, the City shall determine whether there are adequate services to support additional locations in a sector.~~

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

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

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

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

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

i. The number of code compliance cases.

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

e. Safety and health requirements.

A temporary shelter shall be established in accordance with the following standards:

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

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

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

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

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

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

~~i. The number of code compliance cases.~~
~~ii. The number of calls placed to police due to disruptions on-site by residents.~~
~~iii. The number of community engagements, which may include meetings or volunteer opportunities.~~

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

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

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

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

(~~6~~5) Outdoor shelters shall be enclosed on all sides with a minimum six-foot tall, sight-obscuring fence. No fence will be required if the site is out of view of adjacent properties.

(~~7~~6) Permanent structures are prohibited from being constructed within the temporary shelter site. Existing permanent structures may be used for sheltering or service provision.

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

(~~9~~7) The sponsoring religious, non-profit, or governmental organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the shelter during its operation.

(~~10~~8) One security/office/operations structure shall be provided for the site manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the shelter and be ready and able to alert police and/or other emergency responders if the need arises.

(~~11~~9) The minimum age for unaccompanied shelter residents is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.

(~~12~~10) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious, non-profit, or governmental organization. No sex offenders will be permitted as shelter residents.

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

(~~14~~11) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(~~15~~12) Premises must be maintained as approved by the Tacoma Fire Department ("TFD"), including:

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

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

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

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

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

(f) Security Plan. The security plan shall:

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

ii. Contain an evacuation plan for the temporary shelter;

iii. Contain a controlled access plan for residents; and

iv. Contain a fire suppression and emergency access plan.

~~(16) Parking standards.~~

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

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

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

(~~17~~13) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

## Minor Code Amendments – Issues and Proposed Amendments

April 1, 2026

| No. | Title of Issue and Code Section | Description of Issue | Proposed Amendments |
|---|---|---|---|
| **Definitions and Terms** | | | |
| 1. | **Alteration Definition**<br>TMC 13.01.060.A | Over time the alteration definition was modified. It is recommended that the definition be restored back to the definition from Ord. 27995 Ex. D; (6/14/2011) or Ord. 28009 Ex. A (passed Aug. 9, 2011) | **13.01.060 Zoning Definitions**<br>13.01.060.A<br>"Alteration." A physical change to a structure or a site. Alterations do not include normal maintenance and repair. Alteration includes ~~or any of~~ the following:<br>1. Changes to the façade of a building;<br>2. Changes to the interior of a building;<br>3. Increases or decreases in floor area of a building;<br>4. Changes to other structures, including parking garages, on the site or the development of new structures;<br>5. Changes to landscaping, off-street parking spaces, and other improvements to a site; and/or<br>~~6. Demolition~~ |
| 2. | **Blank Wall definition**<br>TMC 13.01.060.B | Recommend adding a generalized definition of "Blank wall" to the Definitions section and establishing consistent organization across zoning district types. See also item #11 for related amendments. | **13.01.060 Zoning Definitions**<br>13.01.060.B<br>"Blank wall." A continuous, uninterrupted area of wall without a window, door (including garage), or other opening. |
| 3. | **Primary Entrance definition**<br>TMC 13.01.060.P | Recommend adding a generalized definition of "Primary entrance" to the Definitions section and adding language clarifying specific site and development conditions. See also item #12 for related amendments. | **13.01.060 Zoning Definitions**<br>13.01.060.P<br>"Primary entrance." An entrance that provides direct pedestrian access to residential units, non-residential use(s), or a shared entrance of multiple users/uses and is oriented to and directly accessible from a street. This can include entrances into an interior |

| No. | Title of Issue and Code Section | Description of Issue | Proposed Amendments |
|---|---|---|---|
| | | | space as well as exterior spaces such as courtyards, plazas, patios, or other similar spaces that may be covered, uncovered, unenclosed, or partially enclosed. |
| 4. | **Rowhouse Definition**<br>TMC 13.01.060.R | The "Rowhouse" definition and description state that a rowhouse is always attached to two to five other Rowhouse buildings. To clarify the definition, staff recommends changing "Rowhouse buildings" to "Rowhouses." Also, private yards are not required for roadhouses, so this statement is removed. See also item #10 related amendment. | **13.01.060 Zoning Definitions**<br>13.01.060.R<br>"Rowhouse." A Housing Type consisting of a building with access to the street from its front door ~~and a private yard~~. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouses ~~buildings~~, which together create a "Rowhouse Cluster" of three to six Rowhouses. These are sometimes, but not always, located on individual lots. |
| 5. | **Transportation/Freight Terminal definition**<br>TMC 13.01.060.T | Clarify the difference between "Transportation/Freight Terminals" and "Passenger Terminal" definitions. As of now, a passenger terminal (like a bus station, train station, ferry terminal) could fit in both/either. Recommend amendment to distinguish Transportation/Freight Terminals (generally an industrial use, where goods are transferred between modes) from Passenger Terminals (generally a public facility, where people are transferred between modes) by striking the "transfer of people" from the "Transportation/Freight Terminal" definition. | **13.01.060 Zoning Definitions**<br>13.01.060.T<br>"Transportation/freight terminals." A place where transfer of goods ~~and/or people~~ takes place between modes of transportation. This classification includes marine terminals, freight terminals and transfer yards, container marshalling yards, intermodal rail yards, general rail yards, train and bus stations, and ferry terminals. |

| No. | Title of Issue and Code Section | Description of Issue | Proposed Amendments |
|---|---|---|---|
| 6. | **Fueling Stations and Gas Stations terms inconsistency**<br><br>TMC 13.06.030.F, TMC 13.06.040.C | The code uses the terms “fueling stations” and “gas stations” interchangeably. Fueling stations is the defined term. Recommend changing references to “gas stations” to “fueling stations” for consistency. | **13.06.030 Commercial Districts**<br>F. District development standards.<br>8. Maximum setback standards on designated streets.<br>d. Exceptions<br>(3) The primary building of a ~~gas~~ fueling station, where ~~gas~~ fueling stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt.<br><br>**13.06.040 Mixed-use Center Districts**<br>C. Districts established.<br>2. CCX Community Commercial Mixed-Use District. To provide for commercial and retail businesses intended to serve many nearby neighborhoods and draw people from throughout the City. These areas are envisioned as evolving from traditional suburban development to higher density urban districts. Walking and transit use are facilitated through designs which decrease walking distances and increase pedestrian safety. Uses include shopping centers with a wide variety of commercial establishments; commercial recreation; ~~gas~~ fueling stations; and business, personal, and financial services. Residential uses are encouraged in CCX Districts as integrated development components. |

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|---|---|---|---|
| **Permitted Uses and Standards** | | | |
| 7. | **Transitional zoning district permitted uses**<br>TMC 13.06.030.E.4 | Personal services are a prohibited (N) use in the Transitional (T) zoning district. T districts are adjacent to commercial zoning districts that allow retail and fueling station uses. Office uses are permitted in the T District. Examples of personal service uses include barbershops, beauty salons, tailors, self-service laundries, and dance studios. Considering relative impacts of other uses permitted within the Transitional zoning district, permitting ("P") Personal Services is recommended. | See **Exhibit C-1**. |
| 8. | **Live/Work and Work/Live Special Use Standards**<br>TMC 13.06.080.I | The live/work and work/live special use standards allow the residential portion of the unit to be inhabited by the business owner and prohibits the working or living space from being leased separately. Staff recommends allowing an employee to reside in the residential portion while retaining other limitations. | **13.06.080 Special Use Standards.**<br>I. Live/Work and Work/Live.<br>3. Live/Work use standards.<br>a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;<br>b. The residential portion of the unit shall be inhabited by the business owner or employee of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;<br>***<br>4. Work/Live use standards.<br>a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;<br>b. The residential portion of the unit shall be inhabited by the business owner or employee of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space; |
| **Urban Residential Zoning Development and Design Standards** | | | |

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| 9. | **UR Development Standards:**<br>• **Minimum Density for Existing Lots**<br>• **Front Setback Averaging**<br>• **Pipestem Standards**<br>TMC 13.06.020.F.1 | Minimum Density for Existing Lots<br>It is recommended that the statement "which do not meet the minimum area, setbacks, and/or frontage requirements" be stricken.<br><br>Front Setback Averaging<br>The Urban Residential development standards pertaining to "Front Setback Averaging" only includes a reference to associated diagrams, but not the standard language.<br>Recommend adding the Front Yard Averaging standards and additional language explaining how it works.<br><br>Pipestem Standards<br>The code allows pipestem lots in UR districts. It would be impractical to require pipestem lots to meet building orientation, habitable space, or parking design standards.<br>Recommend adding a statement exempting pipestem lots from building orientation, parking locational requirements, and habitable space requirements. | **13.06.020 Residential Districts**<br>F. Urban Residential Districts (UR-1, 2 and 3) Development Standards.<br>1. Housing types, densities, scale, and lot standards<br><br>Density Notes<br>All units on the lot count toward the maximum density or maximum bonus density, including those in separate buildings or in any combination of housing types. In no case shall the total number of units on a lot exceed the maximums in this table.<br><br>Legal lots of record as of February 1, 2025 ~~which do not meet the minimum area, setbacks and/or frontage requirements~~ are allowed a minimum of 4 dwellings in the UR-1, 6 dwelling units in the UR-2, and 8 dwelling units in the UR-3, along with the ability to provide 2 additional dwellings through use of the Bonus 1 program.<br><br>Front Setback Averaging<br>~~Refer to Diagrams G.1 and G.2.~~<br>For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less. Refer to Diagram G.1.<br>(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less. Refer to Diagram G.2.<br>(2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house. |

