



City of Tacoma
Planning and Development Services

Agenda Item
D-1

To: Planning Commission
From: Elliott Barnett, Planning Services Division
Subject: **Application #2014-06 – Affordable Housing Policy & Code Amendments (Phase 2)**
Meeting Date: January 22, 2014
Memo Date: January 16, 2014

At the next meeting on January 22nd, the Planning Commission will continue the discussion of proposed *Comprehensive Plan* and *Tacoma Municipal Code* (TMC) changes intended to implement the next phase of the Affordable Housing Planning Work Program established by the City Council. The focus of this phase is voluntary and incentive-based approaches to achieve affordable housing goals. This application is one step in a multi-year, multi-departmental effort, initiated by the Council-appointed *Affordable Housing Policy Advisory Group* (AHPAG).

On January 8th, the Planning Commission discussed changes to the scope proposed by the AHPAG, and provided staff with direction to refine proposed code changes, particularly in regards to small lot standards. The key issue meriting further analysis was developing small lot standards that would provide for compatibility with neighborhood character. Since, staff have developed proposed revisions to the draft code. One of the issues that came up was the potential to develop a Floor Area Ratio (FAR) approach to small lot development. On that issue, staff request additional time to do benchmarking and analysis. We note that the upcoming discussion of pipestem lots (as part of the Technical Amendments, scheduled for February 5th) is another logical time to consider an FAR approach, and propose to utilize that meeting to determine whether FAR should be included in either small lots, pipestem lots, or both.

At the January 22nd meeting, staff will present a draft staff report and proposed draft policy and code language, including refinements to the code language based on the Commission's direction. Our objective is to seek the Commission's direction, and if appropriate, authorization to release the draft package for public review.

If you have any questions, please contact me at 591-5389 or elliott.barnett@cityoftacoma.org.

Attachments (3)

Staff report
Draft Comprehensive Plan amendments
Draft Land Use Regulatory Code amendments

c: Peter Huffman, Interim Director



2014 Annual Amendment Staff Analysis Report

Application No.:	2014-06
Proposed Amendment:	Affordable Housing Policy & Code Updates, Phase 2
Applicant:	Planning and Development Services
Location & Size of Area:	Citywide
Current Land Use & Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Elliott Barnett, Planning Services Division (253) 591-5389 elliott.barnett@cityoftacoma.org
Date of Report: (Planning Commission review date; draft or final)	January 22, 2014 (draft)

I. Description of the Proposed Amendment:

1. Describe the proposed amendment, including the existing and proposed amendatory language, if applicable.

The intent of this proposal is to amend the Comprehensive Plan and Land Use Regulatory Code to implement Affordable Housing incentive, bonus, and inclusionary strategies which are part of a package of initiatives recommended by the City Council's Affordable Housing Policy Advisory Group (AHPAG), and referred by the City Council to the Planning Commission for analysis. The proposal includes two distinct components. First, amendments would strengthen the policy framework calling for the creation of bonuses and incentives targeting the development of affordable housing. Second, a package of code refinements would facilitate or remove barriers to the development of housing types which are likely to be affordable due to their small size, proximity to transit, and/or the fact that they are infill development in areas with existing infrastructure.

The Affordable Housing Incentives component of this proposal consists of amendments the Housing Element of the Comprehensive Plan. These proposed amendments include changes to one policy and the addition of four new policies, as well as the addition of three proposed Legislative/Regulatory implementation steps in the Housing Element (see Exhibit A). If adopted, the amendments would provide clear policy support for the future development of an Affordable Housing Incentives code and program. Staff will work with the AHPAG on the development of this initiative.

The code refinements components consist of changes to the Land Use Regulatory Code that would facilitate and remove barriers to the creation of group housing, student housing, small multi-family housing, Accessory Dwelling Units, and small lot infill development. The proposed approach includes parking exemptions and reductions, refinements to the Accessory Dwelling Units (ADU) code, and additional lot size and width flexibility coupled with design standards to ensure residential compatibility.

Together, these actions are intended to promote affordable building design practices and infill housing, thus increasing housing choice and the range of affordability through market-based means.

Specifically, proposed code changes include the following:

- Create a new parking bonus for affordable and transit-oriented housing types: This item would promote the development of smaller, transit-oriented housing by creating a new Downtown and Mixed-Use Centers vehicular parking exemption for Group Housing, Student Housing, and small Multi-family Housing (250-450 square feet). Accessible parking would still be required. Bicycle parking would also be required in an indoor location. The total number of units within a single building that could use this exemption would be limited to 20 dwellings or 50 percent of the total dwellings in the building (whichever is greater).
- Update Accessory Dwelling Units (ADUs) requirements: ADUs offer an approach to increase residential densities and housing choices in a manner consistent with neighborhood character. ADUs are currently allowed in all zones where residential development is permitted (Detached ADUs are not currently allowed in single-family zoning districts). This year, a package of changes to ADU design standards and development requirements is proposed to increase flexibility and reduce the cost of development, while still providing for neighborhood compatibility. Specifically, the proposal would:
 - Increase Detached ADUs to 25 feet with design standards (currently requires a Conditional Use Permit)
 - Remove ADU parking requirement
 - Reduce minimum ADU size to 200 sf (currently 300 sf)
 - Allow ADUs on Small Lots meeting design standards (4,500-5,000 sf in R-2 Districts)
 - Allow Attached ADUs on substandard lots (with no increase to building footprint)
 - Allow Home Occupations (businesses) in both the main dwelling and ADU
 - Provide flexibility for pedestrian walkways
 - Relax design requirements for Detached ADUs (allow them to “complement” rather than “match” the main building)
 - Remove the current 10 percent limit on Detached ADU building footprints (rely instead on Accessory structure limits already in place)
 - Streamline the application process
- Update parking requirements for Group Housing and Multi-family Housing: This item would reduce parking requirements for these affordable housing types and create a new parking reduction bonus option. Currently, Group Housing in multi-family zones is required to provide 1 to 2 parking spaces per room/dwelling. The proposal would reduce that number to a baseline of 1 parking space per room/dwelling, with two bonus options available that could reduce required parking to a minimum of 1 space per 3 rooms/dwellings. One of the bonus options, allowing the use of the Mixed-Use Centers parking bonus palette (outside those districts), receiving 50 percent of the Mixed-Use Centers parking reduction would, also be available to Multi-family, Group Housing, and Student Housing.
- Update Small Lot standards: This item would add flexibility to the City’s Residential and Small Lots code provisions, in order to encourage infill development and promote housing affordability and choice, while adding design criteria to promote neighborhood compatibility. These changes would increase the potential for infill by adding flexibility, but would not increase the densities which are currently permitted in each zone. Key changes proposed include:

- Add flexibility and enhance design standards for Single-family Small Lot Residential Development:
 - Sliding scale for minimum average lot width from 35 feet in R-2 to 25 in R-5
 - Sliding scale for minimum lot size: 6,750 sf in R-1; 4,500 sf in R-2; down to 2,500 in R-5
 - Additional design standards for Small Lot development
- Add flexibility and enhance design standards for Two-family and Three-family Dwellings in multi-family districts
 - Make two- and three-family development more consistent with approach to townhouses
 - Sliding scale for minimum lot size for two-family and three-family in multi-family zones (from 6,000 sf to 3,500 sf)
 - Make two-family and three-family development subject to standards currently applicable in MUC Districts

2. Describe the intent of the proposed amendment and/or the reason why it is needed.

This proposal consists of a package of voluntary, market-based and incentive-based approaches to increase the development of affordable housing options in Tacoma. The intent is to help address the growing need for affordable housing. The AHPAG’s report includes a broad range of strategies to address this issue. This package consists of a selection of actions recommended by the report, and developed through the Planning Commission’s process.

