City of Tacoma
Planning and Development Services

To:	Planning Commission
From:	Lihuang Wung, Planning Services Division
Subject:	**Code Cleanups (an Application for the 2017-2018 Amendment)**
Meeting Date:	April 5, 2017
Memo Date:	March 30, 2017

As in previous years, proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for consideration during the 2017-2018 cycle (or "2017-2018 Amendment") will include "Code Cleanups", which involves minor revisions to various sections of the Tacoma Municipal Code (TMC), intended to address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the code, are found to be unclear or not fully meeting their intent.

At the Planning Commission's meeting on April 5, 2017, staff will present the scope of work for the "Code Cleanups" of the 2017-2018 Amendment. Attached is a draft "Code Cleanups – Issues and Proposed Alternatives" that includes a list of cleanup issues, and for each issue, a brief discussion on the need for, and alternative approaches to, the respective code revisions.

The Commission will be asked to determine:
1. Are these issues legislative and properly subject to the Commission's review?
2. Are there any modifications needed for any issue or the associated proposed approach?
3. Are there other pressing issues that should be added to the scope of work?

Upon completing the review of the issues and approving of staff's general approaches to addressing the issues, the Commission will have fulfilled the requirement of TMC 13.02.045.E, concerning "assessment of proposed amendments." Staff will then proceed with technical analyses on the issues and bring forward appropriate recommendations for the Commission's consideration at a later date.

If you have any questions, please contact me at (253) 591-5682 or lwung@cityoftacoma.org.

Attachment:
1. Code Cleanups – Issues and Alternatives

c. Peter Huffman, Director

Code Cleanups – Issues and Proposed Alternatives

Draft for Planning Commission's Review, April 5, 2017

No.	Subject	Code Section	Issues & Discussion	Proposed Alternative or Approach
A.	**Landscaping Requirements**			
1.	Landscaping Buffer Screening	13.06.200.C.4 Commercial District Use Table	Part of the footnote for "Craft Production" indicates that "Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.C." • This appears in more than one use table. It is not clear exactly what part of the landscape code it refers to. • The buffering requirement applies to higher intensity zones adjacent to residential zones. There should be a provision requiring landscaping screening around outside storage.	Clarify the intent and correct the reference throughout the code.
2.	Landscaping Buffer Interruption	13.06.502.E	The landscaping buffer allows interruption to accommodate walkway access and driveway access, but not access to utilities.	Acknowledge that access to utilities is a legitimate consideration for allowing buffer interruption and revise the code accordingly.
3.	Landscape Type B	13.06A.065.E.7	With respect to Landscape Type B, there is a reference to "13.06.502.F" when it should reference "13.06.502.G." But there is no 13.06.502.F or 13.06.502.G. And, there is no Type B any longer.	Clarify what corresponds to Type B now and which section(s) should be cited.
4.	Street tree requirement for small lot		There is no ability/mechanism to enforce street tree requirement for small lot residential.	Consider whether the street tree requirement is appropriate for small lot residential development.
B.	**Parking Requirements**			
5.	Off-Street Parking for Townhouses	13.06.510, Table 1	The parking requirement for "townhouse dwelling in R-2SRD, R-3, R-4-L and R-4" is 1 per dwelling unit, but the code is not explicit about townhouses in other non-X districts, such as T and C-1. Staff has used the footnotes for non-X districts when working on the parking for the Allenmore project.	Clarify the code for townhouses by, for example, making the 1 per dwelling requirement applicable for all townhouses. Consider making said parking requirement applicable to all districts where townhouses are allowed.