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| | | | (3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.<br><br>Pipestem Lots ~~Setbacks~~<br>Pipestem lots shall provide a minimum of 5 feet on all sides; and shall provide a front and rear setback on two opposite sides. Pipestem lots are not subject to UR building design standards for building orientation, parking, and habitable space. |
| 10. | **Urban Residential Building Design Standards:**<br>• **General Applicability**<br>• **Houseplex building depth**<br>• **Rowhouse description, building depth**<br>• **Alley access exceptions**<br>• **Habitable Space**<br>• **Non-Residential Uses**<br>TMC 13.06.100.F | General Applicability<br>Across the various design standards (Commercial, Mixed-Use, Multi-unit Residential, etc.), the General Applicability section consists of two main items: a general applicability statement followed by a list of exceptions. However, the Urban Residential design standards section includes a number of items that are presented as if they are exceptions but are not. It also does not include a number of exceptions that are typical of other design standard sections and ought to be included.<br>Recommend reorganizing these items and adding missing exemptions for clarity.<br><br>Housing Type Standards: Maximum building depth<br>Recommend adding the word "max" (maximum) to Houseplex and Rowhouse Building Depth standards.<br><br>Housing Type Standards: Exceptions to alley access requirements exceptions<br>UR design standards require access from an alley if exists. TMC 13.06.090.C.14 allows exceptions to this requirement if the alley access is not practically available, as | See **Exhibit C-2**.<br><br>The proposed amendments would make the following changes:<br>• List exceptions to standards as subsections below "General applicability" (13.06.100.F.1) consisting of Alterations (currently 13.06.100.F.1.f), Temporary (new), Historic (currently 13.06.100.F.1.c), Religious (new), and Adaptive reuse of heritage building (new).<br>• Create a new "Relationship to other standards" (new 13.06.100.F.2) for items currently described in 13.06.100.F.1.b.<br>• Create a new "Determining applicable housing type building design standards" (new 13.06.100.F.3) for items currently described in 13.06.100.F.1.d and "e" and creating a new provision pertaining to "Limited mixed-use residential" uses.<br>• Adjust numbering of sections 13.06.100.F.2 – 4.<br>• Distinguish uses ancillary to residential uses from the term "non-residential uses" in the area currently described in 13.06.100.F.4.b(2) (new 13.06.100.F.6.b(2)).<br>• Eliminate "Non-Residential Uses" section 13.06.100.F.4.g and add transparency standards for non-residential uses. |

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| | | determined by the City Engineer, such as if the alley is within a wetland. Recommend adding a reference to applicable code sections to TMC 13.06.090.C.14.<br><br><u>Additional Standards: Habitable space</u><br>The code describes spaces associated with residential uses, such as lobbies and mailrooms, as “non-residential” along with commercial use. This presents some confusion with how the term “non-residential” is used elsewhere in the code. Distinguishing the ancillary residential spaces from active commercial spaces would provide clarity.<br><br>Recommend adding language that distinguishes spaces ancillary to residential uses from the active portions of non-residential uses.<br><br><u>Additional Standards: Non-residential uses</u><br>13.06.020.E lists a number of non-residential uses that are permitted outright or conditionally permitted within Urban Residential zones. These include religious assembly, adaptive reuse of existing “heritage” buildings, limited mixed-use residential, along with others. The Urban Residential non-residential use design standards include those that are sufficiently addressed elsewhere in the specific non-residential use sections (e.g., Limited Mixed-Use Residential size limitation) as well as those that may be inconsistent or conflict with a range of aspects associated with these non-residential use provisions (e.g., corner requirement). The only standard that is not found elsewhere and does not present a | |

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| | | conflict pertains to transparency, which could be added to the housing type standards.<br><br>Recommend eliminating Non-Residential Use Additional Building Design Standards to remove duplicative and conflicting language, and adding non-residential transparency standards to each of the housing type standards. | |
| **Non-Urban Residential Zoning Design Standards** | | | |
| 11. | **Blank Walls Building Design Standards**<br>TMC 13.06.100.A.6.a, TMC 13.06.100.B.3.f, TMC 13.06.100.C.8.c, TMC 13.06.100.D.3.f | The building design standards for Commercial, Mixed-use, Downtown, and Multi-unit Residential development all have blank wall standards, but they are not consistent in terms of content and organization, which can cause confusion.<br><br>Recommend moving the definition of "Blank Wall" to the Definitions section (see also item #2) and establishing consistent organization across zoning district types. | See **Exhibit C-3**.<br><br>The proposed amendments would make the following changes:<br>• Eliminate "Blank wall" definition within Mixed-use and Downtown design standards in favor of a generalized definition – see **item #2**.<br>• Reorganize all sections content with Applicability and Requirements subsections.<br><br>None of the current standards are substantively changed. |
| 12. | **Mixed-use and Downtown Building Design Standards:**<br>• **Building Orientation & Entrances**<br>• **Building Transitions**<br>• **Mass Reduction**<br>TMC 13.06.100.B.3.c - d, TMC 13.06.100.B.4.b, TMC 13.06.100.D.3.c – d, TMC 13.06.100.D.4.b | Building Orientation & Entrances<br>The building design standards for Mixed-use and Downtown districts have similar Building Orientation and Entrances standards. These include a definition of "Primary Entrance" and requirements for all entrances, including Primary Entrances, for residential and non-residential buildings and uses. There are certain conditions, such as and ground-related units, that are not sufficiently addressed and can cause confusion. Additionally, the term "Primary Entrance" is used for other zoning districts, but they are not clearly defined. | See **Exhibit C-4**.<br><br>The proposed Building Orientation & Entrances and Building Transitions amendments would make the following changes:<br>• Eliminate "Primary entrance" definition in favor of a generalized definition – see **item #3**.<br>• Clarify requirements for mixed-use buildings, buildings with more than one entrance, right-of-way encroachments, and building transition area requirements. |

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| | | Recommend moving the definition of "Primary Entrance" to the Definitions section (see also item #3) and adding language clarifying specific site and development conditions.<br><br><u>Building Transitions</u><br>The Building Transitions standards for shared residential primary entrances for Mixed-use and Downtown districts list two building transition features that must be incorporated. Staff believes this requirement is an error and that the listed features should be options where at least one must be employed, which would be consistent with other similar standards. Additionally, one of the listed features refers to a somewhat vague amenity standard.<br><br>Recommend adding language correcting building transition requirements for shared residential entrances and replacing the amenity standard reference with a clear description of the requirements.<br><br><u>Mass Reduction</u><br>Mass reduction requirements apply to building façades that meet a specific frontage length threshold. Where applicable, mass reduction standards include a choice of three design options: horizontal modulation (aka upper story stepback), vertical modulation, and exterior amenity space (aka plaza, courtyard) in addition to light and air access for residential units.<br>Staff have identified the following issues:<br>• The "common exterior amenity space" option is not viable for most developments and ineffective. | The proposed Mass Reduction amendments would make the following changes:<br>• Revise encroachment note for clarity.<br>• Add clarifying note addressing horizontal modulation compliance.<br>• Add "façade articulation" mass reduction option based on some of those listed in TMC 13.06.100.B.4.a/13.06.100.D.4.a.<br>• Move "light and air access for residential units" up a level to no longer be limited to developments that meet façade width threshold in TMC 13.06.100.B.4.b/13.06.100.D.4.b.<br>• Other corrections and clarifications. |

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| | | • Other issues include missing standards for non-street-facing façades, a code reference error, inconsistent word choice, use of vague terms, and unclear horizontal modulation and light and air access standards applicability.<br><br>Recommend basing the "Common exterior amenity space" requirement on site area instead of building floor area, adding another mass reduction option, and correcting other errors identified. | |
| **Corrections** | | | |
| 13. | **UR zoning references**<br>TMC 13.04.230.D, TMC 13.06.040.F, TMC 13.06.080.H, TMC 13.06.080.Q, TMC 13.06.090.J, TMC 13.06.100.A | Replace "R-1, R-2, and R-3" district notations with "UR districts" in multiple sections of the Code related to the following:<br>• Platting and subdivisions: Pipestem lots<br>• Mixed use district Development Standards<br>• Special use standards: Juvenile community facilities<br>• Special use standards: Wireless communication facilities<br>• Site development standards: Zoning transition standards: Mobile home/trailer courts<br>• Building design standards: Commercial districts | See **Exhibit C-5**. |
| 14. | **Wireless Facilities**<br>TMC 13.05.020.K | Wireless facilities application submittal requirements are in the Land Use amendments code section. For consistency, this section is recommended to be moved to Special Use Standards for Wireless communication facilities (TMC 13.06.080.Q.) code section. | See **Exhibit C-6**. |

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| 15. | **Outdated Comprehensive Plan References**<br><br>TMC 13.05.050.A, TMC 13.05.050.D | Current development agreement provisions reference the Downtown Comprehensive Plan element that is not included in the recently updated Comprehensive Plan. Additionally, the Tacoma Mall subarea plan is referenced, but the North Downtown and South Downtown subarea plans are not.<br><br>Recommend revising these sections with updated Comprehensive Plan language and applicable subarea plans. | **13.05.050 Development Regulation Agreements**<br>A. Purpose.<br>Pursuant to RCW 36.70B.170-210, the purpose of this section is to create an optional application procedure that could authorize certain major projects in key locations to be reviewed, rated, approved, and conditioned according to the extent to which they advance the Comprehensive Plan's goals and policies. In addition to demonstrating precisely how it significantly advances the goals and policies of the Comprehensive Plan by achieving the threshold set forth in subsection 13.05.050.D, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in subsection 13.05.050.B must document specific compliance with the policies and standards set forth in the ~~Downtown Element,~~ Growth Strategy, Housing Element, and Subarea Plans for North Downtown, South Downtown, or Tacoma Mall Neighborhood ~~Subarea Plan~~, as applicable, as well as with other pertinent Comprehensive Plan goals and policies.<br><br>***<br><br>D. Review criteria.<br>The City Manager, and such designee or designees as may be appointed for the purpose, shall negotiate acceptable terms and conditions of the proposed Development Regulation Agreement based on the following criteria:<br>1. The Development Regulation Agreement conforms to the existing Comprehensive Plan. Except for projects on a public facility site of at least five acres in size, conformance must be demonstrated by the project, as described in the Development Regulation Agreement, scoring 800 points out of a possible 1,050 points, according to the following scoring system ~~(based on the~~ |