According to the AHPAG’s 2010 report, “The City of Tacoma does not have enough housing affordable to many of its residents... Large portions of Tacoma’s population do not have enough income to afford the housing available in Tacoma’s private market at a cost of no more than 30% or even 50% or more of their income.” The report also states that, “...the City of Tacoma has an affordable housing crisis. It will only worsen as the City’s population grows and ages over the next two decades unless Tacoma takes immediate action to ensure an adequate supply of affordable housing for its existing and anticipated residents at all income levels.” These concerns are echoed in the City’s Housing Element, the region’s Vision 2040, and other policy documents.

3. Describe the geographical areas associated with the proposed amendment. Include such information as: location, size, parcel number(s), ownership(s), site map, site characteristics, natural features, current and proposed Comprehensive Plan land use designations, current and proposed zoning classifications, and other appropriate and applicable information for the affected area and the surrounding areas.

The various components of this proposal apply to different areas of the City. The policy changes provide guidance at the city-wide level. Generally, the changes applicable to single-family development and ADUs apply wherever residential development is permitted. And, the changes applicable to two-family, three-family and multi-family development apply only in the zones where those land uses are permitted.

4. Provide any additional background information associated with the proposed amendment.

This proposal is one step in a multi-year, multi-departmental effort, spearheaded by the Council-appointed AHPAG. In 2010, the AHPAG released its Policy Recommendations To The City Council,

which recommends a range of actions to meet affordable housing goals in Tacoma (available on the City's Housing webpage at www.cityoftacoma.org/housing). In 2012 the Council divided the recommendations into three groups: 1. Referred to the Neighborhood & Housing Committee (NHC) for additional policy development and discussion; 2. Forwarded to the City Manager for evaluation and implementation; and 3. Referred to the Planning Commission for the development of affordable housing regulations.

In regards to the Planning Commission tasks, on May 15, 2012 the City Council adopted Resolution Number 38489, which referred specific recommendations to the Commission for the development of policies and regulations. The resolution also divided the Commission's review items into four tasks. In 2012, the City Council adopted updates to the Comprehensive Plan to implement Task 1: "Comprehensive Plan Policy", with the adoption of the Affordable Housing Principles and Acknowledgments in the Housing Element. This year, the Planning Commission is asked to consider Task 2: "Incentive, Bonus, and Inclusionary Programs", and Task 3: "Rezoning". Task 4: "Affordable Housing Infill Development" recommendations will be considered as part of the 2015 Annual Amendment cycle.

The focus of this phase is voluntary and incentive-based approaches to achieve affordable housing goals. This package implements, in part, several categories of recommendations from the AHPAG's report, in particular Housing Incentive or Inclusionary Programs, and Affordable Building Design Practices recommendations.

II. Analysis of the Proposed Amendment:

1. How does the proposed amendment conform to applicable provisions of State statutes, case law, regional policies, the Comprehensive Plan, and development regulations?

The state Growth Management Act (GMA):

The GMA includes the following planning goal:

"Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock." (RCW 36.70A.020).

As a city required to plan under the GMA, Tacoma must include a housing element in our Comprehensive Plan. The GMA also authorizes cities to create an Affordable housing incentive program, and provides specific guidance on its development (RCW 36.70A.540).

Vision 2040 includes the following:

"Housing Overarching Goal: The region will preserve, improve, and expand its housing stock to provide a range of affordable, healthy, and safe housing choices to every resident. The region will continue to promote fair and equal access to housing for all people."

Vision 2040 states the following on affordability: "Housing affordability continues to be a major challenge for the region. Housing costs are a greater burden for many households today than a decade ago, leaving less for other basic needs and amenities. Renters, in particular, face a considerable shortage of affordable housing opportunities." The plan calls for a range of strategies to help address this problem, including development of housing affordable to the workforce and to others with incomes lower than area median income (AMI).

Tacoma Comprehensive Plan:

The Housing Element includes policy direction strongly consistent with this proposal. The Element calls for housing choice for a broad range of households with diverse needs and incomes, and includes policy direction to increase the amount of housing that is affordable, especially for lower income families and special needs households. In 2012, the City Council adopted Affordable Housing Principles and Acknowledgements that specifically support this proposal, with the following key messages:

1. Affordable Housing is Vital to Important Civic Interests
2. Affordable Housing is Attractive, Innovative and Well Managed
3. The City Needs to Enlist the Engine of Private Development
4. Affordable Housing Developments Spur Other Investments
5. The City Should Welcome Affordable Housing Developments
6. Every City Neighborhood Needs Affordable Housing Developments
7. Affordable Housing as Innovative Design
8. Affordable Housing as a High City Priority amid Competing Interests

The proposal is consistent with the City's growth vision, as articulated in the Generalized Land Use Element. The GLUE calls for high density, mixed-use and multi-modal development within Downtown and Mixed-Use Centers. The proposal is also consistent with the policy intent to protect the character of single-family neighborhoods, and with the GLUE's density targets.

2. Would the proposed amendment achieve any of the following objectives?

- **Address inconsistencies or errors in the Comprehensive Plan or development regulations;**
- **Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City's capacity to provide adequate services;**
- **Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or**
- **Enhance the quality of the neighborhood.**

The proposal would address the increasing need for additional housing affordability in the City of Tacoma. This need is increasing due to socio-economic and demographic trends. The proposal is intended to directly implement the policy direction of the Housing Element, and to enhance neighborhoods by allowing infill while providing standards to achieve compatibility with the character of the neighborhood.

3. Assess the proposed amendment with the following measures: economic impact assessment, sustainability impact assessment, health impact assessment, environmental determination, wetland delineation study, traffic study, visual analysis, and other applicable analytical data, research and studies.

This proposal would have a positive economic impact by creating additional opportunities for residential infill development to occur. This would have an economic benefit to property owners and developers. In addition, by providing a broad range of housing choices in multiple neighborhoods the proposal would increase neighborhood livability, health, and sustainability by reducing car dependency, making use of existing infrastructure, increasing opportunities to live and work in the same neighborhood, and providing opportunities to age in place.

4. Describe the community outreach efforts conducted for the proposed amendment, and the public comments, concerns and suggestions received.

The AHPAG, an inter-disciplinary group including both market-rate and subsidized-housing professionals, has collaborated with staff and the Planning Commission on this effort and continues to provide input. In addition, staff have worked closely with the City's Housing Division. Staff also received direction from the City Council Neighborhood and Housing Committee.

Input from the AHPAG resulted in significant revisions to the scope. Initially, this proposal was to include the development of an Affordable Housing Incentives Code. The AHPAG recommended that additional time be taken to work on that initiative, and recommended instead that the Planning Commission consider changes to the City's small lots provisions. This resulted in the final scope, as proposed here.

5. Will the proposed amendment benefit the City as a whole? Will it adversely affect the City's public facilities and services? Does it bear a reasonable relationship to the public health, safety, and welfare?

