



AGENDA

MEETING: Regular Meeting

TIME: Wednesday, September 5, 2018, 5:00 p.m.

LOCATION: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

A. Call to Order and Quorum Call

B. Approval of Agenda and Minutes

- Minutes – July 18, 2018 and August 1, 2018

C. Public Comments

- Comments are accepted on all discussion items, and are limited to 3 minutes per person.

D. Discussion Items

1. Future Land Use Map (FLUM) and Buildable Lands Review

- Description: Review buildable lands in relation to the Comprehensive Plan FLUM designations and provide additional context for the DADU Regulations.
- Action: Guidance
- Staff Contact: Stephen Atkinson, 253-591-5531, satkinson@cityoftacoma.org

2. Detached Accessory Dwelling Unit (DADU) Regulations

- Description: Review the draft code language pertaining to DADUs.
- Action: Authorization for Public Review and Setting Public Hearing Date
- Staff Contact: Lauren Flemister, 253-591-5660, lflemister@cityoftacoma.org

3. Election of Chair and Vice-Chair for 2018-2019

- Description: Elect Chair and Vice-Chair of the Planning Commission for the term of September 2018 through August 2019.
- Action: Nomination and Election
- Staff Contact: Lihuang Wung, 253-591-5682, lwung@cityoftacoma.org

E. Communication Items

- (1) The next meeting of the Planning Commission is scheduled for Wednesday, September 19, 2018, at 5:00 p.m. (starting time subject to change), in Room 16; tentative agenda (subject to change) includes: Open Space Current Assessment (811 Karl Johan Ave.); JBLM Joint Land Use Study Accident Potential Zone; Historic Preservation Code Improvements; and Future Land Use Map.
- (2) The next meeting of the Infrastructure, Planning and Sustainability Committee on September 12, 2018 has been canceled. The subsequent meeting is scheduled for Wednesday, September 26, 2018, 4:30 p.m., in Room 16; tentative agenda (subject to change) includes: Cross Laminated Timber; Green Building; and Healthy Homes Healthy Neighborhoods.

F. Adjournment



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MINUTES (Draft)

TIME: Wednesday, July 18, 2018, 5:00 p.m.
PLACE: Room 16, Tacoma Municipal Building North 733 Market Street, Tacoma, WA 98402
PRESENT: Jeff McInnis (Acting Chair), Carolyn Edmonds, Ryan Givens, David Horne, Brett Santhuff, Andrew Strobel, Dorian Waller
ABSENT: Stephen Wamback (Chair), Anna Petersen (Vice-Chair)

A. CALL TO ORDER AND QUORUM CALL

Acting Chair McInnis called the meeting to order at 5:04 p.m. A quorum was declared.

B. APPROVAL OF AGENDA AND MINUTES

The agenda was approved. There were no minutes for approval.

C. PUBLIC COMMENTS

- Wilma Dagg – Ms. Dagg spoke on a detached accessory dwelling unit (DADU) project that was so beautiful, and would like it to be self-sustaining and reliant. She wanted to thank the commissioners.
- Al Ratcliffe – Mr. Ratcliffe commented that he was in support of expanding the residential infill pilot program. He noted that the program is in critical short supply. One of the unexpected outcomes is that many people built these decided to do the Air BnB. He wanted to encourage the Commission to look at Vancouver as an example. He hoped the Commission could refresh their outlook at the land use and zoning. He wanted to support the Commission and make more affordable housing available.
- Gary Knudson – Mr. Knudson spoke about the residential up-zoning in regards to DADUs and townhouse developments. He's concerned about the proposals which are neither good nor bad for particular plots. However, they are discussed along with affordability, but he believed that there are not parameters or tests in what affordability means, even within neighborhoods. He commented that affordability is relative. He does not believe the commissioners can speak under that action with a clear guise without a definition. He wanted to see a direct link between affordability and the outcome of any given proposal.
- Dan Cardwell – Mr. Cardwell, Pierce County Planning & Public Works, noted that the annexation of Manitou area is a priority as it is an unincorporated island that is surrounded by cities. It needs to be provided services by the neighboring city rather than the county. He is looking forward to the partnership of the annexation process with the City of Tacoma.
- Venus Dergan – Ms. Dergan wanted to listen to the proposed Manitou annexation. She stated that a lot of the Manitou residents are waiting for answers. She noted some areas of concerns: code enforcement, zoning – she'd like it to stay residential and let the existing businesses exist but keep the zoning residential. City services and public safety are concerns – they would like police enforcement from Tacoma as well.

D. DISCUSSION ITEMS

1. 2019-2024 Capital Facilities Program Update

Christina Curran, Office of Management and Budget, facilitated the Commission's continued review of the proposed 2019-2024 Capital Facilities Program (CFP). She noted that the Commission had received an oral testimony from the public hearing on June 20, 2018 and a few written comments. She requested the Commission to consider making a recommendation to the City Council to adopt the proposed CFP.