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| | | | ~~Downtown Element, the Housing Element, or on the Tacoma Mall Neighborhood Subarea Plan, as applicable)~~: |
| 16. | **Noticing Requirements for Conditional Use, Master Plan**<br>TMC 13.05.070.H | Table H establishes notice, comment, and expiration requirements for land use permits. The "Conditional Use, Master Plan" application permit type states "Yes" under the hearing required column. This permit type is under Process II. The Director issues the decision and no hearing is required. Recommend changing "Hearing Required" to "No" for the Conditional Use, Master Plan application type. | See **Exhibit C-7**. |
| 17. | **Compact Parking Space Allowances**<br>TMC 13.06.090.C.15 | TMC 13.06.090.C.8.a was amended (Ordinance 28986) to increase the compact stall allowance from 30 percent to 50 percent of the parking spaces provided. TMC 13.06.090.C.15.b.6.b indicates the compact stall allowance at 30 percent and needs to be updated. | **13.06.090 Site Development Standards**<br>C. Off-street parking areas.<br>15. Off-street parking area development standards.<br>b. Minimum standards.<br>(6) Parking space standards.<br>(a) Standard parking spaces shall have a minimum width of eight feet, a minimum length of 16.5 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code.<br>(b) Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code. A maximum ~~30~~ 50 percent of the total parking spaces provided may be composed of compact stalls. The parking area shall be arranged such that a row of compact stalls has an exclusive aisleway or shares an aisleway with full size stalls. In no case shall two rows of compact stalls share the same aisleway. Aisleway widths shall |

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| | | | conform to the requirements of full size parking. All compact stalls shall be clearly marked<br>"COMPACT." |
| 18. | **Downtown Utility Standards**<br>TMC 13.06.090.L.4 | Utility standards include sections for "Mixed-use and Downtown" and "Downtown" zoning districts. Recommend amendments clarifying applicability along alleys and courts and for substantial alterations to existing structures for "Mixed-use and Downtown" standards and eliminate the duplicative Downtown district standards. | **13.06.090 Site Development Standards**<br>L. Utilities.<br>4. Standards in Mixed-use Districts and Downtown Districts.<br>a. Utility meters, electrical conduit, and other service utility apparatus.<br>(1) Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street and other pedestrian areas.<br>(2) If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, customer parking lots ~~(alleys are excluded)~~, or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. Alleys and courts are exempt from these requirements.<br>(3) All landscape screening shall provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting.<br>(4) Items that exceed 4 feet in height must use an opaque fence or structure to screen the element.<br>b. Service, loading, and garbage areas.<br>(1) Developments shall provide a designated area for service elements (refuse and disposal).<br>(2) Such elements shall be sited along the alley, where available.<br>(3) Where there is no alley available, service elements shall be located and/or screened to minimize the negative visual, noise, odor, and physical impacts.<br>c. Rooftop utility screening. |

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| | | | (1) All rooftop mechanical for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form or an equivalent architectural feature which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. Flexibility in this standard is allowed to ensure that the function of the HVAC equipment or the building's overall energy performance is not compromised by these requirements. This standard shall not apply to existing buildings undergoing substantial alteration.<br>~~6. Standards in Downtown Districts~~ |

| Clarifications | | | |
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| 19. | **Limited Mixed-Use Residential Development and Design Standards**<br>TMC 13.05.010.A.26, TMC 13.06.080.U | The Limited Mixed-Use Residential use is permitted as a "Special Use" or conditionally permitted within UR-3, R-4, and R-5 zoning districts. These uses are subject to the applicable development and building design standards of their respective zones. However, this is not explicitly addressed in the Limited Mixed-Use Residential use sections, and adding such language would provide greater clarity.<br><br>Recommend adding language listing the applicable development and design standards for Limited Mixed-Use Residential uses for each of the zones. | **Conditional Use Permit**<br>**13.05.010 Land Use Permits.**<br>A. Conditional Use Permits (CUPs).<br>26. Mixed-use residential development, limited.<br>a. Applicability.<br>b. Purpose.<br>c. General standards<br>d. Use standards.<br>e. Development and design standards.<br>(1) All development must conform to the development standards for the site's zoning in TMC 13.060.020.F and 13.060.020.G, as applicable. Where there are conflicting requirements, those set forth in this section shall prevail.<br>(2) Development is subject to building design standards in TMC 13.06.100 as follows:<br>(a) UR3 zone: Buildings shall conform to the housing type design standards in TMC 13.06.100.F most similar to the proposed development based on the housing types' distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.<br>(b) R-4 and R-5 zones: Buildings shall conform to the design standards in TMC 13.06.100.C.<br>~~e~~f. Criteria.<br>~~f~~g. Permitted Special Use and conditional use standards comparison.<br><br>**Special Use**<br>**13.06.080 Special Use Standards**<br>U. Mixed-use residential development, limited<br>1. Applicability.<br>2. Purpose.<br>3. General standards.<br>4. Use standards. |

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| | | | 5. Development and design standards.<br>a. All development must conform to the development standards for the site's zoning in TMC 13.060.020.F and 13.060.020.G, as applicable. Where there are conflicting requirements, those set forth in this section shall prevail.<br>b. Development is subject to building design standards in TMC 13.06.100 as follows:<br>(1) UR3 zone: Buildings shall conform to the housing type design standards in TMC 13.06.100.F most similar to the proposed development based on the housing types' distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.<br>(2) R-4 and R-5 zones: Buildings shall conform to the design standards in TMC 13.06.100.C.<br>~~5~~6. Permitted Special Use and conditional use standards comparison. |
| 20. | **Port of Tacoma Transition Overlay District Maximum Density**<br>TMC 13.06.070.G.3.b | The Port of Tacoma Transition Overlay District establishes a maximum density for existing lots of "at least one acre per lot." For clarification, staff recommends changing this to "one unit per acre." | **13.06.070 Overlay Districts.**<br>G. Port of Tacoma Transition Overlay District (PTD)<br>3. District Development Standards.<br>a. Prohibited uses.<br>Multi-unit dwellings, duplex, triplex, cottage housing, townhouse, houseplexes with more than one unit (except an ADU), rowhouses, courtyard housing, and multiplexes are prohibited as stand-alone primary uses or as part of a mixed-use development.<br>b. Maximum density.<br>Subdivision of existing lots shall average ~~at least one acre per lot~~ no more than one unit per acre. This maximum density shall not apply within Part B of the Port of Tacoma Transition Overlay District, as shown on the map above. |

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| 21. | **Urban Design Project Review**<br>TMC 13.19.040.C | Add language related to reconsideration for UDB decisions and notification requirements for UDB decisions. | See **Exhibit C-8**. |
| 22. | **Term Limits for CBCs**<br>TMC 1.42.050, TMC 13.02.010, TMC 13.19.030.D | Codify term limits for Landmarks Preservation Commission, Planning Commission, LPC, and Urban Design Board per Resolution No. 38668 (5/07/2013). | See **Exhibit C-9**. |
| 23. | **UR-3 Zoning District within the Joint Base Lewis McChord Airport Compatibility Overlay District (ACD)**<br>TMC 13.06.020.E.4 | At the time of adoption, the Airport Compatibility Overlay District (ACD) effectively restricted density within the overlay to two units per 4,500 square feet of lot area. TMC 13 at that time allowed standard R-1 and R-2 zoned lots to be subdivided to a minimum "small lot" size of 4,500 SF. At the time of adoption, a single-family dwelling and a single accessory dwelling unit were allowed. Without amending the overlay zone to specifically enable increased density the original density restriction, as well as use restrictions, remain in place.<br><br>This amendment adds a footnote in the Urban Residential use tables that restricts the allowed residential density on any lot within the ACD to no more than 2 units per 4,500 SF of lot area. | See **Exhibit C-10**. |
| 24. | **STGPD Prohibited Uses**<br>TMC 13.06.020.E, TMC 13.06.030.E, TMC 13.06.040.E, TMC 13.06.050.E, TMC 13.06.060.E | Recommend integrating STGPD prohibited uses into use tables with the addition of a footnote referring to TMC 13.06.070.D(5)(b). | See **Exhibit C-10**. |
| 25. | **Annual amendment timing**<br>TMC 13.02.070.C | Clarify the "annual amendment" process with greater flexibility about the exact timing while | **Chapter 13.02 Planning Commission**<br>13.02.070 Comprehensive Plan amendment procedures.<br>C. Timing for proposed amendments. |

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| | | maintaining frequency limitations consistent with State law. | 1. Amendments to the Comprehensive Plan shall be considered no more frequently than once each calendar year except that amendments may be considered more frequently under the following circumstances:<br>a. An emergency exists;<br>b. The initial adoption of a sub-area plan;<br>c. The adoption or amendment of a shoreline master program under the procedures set forth in RCW 90.58;<br>d. The amendment of the Public Facilities and Services element and Capital Facilities Program of the Comprehensive Plan that occurs concurrently with the adoption or amendment of the City's biennial budget; or<br>e. To resolve an appeal of the Comprehensive Plan decided by the Growth Management Hearings Board or a decision of the state or federal courts.<br>2. All proposed plan amendments shall be considered concurrently and, as appropriate, along with proposed amendments to development regulations, so that the cumulative effect of the various proposals can be ascertained. Proposed amendments may be considered annually~~, for which the amendment process shall begin in July of any given year and be completed,~~ with appropriate actions taken by the City Council in accordance with Sections 13.02.070.G and H, by the end of ~~June of~~ the ~~following~~ year. |

## Exhibits

C-1 Transitional zoning permitted uses code
C-2 Urban Residential Building Design Standards code
C-3 Blank Walls Building Design Standards code
C-4 Mixed-use and Downtown Building Design Standards code
C-5 Outdated R-1, R-2, and R-3 zoning references code
C-6 Wireless Facilities code
C-7 Conditional Use Permit hearing requirements code
C-8 Urban Design Project Review code
C-9 CBC term limits code
C-10 UR-3 within ACD and STGPD code

**Exhibit C-1: Transitional zoning district, Personal Service uses**

**13.06.030 Commercial Districts.**

E. District use restrictions.

1. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in this section are prohibited, unless permitted via Section 13.05.080.