This proposal would benefit the City as a whole by promoting affordability, livability, neighborhood character, economic development opportunities, and by reducing car dependency.

III. Staff Recommendation:

Staff recommends that the proposed amendments to the Comprehensive Plan *Housing Element*, as depicted in Exhibit A, and to the *Tacoma Municipal Code*, as depicted in Exhibit B, be distributed for public review. Staff will continue to engage in public outreach and provide a summary to the Planning Commission prior to the public hearing process which is tentatively scheduled for February-March 2014.

IV. Exhibits:

- A. *Housing Element* (with proposed changes)
- B. *Tacoma Municipal Code* (with proposed changes)

Housing Element

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H-HP-3	Housing Conditions Survey
H-HP-4	Housing Improvement Legislation
H-HP-5	Energy Conservation Assistance

Section II – Housing Needs

Trends in Population
Housing Stock
Land Capacity

Housing Choice (HC)

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H-HC-8	Other Construction Factors

Section III – Goal and Policies

Goal

To maintain and support vibrant and stable residential neighborhoods while promoting a variety of housing opportunities to meet the needs of all members of the community.

Policies

Housing Affordability (HA)

H-HA-1	Affordable Housing Supply
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Housing Fairness (HF)

H-HF-1	Housing Discrimination
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H-HF-2A	Sex Offenders
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H-HF-4	Housing Accessibility

Housing Preservation (HP)

H-HP-1	Existing Housing Stock
H-HP-2	Substandard Housing

Section III – Goal and Policies

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Housing Choice (HC)

Intent

The policy intent is to promote a range of housing types that meet the diverse needs of all households in the city. While the general housing preference continues to be single-family detached homes, future residential development must take into consideration less available land as well as the demands of a population that includes students, aging “baby boomers”, low income and persons with special needs. Specifically, the City will encourage a mixture of housing types ranging from higher density apartments and condominiums located in or near major employment centers such as downtown and within other mixed-use centers, to single family homes in neighborhoods. One consequence of this changing population has been a gradual reduction in the average household size with more people living alone. Many “baby boomers” that are approaching retirement are starting to reduce the size of their housing increasing the demand for smaller housing units that are located near transit, parks, shopping and many other conveniences. It is important the City begins to address this changing demographic and provide a variety of housing options for the community.

The City supports the provision of innovative housing types that help reduce housing costs while increasing the supply of housing. This innovation can take many forms including: “infill” housing, cottage housing, townhouses, zero lot line lots, “zipper” lots, accessory dwelling units (ADUs), conversion of nonresidential structures, Planned Residential Development (PRDs) as well as numerous variations in site, design and lot standards. It is also important that additional residential structures be compatible with overall density, intensity and character of established residential neighborhoods. The City’s designated mixed-use centers are a priority location for higher intensity, innovative housing types.

In particular, the use of ADUs is expected to become a significant option in the housing tool box. This type of housing is useful since it can address a number of needs such as (1) extra income for homeowners who wish to stay in their home; (2) housing for “mother-in-law” family situations; (3) added affordable housing and (4) a less visible accommodation of density.

The City also supports housing development that considers environmental factors such as critical areas (e.g. steep slopes, wetlands, gulches), minimizes the negative impacts on air, soil and water quality and considers factors as limited energy resources, “green” construction and sustainability in the design of new housing.

Policies

H-HC-1 Innovative Development Techniques

Promote innovative development techniques to better utilize land, promote design flexibility, preserve open space and natural features and conserve energy resources. Ensure new housing is compatible with the overall density, intensity and character of the area.

H-HC-2 Jobs-Housing Balance

Promote construction of housing units in the downtown, Tacoma Mall and other mixed-use centers to enable people to live near employment, shopping and other services.

H-HC-3 Manufactured Housing

Allow new manufactured homes on individual lots in all residential zones if the housing meets the building code and other residential development standards.

H-HC-4 Adaptive Reuse for Housing

Support the conversion of nonresidential buildings (e.g. schools, hotels, storage buildings) to residential uses.

H-HC-5 Low Impact Development

Promote housing development that considers environmental factors (e.g. steep slopes, wetlands, gulches) to minimize erosion and reduce negative impacts on air, soil and water quality.

H-HC-6 “Green” Housing Construction

Promote “green” housing construction methods that support more sustainable, affordable and healthier home design and landscaping through use of low toxic materials and better ventilation, especially in mixed-use centers.

H-HC-7 Land Use Incentives

~~Provide Consider~~ land use incentives (e.g. density or development bonuses, lot size reductions, transfer of development rights, height ~~or bulk bonuses increases~~, fee waivers, accelerated permitting, parking requirement reductions, and tax incentives) to facilitate the development of housing in designated areas, particularly within mixed-use centers.

H-HC-8 Other Construction Factors

Promote new housing that maximizes nuisance abatement techniques, is designed to provide safety and security from natural and manmade hazards, and encourages privacy from nearby units and public areas.

Housing Affordability (HA)

Intent

The policy intent is to increase the amount of housing that is affordable, especially for lower income families and special needs households. The generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual gross income on housing. Families that pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care. The challenge for Tacoma is that there is a mismatch between the cost of housing in the City and the incomes of Tacoma’s populations. Large portions of Tacoma’s population do not have sufficient income to afford the housing available in Tacoma’s private market at a cost of no more than 30 percent, or even 50 percent or more, of their income. Due to an aging population and other factors, this mismatch is likely to increase in the future, resulting in a significant increase in the need for additional affordable housing.

The City, through its policies and programs, is supportive of increasing the supply of housing that is affordable to its citizens. While the City

recognizes the ongoing need by government and nonprofit corporations to provide housing and community support services, especially for households who pay more than 30% of their income for housing, it also recognizes the need to enlist the engine of private market rate developments to include a measure of affordable units.

As a general rule, the need for affordable housing extends along a housing continuum that extends from basic emergency shelter for the homeless to temporary transitional housing to permanent rental housing and for some households to home ownership. Each segment of this continuum requires ongoing financial support for both public agencies and individuals. In addition, there are individuals and families with special needs (e.g. disabled, frail elderly, large families, female heads-of-household) that often require additional assistance.

It is the intent of the City to: (1) recognize the housing needs of, and provide housing programs for, low income and special needs households and (2) promote housing opportunities and the reduction of isolation of these groups by improving housing and community services delivery.

Further, it is the intent of the City to apply the following principles and acknowledgments to the formulation of policies and support of programs that will increase the amount of affordable housing available to the community.

Principles and Acknowledgements

1. Affordable Housing is Vital to Important Civic Interests

The City’s welfare requires an adequate supply of well built and well managed affordable housing serving the full range of incomes appearing among its residents. An adequate supply of this housing is vital to the following important civic needs or values:

- The City’s prosperity, economic development and growth of employment opportunities;
- The appropriate management of the City’s projected population growth and transportation needs;

- The City’s fulfillment of its legal obligations under the Growth Management Act to make “adequate provisions for existing and projected [housing] needs of all economic segments of the community” and to comply with the related directives of the Pierce County Countywide Planning Policies.
- The survival of green spaces throughout the City and Pierce County;
- The success of the City’s schools;
- The effectiveness of the City’s emergency services;
- The City’s ability to continue its accommodation of a population that is increasingly diverse by income, race, ethnicity, ability, disability and age;
- The City’s ability to accommodate a population that, in the aggregate, is getting older; and
- The City’s values of social justice.