Commissioner Santhuff understood that there isn't a targeted open space fund included in the CFP and suggested that maybe that is something to have in the future to demonstrate that there is a need for open space funding if funding becomes available.

Commissioner Givens referred to the e-mail received from the Hilltop Library Planning Committee suggesting the Commission consider including a library in the CFP and noted that he couldn't find a placeholder in the CFP where a library project for the Hilltop could be listed. Ms. Curran responded that the City has been working to evaluate library services, however, at this time it didn't translate directly into a capital facility project request.

Acting Chair McInnis wondered if the Tacoma Housing Authority could accommodate the Hilltop library in the CFP, even though it's beyond the CFP 's scope. Ms. Curran was unsure of that specific scenario; she noted that there are ongoing conversations about the need for library services and potential solutions such as the People Center hosting library services, but nothing is concrete. Commissioner Givens remained concerned.

Lihuang Wung, Planning Services Division, noted that if the Commission is ready to consider making a recommendation to the City Council, he would bring up some notions provided by Chair Wamback who was absent. Acting Chair McInnis stated that we need to continue to work toward how we present information to the public so that it's digestible. Mr. Wung indicated that, to that effect, Chair Wamback had suggested adding a sentence to the Conclusions and Recommendations section of the draft Findings of Fact and Recommendations report that would say: "There is also room for improvement regarding the presentation of material so that it can be more easily understood and reviewed by the Planning Commission, City Council, and the public." Mr. Wung also mentioned that Chair Wamback had authorized Acting Chair McInnis to sign the Letter of Recommendation, subject to the approval of the Commission. The commissioners concurred with Chair Wamback's suggestions.

Acting Chair McInnis entertained a motion. Commissioner Santhuff stated: *"I move that we recommend adoption of the 2019–2024 Capital Facilities Program and forward our Findings of Fact and Recommendations report as well as our literary recommendations to the City Council incorporating our changes discussed in tonight's presentation."* Commissioner Strobel seconded the motion. The motion passed unanimously.

2. Manitou Neighborhood Potential Annexation

Mr. Wung reviewed the preliminary scope of work for the planned annexation of the Manitou Potential Annexation Area. He noted on how Pierce County staff had approached City staff in January of this year to begin the collaborative planning process, how a community meeting on May 14th was conducted, and how the project was added to the docket of the 2019 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code. Mr. Wung stated that the subject area is one of the four Urban Growth Areas (effectively the Potential Annexation Areas) as designated in Tacoma's Comprehensive Plan pursuant to the State Growth Management Act. He then reviewed the fact sheet of the subject area and issues and concerns associated with the planned annexation.

Commissioner Givens asked if there are sewer hook-ups in that area, and what the conditions of the roads are. Mr. Wung answered that there is a sewer main that comes down from University Place area, and a sewer main that comes from City of Tacoma along 66th and may have a hook-up to the gas station. He also noted that the road conditions are similar to those in the adjacent South Tacoma neighborhood. Commissioner Strobel asked whether the mobile home park is on septic or not. Mr. Wung responded that he would need to do some research on that.

Mr. Wung reviewed land use and zoning related issue. He described the current County zoning designation for the area, the existing land uses, and the “menu” of City’s land use designations and corresponding zoning districts that could be applicable to the area. In terms of the land use and zoning schemes for the area upon annexation to the City, Mr. Wung proposed two options: (A) Mixed-Use Center approach, and (B) Residential+Commercial approach.

Commissioner Edmonds commented that staff had provided an excellent way to work on an annexation and from her experience with working on annexation in a different jurisdiction this makes an infinite amount of sense to move forward. She noted that the two things that are most problematic from a residents point of view is the zoning and their addresses. In terms of the zoning scheme, she preferred Option B.

Commissioner Waller asked what kind of feedback have been received from the citizens at the community meeting on May 14th. Mr. Wung briefly summarized the comments from the community and indicated that such information has been included in the Commission’s agenda packet.

Commissioner Santhuff noted that it may be of value to add the history of the zoning for this area and why it had not been incorporated. He asked what the future of the Meadow Park golf course may be. He also noted Option B seemed like a better choice.

Commissioner Strobel asked what preempted the move for the annexation of this area, if the residents didn’t come forward with a ballot initiative, and what promoted this annexation versus the other three Potential Annexation Areas.

Dan Cardwell, Pierce County Planning & Public Works, answered that there is no easy annexation. He stated this really came about in the 2015 update of the County’s Comprehensive Plan when annexation of unincorporated “islands” was set as a high priority. Mr. Cardwell indicated that it is also with the support from the County Council member representing the area that the County is moving forward with the Manitou annexation.