2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

3. Use table abbreviations.

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

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2 and 3 at bottom of table) |
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| Services | | | | | |
| Ambulance services | N | P | P | P | |
| Animal sales and service | N | P | P | N | Must be conducted entirely within an enclosed building. |
| Building material and services | N | N | P | N | |
| Business support services | N | P | P | P | |
| Day care center | P | P | P | P | Subject to development standards contained in Section 13.06.080.E. |
| Funeral home | P | P | P | N | |
| Personal services | ~~N~~P | P | P | P* | *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. |
| Repair services | N | P | P | N | Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair. |

## Exhibit C-2: Urban Residential Building Design Standards

### 13.06.100 Building design standards

F. Urban Residential (UR) Minimum Design Standards.

1. General applicability.

The Housing Type Standards and Additional Standards (together called design standards) of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The design standards apply to all new development in the Urban Residential (UR) districts as outlined below~~,~~ except as follows:

a. Standards.

Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

b. Alterations.

(1) Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:

Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.

Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.

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

(2) The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.

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

c. Temporary. Temporary structures are exempt from the design standards of this section.

d. Historic. Refer to TMC 13.07 (Landmarks and Historic Special Review Districts) for applicable standards for entries and other building elements in Historic Districts. When conflicts in the code exist, Historic Standards take priority over Building Design Standards.

e. Religious assembly facilities which can demonstrate that the design standards impose a substantial burden, administratively or financially, on their free exercise of religion, shall be exempt from compliance.

f. Adaptive reuse of heritage building. Refer to TMC 13.05.010.A.6 & 13.06.080.T.3, as applicable, for standards for adaptive reuse of heritage buildings.

2.~~b~~ Relationship to other standards. These Design Standards work together with the other code sections to regulate buildings, open space, trees, parking and other elements on a site. Standards in one section are not repeated in another section. Refer to the following sections for other standards applicable to lots within the Urban Residential (UR) Districts:

~~(1)~~a. TMC 13.06.020.F District Development Standards and Table: Housing types allowed, Uses permitted, Lot area & measurements, Density, Floor Area Ratio, Maximum height, Number of stories, Setbacks, Building separation, Floor area ratio, Amenity space.

~~(2)~~b. TMC 13.06.090 Site Development Standards: Landscaping standards, Off-street parking areas, Pedestrian and bicycle support standards, Fences and retaining walls, Utilities, Street level building transitions.

~~c. Refer to TMC 13.07 (Landmarks and Historic Special Review Districts) for applicable standards for entries and other building elements in Historic Districts. When conflicts in the code exist, Historic Standards take priority over Building Design Standards.~~

~~d. When applying for a permit, the applicant must indicate which Housing Type is being proposed, and must comply with Building Design Standards for that type.~~

~~e. Multiple buildings and different housing types may be combined on a site, especially on large sites. These are often, but not always, platted for separate ownership. Backyard Buildings, by definition, are anticipated behind many of the other housing types. When combining housing types on a site, the applicable Housing Standards will be applied individually to each portion of the site as appropriate and indicated on the permit application. In no case shall the maximum density standards for a site be exceeded.~~

~~f. Alterations.~~

~~(1) Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:~~

~~Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.~~

~~Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.~~

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

~~(2) The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.~~

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

3. Determining applicable housing type building design standards.

a. When applying for a permit, the applicant must indicate which Housing Type is being proposed, and must comply with Building Design Standards for that type.

b. Multiple buildings and different housing types may be combined on a site, especially on large sites. These are often, but not always, platted for separate ownership. Backyard Buildings, by definition, are anticipated behind many of the other housing types. When combining housing types on a site, the applicable Housing Standards will be applied individually to each portion of the site as appropriate and indicated on the permit application. In no case shall the maximum density standards for a site be exceeded.

c. Limited mixed-use residential. Buildings shall conform to the housing type design standards most similar to the proposed development based on the housing types' distinguishing factors such as dwelling unit number, arrangement, and relationship to the street.

~~2~~4. Overview.

***

~~3~~5. Housing Type Standards.

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

***

(5) Access and Parking.

(D) Pedestrian Access: Primary Entry:

- One entry required at primary street.
- Additional Entries: Allowed from street, side yard, or rear yard. Sidewalk or pedestrian path required from the street.

(E) Parking:

- Required access from an alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5).
- Prohibited between building and street.
- Prohibited within front setback (except in front of garages). Garages must be setback 20' from lot line.

- Refer to Site Development Standards (TMC 13.06.090.C for vehicle, and 13.06.090.G for bike parking ratios).

(F) Driveway:

- Max number: 1 per 12,000 SF of lot area.
- Limited to access from alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5).
- Refer to Site Development standards TMC 13.06.090.C

***

(6) Building Size.

(I) Building Depth.

- UR-1 and UR-2: 75' max
- UR-3: 90' max

(7) Building Articulation.

(L) Transparency/Windows and Openings*:

- 15% transparent to street
- 10% transparent to alleys, shared open space, and surface parking courts
- Non-residential uses: 25% transparency between 2-10' above sidewalk grade.

***

b. Backyard Building.

(5) Access and Parking.

(D) Pedestrian Access: Sidewalk or pedestrian path required from street.

(E) Parking: Limited to access from an alley or existing driveway if exists. Prohibited between building and street. Prohibited within front setback. Garage doors must be setback 20' from lot lines abutting streets. Refer to Site Development Standards (TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios).

(F) Driveway: Max number: 1 per 12,000 SF of lot area shared with street-facing buildings. Required to be shared with driveways serving street-facing buildings, or must occur from alley if one exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Refer to Site Development Standards TMC 13.06.090.C.

***

(7) Building Articulation.

(L) Transparency/Windows and Openings*:

- 15% transparent to street if one exists

- 10% transparent to alleys. Placement should endeavor to provide privacy from adjacent units.
- Non-residential uses: 25% transparency between 2-10' above sidewalk grade.

***

c. Courtyard Housing.

(5) Access and Parking.

(D) Pedestrian Access. Entry from common courtyard to each building and/or unit; entry from street ok at front units.

(E) Parking. Required access from an alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer to Site Development Standards, TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.

(F) Driveway. Max number: 1 per 12,000 SF of lot area. Limited to access from alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Refer to Site Development Standards, TMC 13.06.090.C.

***

(7) Building Articulation.

(L) Transparency/Windows and Openings*:

- 15% transparent to street and courtyard
- 10% transparent to alleys and surface parking lots
- Non-residential uses: 25% transparency between 2-10' above sidewalk grade.

***

d. Rowhouse.

(1) Description.

Typically a multi-story building with access to the street from its front door ~~and a private yard~~. Each Rowhouse may contain more than one unit accessed from the same sidewalk and front door. A Rowhouse is always attached to two to five other Rowhouses ~~buildings~~, which together create a "Rowhouse Cluster" of 3 to 6 Rowhouses.

***

(3) Purpose.

Rowhouses are intended to provide housing at a scale between detached housing and multiplexes. With immediate street access to the units ~~and to private backyards~~, this housing type can work well for families. Often provided for sale, they can create

home ownership opportunities, and usually at a lower cost than detached houses because the buildings are connected and on smaller lots.

***

(5) Access and Parking.

(D) Pedestrian Access: Individual access via a sidewalk or pedestrian path is required to each Rowhouse from the street. Rowhouses on corner lots may select which street to orient to.

(E) Parking: Required access from an alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Prohibited between building and street. Prohibited within front setback. Garages prohibited on front facades. Garages must be setback 20' from lot line. Refer to Site Development Standards, TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.

(F) Driveway: Max number: 1 per 12,000 SF of lot area. Rowhouse Clusters must share a driveway if parking from alley is not available. Limited to access from alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Refer to Site Development Standards, TMC 13.06.090.C.

***

(6) Building Size.

(I) Building Depth: UR-1 and UR-2: 60' max. UR-3: 80' max.

***

(7) Building Articulation.

(L) Transparency/Windows and Openings*:

- 15% transparent to streets,
- 10% transparent to alleys, shared open space, and parking drives or lots
- Non-residential uses: 25% transparency between 2-10' above sidewalk grade.

***

d. Multiplex

(5) Access and Parking:

(D) Pedestrian Access: At least one shared entry to the building is required from the street within 15' of the sidewalk. Individual entries to ground floor units are permitted.

(E) Parking: Required access from an alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Prohibited between building and street. Prohibited within front setback. Garages must be setback 20' from lot line. Refer

to Site Development Standards, TMC 13.06.090.C for vehicle and TMC 13.06.090.G for bike parking ratios.

(F) Driveway: Max number: 1 per 12,000 SF of lot area. Limited to access from alley if exists unless the alley is not practically available (TMC 13.06.090.C.14) or the site meets the Incentives for Ownership Opportunities (TMC 13.06.020.F.4) or Incentives for Accessory Dwelling Units (TMC 13.06.020.F.5). Refer to Site Development Standards, TMC 13.06.090.C.

***

(7) Building Articulation.

(L) Transparency/Windows and Openings*:

- 15% transparent to street,
- 10% transparent to alleys, shared open space, and surface parking lots
- Non-residential uses: 25% transparency between 2-10' above sidewalk grade.

***

46. Additional Building Design Standards.

b. Habitable Space.

(1) Purpose: To promote active, welcoming, neighborly activities along streets and sidewalks.

(2) Spaces include: residential spaces such as foyers, entries, living rooms, dining rooms, kitchens, bedrooms, dens, lofts, home offices, common amenity spaces, playrooms, and mudrooms as well as shared ancillary. Also includes non-residential spaces such as lobbies, mailrooms, and bicycle storage rooms. Also includes the active portions of permitted or conditionally permitted non-residential uses per TMC 13.06.020.Ecafes, or commercial spaces. Excludes spaces such as garages, storage spaces, loading, mechanical, electrical, or other utility rooms.

(3) Location: The floor of a Habitable Space must be within 5 feet of sidewalk grade elevation, unless site conditions prohibit such a relationship. This is to allow garages or other utility spaces to be located partially underground along the street-frontage without counting against the Habitable Space requirements.