2. Affordable Housing is Attractive, Innovative and Well Managed

Affordable housing developments by nonprofit developers, public and private, in the City, region and nation have been among the most attractively designed, most environmentally innovative and best managed in the market place.

3. The City Needs to Enlist the Engine of Private Development

Nonprofit developments of affordable housing will never likely be adequate to meet the City’s need. The City also needs a companion strategy to enlist the engine of private market rate developments to include a measure of affordable units. These strategies also provide the added benefit of economic and demographic integration.

4. Affordable Housing Developments Spur Other Investments

Affordable housing developments have spurred the revitalization of neighborhoods, encouraging both public and private investment, helping the City attain its desired density, and furthering a neighborhood’s economic development.

5. The City Should Welcome Affordable Housing Developments

Affordable housing is an asset to be encouraged and not a detriment to be tolerated and controlled.

6. Every City Neighborhood Needs Affordable Housing Developments

The City should promote the development of affordable housing in every City neighborhood.

7. Affordable Housing as Innovative Design

In seeking the appropriate balance, the City should not have to compromise important neighborhood design standards in order to promote affordable housing. Instead proper design should allow affordable housing to show the way for all developments serving all incomes toward a greener, more sustainable urban future that accommodates the appropriate density that the City’s planning documents anticipate to be necessary for the City’s projected population allocations.

8. Affordable Housing as a High City Priority amid Competing Interests

In a complex community like Tacoma, interests and policies often clash. Good governance is the effort to balance them appropriately. In doing so, the City should give a very high priority to the promotion of affordable housing development.

Policies

H-HA-1 Affordable Housing Supply

Support both public and private sector development and preservation of affordable housing (e.g. Section 8, LIHTC) especially for lower income and special need households.

H-HA-2 Home Ownership

Facilitate home ownership (both single-family homes and condominiums) for all segments of the community, including lower income households.

H-HA-3 Public-Private Partnership

Work in partnership with for-profit and non-profit housing developers to facilitate the provision of new permanent affordable rental and owner housing.

H-HA-4 Special Needs Housing/ Support Services

Encourage and support emergency and transitional housing as well as needed support services for persons with special needs (e.g. frailty, family size and disability).

H-HA-5 Affordable Housing Incentive Program

Offer incentives to for-profit and non-profit developers of new construction and rehabilitation of pre-existing housing so they include units affordable to a range of incomes. The incentives could include, but would not be limited to, the following:

- density bonuses;
- lot size reductions;
- height or bulk bonuses;
- fee waivers;
- accelerated permitting; and
- parking requirement reductions.

H-HA-6 Regulatory Assistance to Developers of Affordable Housing

Develop City capacity to support affordable housing development, through such measures as developing permit-ready residential plan sets, fee waivers, and designating staff to manage permit review process.

H-HA-7 Inclusionary Requirements for Voluntary Residential Upzones

Develop code provisions to condition rezone proposals that would permit a higher residential density to include at least 10% affordable units in the market rate mix.

H-HA-8 Inclusionary Requirements for City Initiated Residential Upzones

Consider an approach that would condition City-initiated residential upzones that would permit a higher residential density to include at least 10% affordable units in the market rate mix.

Housing Fairness (HF)

Intent

The policy intent is to expand the number and location of housing opportunities, both market rate and assisted, for families and individuals throughout the city, the county and the region. Currently, many households are limited to only a few locations for housing due to the higher cost of housing in some neighborhoods as well as discrimination based upon a number of factors. It is important that the City be proactive in expanding housing opportunities and also ensure that affordable housing opportunities are not concentrated in a few neighborhoods, but rather dispersed throughout the city.

Policies

H-HF-1 Housing Discrimination

Ensure the local housing market provides adequate housing opportunities to renters or purchasers of housing regardless of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status or the presence of any sensory, mental or physical disability.

H-HF-2 Area-wide Fair Share and Housing Dispersal

Disperse affordable housing opportunities, especially for lower income households and persons with special needs, throughout the city, the county and region. Discourage the concentration of facilities for “high risk” populations in any one geographic area. (Note: For the purposes of this document, “high risk” populations shall include individuals released and/or under supervision of adult and juvenile correctional institutions, mental hospitals and drug rehabilitation programs, homeless persons and other special needs persons residing in group homes not subject to application of the federal Fair Housing Act).

H-HF-2A Sex Offenders

Policy Intent Statement

Work in partnership with state agencies and other jurisdictions, using tools such as a communitywide plan, to achieve a well coordinated, fair and equitable distribution of registered adult sex offenders throughout

the city, county, region and the rest of the state of Washington. Encourage the placement of registered adult sex offenders under the supervision of the Department of Corrections in the community in which they resided when they committed their offenses. Explore methods to prevent the concentration of registered adult sex offenders residing in any one neighborhood within the city, particularly in areas already burdened with other high risk populations.

H-HF-2B Housing and Service Facilities for High Risk Populations

Policy Intent Statement

To promote safe and healthy neighborhoods in Tacoma, efforts should be made to equitably distribute and monitor the location of service facilities and housing for high risk populations. Many of these existing facilities are located in Tacoma and more specifically in the Upper Tacoma community. In addition, a coordinated and equitable distribution system is needed to better disperse housing opportunities for high risk populations throughout Tacoma, Pierce County and the region.

Policy Statements

1. Promote safe, healthy and livable residential neighborhoods by avoiding a concentration of service facilities and housing for high risk populations in any neighborhood;
2. Improve cooperation and communication between housing providers and affected neighborhoods through the use of tools such as Good Neighborhood Agreements (GNAs);
3. Give funding priority to housing providers that contribute to the deconcentration of service facilities and housing for high risk populations;
4. Support statewide fair share legislation which would require the placement of offenders, released under the supervision of the State Department of Corrections, in the community in which they resided prior to incarceration.
5. Investigate citizen complaints regarding facilities that violate City regulations

pertaining to service facilities and housing for high risk populations such as emergency and transitional shelters;

6. Strongly encourage service facilities and housing shelter providers, which serve high risk populations, to develop sound management practices including the provision of professional on-site staff and restrictions on negative behaviors. Establish neighborhood advisory committees to monitor the impact of a facility on the neighborhood and to address community concerns.

H-HF-3 Relocation Assistance and Replacement

Discourage the displacement of persons through government actions such as eminent domain or code enforcement unless fair and equitable relocation assistance is provided to the occupants or replacement housing is available.

H-HF-4 Housing Accessibility

Support barrier-free access for all housing consistent with the Americans for Disabilities Act (ADA). Consider additional actions to increase access such as implementation of visitability and universal design features.

Section IV – Recommended Actions to Implement Housing Policies

The overall housing goal and policies will be implemented by a combination of financial resources and local regulations which must be carefully coordinated with the Generalized Land Use Element to ensure that sufficient land is provided for all community uses. City staff along with the Planning Commission work closely to address the land use requirements. Likewise, three key organizations involved in providing affordable housing include the City of Tacoma, Tacoma Housing Authority (THA) and Tacoma Community Redevelopment Authority (TCRA). These three organizations work closely with the other groups to coordinate available public (e.g. federal Housing and Urban Development) and private financial resources.

The City's housing goal and policies will be implemented through a combination of the following actions classified as legislative or

regulatory, financial, administrative, and planning.