Commissioner Strobel commented that the County has a more permissive zoning than the City, making it difficult to annex and rezone the area; that the Manitou annexation would make an interesting case for the other potential annexation areas; and that he hoped that the City will continue to work with the County on finding the right time when services should be incorporated into the area.

Commissioner Givens commented that he echoed for Option B.

Acting Chair McInnis commented that some of the auto-base uses in that area is concerning. He concluded that Option B is where the commissioners are leaning toward.

3. Detached Accessory Dwelling Unit (DADU) Regulations

Lauren Flemister, Planning Services Division, reviewed the background and status of the Residential Infill Pilot Program, focusing on the Detached Accessory Dwelling Units (DADUs). Based on lessons learned, DADUs have far exceeded the other types of infill uses. Ms. Flemister then reviewed the preliminary scope of work for allowing DADUs outright through code amendment. The scope of work included the issues to be addressed, the options for the proposed regulations, the project timeline, and the outreach strategy. Ms. Flemister asked for feedback and guidance on issues to be addressed. Commissioners provided the following questions and comments:

- Commissioner Givens wondered if detached garages are in subject for review today. He also noted that there is conflict in the height of structures allowed in the zoning code, and it should be decided early on if a two story structure arrangement should be allowed. Ms. Flemister answered that garages are in subject for review, and that the first project of the pilot program was a cottage house style that had a garage on the first level and a living unit on top. It would be allowed, depending on the height.
- Commissioner Santhuff suggested that in future meetings Ms. Flemister elaborate on how staff envisioned the process going forward with properties that are either individually landmarked or in a historic district, and where the purview of design would fall, and where the landmarks have control.

- Commissioner Edmonds commented that in future meetings she would like some exploration into the parking issue. Regarding quality or conformance, she noted that she tends to fall on the side of conforming to the neighborhood, but if there is a more flexible language she would like to hear that too. She doesn't want to see a modern ADU next to an old craftsman, unless there is good reason for it.
- Commissioner Strobel commented that are there constraints versus less dense types of zoning for parking requirements. He leaned more toward removing parking requirements with the understanding that in denser parts of the city there is more demand in those areas. He doesn't know if the Transportation Master Plan or another type of guiding document would shed some light on parking occupancy rates for street parking. He also wondered about the minimum ADA requirements for a structure and the minimum quality for a structure. He noted that subservience does not matter as much to him – if the ADU is larger than the main unit why should it matter. He would like to not go through a full blown EIS process.
- Acting Chair McInnis commented that he would like to find the time to focus specifically on affordability outside of the DADUs. He also asked if a single family proposal comes up, and as off site development happens, how that would look with the addition of DADUs. Ms. Flemister answered that it's something that staff will be meeting with the Site Development staff to help define what will and won't be triggered by doing this, and that staff is keeping in mind to not create too many barriers for citizens. Acting Chair McInnis commented that this is a very specific use. He thinks that commissioners and staff need to be really careful about not to over apply code on what the DADUs really do. If we get into the weeds too much we may be undercutting people who are trying to build for a very specific use and resident. In terms of design review committee versus administrative review, Acting Chair McInnis was in favor of the administrative review.
- Commissioner Givens commented that he couldn't find language in the city code that specifically exempts accessory units from density standards. He suggested that be added to the list for consideration. He also offered a great case study to look into regarding this matter, which was in St. Petersburg, Florida.

E. Communication Items

Brian Boudet, Planning Services Manager, informed the commissioners of the Infrastructure, Planning and Sustainability (IPS) Committee's review of the Planning Commission Work Program for 2018-2020 on July 11, 2018, and noted that the IPS did express mixed concerns about DADUs and finding the delicate balance with design quality. They're thinking in the lens of what is the minimum necessary to get the compatibility of quality and affordability, and needing to be careful about quality, but not so much that it detracts the process. He stated that will be a continuing policy discussion.

Mr. Boudet stated that the other thing from the work program perspective that the IPS expressed a lot of interest in is proactively planning around high capacity transit. Pierce Transit is working with Sound Transit and the city to acquire additional funding for the Bus Rapid Transit (BRT) planning. There is also a budget request of planning dollars to capitalize the BRT project along the Pacific Avenue corridor.

Commissioner Edmonds asked if Federal Way put in 6 lanes, what happens when two of those lanes, if indeed they are BRT, reached Pierce County. Commissioner Strobel provided that most of King County Metro Transit's connections to Pierce County primarily go through I-5 so there won't likely be a connection on SR-99 from Metro. They are just widening the road.

Commissioner Strobel invited everyone to the Power Paddle to Puyallup 2018 Tribal Canoe Journey Event, beginning on July 28, 2018.

F. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

**These minutes are not a direct transcription of the meeting, but rather a brief capture. For full-length audio recording of the meeting, please visit:*

http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/



MINUTES (Draft)

TIME: Wednesday, August 1, 2018, 5:04 p.m.
PLACE: Room 16, Tacoma Municipal Building North 733 Market Street, Tacoma, WA 98402
PRESENT: Stephen Wamback (Chair), Anna Petersen (Vice-Chair), Carolyn Edmonds, Ryan Givens, David Horne, Brett Santhuff, Andrew Strobel, Dorian Waller
ABSENT: Jeff McInnis

A. CALL TO ORDER AND QUORUM CALL

Chair Wamback called the meeting to order at 5:02 p.m. A quorum was declared.

B. APPROVAL OF AGENDA AND MINUTES

The agenda was reviewed. Lihuang Wung, Planning Services Division, noted that the first item regarding the Detached Accessory Dwelling Units (DADUs) is tentatively scheduled to continue at the next meeting on August 15th, however, if the Commission could complete the review today and provide clear direction for staff to come back on September 5th with draft code language, the August 15th meeting could be canceled. Chair Wamback entertained a motion to amend the agenda so that Communication Item E1 becomes the consideration for canceling the August 15th meeting. A motion was made and seconded, and passed unanimously. The agenda as amended was approved. The minutes for June 20, 2018 were approved as submitted.

C. PUBLIC COMMENTS

Chair Wamback introduced the public comments section.

- Marshall McClintock – Mr. McClintock stated that the North Slope Historic District is one of the densest areas of the city with almost 18 units per acre. There are 10-20 mostly illegal DADUs. He encouraged the Commission to take a modest approach to DADUs as this area is such a dense area already, and is skeptical about furthering density. With the small lots and crowded conditions in the North Slope, he's concerned about maintaining the owner occupancy requirement of keeping reasonable heights, and that lot width is often more important than overall lot size. He emphasized that parking is an issue. He noted that the area volunteered to be an area of study in 2015 for infill, but there were no offers.
- Patricia Menzies – Ms. Menzies resided in the Hilltop area. She approached the Commission as a home owner and someone who worked with homeless people. She wondered how she could help house people while still maintaining the housing neighborhood. She encouraged the Commission to think about allowing composting toilets and grey water treatments, and allow for cob construction instead of stick built. She encouraged the Commissioners to think outside the box and inside the circle.
- Heidi White – Ms. White lived in the south end. She commented that she bought her home because it's a single family home. She commented that the quality of life for underprivileged will decline with infill projects in the R-1 and R-2 areas. She noted that the City cannot guarantee affordable housing with infill projects. She is concerned with affordable rent, and also wanted the people to be protected from jammed parking. If the city decides to do the infill, she encouraged to regulate the infill neighborhood by neighborhood. She noted that quality is more important than quantity, and quality of life needs to be preserved with affordability and open spaces.

- Carl Teitge – Mr. Teitge lived off of Stadium Way. He built a DADU, and because of this extra income from rent he feels like he can afford his home. He rents his DADU to an OBGYN resident who works at Madigan Hospital. During a stay in Palo Alto CA, he noted that school teachers are sleeping in their cars, and policemen are living outside of the city, as no one can afford the rent. He warned that Tacoma has to take some growth, and DADUs are a good way to do it. The population will need to grow, as others won't be able to afford housing soon.
- Mike Fleming – Mr. Fleming lived in the west end of Tacoma and is part of a volunteered group of neighbors. He lived in an area that has covenants that limit development to single family residents on one lot. His organization is trying to be sensitive to the needs of the citizens. As people have applied for ADUs in the neighborhood, the organization has not opposed them. His organization is taking their ADUs case by case in their neighborhood, but is opposed of DADUs. He wondered about the sensitivities between DADUs and ADUs and how that affects city codes, and to take into consideration the sensitives of organizations with covenants.
- John De Loma – Mr. De Loma realized that it may be impossible for the City of Tacoma to stop people from building DADUs. He noted that he's read through multiple codes for these DADUs in other cities, and reviewed some of these codes with the Commission. He reviewed some of the requirements for the City of Tacoma as well, and what he agreed with, and didn't agree with. He wanted to point out that the city should look at affordability and low income requirements in place of DADUs. He reminded the Commission that the city's streets aren't equipped to take on higher density while putting in high capacity, tall buildings with 300 units. He wanted to note that Arlington School that was recently built has been maxed out, and to pay attention to what density is causing.
- Ken Miller – Mr. Miller wanted to agree with what he's heard tonight. He noted that Tacoma has to grow substantially and quickly, if the City wants to maintain its level of services, otherwise the city will become economically unstable. He commented that the question should be – should the City seek to grow rapidly and aggressively, or grow passively. He encouraged to grow rapidly. Then he posed the question of how do citizens share the burden of that growth in a reasonable way across the neighborhoods throughout the city. He believed the City should really pay attention to the happiness of the citizens, but regardless of happiness, growth needs to happen.
- Joe Bushnell – Mr. Bushnell is a part of the Washington Hospitalities Association. He commented that Tacoma is not unique to their growth. Walla Walla, Spokane, and other cities in Washington State have been reviewing their ADU regulations as well. He wanted to introduce himself to let the commissioners know that he and his colleagues are available for resources to help out.