***

g. Non-Residential Use.

(1) Applicability: Refer to District Standards TMC 13.06.020.F. for uses allowed per zone. Non-residential uses except garages, loading and utility spaces count towards "Habitable Space Requirements".

(2) Location:

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

(b) Commercial uses must be on a corner lot

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

(3) Area and number:

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

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

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

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

# Exhibit C-3: Blank Wall Standards

## Commercial Building Design Standards

**13.06.100 Building design standards.**

A. Commercial District Minimum Design Standards

6. Façade Surface Standards.

a. Blank walls ~~limitation~~.

~~Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or customer parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.~~

(1) Applicability.

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

(2) Requirements.

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

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

## Mixed-Use Design Standards

**13.06.100 Building design standards.**

B. Mixed-Use District Minimum Design Standards

3. Ground Level Design.

f. Blank walls.

(1) ~~Definition.~~ Applicability.

~~"Blank wall." A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door.~~

An area of a ground floor wall measured 4 feet above the adjacent finished grade that is 15 feet or more in length and faces a street, residential zone not separated by an alley, internal pathway, courtyard, plaza, or an associated surface parking lot of 20 stalls or greater that meets the definition of blank wall is subject to these requirements.

(2) Requirements.

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

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

**Multi-unit Residential Design Standards**

**13.06.100 Building design standards.**

C. Multi-unit Residential Minimum Design Standards

8. Façade Surface Standards.

c. Blank walls ~~limitation~~

(1) Applicability.

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

~~Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.~~

(2) Requirements.

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

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

**Downtown Design Standards**

**13.06.100 Building design standards.**

D. Downtown District Minimum Design Standards

3. Ground Level Design.

f. Blank walls.

(1) Applicability.~~Definition.~~

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

(2) Requirements.

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

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

**Exhibit C-4: Mixed-Use and Downtown Districts Building Design:**
**Building Orientation & Entrances, Building Transitions, and Mass Reduction**

**13.06.100 Building design standards.**

B. Mixed-Use District Minimum Design Standards.

3. Ground Level Design.

c. Building Orientation & Entrances.

~~(1) Definitions.~~

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

(~~2~~1) Residential buildings/uses.

(a) Location. Primary entrances must be oriented to the abutting street and must include features that visually communicate its prominence and function such as signage, weather protection, wayfinding, pedestrian lighting, landscaping, walls/fences, etc. If the building has more than one street frontage where one is a designated Pedestrian Street, the primary entrance must be oriented to the Pedestrian Street except that the primary entrance for residential units within a mixed-use building may be located on non-Pedestrian Street so long as a Primary Entrance for the non-residential uses are provided along the Pedestrian Street~~for buildings with more than one street frontage~~. If no entrance clearly meets the definition of a Primary ~~entrance~~Entrance, at least one entrance must be designated as such and designed according to these standards.

(b) Dimensions.

Each Primary ~~residential and shared entries~~Entrance must include a covered space that is at least 4 feet wide and 6 feet deep except for developments that only include individual, ground-related unit entrances (see below)~~located on the development site~~. For shared entrances that are not a Primary Entrance, the required covered space must be at least 4 feet wide and 5 feet deep. For entries to individual ground-related units, the covered space must be at least 4 feet wide and 3 feet deep. This space may either be recessed or projecting from the front building wall and may encroach into the right-of-way. The weather protection cover may not be more than 12 feet above grade.

(~~3~~2) Non-residential buildings/uses.

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

(b) Customer entrances. Additional publicly-accessible entrances shall be provided along building elevations containing a publicly-accessible entrance at a minimum interval of 250 feet.

d. Building transitions.

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

***

(3) Residential entrances: Shared multi-unit entrances.

~~Each shared~~The primary entrance shall provide a transition area between the right-of-way and entrance.

Transitions can be accomplished by employing at least one of the following options:

- Grade changes that elevate the entrance at least 2 feet above adjacent grade.
- An ~~common exterior amenity space meeting the requirements of 13.06.040.I.3.a~~ exterior area that is at least 64 square feet with no dimension less than eight feet.

***

4. Building Form and Expression

b. Mass reduction.

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

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

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

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

Pedestrian Street Facades:

- 8’ minimum stepback along the streetfront façade for 4th floor and above in RCX Districts.

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

Other ~~street~~ facades:

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

Notes:

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

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

- Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.
- Façade employs building walls with contrasting articulation that make it appear like two or more distinct buildings. To qualify for this option, these contrasting façades must employ the following:
  - Different building materials and/or configuration of building materials.
  - Contrasting window design (sizes or configurations).

- Off-set front walls – Front facing facades are off-set from the property line by a minimum 8 foot difference.

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

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

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

~~(2)~~c. Light and air access for residential units.

Every residential unit shall have access to a minimum amount of light, direct or indirect, and air per these requirements.

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

(~~a~~1) Units that only face a side or rear property line shall be set back from the property line at least 8 feet for a ~~horizontal dimension~~ width of at least 10 feet.

(~~b~~2) Units that only face an internal exterior space, such as a courtyard or light well, shall be no closer than 15 feet from any parallel wall.

(~~c~~3) Units that face a side or rear property line and an internal exterior space is required to only meet (a) or (b) above.

(~~d~~4) Every unit shall be afforded at least 10 feet of total exterior wall width and each shall include at least one operable window.

~~(e) This standard shall not apply in cases where the rear or side property line abuts a street or alley.~~

(~~f~~5) Private amenity spaces, such as balconies, may encroach up to 5 feet into this space.

~~c~~d. Roofline design.

***

~~d~~e. Historic resources.

**D. Downtown District Minimum Design Standards.**

3. Ground Level Design

c. Building Orientation & Entrances.

~~(1) Definitions.~~

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

(~~2~~1) Residential buildings/uses.

(a) Location.

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

(b) Dimensions.

A covered space of weather protection is required for all building/use entries. Each Primary ~~residential and shared entries~~Entrance must include a covered space that is at least 4 feet wide and 6 feet deep except for developments that only include individual, ground-related unit entrances (see below) ~~located on the development site~~. For shared entrances that are not a Primary Entrance, the required covered space must be at least 4 feet wide and 5 feet deep. For entries to individual units, the covered space must be at least 4 feet wide and 3 feet deep. This space may either be recessed or projecting from the front building wall and may encroach into the right-of-way. The weather protection cover may not be more than 12 feet above grade.

(~~3~~2) Non-residential buildings/uses.

(a) Location.

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

(b) Customer entrances.

Additional publicly-accessible entrances shall be provided along building elevations containing a publicly-accessible entrance at a minimum interval of 250 feet.

d. Building transitions.

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

***

(3) Residential entrances: Shared multi-unit entrances.

~~Each shared~~The primary entrance shall provide a transition area including one of the following features between the right-of-way and entrance.

~~Transitions can be accomplished by the following:~~

- Grade changes that elevate the entrance at least 2 feet above adjacent grade.
- An exterior area that is at least 64 square feet with no dimension less than eight feet.
- ~~A common exterior amenity space meeting the requirements of 13.06.040.I.3.a.~~

***

4. Building Form and Expression

b. Mass reduction.

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

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

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

This requirement applies to buildings 4 to 10 stories in height in all districts.

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

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

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

Pedestrian Street Facades:

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

Other ~~street~~ facades:

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

Notes:

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

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

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

(c) Common exterior amenity space. A common exterior amenity space, such as a courtyard or public plaza, of at least 800 square feet or 5 percent of ~~building floor~~site

area, whichever is greater. The amenity space shall be located within 50 feet of and visible to the primary entrance; accessible to the residents and/or customers; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or artwork for each 200 square feet of ~~plaza~~ area.

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

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

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

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

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

(~~a~~1) Units that only face a side or rear property line shall be set back from the property line at least 8 feet for a ~~horizontal dimension~~width of at least 10 feet.
(~~b~~2) Units that only face an internal exterior space, such as a courtyard or light well, shall be no closer than 15 feet from any parallel wall.
(~~c~~3) Units that face a side or rear property line and an internal exterior space is required to only meet (a) or (b) above.
(~~d~~4) Every unit shall be afforded at least 10 feet of total exterior wall width and each shall include at least one operable window.
~~(e) This standard shall not apply in cases where the rear or side property line abuts a street or alley.~~

(~~f~~5) Private amenity spaces, such as balconies, may encroach up to 5 feet into this space.

***

~~c~~d. Roofline design.

***

~~d~~e. Historic resources.

## Exhibit C-5: Outdated R-1, R-2, R-3 Zoning District References

### 13.04 PLATTING AND SUBDIVISIONS

**230 Lots.**

D. Pipestem Lots.

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

1. No more than one out of every three proposed lots is a pipestem lot; and
2. One of the following are met:

    a. An existing dwelling which has been on the site for at least five years precludes a land division that is consistent with Section 13.04.230.A and would otherwise not meet the lot width, frontage, or setback requirements without a pipestem configuration (see examples ~~for R-2 District~~ below); or

    b. The site has dimensions which preclude a land division that is consistent with Section 13.04.230.A and would otherwise not meet the lot width, frontage, or setback requirements without a pipestem configuration.

### 13.06.040 Mixed-Use Center Districts.

F. District development standards.

1. Lot area and setbacks.

    e. Minimum setbacks.

    For X District property abutting a residentially zoned property, equal to the residential zoning district for the first 100 feet from that side.

    For X District property across a non-designated Pedestrian Street from ~~R-1, R-2 or R-2SRD~~ UR-1, UR-2, or UR-3 District property, the following front yard setback shall be provided:

    - Minimum 10-foot front yard setbacks are required along non-designated Pedestrian Streets.
    - Limited exception: For corner lots that also front on a designated Pedestrian Street, this setback shall not apply for the first 130 feet from the corner, as measured along the edge of the right-of-way.
    - Covered porches and entry features may project up to 6 feet into the setback.

      The setback area may include landscaping, walkways, pedestrian plazas, private patios, porches, or vehicular access crossings (where allowed), but not include parking.