Legislative/Regulatory

This set of actions involves support or initiating enactment of and/or changes to state and federal laws and regulations as well as local ordinances, codes and standards to accomplish desired housing objectives.

1. *ADU Amendments* – Revise existing ADU standards to: (1) allow such units in detached buildings, (2) increase the ADU size; (3) reduce parking in unique situations, and (4) establish design requirements.
2. *Minimum Lot Size* – Reduce minimum lot standards in single family residential districts to support new infill housing subject to consistency with the comprehensive plan including the Neighborhood Element. Allow further reduction of the requirements subject to design and development standards.
3. *Section 8 Authorization* – Provide political support to continue funding the federal Section 8 rental subsidy program.
4. *Manufactured Housing* – Revise land use and building code regulations to permit new manufactured housing in all residential zones so long as the housing is in compliance with all applicable codes.
5. *Residential Zoning Code Update* – Update the residential section of the Land Use Regulatory Code to reflect housing and residential needs and conditions.
6. *Affordable Housing Incentive Program – Develop an affordable housing incentive program and supporting code provisions.*
7. *Inclusionary rezones – develop code provisions to include 10% affordable housing as part of residential upzones, and consider similar provisions for City initiated rezones.*
8. *Area-wide Environmental Review – Pursue SEPA programmatic EISs for specific areas of the City that need housing investment and revitalization to eliminate the need for projects in those areas that conform to the area wide EIS and associated regulations to conduct their own environmental review.*

Financial

This set of actions involves support for housing and housing-related projects, programs and services and for capital improvements to neighborhoods and mixed-use centers to facilitate residential development and housing preservation.

1. *Housing Trust Fund* – Support raising a minimum of \$5 million to further capitalize the local Housing Trust Fund established in 1999 for affordable housing activities.
2. *Emergency Shelter Funding* – Support increasing the amount of state and federal funds needed to support local shelter programs.
3. *ADU Financial Incentives* – Facilitate the provision of ADUs by reducing utility costs (e.g. hook-up fees) and charging both units at the single-family rate.
4. *Affordable Housing Incentives* – Continue to exempt subsidized housing projects from building permit fees and support property tax exemptions by the Pierce County Assessor.
5. *Community Land Trusts (CLT)* – Establish a private non-profit corporation to acquire and hold land for community development and housing. A key goal will be to facilitate affordable home ownership.
6. *Mixed Use Development* – Work with lenders to increase financing for upper story housing units. Continue use of the 10 year multifamily tax exemption for new and rehabilitated market-rate and affordable housing in mixed-use centers.
7. *Condominium Liability Insurance* – Work to remove barriers to condominium construction and support condominiums as a viable form of home ownership.
8. *Downpayment Assistance* – Increase the amount of local and federal (e.g. CDBG) funding to support first time home buyers with down payment assistance.



**2014 Annual Amendment Application No. 2014-6
Affordable Housing Regulations**

DISCUSSION DRAFT LAND USE REGULATORY CODE CHANGES
January 22, 2014

Chapter 13.06 - Zoning

- 13.06.100 – Residential Districts
- 13.06.145 – Small-lot single-family residential development
- 13.06.150 – Accessory Dwelling Units
- 13.06.501 – Building design Standards
- 13.06.510 – Off-Street Parking and Storage Areas

Chapter 13.06A – Downtown

- 13.06A.065 – Parking Standards

Note: These amendments show proposed changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~striketrough~~. Text highlighted in blue summarizes the AHPAG recommendations that provide the foundation for the proposed amendments. This language is provided for informational purposes only and should not be considered text amendments.

Additional changes since the January 8, 2014 meeting are highlighted yellow.

13.06.100 Residential Districts.

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

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

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

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

* * *

C. Land use requirements.

* * *

3. Use table abbreviations.

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

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

* * *

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one-dwelling unless each dwelling complies with the use regulations, height regulations, area regulations, and parking regulations of the district.
Dwelling, two-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit. See Section 13.06.640. Subject to additional requirements contained in Section 13.06.501.N.
Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit. See Section 13.06.640. For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district. Subject to additional requirements contained in Section 13.06.501.N.
Dwelling, multiple-family	N	N	N	P/N	N	P	P	P	In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005.
Dwelling, townhouse	N	N	CU	N	P	P	P	NP	Subject to additional requirements contained in Section 13.06.100.G.
Dwelling, accessory (ADU)	P/N	P/N	P/N	P/N	P	P	P	P	In the R-1, R-2, R-2SRD and HMR-SRD districts, <i>detached</i> ADUs are prohibited while <i>attached</i> ADUs are permitted. Subject to additional requirements contained in 13.06.150.

* * *

Table D. Lot size and building envelope standards.

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Minimum Lot Area (in square feet, unless otherwise noted)								
single-family <u>detached</u> dwellings – <u>Standard Lots</u>	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
<u>single-family detached dwelling</u> – <u>Small Lots</u>	<u>6,750</u>	<u>4,500</u>	<u>4,500</u>	<u>4,500</u>	<u>3,500</u>	<u>3,000</u>	<u>2,500</u>	<u>2,500</u>
two-family dwellings			6,000	6,000	6,000	6,000 <u>4,250</u>	6,000 <u>3,750</u>	6,000 <u>3,500</u>
three-family dwellings			9,000	9,000	9,000	6,000 <u>5,500</u>	6,000 <u>5,000</u>	6,000 <u>4,500</u>
multiple-family dwellings						6,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of four	6,000	6,000
Townhouse dwellings	-	-	3000	-	3000	1500	1000	<u>-1000</u>
Mobile home/trailer court						3.5 acres, provided at least 3,500 sq. ft. is provided for each mobile home		
Pre-existing lots	A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single-family dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards (see Sections 13.06.145 and 13.06.630).							
<u>Single-family Small Lots—</u> Exceptions to <u>Standard</u> Minimum Lot Area Requirements	Reductions to minimum <u>detached single-family dwelling</u> lot area requirements, <u>as shown above</u> , may be allowed pursuant to Section 13.06.145. <u>Single-family Small lot development must be oriented such that the lot frontage and the front façade of the house face the street.</u> <u>Small lot exceptions are not applicable to pipestem lots.</u>							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Lot Measurements (in feet)								
Minimum Average Lot Width – <u>Standard Lots</u>	50	50	50	50	50	50	50	50
	16 for townhouse dwellings; <u>32 for two-family dwellings</u>							
<u>Single-family Small Lots – Minimum Average Lot Width</u>	<u>45</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>30</u>	<u>25</u>	<u>25</u>	<u>25</u>
Minimum Lot Frontage	25	25	25	25	25	50 <u>25</u>	50 <u>25</u>	50 <u>25</u>
	The minimum lot frontage requirement does not apply to townhouse dwellings. Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.							
<u>Small Lots – Exceptions to Minimum Average Lot Width</u>	Reductions to minimum lot width, <u>as shown above</u> , may be allowed pursuant to Section 13.06.145. <u>Small lot exceptions are not applicable to pipestem lots.</u>							
Lot Coverage (percentage)								
Maximum lot coverage	-	-	-	-	-	35	-	-
Max. Height Limits (in feet)								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15 feet							
Exceptions	Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602. <u>Single-family Small Lot development on lots with an average width between 40 and 50 feet: Maximum height is 30 feet.</u> <u>Single-family Small Lot development on lots with an average width of less than 40 feet: Maximum height is 25 feet.</u>							

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13.06.145 Small-lot single-family residential development.