Chair Wamback closed the public comment section.

D. DISCUSSION ITEMS

1. Detached Accessory Dwelling Unit (DADU) Regulations

Lauren Flemister, Planning Services Division, facilitated the Commission's review and discussion on development and design standards related issues in association with the proposed removal of DADUs from the Residential Infill Pilot Program Code.

OCCUPANCY:

Ms. Flemister noted that typically land use code doesn't state the number of occupancy per land use type. There is no way to enforce this, so it makes more sense to focus on conditions.

- Commissioner Edmonds commented that the number of occupants should be determined by the square footage of the ADU. She is also concerned that this could be preventing a family of 5 or 6 to live in an DADU.
- Vice-Chair Petersen believed there should not be an occupancy requirement, for it is impossible to enforce and it is not for the Commission to determine what people need.

- Commissioner Givens asked if there was a violation, is the enforcement of the violation handled through the same code process as the International Building Code (IBC). Ms. Flemister answered that the number of people is typically not enforced unless there were squalor, ventilation, and health and life safety issues.
- Commissioner Santhuff mentioned that on the surface it makes sense to defer to the IBC.
- Chair Wamback asked if a DADU were used as an Air BnB that would be subject to the short term rental regulations, and the occupancy standards that are created as part of that. Ms. Flemister answered that yes, it exists in the current code, and some issues still need to be addressed with that.

OWNERSHIP:

Ms. Flemister sought direction from the Commission if the owner occupancy should remain unchanged, or if an owner needs to live on site, or if the owner can rent both units.

- Commissioner Horne suggested that the code should offer more clarity in whether the owner can still rent rooms in both units while still living in the home.
- Commissioner Givens commented that he liked this caveat in the code.
- Commissioner Edmonds disagreed with renting both of the units in their entirety.
- Commissioner Santhuff commented that the DADUs will be built with the current owner's use at the time. By the owner living in one of the units on site, it would help to maintain a sense of ownership.
- Chair Wamback clarified that none of the commissioners agreed to renting both units.

PARKING:

Ms. Flemister noted that DADUs would not be a strong driving factor in parking.

- Vice-Chair Petersen commented that she strongly agreed to the thought of no off street parking required, as there is no such requirement for attached ADUs or residential units. She noted that if the owner of an owner-occupied home next to a mixed-use district foresees their DADU causing parking issues, they will most likely build an onsite parking stall.
- Commissioner Edmonds mentioned that if at all possible, she would like to see off street parking required for neighborhoods.
- Commissioner Givens asked whether the city requires the number of parking stalls per bedroom; whether there is a mechanism to require single family residents to park on their own property; and as apartment complexes and large projects are built, whether there has been an increase in large surface parking lots. Ms. Flemister answered that one, it's not proportional to the bedroom, and two, many residents don't have the ability to park on property, and there is no way to enforce that. Regarding the third question, Ms. Flemister noted that she can follow up later.
- Commissioner Strobel asked how have other cities approached the parking issue. Ms. Flemister answered that she has looked at Portland, Seattle, Santa Cruz, and Pierce County. The only one that required parking was Pierce County. Commissioner Strobel wanted to know more about Santa Cruz where the housing is costlier. Ms. Flemister answered that they have constrained housing supply and do not require parking. Commissioner Strobel wanted to echo Vice-Chair Petersen, i.e., leaning towards no parking requirements.
- Vice-Chair Petersen commented that the less paved space, the better.
- Commissioner Horne asked during Ms. Flemister's research, has she found that by not requiring any on street parking, that it drives residents of the area to use public transportation, or voice their concern about the inadequacies of public transportation around that area. Ms. Flemister answered that she does not have proof or evidence regarding the behaviors of what causes people to use public transportation surrounding ADUs.