**13.06.080 Special Use Standards**

H. Juvenile community facilities.

1. Applicability.

2. Purpose.

It is found and declared that juvenile community facilities are essential public facilities which provide a needed community service. However, the public interest dictates that they shall be subject to special regulations. The intent of these regulations is to reduce incompatible uses within established neighborhoods, to encourage equitable regional and statewide distribution of such essential public facilities, and to promote the public health, safety, and general welfare.

3. Use restrictions.

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

4. Use standards.

a. Maximum number of residents.

No juvenile community facility shall house more than eight residents in the UR-1, UR-2~~R-1, R-2, R-2SRD~~, HMR-SRD, NRX, UR-3~~R-3~~, R-4-L, and C-1 Districts. No juvenile community facility shall house more than 16 residents in the R-4, R-5, URX, RCX, NCX, CCX, UCX, CIX, C-2, M-1, M-2, and PMI Districts.

**13.06.080 Special Use Standards**

Q. Wireless communication facilities.

5. Use restrictions.

| Wireless Facility Use Category | Zoning District Classifications | | | |
|---|---|---|---|---|
| | ~~R-1~~UR-1; ~~R-2~~UR-2; ~~R-2SRD; R-3~~UR-3; R-4; R-4-L; R-5; T; HMX; DR; NRX | PDB; C-1; C-2, NCX; CCX; RCX; URX; UCX; DCC; DMU; WR | CIX; M-1 | M-2; PMI |
| **Level 1** | A [1, 3] | A | A | A |
| **Level 2** | C[3] | C[2] | A | A |
| **Level 3** | C[3] | C | C | A |
| **Level 4** | C[3] | C | C | C |

**Symbols:**

A - Allowed with administrative review

C - Allowed only with approval of a Conditional Use Permit

**Footnotes:**

1 - Permitted on public facility sites, subject to administrative review and building permit.

2 - Allowed 16 feet above underlying zoning district height limit, except in the C-1, C-2, and NCX Districts.

3 - New wireless communication towers and antennas prohibited in ~~R-1, R-2, R-2SRD, and R-3~~ UR-3 Districts, except on public or quasi-public property developed with existing public or quasi-public facilities and properties developed with existing wireless communication facilities.

6. Priority for siting and type of facility.

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

***

h. Place antennas and any necessary support structures on public property developed with existing public facilities and properties developed with existing wireless communication facilities in UR-1, UR-2~~R-1, R-2, R-2SRD~~, NRX, and UR-3 ~~R-3~~ Districts.

i. New antennas and necessary support structures shall be prohibited in UR-1, UR-2~~R-1, R-2, R-2SRD~~, NRX, and UR-3 ~~R-3~~ Districts, except as noted above.

***

9. Use standards.

***

b. Setbacks.

***

(5) Equipment structures shall comply with the setback requirements of the underlying zone, except in the UR-1, UR-2~~R-1, R-2, R-2SRD~~, NRX, and UR-3 ~~R-3~~

Districts, in which case a minimum setback of 20 feet from all property lines shall be provided, or the minimum setback of the underlying zone, whichever is greater.

**13.06.090 Site Development Standards.**

J. Zoning transition standards.

4. Landscaping Buffers:

***

f. Mobile home/trailer courts abutting Residential districts (where permitted).

- A wall, fence, vegetated wall, evergreen hedge, or other suitable enclosure of minimum height four and one half feet and maximum height of seven feet placed at least five feet from the side and rear lot lines. The area between such enclosures and the property lines shall be landscaped to form a permanent screening area.
- A landscaped screening area at least five feet in depth must be provided along the street frontage on a non-arterial street forming a boundary between a mobile home park site and a~~n~~ UR-1, UR-2, or UR-3 ~~R-1, R-2, or R-3~~ District.
- No signs shall be permitted on any part of a screening enclosure or within a screening area.

**13.06.100 Building design standards.**

A. Commercial District Minimum Design Standards.

5. Windows and Openings.

c. Exemptions.

(1) Residential privacy. On sides where C, T, or PDB District boundaries adjoin UR-1, UR-2, or UR-3 ~~R-1, R-2, R-2SRD or R-3~~ District boundaries, structures within the C, T, or PDB District that are set back at least 7 feet from the property line and screened by landscaping to a minimum height of 6 feet are exempt from the window and opening requirements on the effected side.

## Exhibit C-6: Wireless Communication Towers Application Requirements

### 13.05.020 Application requirements for land use permits.

K. Required submittals.[1]

1. Administrative review-building permit.

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

a. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, the type and location of plant materials used to screen the facility, including the related equipment facilities, and the proposed color(s) of the facility. The landscape plan shall address the required method of fencing, finished color, and, if applicable, the method of camouflage and illumination.

b. A signed statement indicating that:

(1) the applicant for a new tower has provided notice to all other area wireless service providers of its application to encourage the collocation of additional antennas on the structure. Notice shall be published in a newspaper of general circulation once per week, for a minimum period of 30 days, and an affidavit of publication shall be provided at the time of application as proof that the required notice has occurred. This requirement shall not apply to the development of concealed or camouflaged towers; and

(2) the applicant and/or landlord agree to remove the facility within one year after abandonment.

c. Copies of any environmental documents required, pursuant to the State Environmental Policy Act ("SEPA") (WAC 197-11). Project actions which are categorically exempt from SEPA shall also be exempt from this requirement. Copies of any environmental documents required by a federal agency. These shall include the environmental assessment required by FCC Para. 1.1307, or, in the event that a FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.

d. An engineered and stamped site plan clearly indicating the location, type, and height of the proposed tower and antenna, the anticipated antenna capacity of the tower, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.

e. Legal description of the parcel and Pierce County Assessor's Parcel Number.

f. A letter signed by the applicant stating the tower will comply with all FAA regulations and applicable standards, and all other applicable federal, state, and local laws and regulations.

g. A signed statement indicating that such installation, repair, operation, upgrading, maintenance, and removal of antenna(s) by the wireless communication provider shall be lawful and in compliance with all applicable laws, orders, ordinances, and regulations of federal, state, and local authorities having jurisdiction.

[1] Code Reviser's note: Relocated from Subsection 13.06.545.D. per Ord. 28613 Ex. G.

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

**13.06.080 Special Use Standards.**

Q. Wireless communication facilities.

***

3. Permits required.

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

***

10. Required submittals for Administrative review-building permit.

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

a. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, the type and location of plant materials used to screen the facility, including the related equipment facilities, and the proposed color(s) of the facility. The landscape plan shall address the required method of fencing, finished color, and, if applicable, the method of camouflage and illumination.

b. A signed statement indicating that:

(1) the applicant for a new tower has provided notice to all other area wireless service providers of its application to encourage the collocation of additional antennas on the structure. Notice shall be published in a newspaper of general circulation once per week, for a minimum period of 30 days, and an affidavit of publication shall be provided at the time of application as proof that the required notice has occurred. This requirement shall not apply to the development of concealed or camouflaged towers; and

(2) the applicant and/or landlord agree to remove the facility within one year after abandonment.

c. Copies of any environmental documents required, pursuant to the State Environmental Policy Act ("SEPA") (WAC 197-11). Project actions which are categorically exempt from SEPA shall also be exempt from this requirement. Copies of any environmental documents required by a federal agency. These shall include the environmental assessment required by FCC Para. 1.1307, or, in the event that a FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.

d. An engineered and stamped site plan clearly indicating the location, type, and height of the proposed tower and antenna, the anticipated antenna capacity of the tower, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.

e. Legal description of the parcel and Pierce County Assessor's Parcel Number.

f. A letter signed by the applicant stating the tower will comply with all FAA regulations and applicable standards, and all other applicable federal, state, and local laws and regulations.

g. A signed statement indicating that such installation, repair, operation, upgrading, maintenance, and removal of antenna(s) by the wireless communication provider shall be lawful and in compliance with all applicable laws, orders, ordinances, and regulations of federal, state, and local authorities having jurisdiction.

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

~~10~~11. Non-Use/Abandonment.

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

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

~~11~~12. Enforcement.

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

## Exhibit C-7: Conditional Use, Master Plan Permit Type Hearing Requirement

### Table H - Notice, Comment and Expiration for Land Use Permits

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Conditional use* (see TMC 13.05.070.I) | Required | 400 feet; 1000 feet for develop-ment sites over 1 acre in size | No | Yes | 30 days[5] | Director | No | No | 5 years[4] |
| Conditional use, correctional facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, detention facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, large-scale retail | Required | 1,000 feet | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, master plan | Required | 1000 feet | Yes | Yes | 30 days[2] | Director | ~~Yes~~No | No | 10 years |
| Conditional Use, Minor Modification | Optional | No | No | No | No | Director | No | No | 5 years |
| Conditional Use, Major Modification | Required | 400 feet; 1000 feet for public facility sites and master plans | No | Yes | 14 days[5] | Director | No | No | 5 years |

# Exhibit C-8: Urban Design Project Review Processes

## CHAPTER 13.19 URBAN DESIGN BOARD AND PERMIT REVIEW

### 13.19.040 Urban Design Project Review

F. Permit processes.

This section describes the permit review steps and associated time frames for Director and Urban Design Board decisions.

1. Type I: Director decision.

   a. Concept Design package review.

      (1) Completeness review.

      The initial completeness review of an application shall be conducted consistent with TMC 13.05.020.E.

      (2) Complete application review.

      Once the application is deemed complete, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, a Concept Design review and guidance summary report will be provided to the applicant.

   b. Final Design package review.

      (1) Initial review.

      The application package will be reviewed by staff and the applicant will be informed of the need of additional or missing information or advised of recommended revisions.

      (2) Subsequent review(s).

      Following the initial review, the applicant will either provide the requested information or changes OR inform staff that no additional information or changes will be provided. Once all necessary information is provided, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, the Director will either approve (as submitted or with conditions) or deny the application.

   c. Decisions are subject to all provisions in TMC 13.05.090.