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

B. Lot size standards.

1. New Small Lots that ~~are are up to 10%~~ smaller than the applicable standard minimum lot dimensions size and/or width requirements in Section 13.06.100.D, shall be allowed, without variance, in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts, subject to the following Small Lot standards of that section, and provided that all new dwellings meet the design standards in Section 13.06.145.E.

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4	R-4-L	R-5
Minimum Lot Area								
Min. Lot Area (in square feet) (These requirements are 10% smaller than the standard requirements for each zone).	6,750	4,500	4,500	4,500	4,500	4,500	4,500	4,500
Min. Lot Measurements								
Min. Average Lot Width (in feet) (These requirements are 10% smaller than the standard requirements for each zone).	45	45	45	45	45	45	45	45
Minimum Lot Frontage (in feet)	25	25	25	25	25	50	50	50

2. New lots that are ~~more than 10%~~ smaller than the applicable Small Lot minimum lot size and/or width dimensions requirements in Section 13.06.100.D shall only be allowed with approval of a variance (see Section 13.06.645), and provided that all new dwellings meet the design standards in Section 13.06.145.E and F.

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

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

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

D. Design standards - Applicability.

1. New single-family dwellings on new lots that are up to 10% smaller than applicable standard minimum lot size and/or width requirements dimensions in Section 13.06.100.D (for example, 10% is 4,500 square feet and 45 feet average width in most zones) shall be subject to the design requirements found in Section 13.06.145.E.

2. New single-family dwellings on new lots that are more than 10% smaller than applicable standard minimum lot size and/or width requirements dimensions in Section 13.06.100.D (such lots can only be created by approval of a variance)-(where greater reductions are permitted, or a variance has been approved) shall be subject to the design requirements found in Sections 13.06.145.E and 13.06.145.F.

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

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



and/or width requirements in Section 13.06.100.D:

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

2. Garages:

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

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

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

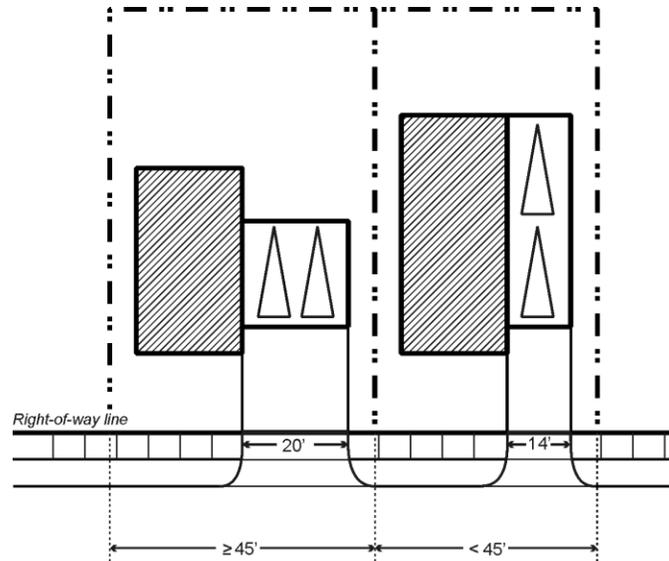
4. Rooflines. **For houses with peaked roofs, p**Primary roofline(s) shall be oriented towards the front of the lot, **with the tallest ridgelines** running perpendicular to the street or front property line to minimize shade and shadow impacts to adjacent properties. **An e**Exceptions to this standard **is**are allowed for projects involving multiple, adjacent single-family dwellings on small lots where alternating roofline orientation is being used to meet the Housing Style Variety requirement in Subsection 7, below, **or for lots that measure less than 80 feet in depth.**

5. Driveways.

a. The maximum width of driveway approaches shall be 20 feet.

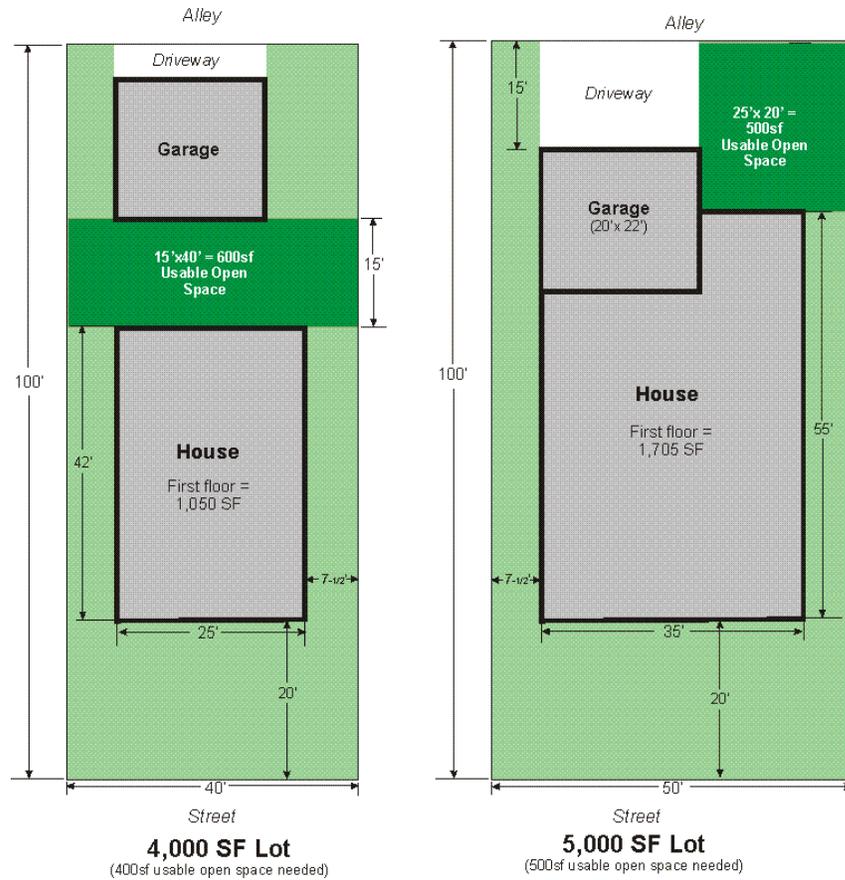
b. Driveway approach widths for lots less than 45 feet wide shall be no greater than 14 feet.

c. In no case shall a driveway approach occupy more than 50% of any lot frontage.