No.	Subject	Code Section	Issues & Discussion	Proposed Alternative or Approach
6.	Off-Street Parking for Efficiency Multifamily Dwellings	13.06.510, Table 2	"In NCX, CCX, and UCX Districts, …… efficiency multifamily dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided that within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption." • The provision of parking exemption is confusing and subject to interpretation, i.e., the 20 dwelling-unit threshold could be a minimum or a maximum. • It is not clear why 20 is called out in the first place.	Analyze the original intent and determine whether said threshold should work as a minimum or a maximum. Analyze whether "20" is an appropriate threshold. Explore options to revise or clarify the code accordingly.
7.	Reduced Parking Area (RPA)	TMC 13.06A	• The RPA boundary as shown on the map does not match the description in the text. • The reduced parking incentive tied to proximity to transit only applies in the X districts and not across the entire downtown outside the RPA.	Modify the text to better reflect the correct RPA boundary as shown on the map. Consider expanding the RPA, because Downtown is a mixed-use center (MUC) and should qualify for the parking requirements that are applicable for MUCs.
C.	**Breweries**			
8.	Breweries	13.06.300, 13.06.400, 13.06.700, 13.06A	• The code is not clear about the limits/levels of breweries and how they are regulated. • The terminology used in the code does not clearly tie to the State's licensing tiers for breweries. • The code may be misleading in that one could argue that a brewpub in the CIX has absolutely no production limit while a microbrewery (a more industrial, larger concept) has a limit of 15,000 barrels. • One could argue that microbreweries have no size limit, meaning a huge beer/wine plant could go in M-1 or even in DCC or DMU. • Update Historic CUP to allow some brewery type uses in old industrial buildings in DR and commercial zones. • Downtown Code seems to allow "heavy industry" in WR zone, which is probably not what we want.	Consider making the code better aligned with the state's schemes for breweries. This undertaking may require more analysis, extensive discussion, and more significant revisions to the code than "cleanups."
D.	**Miscellaneous**			
9.	Notifications	13.05.020, Table H	There is a need to continue to enhance the notifications for certain development activity.	Consider increasing the notification radius to 1,000 feet for CUP, Major Modifications, and Rezones, as a starting point.

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10.	Adjacency Compatibility	13.06A.070.E	This section of the Downtown Code pertains to design review standards applicable to development projects adjacent to designated landmarks. It is unclear, however, why this is limited to the Downtown Residential (DR) District and nowhere else.	Consider expanding the applicability to a more appropriate geographical boundary, such as all downtown subareas, and perhaps all mixed-use centers.
11.	Lot Size Averaging	13.06.100.D	Existing code uses "Standard Lot Size" for averaging lot sizes, resulting in demolition of existing houses on the lot that could've been prevented. Using "Small Lot Size" instead would help prevent the unnecessary demolition of existing houses on the lot, still maintain the incentive to small lot development, and provide additional flexibility in permit review and approval. And, the resultant platting would not create noticeable difference in lot sizes.	Consider changing the use of "Standard Lot Size" to "Small Lot Size" for averaging lot sizes.
12.	Self-storage	13.06.300.D.3 Mixed-Use Center District Use Table	"Self-storage" in NCX is identified as not allowed but the note appears to indicate that it is permitted in some circumstances. The note says: "See specific requirements in Section 13.06.503.B. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]"	Consider removing the reference to "NCX" in the note.
13.	Land Use Administrator	13.05.050.B and 13.11.250.C	The reference to "Land Use Administrator" still exists.	Change "Land Use Administrator" to "Director."
14.	Temporary homeless camp permits	13.05.020.B.1 and C.1.	"Temporary homeless camp permits" is cited in 13.05.020.B.1 as an example of administrative determinations for which a notice of application is not required, but Table H requires public notice. It was intended to be added to 13.05.020.C.1, but misplaced in 13.05.020.B.1 apparently due to scrivener's error.	Move "Temporary homeless camp permits" from 13.05.020.B.1 to 13.05.020.C.1.
15.	Substantial Connection	13.06.700.S	"Substantial Connection" definition is unclear between intent and wording.	Clarify the code language.
16.	Garage Doors on Corner Lots	13.06.100	Garage doors on corner lots. Requires 20' front setback. Does 20' setback also apply from corner side? Currently results in 5' deep garage.	Clarify the code language.
17.	Street occupancy permit	13.06.521 and 13.06.522	Should "street occupancy permit" be changed to "right-of-way occupancy permit"?	Clarify the code language. Need to coordinate with potential changes to TMC 9.08 regarding street occupancies.
18.	Light Trespass into Any Residential Use	13.06.503 Residential Transition Standards	Needs intensity standards and cut off shields.	Define the issue and develop code revisions accordingly.

No.	Subject	Code Section	Issues & Discussion	Proposed Alternative or Approach
19.	Rezone Modification	13.05	The process for site-specific rezone modifications needs to be made less onerous than that for the original rezone, especially when there are supporting land use designations.	Explore a "medium" modification standard for rezone modifications when site-specific rezone is supported by land use designation.
20.	Emergency and Transitional Housing	13.06.700	Separate definitions of emergency and transitional housing. Better definitions are needed for special needs housing.	Review definitions of "emergency and transitional housing", "special needs housing", "group housing", and related uses and modify the code language accordingly.
21.	Critical Areas with Overgrown Vegetation	13.11	Need to add a reference within nuisance code to 13.11 for sites near critical areas with overgrown vegetation.	Modify the code accordingly.