   ~~c~~d. All permit review time frames will be conducted consistent with applicable State law. The Department shall make all attempts to process permits in less time than the maximum allowed by State law.

2. Type II: Urban Design Board decision.

   a. Concept Design package review.

      (1) Completeness review.

      The initial completeness review of an application shall be conducted consistent with TMC 13.05.020.E.

      (2) Complete application review.

Once the application is deemed complete, a public hearing will be scheduled, public notice will be made, and comment will be received within the specified time.

(3) Public hearing.

The Urban Design Board will conduct a public hearing, providing an opportunity for public comment on the proposed development germane to the applicable permit criteria. Following the public hearing, a Concept Design review and guidance summary report will be provided to the applicant.

(4) Allowance for Administrative Final Design review.

The Urban Design Board may authorize the Director to conduct the Final Design review and make the final decision, subject to the requirements of Type I application processes. Applications eligible for this action must demonstrate specific site and/or application qualities established by the Urban Design Board procedures.

b. Final Design package review.

(1) Initial review.

The application package will be reviewed by staff and the applicant will be informed of the need of additional or missing information or advised of recommended revisions.

(2) Subsequent review(s).

Following the initial review, the applicant will either provide the requested information or changes OR inform staff that no additional information or changes will be provided. Once all necessary information is provided, public notice will be made and comment will be received within the specified time. Following the public comment period expiration, the Urban Design Board will either approve (as submitted or with conditions) or deny the application.

c. Notice of decision

(1) A copy of the decision shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. A copy of the decision shall be provided to those who commented in writing or requested a copy of the decision within the time period specified in Section 13.05.070.

(2) A summary of the decision shall be provided to the Puyallup Indian Tribe for "substantial actions" as defined in the "Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners," dated August 27, 1988; neighborhood councils pursuant to TMC 1.45 or the neighborhood business districts pursuant to TMC 1.47 in the vicinity of the proposal; and qualified neighborhood or community organizations.

(3) A summary of the decision shall also be posted on the property and published in a paper of general circulation. This summary shall state that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. Notice of the Director's decision shall also be provided to the Pierce County Assessor/Treasurer's Office.

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

~~c~~d. All permit review time frames will be conducted consistent with applicable State law. The Department shall make all attempts to process permits in less time than the maximum allowed by State law.

3. Except as specified otherwise in this section, the provisions in TMC 13.05.020 shall apply.

***

I. Reconsideration.

1. Type I: Director decisions.

A request for reconsideration may be made in accordance with the processes and requirements in TMC 13.05.090.G.

2. Type II: Board decisions.

A request for reconsideration may be made on any decision or ruling of the Board by any aggrieved person or entity having standing under this chapter. A request seeking reconsideration shall be in writing and shall set forth the alleged errors of procedure, fact, or law. The request for reconsideration shall be filed with Planning and Development Services within 14 calendar days of the issuance of the Board's decision, not counting the day of issuance of the decision. If the last day for filing the request for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. Accordingly, motions for reconsideration that are not timely filed with Planning and Development Services or do not set forth the alleged errors shall be dismissed by the Board. Following the timely filing of a request, the Board is to review the reconsideration request at the next regular Board meeting. It shall be within the sole discretion of the Board to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. After review of the matter, the Board shall take such further action deemed proper, which may include the issuance of a revised decision.

~~I~~J. Appeals.

**Exhibit C-9: Term Limits for Landmarks Preservation Commission, Planning Commission, and Urban Design Board**

## Landmarks Preservation Commission

### CHAPTER 1.42 LANDMARKS PRESERVATION COMMISSION

1.42.050 Terms of Commissioners.

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

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

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

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

## Planning Commission

### CHAPTER 13.02 PLANNING COMMISSION

13.02.010 Creation - Appointment.

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

At the expiration of each respective three-year term, a successor shall be appointed by the City Council. Each Commissioner may serve ~~until appointment and qualification of a successor.~~up to ten consecutive years, except that one-term exceptions may be granted as needed for institutional knowledge.

Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired terms. Members may be removed by a majority of the Council, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. Members are expected to attend Commission meetings and to fully participate in and contribute to the work of the Commission. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, should be deemed to have forfeited the office and a new member may be appointed to fill the unexpired term. The members shall be selected without respect to political affiliations and they shall serve without compensation. The members shall abide by the City's Code of Ethics as provided in TMC 1.46.

**Urban Design Board**

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

13.19.030 URBAN DESIGN BOARD

D. Terms of Urban Design Board members.

Terms of the Board members of the Urban Design Board shall be three years.

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

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

3. Initial Board appointments will consist of three 2-year appointments, and four full 3-year appointments. At least three of the initial 3-year appointments shall be for Design and Development Professional Positions 1 through 4.

**Exhibit C-10: UR-3 Zoning District within the Joint Base Lewis McChord Airport Compatibility Overlay District (ACD) and STGPD Use Notations in District Use Tables**

**13.06.020 Residential Districts.**
E. District use restrictions.
4. District use table – Residential Districts (13.06.020).

| **Uses** (See Footnote 3) | **UR-1** | **UR-2** | **UR-3**[4] | **R-4** | **R-5** | **Additional Regulations** (See Footnotes 1, 2, 3) |
|---|---|---|---|---|---|---|
| **Agriculture and Natural Resources** | | | | | | |
| Agricultural uses | CU | CU | CU | CU | CU | Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed. Agricultural uses and greenhouses are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | | | |
| **Community and Civic Facilities** | | | | | | |
| Cemetery/Internment services | N/CU | N/CU | N/CU | N/CU | N/CU | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A. Cemetery and funeral facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | | | |

**Footnotes:**
1. For heritage structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.
2. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.
3. Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b
4. Within the ACD overlay district, the maximum density is 2 units per 4,500 square feet.

**13.06.030 Commercial Districts**
E. District use restrictions.
4. District use table – Commercial Districts (13.06.030).

| **Uses** (Table Footnote 3) | **T** | **C-1** | **C-2**[1] | **PDB** | **Additional Regulations** (See Footnotes 2, ~~and~~ 3, and 4 at bottom of table) |
|---|---|---|---|---|---|
| **Agriculture and Natural Resources** | | | | | |
| Agricultural uses | CU | CU | CU | CU | Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed. Agricultural uses and greenhouses are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | | |
| **Community and Civic Facilities** | | | | | |
| Cemetery/Internment services | N | N | N | N | New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. Cemetery and funeral facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | | |
| **Footnotes:** | | | | | |
| Footnotes:<br>1. Designated Pedestrian Streets - For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and offices.<br>2. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.<br>3. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.<br>4. Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b. | | | | | |

**13.06.040 Mixed-Use Center Districts.**

E. District use restrictions.

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

| **Uses** | **NCX** | **CCX** | **UCX** | **RCX**[1] | **CIX** | **HMX** | **URX** | **NRX** | **Additional Regulations** (see footnotes 3, 4, 5, 6, and 7 at bottom of table) |
|---|---|---|---|---|---|---|---|---|---|
| *** | | | | | | | | | |

**Footnotes:**

1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.
2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.010.D. for the list of designated pedestrian and core pedestrian streets.
3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.
4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.
5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.090.C.
6. See Figure 4: Tacoma Mall Neighborhood RGC – No Residential Uses in Section 13.06.040.J.6.
7. Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b.

**13.06.060 Industrial Districts.**

E. District use restrictions.

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

| **Uses** | **M-1** | **M-2** | **PMI** | **Additional Regulations** (see table Footnote 1 and 2) |
|---|---|---|---|---|
| *** | | | | |
| **Community and Civic Facilities** | | | | |

| Uses | M-1 | M-2 | PMI | Additional Regulations (see table Footnote 1 and 2) |
|---|---|---|---|---|
| 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. Cemetery and funeral facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | |
| **Commercial Uses** | | | | |
| Storage Uses | | | | |
| 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. Hazardous waste storage is subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | |
| **Industrial** | | | | |
| Industry, heavy | N | P | P | Animal slaughter, fat rendering, acid manufacture, and blast furnaces allowed in the PMI District only and are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |

| Uses | M-1 | M-2 | PMI | Additional Regulations (see table Footnote 1 and 2) |
|---|---|---|---|---|
| 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.<br><br>~Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts. Chemical manufacturing and reprocessing are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. Hazardous waste treatment, transfer, storage, or disposal facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. Manufacturing of Class 1A or 1B flammable liquids as defined in the Fire Code are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | |
| 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. Petroleum and petroleum products refinery including reprocessing and petroleum fuel facilities are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b. |
| *** | | | | |
| Vehicle service and repair, industrial | P | P | P | Subject to development standards contained in Section 13.06.080.S. Vehicle and boat repair/service/garages/body shops are subject to the STGPD high impact use table contained in Section 13.06.070.D.5.b |

**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. Within the STGPD overlay district, the land uses of this section are modified as specified in Section 13.06.070.D.5.b.

# Exhibit D: Legislative Code Amendments

# D-1: Daycare Facilities

**January 21, 2026**

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is blue underlined and text that has been deleted is shown as ~~red strikethrough~~.

**Chapter 13.01 Definitions**

**13.01.060.D**

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

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

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

* * *

**13.06.020 Residential Districts**

E.4 District use table – Residential Districts

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

* * *

**13.06.030 Commercial Districts**

E.4 District use table – Commercial Districts

| | T | C-1 | C-2 | PDB | Additional Regulations |
|---|---|---|---|---|---|
| Day Care Facility ~~Center~~ | P | P | P | P | State license required |
| ~~Day Care, family~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | |

* * *

**13.06.040 Mixed-use Center Districts**

E.3 District use table – Mixed-use Center Districts

| | NCX | CCX | UCX | RCX | CIX | HMX | URX | NRX | Additional Regulations |
|---|---|---|---|---|---|---|---|---|---|
| Day Care Facility ~~Center~~ | P | P | P | P | P | P | P | P~~CU~~ | State license required |
| ~~Day Care, family~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | ~~P~~ | |

* * *

**13.06.060 Industrial Districts**

E.5 District use table – Industrial Districts and E.6 Seaport manufacturing and industrial districts (combined).

| | SCP | SCM | SCS | ST | STT | SC | M-2 | M-1 | Additional Regulations |
|---|---|---|---|---|---|---|---|---|---|
| Day Care Facility ~~Center~~ | N | N | P *~ | P *~ | P~ | N | ~~P~~N | ~~P~~CU | ~~Subject to development standards in Section 13.06.080.E~~<br>*Ancillary to a permitted primary use.<br>~Limited to 10,000 square feet of floor area per development site in the SCS and ST district and 15,000 square feet in the STT and M-1 districts. |
| ~~Day Care, family~~ | ~~N~~ | ~~N~~ | ~~N~~ | ~~N~~ | ~~CU~~ | ~~N~~ | ~~N~~ | ~~P/N*~~ | ~~*Not permitted within the South Tacoma M/IC Overlay District.~~ |

* * *

**13.06.070 Overlay Districts**

B. South Tacoma Manufacturing/Industrial Overlay District.

* * *

4. District use restrictions.

a. Prohibited uses.