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

- a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.
- b. Not include alleys or driveway space
- c. Not be located within the required front yard

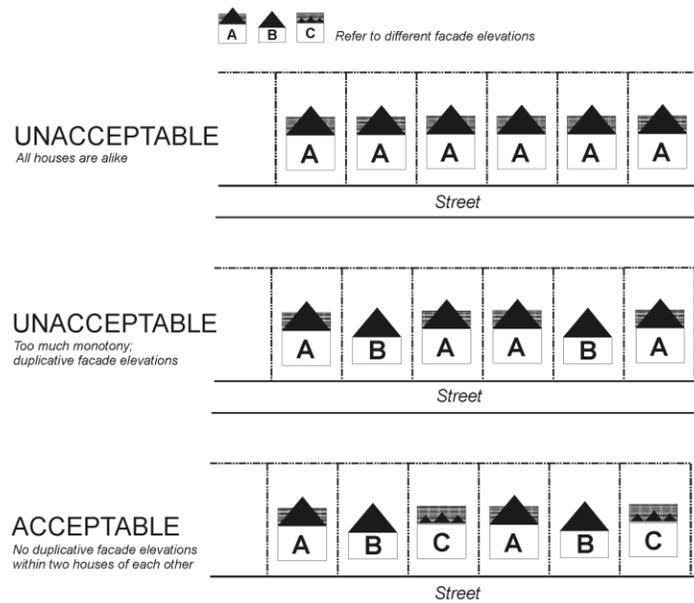


7. Housing style variety. Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation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

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

Example Layouts:

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



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

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

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

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

- a. Decorative porch or entry design, including decorative columns or railings,
- b. Bay windows or balconies,

- c. Decorative molding / framing details around all front facade windows and doors,
 - d. Decorative door design including transom and/or side lights or other distinctive feature,
 - e. Decorative roofline elements, such as brackets, multiple dormers, and chimneys,
 - f. Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,
 - g. Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or
 - h. Other decorative façade elements or details that meet the intent of the criteria
2. At least one of the following must be provided:
- a. Dwelling(s) shall meet *Built Green* or other equivalent environmental certification for new construction, or
 - b. Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.

13.06.150 Accessory dwelling units.

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

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

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

1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and fees as prescribed in subsection B.2 below, and an affidavit of owner occupancy as prescribed in subsection B.3 below.

2. Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.

~~3. Affidavit. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the ADU, and agrees to all requirements provided in subsection C.~~

~~4.3. Notice on title. The owner of any property containing an ADU shall record with the Pierce County Auditor a notice on title of the ADU. Such notice shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.; and (bc) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the notice on title has been recorded prior to issuance of an ADU permit by Planning and Development Services. The notice on title shall run with the land as long as the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the notice on title. Such termination shall be granted upon proof that the ADU no longer exists on the property.~~

~~5.4. Permit. Upon receipt of a complete application, application fees, a notarized affidavit, proof of recorded notice on title, and approval of any necessary building or other construction permits, an ADU permit shall be issued.~~

~~6.5. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.~~

~~7.6. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.8, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.14. Violations of any other provisions shall be governed by Section 13.05.100.~~

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

1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single-family detached dwelling in the City of Tacoma. ~~The lot must meet the standard minimum lot size requirement for a single family detached dwelling in the applicable zoning district (for example, in the R-2 zoning district a single family lot must be at least 5,000 square feet to be eligible to have an ADU).~~

2. Occupancy. The maximum number of occupants in an ADU shall be 4 persons. Maximum occupancy may be further limited by the Minimum Building and Structures Code in Title 2.

~~3. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, when allowed, permitted as a detached unit preferably located in the rear yard and/or adjacent to alleys. A detached ADU shall not be located in front of the main building or in the side yard setback area.~~

34. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.

~~5. Size. The ADU, excluding any garage area and other non living areas, such as workshops or greenhouses, shall not exceed 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. In addition, the maximum square footage of a detached ADU shall not exceed 10% of the square footage of the lot. An ADU shall not contain less than 300 square feet or more than 1,000 square feet.~~

~~6. Height. The maximum height limit for detached ADUs shall be the same as for other detached accessory structures (see Section 13.06.100.D); provided that two-story structures, where a detached ADU is located on the second floor, may be allowed up to 25 feet in height with the approval of a conditional use permit.~~

~~7. Setbacks. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, except when the detached ADU abuts an alley where no setback along the alley shall be required.~~

48. Ownership. The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall sign an affidavit record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.

~~9. Design Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding, and windows. Only one entrance for the main building is permitted to be located in the front facade of the dwelling. If a separate outside entrance is necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy. For units with a separate exterior entrance, a pedestrian walkway, which shall be at least 4 feet wide and composed of materials that are distinct from any adjacent vehicle driving or parking surfaces, shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right of way.~~

~~10. Design Detached ADUs. A detached ADU shall be designed to match the architectural design, style, appearance, and character of the main building by utilizing complimentary colors and finish materials, window styles, and a roof design similar to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. A pedestrian walkway, which shall be at least 4 feet wide and composed of materials that are distinct from any adjacent vehicle driving or parking surfaces, shall be provided between the detached ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right of way.~~

514. Parking. No additional One-off-street parking space is shall be required for the ADU., in addition to the off-street parking required for the main building, pursuant to Section 13.06.510. If additional ADU parking is provided,

Such parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.

642. Home occupations. Home occupations shall be allowed, subject to existing regulations, in either the ADU or the main building, but not both. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.

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

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

1. The lot must meet the standard minimum lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least 5,000 square feet, or 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement.

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

3. Height. The maximum height limit for detached ADUs shall be the same as for other detached accessory structures (see Section 13.06.100.D). Alternatively, two-story detached ADUs may be allowed up to 25 feet in height provided the following: The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.

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

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

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

7. Design - Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building.

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

TMC 13.06.501 Building design standards

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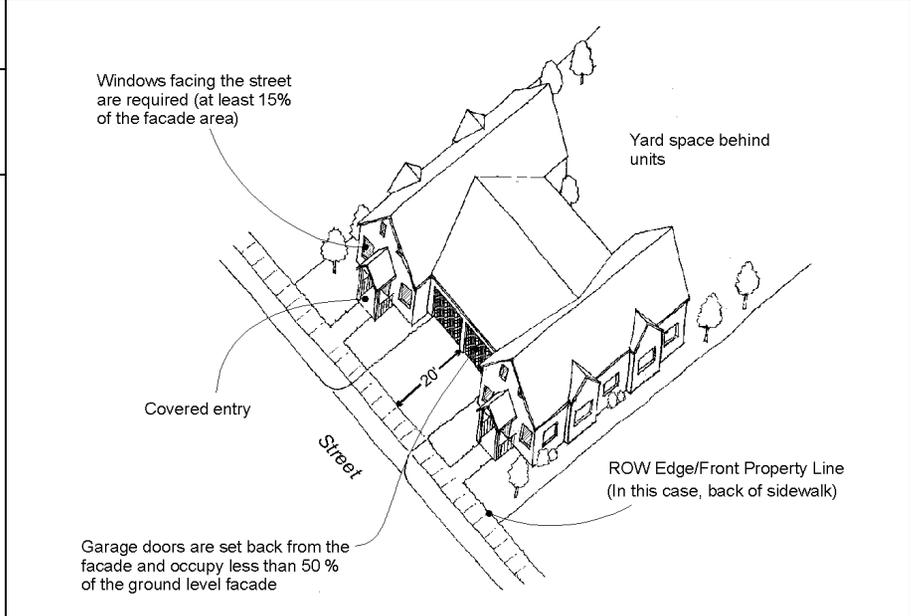
N. X-District Single, Two, and Three-Family Dwelling Standards. The following requirements apply to all single, two, and three-family dwellings in X-Districts, and to all two and three-family dwellings in all districts. They are intended to emphasize pedestrian access, compatibility with residential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

1. Covered entries are required for each common entry or individual dwelling unit entry with minimum dimensions of 4 feet by 6 feet.

2. Windows on the street. At least 15 percent of the street-facing facades (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.