- Commissioner Edmonds commented that the regulation shouldn't be driven by its impossible to do, but rather, it CAN be done. She is very sensitive to the neighborhoods that don't want parking clutter. If it's an issue of consistency, then it's just as practical to require off street parking for both attached and detached, same as you would not require both. She votes for required parking.
- Commissioner Givens believed that parking should be tied to more of the walkability of the area. It seems strange to have an ADU in the back of the house to require a parking stall, while the principal house has eight roommates who all have cars and are parking on the street.
- Commissioner Santhuff wanted to echo Commissioner Givens' concerns. He indicated that we don't regulate parking based on the demand of the house and we should find a way to include parking by incentivizing, perhaps by setting a limit on the area for the DADU, but allowing a slightly larger area if there is off street parking in the design. There are already some allowances for larger square footage if the structure includes a garage, so this would be another way to achieve additional parking.
- Commissioner Horne commented that ADUs are treated differently than the house, so parking requirement could be treated differently, and it may be beneficial to think about each neighborhood differently on a case by case basis.
- Chair Wamback commented that to the extent that either the principal house, the existing house, or the DADU gets put into a short term rental inventory, then parking requirements should be different. Requiring more off street parking would require more concrete, asphalt, or gravel, which is not great for the climate or human health. He continued that if you have a neighborhood that's so dense, the city should have some sensitivity to areas that already have overburdened dense parking.
- Vice-Chair Petersen commented that why put so many burdens under the guise of affordable housing. This is how some people are able to keep living in their home, and it's not up to the Commission to make affordable housing more difficult.
- Commissioner Strobel commented that while looking at Seattle's DADU issue, they are at 67% parking capacity, and Tacoma is not breaking new ground on this issue and there is much to learn from other cities. Parking shouldn't be the debate. He believes there is a lot of free parking in the city and a lot of businesses are under constraint.

LEGALIZATION:

Ms. Flemister suggested to offer another amnesty period, and asked the Commissioners whether ADUs coming into compliance should have to meet development standards, or all standards.

- Vice-Chair Petersen commented that she thinks an amnesty period is a marvelous idea, and anything that promotes life and health safety is a no brainer.
- Commissioner Givens was generally in support of an amnesty period, and wanted to make sure the code separates what is a non-conforming structure and legal structure versus a non-conforming illegal use. He suggested building some flexibility into the code to acknowledge that.

LOT SIZE (and USAGE):

The Commissioners were asked to comment on whether the lot size can be smaller than the minimum standard lot sizes appropriate to various residential districts.

- Commissioner Givens offered that lot size should depend on the location of the ADU – smaller lot size may work for a more walkable neighborhood, but not for a more auto-dependent neighborhood.
- Commissioner Strobel suggested that a conditional use permit could be added to ADU for a smaller lot size, if minimum quality is maintained and assured.
- Vice-Chair Petersen suggested staff explore some samples of building to lot size ratios.

- Commissioner Edmonds commented that the lot size should be driving many other criteria that the city is using. She noted that staff and the Commission are trying to come up with a one size fits all, when in reality there are so many variables. There should be a minimum lot size, although she's not sure what it should be. Her inclination is a 7500 sq. ft., as a DADU is an actual additional building. Her fear is that the regulations will not make sense. There should be a range of what is acceptable per lot size.
- Commissioner Givens commented that neighbors are concerned. He thinks that meeting the minimum lot size per district is a good idea, as that is a good beginning point. People can digest that and be comfortable with it.
- Commissioner Santhuff asked that by having these lot sizes, what areas of the city are we precluding. Ms. Flemister answered particularly north of I-5 is where most of the preexisting lots are smaller in most cases. Commissioner Santhuff commented he would be curious as to what lot size and threshold would not preclude that huge slot in the city in this program, and to have some kind of framework to understand how these minimums relate to the city. Beyond that, he noted that he liked the idea that these are the minimum standards for the districts, and that a conditional use permit might be an approach to allowing something on a smaller lot.
- Chair Wamback commented that he is intrigued by Commissioner Strobel's suggestion on the conditional use permit, which provides some creativity. In some of the smaller lots, there are DADUs, and they've existed for a long time without doing anybody any harm, such is the case in the neighborhood where he lives.

(Chair Wamback recessed the meeting at 6:35 p.m. The meeting resumed at 6:50 p.m.)

BUILDING SIZE:

Regarding whether the building size can be larger, and does the lot size impact the maximum ADU size, Ms. Flemister suggested to either have no change in what's currently written, to simplify, or tie building size to lot size.

- Commissioner Givens commented that he's uncomfortable with having the Commission decide how big a DADU should be, and offered to look at what other cities have done on this matter.
- Commissioner Santhuff commented that the staff's approach seems to make sense. He suggested that the building size could tie with such bonuses as more usable yard space and offsite parking and that a larger DADU could be allowed with a conditional use permit as long as it is still proportionate to the main house.
- Commissioner Edmonds asked at what point is a DADU no longer a detached unit but a separate dwelling unit, and commented that it is one of the risks of not having the size of the ADU being relative to the main residence.
- Commissioner Givens suggested having a set of standards, with the conditional use permit to deal with unique sites and conditions.
- Commissioner Strobel concurred and commented that he is not a fan for ADUs to max out. If the city is not trying to control parking, then why try to cap out square footage.
- Commissioner Edmonds commented about the transfer to new ownership. If there is the ability to separate title so that the ADU becomes a separate single family dwelling, how do we make sure that people don't create illegal subdivisions. The only thing preventing it now is the tie of the title.
- Vice-Chair Petersen commented that the code already addressed this. The ADU goes on title with the home, and it runs with the land, not the ownership.
- Chair Wamback wanted to clarify if the square footage is being referred to as surface area/land usage for the DADU or the structure footage of the DADU. Ms. Flemister commented that needs to be clarified.
- Vice-Chair Petersen commented that the code needs a lot of clarification.