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

b. Conditional uses.

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

c. Temporary uses.

- Carnival

5. District Development Standards
    - Office: unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
    - Marijuana retailer: limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
    - Retail: unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet of floor area per development site in the M-1 District.
    - Day care facility: Limited to 15,000 square feet of building floor area per development site in the M-1 District.

* * *

**13.06.080 Special Use Standards**

~~**E. Day care centers.**~~

~~1. Applicability.~~

~~2. Purpose.~~

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

~~3. Use standards.~~

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

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

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

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

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

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

~~4. Waiver.~~

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

# Exhibit D: Legislative Code Amendments

# D-2: Binding Site Plans

**January 21, 2026**

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is blue underlined and text that has been deleted is shown as ~~red strikethrough~~.

## Tacoma Municipal Code Title 13: Land Use Regulatory Code

### TMC 13.01.040 Platting and Subdivisions Definitions

"Binding site plan" is an alternative process for the dividing of commercial and industrial land for sale or lease in accordance with RCW 58.17.035 and for the development of condominium units pursuant to Chapter 64.34 RCW. For the purposes of this definition commercially zoned property includes property that is zoned to permit or conditionally permit any multi-dwelling residential uses. ~~shall mean a drawing to scale showing a plan for the development of a specific parcel of land, which drawing has been approved as applicable by the Building Official or designee and which, at a minimum:~~

~~1. Identifies and shows the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;~~

~~2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions of the use of land as established by the City of Tacoma.~~

~~3. Is filed of record in the Pierce County Auditor's office and is legally enforceable.~~

* * *

**TMC 13.04.088 Binding site plan approval.**

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

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

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

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

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

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

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

B. Applicability.

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

C. General Requirements.

1. Applications for binding site plans shall be submitted in a manner consistent with applications for short plats (13.04.090). In addition, the following shall be provided:
    a. Identification of areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;
    b. A phasing plan and time schedule, if the site is intended to be developed in phases;
    c. A completed environmental checklist.
2. Recording. The approved binding site plan and any modification approved subsequently shall be recorded with the Pierce County Auditor's office.
3. Deviation from Dimensional Standards. The overall development on the parent lot proposed for subdivision shall maintain consistency with the site development standards applicable to the zoning district at the time the application is vested, as specified by the applicable code provisions and this section. Subsequent additions or modification to the structure(s) shall not create any nonconformity of the parent lot. Deviation from setback, lot width, and lot area standards in TMC 13.06.020 may be approved for individual lots through the approval of the binding site plan, subject to any limitations in this section.
4. Nonconformities. Legally existing structures shall not be required to correct existing nonconforming setbacks to meet current regulations as a condition of Binding Site Plan approval.
5. The city may authorize sharing of open space, parking, access and other improvements among contiguous properties. Conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access and other improvements shall be identified on the binding site plan and enforced by covenants, easements or other similar mechanisms. Such agreements and restrictions shall be filed with the Pierce County auditor and run with the property. Such agreements shall be approved as to form by the city attorney prior to the time that a decision is

made on the binding site plan application. The binding site plan shall contain the conditions to which the binding site plan is subject, including any applicable irrevocable dedications of property. The binding site plan shall contain a provision requiring that any development of the site shall be in conformity with the approved site plan and any applicable development regulations.

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

1. The limitations and conditions for the uses depicted on the Binding Site Plan are consistent with the Comprehensive Plan, City codes and standards, and state laws;

2. Specific use types and conditions shall be binding on the property and shall remain in effect for all future owners of the site unless altered in accordance with the procedures of this chapter.

3. The proposed lots will continue to function and operate as one site, for fully developed sites.

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

G. Alteration or vacation of a binding site plan.

1. General Requirements.

a. Any change, other than those authorized by an affidavit of correction or scrivener's rules, to a recorded Binding Site Plan constitutes an alteration.

b. The application for alteration shall be requested by all parties having ownership interest in the affected lots or condominium units within the Binding Site Plan.

c. In the case of a proposed vacation of a Binding Site Plan, the justification for the vacation of affected lots or condominium units shall be provided by the petitioner. The petitioner must demonstrate that property within or adjacent to the boundaries of the Binding Site Plan will not be adversely impacted and the vacation will not have an adverse impact on the provision of utilities in the area. Additionally, the vacation shall not result in a conflict with the Comprehensive Plan or Development Regulations.

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

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

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

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

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

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

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

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

(Ord. 28511 Ex. B; passed May 15, 2018: Ord. 28157 Ex. D; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27017 § 2; passed Dec. 3, 2002: Ord. 25851 § 3; passed Feb. 27, 1996: Ord. 25532 § 1; passed Jun. 28, 1994)

### 13.05.070 Notice process.

* * *

H. Notice and Comment Period for Specified Permit Applications.
Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

**Table H - Notice, Comment and Expiration for Land Use Permits**

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Interpretation of code | Recommended | 100 feet for site specific | For general application | Yes | 14 days | Director | No | No | None |
| Uses not specifically classified | Recommended | 400 feet | Yes | Yes | 30 days | Director | No | No | None |
| Boundary line adjustment | Required | No | No | No | No | Director | No | No | 5 years[3] |
| Binding site plan | Required | ~~No~~ 1000 feet | No | No | ~~No~~ 30 days | Director | No | No | 5 years[3] |
| Environmental SEPA DNS* (see TMC 13.05.070.I) | Optional | Same as case type | Yes if no hearing required | No | Same as case type | Director | No | No | None |

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Environmental Impact Statement (EIS)* (see TMC 13.05.070.I) | Required for scoping, DEIS and FEIS | 1000 feet | Yes | Yes | Minimum 30 days | Director | No, unless part of associated action. Public scoping meeting(s) required | No | None |
| Variance, height of main structure | Required | 400 feet | No | Yes | 30 days | Director | No[1] | No | 5 years |
| Open space classification | Required | 400 feet | No | Yes | 2 | Hearing Examiner | Yes | Yes | None |
| Plats 10+ lots | Required | 1000 feet | Yes | Yes | 21 days SEPA[2] | Hearing Examiner | Yes | Final Plat | 5 years[6] |
| Rezones | Required | 400 feet; 1000 feet for public facility site | No; Yes for public facility site | Yes | 21 days SEPA[2] | Hearing Examiner | Yes | Yes | None |
| Shoreline/CUP/ variance* (see TMC 13.05.070.I) | Required | 400 feet | No | Yes | 30 days[5] | Director | No[1] | No | 2 years/ maximum[6] |
| Short plat (2-4 lots) | Required | No | No | No | No | Director | No | No | 5 years[3] |
| Short plat (5-9 lots) | Required | 400 feet | No | Yes | 14 days | Director | No[1] | No | 5 years[6] |
| Site approval | Required | 400 feet | No | Yes | 30 days[5] | Director | No | No | 5 years |
| Conditional use* (see TMC 13.05.070.I) | Required | 400 feet; 1000 feet for develop-ment sites over 1 acre in size | No | Yes | 30 days[5] | Director | No | No | 5 years[4] |
| Conditional use, correctional facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, detention facilities (new or major modification) | Required | 2,500 feet from the edge of the zone | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, large-scale retail | Required | 1,000 feet | Yes | Yes | 30 days[2] | Hearing Examiner | Yes | No | 5 years |
| Conditional use, master plan | Required | 1000 feet | Yes | Yes | 30 days[2] | Director | Yes | No | 10 years |
| Conditional Use, Minor Modification | Optional | No | No | No | No | Director | No | No | 5 years |

| Permit Type | Preapplication Meeting | Notice: Distance | Notice: Newspaper | Notice: Post Site | Comment Period | Decision | Hearing Required | City Council | Expiration of Permit |
|---|---|---|---|---|---|---|---|---|---|
| Conditional Use, Major Modification | Required | 400 feet; 1000 feet for public facility sites and master plans | No | Yes | 14 days[5] | Director | No | No | 5 years |
| Temporary Shelters Permit | Required | 400 feet | Yes | Yes | 14 days | Director | No | No | 1 year |
| Minor Variance | Optional | 100 feet[7] | No | No | 14 days | Director | No[1] | No | 5 years |
| Variance | Optional | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years |
| Wetland/Stream/ FWHCA development permits | Required | 400 feet | No | Yes | 30 days | Director | No[1] | No | 5 years* |
| Wetland/Stream/ FWHCA Minor Development Permits | Required | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years* |
| Wetland/Stream/ FWHCA verification | Required | 100 feet | No | Yes | 14 days | Director | No[1] | No | 5 years |
| Urban Design Project Review, Type I Concept design; (Final design) | Required; (Required) | 400 feet; (400 feet) | No; (No) | Yes; (Yes) | 14 days; (14 days) | Director; (Director) | No; (No) | No; (No) | 1 year; (5 years) |
| Urban Design Project Review, Type II Concept design; (Final design) | Required; (Required) | 400 feet; (400 feet) | No; (No) | Yes; (Yes) | 30 days; (30 days) | Urban Design Board; (Urban Design Board) | Yes; (No) | No; (No) | 1 year; (5 years) |

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

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