3. Garage design standards.

- Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as an abutting right-of-way that is or can be developed, is available.
- For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the property line or private road easement.
- The garage face or side wall shall occupy no more than 50 percent of the length of a ground-level facade facing a street.
- Where the garage faces the side, but is visible from the frontage, the garage shall incorporate a window on the front-facing facade so that it appears to be a habitable portion of the building. The window size and design must be compatible with the windows on habitable portions of the dwelling.
- Driveway approaches shall also be consistent with the standards in Section 13.06.510.



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

5. Building design, duplexes and triplexes. Duplexes and triplexes shall be articulated to either look like two or three distinct dwelling units from the street or to look like one single-family dwelling. Specifically:

- Buildings articulated to look like distinct dwelling units shall include individual covered entries plus one of the following:
 - Roofline modulation consistent with Section 13.06.501.I.1 to distinguish one unit from another (or the appearance of separate units) as viewed from the street; or
 - Vertical building modulation to help distinguish between the different units in the building. The minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.
- Buildings designed to look like one large single-family dwelling shall feature only one entrance visible from the street. This could be a common entrance for all units, or the entrances for additional units could be provided at the side or rear of the building.

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| <p>6. Building design, single-family detached. Single-family detached dwellings shall not use front facades that are duplicative with adjacent single-family detached dwellings. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation on adjacent lots are not sufficient to meet this requirement. In addition, a minimum of two of the following alternatives shall be utilized:</p> <ul style="list-style-type: none">a. Different window opening locations and designs,b. One and two-story dwellings,c. Different exterior finish materials and finishes, ord. Different garage location, configuration and design. |
| <p>7. Utilities.</p> <ul style="list-style-type: none">a. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.b. Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk. |
| <p>8. Fencing.</p> <ul style="list-style-type: none">a. Chain link fencing, with or without slats, is prohibited for required screening.b. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.c. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.d. Electrified. The use of electrified fencing is prohibited in all zoning districts.e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment. |

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13.06.510 Off-street parking and storage areas.

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TABLE 1 – Required Off-Street Parking Spaces^{9, 14}		
Use	Unit	Required parking spaces
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home ^{1, 2, 12}	Dwelling.	2.00
Two-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Townhouse dwelling in R-2SRD, R-3, R-4L and R-4 Districts.	Dwelling	1.00
Three-family in R-2SRD, HMR-SRD and R-3 ^{1, 2, 12}	Dwelling.	2.00
<u>Group housing – up to 6 residents</u>		<u>2.00</u>
<u>Group housing – 7 or more residents^{1, 16}</u>	<u>Room, suite or dwelling.</u>	<u>1.00</u>
Lots not conforming to area/width ³	Dwelling.	1.00
<u>Mobile home park^{1, 2, 12}</u>		
Multiple-family dwelling and mobile home park ^{1, 2, 12, 16}		
Located in R-4-L, T, HMR-SRD, and PRD Districts ¹²	Dwelling.	1.50
Located in R-4, C-1, C-2, HM, and M-1 Districts ¹²	Dwelling.	1.25
Located in R-5 District ¹²	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club ¹	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Chapter 13.06A.	

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TABLE 1 Footnotes
<p>1. Guest rooms, <u>dwelling</u>s or suites in <u>group housing</u>, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required. The parking requirements may be reduced to one parking space every three dwelling units; provided, the following conditions exist:</p> <ol style="list-style-type: none"> The use will provide residency for retirement age persons with an estimated average persons-per-dwelling unit factor of 1.5 or less, or low-income elderly persons <u>individuals or households</u>, or a combination thereof; Yard space is available on the same lot the use is to be located upon or an adjoining lot, where off-street parking at a future time could be provided should the use be converted to an apartment or for other reasons additional parking is needed to serve the premises. <p>If these conditions do not exist, a variance of the number of parking spaces to be provided is required.</p> <p>* * *</p>

16. Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (Table 2), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table (Table 1).

TABLE 2 – Parking in Mixed-Use Center Districts

Quantity	<p>Residential Uses. Minimum 1.0 stall per unit.</p> <p>Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area.</p> <p>UCX-TD Commercial or Office Uses (including retail, service and eating and drinking establishments). Minimum 0 stalls per 1000 square feet of floor area.</p> <p>Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1.</p> <p>See Section 13.06.510.B.2.f for use of compact stalls.</p> <p>For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.</p>
Exemptions	<p>No parking is required for any structure in existence upon the date the Mixed-Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required.</p> <p>In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated core pedestrian streets (see Section 13.06.300.C).</p> <p>In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.</p> <p><u>Small, affordable housing types: Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following:</u></p> <ul style="list-style-type: none"> • <u>A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location.</u> • <u>Within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this bonus.</u>
<p>Parking Quantity Reductions. The parking requirements for mixed-use, multi-family, <u>group housing</u>, commercial, institutional and industrial developments within X-Districts may be reduced as follows:</p>	
Transit Access	<p>Parking requirement shall be reduced by 25% for sites located within 500 feet of a transit stop and 50% for sites located within 500 feet of a transit stop at which a minimum of 20-minute peak hour service is provided (routes which serve stops at least every 20 minutes during peak hours). Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 500 feet of the site.</p>
Trip Reduction Plan	<p>Parking requirement shall be reduced by 25% for developments that create and implement a site-specific Trip Reduction plan and program that includes features such as employer-provided transit passes, telecommuting, ridesharing, carpooling, car-sharing, bicycling, flexible work schedules, etc. The trip reduction plan shall be reviewed and approved by the City’s CTR Coordinator and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.</p>
Car-Sharing Stalls	<p>Parking requirements shall be reduced by one stall for each stall that is dedicated and designated for use by a locally-operating car sharing program, such as “Zipcar.”</p>

Mixed-Use/Shared Parking Credit	No parking shall be required for the residential units in a mixed-use project where at least 50 percent of the floor area is designed for commercial or institutional use.
On-Street Parking Credit	Parking requirements shall be reduced ½ stall per each new public, on-street parking stall provided as part of the project (through the installation of angled or perpendicular spaces with bulb-outs and curbs or other methods). Any modifications to the right-of-way are subject to the acceptance and approval of the Public Works Department. This one-time credit applies at the time of the development and shall not be affected by any future changes to the right-of-way configuration, design or alignment.
Bicycle Parking Credit	For every five non-required bicycle parking spaces provided on the site (beyond the standard requirements, as found in Section 13.06.512.D), the automobile parking requirement shall be reduced by one space. This credit is limited to a maximum of 5 automobile spaces, or 15% of the standard parking requirement for the development, whichever is less.
Motorcycle/Scooter Parking Credit	For every 4 motorcycle/scooter parking spaces provided, the automobile parking requirement shall be reduced by one space. Each motorcycle/scooter parking space must be at least 4 feet wide and 8 feet deep and may be located in areas that are otherwise unusable for automobile parking (such as in corners, at aisle ends and near pillars). This credit is limited to a maximum of 5 automobile spaces, or 5% of the standard automobile parking requirement for the development, whichever is less.
The Director or designee shall have the authority to require any and all necessary agreements or documentation, as they deem appropriate, to ensure that projects utilizing this parking quantity reduction program maintain all required features for the life of the project. Any such agreements or documentation shall be in a format acceptable to the City Attorney and shall be recorded on the title of the property.	

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Downtown Tacoma

13.06A.065 Parking Standards

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C. Parking Quantity Standards Outside of the RPA

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6. Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following:

a. A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location.

b. Within a single building, no more than 20 dwelling units, or 50% of the total dwelling units (whichever is greater), may utilize this bonus.