- Chair Wamback asked if the city maintains an independent database on the square footage of houses in the city or does the county assessor's? If we want a final framework to the customers, we need a point of time that we can tell our customers. We want their housing to be resalable if needed.

DESIGN and STREET FRONTAGE:

Ms. Flemister believed the setbacks were fairly consistent with other portions of the city's code and they didn't need to be changed. She wanted to make sure everyone was on the same page with street frontage and orientation of that. She asked if an alley way orientation is appropriate compared to a side yard access.

- Vice-Chair Petersen commented that the city should be flexible, and Commissioner Givens commented that he agreed with that sentiment.
- Chair Wamback noted that he believed it would be very awkward to require access only from the back of the house. He noted that he would not like the City of Tacoma to perpetuate access in the back of the home due to what that has meant in other parts of the country.
- Commissioner Strobel commented that ADUs easily get lost in census inventory and are impacted in school funding and the like.

BUILDING ORIENTATION:

Ms. Flemister asked for direction regarding the thoughts about alley or side yard-focused entry, orientation, and walkways, if appropriate. She noted some options would be allowing for flexible configuration, or a dictated orientation.

- Vice-Chair Petersen commented that she liked flexibility. Chair Wamback commented that he agreed with flexibility, and thought that it would be awkward to require access solely from the alley.
- Commissioner Givens commented that there was concern about police and fire personal being able to find the address, and to acknowledge that somewhere in the ordinance code.

ARCHITECTURAL FEATURES:

Ms. Flemister asked for direction on whether the DADU needs to match the main house and how, or, what should the criteria be for a more modern design, or just matching the style/material, or having no consistency.

- Vice-Chair Petersen commented she likes the idea of it matching the main house, but maybe there needs to be allowance for variation.
- Commissioner Santhuff believed the requirement is unnecessary and hurts creativity. He commented that we don't require that houses on the same block to have the same style, so this is limiting to people's lifestyles and needs.
- Commissioner Strobel commented that stand alone, this does not make sense, such as requiring a brick house to have a brick DADU. However, this does make sense to areas such as the historical districts.
- Chair Wamback and Commissioner Givens asked some questions about whether modular DADUs would be allowed and whether DADUs would be allowed for townhouses, duplexes or triplexes.
- Commissioner Edmonds commented that because we're making exceptions to create DADUs without short platting, there is a responsibility to require that the DADU in some fashion conform to the neighborhood. She suggested that DADUs have the potential of changing the neighborhood, so we should be sensitive.
- Commissioner Strobel commented he doesn't want the city to go down the path of acting as a home owner association. He has a home that the cedar shingle was replaced with vinyl. The

materials change over time as technology changes. If the city limited the DADU to certain features of the main home, then the main home is also limited in what can be done to it in the future.

- Commissioner Horne commented that if matching the main house costs more, it works against the affordability goal.
- Chair Wamback commented that there will need to be research done on enforcing characteristics in neighborhoods.

HISTORIC CHARACTER:

Ms. Flemister noted that if the proposed project is in a historic district or the house has special architectural features or is landmarked, then the home needs to be deferred to the Landmark Preservation Commission (LPC). Ms. Flemister also commented that the LPC already has historic regulations. Instead of being a separate item it would just get merged in with architectural and there would be deference to the LPC there. The Commissioners concurred and had no further comments.

WALKWAYS:

Ms. Flemister noted that citizens were having trouble coming into compliance with walkways during the residential infill pilot program implementation.

- Vice-Chair Petersen commented that she wanted to clarify what a walkway is. Secondly, she didn't believe this was necessary, and that the home owner should decide if they want a concrete strip, or paved stones, and how wide. Commissioner Givens concurred.
- Commissioner Edmonds commented that many of the people who needed a DADU are elderly and disabled, and there should be a safe walking pattern from the street to the front door. Ms. Flemister noted that single-family homes do not need to comply with ADA standards.
- Commissioner Santhuff commented that he does believe that there should be a very defined path to the DADU, whether or not it's paved, or gravel, so someone can understand where they're going. Four feet is not necessary.
- Vice-Chair Petersen mentioned that not all homes with alley way access have their waste management picked up in the alley or the front of the home.

PROCEDURES/ Design Review:

Ms. Flemister noted that what seemed to be a standard procedure that she found in her research is an administrative review of design standards. She asked the Commission for direction on having an administrative review vs a temporary design review board.

- Commissioner Givens commented he would like to see the home owner be able to go to the city and pull a permit as a home owner without another layer, i.e., following the existing building permit procedures.
- Commissioner Strobel commented that he is in favor of an administrative design review.
- Vice-Chair Petersen also voted for having an administrative design review. She noted that if a case involves historic characters, it goes to the LPC, which is a design review process.

PROCEDURES/ Short-Term Rentals:

Ms. Flemister asked for direction on what the duration of short-term rentals should be, as well as what the cap on days per year should be. She noted that an option would be to reduce the duration and cap the days in single-family districts, or to leave as what is currently written.

- Vice-Chair Petersen commented that the code should remain the same. Commissioner Givens concurred and noted that the owner-occupancy requirement would reduce some nuisance that may be created by the renters.

- Commissioner Strobel commented asked if there are any punishments for violating that code, as he is concerned in exploiting that in some way if it doesn't meet code. Mr. Wung clarified that the short-term rental regulations do not include any punishment provisions and that violations are addressed through the complaint-based enforcement.
- Chair Wamback suggested leaving the code as is but providing appropriate materials to prospective short-term rental operators informing them that the city can change its regulations at any time.

COMMUNICATION PLAN:

Ms. Flemister noted that this is a two phase approach, where Phase 1 involved education and outreach on code change, and what to look out for about the ability to build the DADU and Phase 2 involved campaigning to "get the word out" which would tentatively begin in December through early 2019.

- Chair Wamback suggested setting up a DADU website. He also noted that the concept of ADUs is an interesting topic to the Safe Streets and Neighborhood Councils, and staff should reach out to them to eliminate misinformation.
- Commissioner Givens suggested talking with mortgage lenders and realtors so that home owners can see how this affects them.
- Commissioner Strobel suggested interviewing at TV Tacoma's City Line to advertise the amnesty provision and encourage code compliance.
- Chair Wamback suggested reaching out to UW Tacoma, UPS, PLU, and TCC who possess housing stock for students and may be interested in DADUs. Commissioner Waller added that colleges such as Pierce College, Clover Park, Bates, and Evergreen should also be included.

SUMMARY AND NEXT STEPS:

In conclusion, Ms. Flemister summarized what she's heard over the course of this meeting:

- Occupancy – Defer to Title 2.
- Ownership – The owner must live in one of the two units.
- Parking – No parking requirement, but incentivize for including off street.
- Legalization – Include an amnesty period, to build in flexibility for use, and what standards can be met.
- Lot Size – Keep the minimum standard lot size as the base line, and require a conditional use permit for a smaller lot. Conduct inventory to understand what the implications might be, and provide some mock site plans to see different conditions.
- Building Size – Require a conditional use permit for a larger size, and clarify square footage information.
- Street Frontage and Building Orientation – Allow for flexibility and look at addressing.
- Architectural Features – Will not be dictating style or material.
- Historic Character – Defer to the Landmarks Preservation Commission.
- Walkways – Require a defined pedestrian access.
- Design Review - Administrative.
- Short-Term Rentals - Leave it as is.

The Commissioners concurred and provided some further suggestions, including (a) continue to reiterate that AADUs are already allowed, (b) do a comparison of AADUs and DADUs, and (c) tell why we are doing this (affordability is not the only reason).

Ms. Flemister also indicated that the Commission is tentatively scheduled to review the draft code on September 5th, conduct a public hearing on October 3rd, and make a recommendation to the City Council on October 17th.

2. Planning Commission's Rules and Regulations ("Bylaws")

Mr. Wung facilitated the Commission's consideration for amending the Rules and Regulations ("Bylaws") concerning "Absences", as set forth in Section IV.E, to be in conformity with relevant provision as set forth in the Tacoma Municipal Code (TMC), Section 13.02.010. He summarized the proposed amendment and its intent and noted that the amendments to TMC 13.02.010 had been added to the "Code and Plan Cleanups" application of the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2018 ("2018 Amendment") and adopted by the City Council in June 2018.

Commissioner Edmonds made a motion to amend the Bylaws as proposed. Commissioner Santhuff seconded the motion. The motion passed unanimously.

E. Communication Items

Commissioner Waller suggested the Commission to think about offering teleconference meetings versus in person meetings. Mr. Boudet noted that as it stands, there are no rules prohibiting Commissioners from participating in meetings electronically. Chair Wamback commented that for an occasional purpose, participating by phone is fine, but the public has a right to see the Commission in person. If Commissioners begin participating electronically a lot, he would like to change the Bylaws to include that participation needs to be in person at least two thirds of the time. Commissioners need to make every effort to be present the majority of the time for the full meeting. Chair Wamback further commented that if the technology can work, and the room is accessible for the public, he could support that without having to make a bylaw change. He noted that if any of the Commissioners want to participate electronically, that they can coordinate with staff.

Chair Wamback entertained a motion to cancel the August 15th meeting. Commissioner Edmonds made a motion to that effect and Commissioner Santhuff seconded the motion. The motion passed unanimously.

F. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

**These minutes are not a direct transcription of the meeting, but rather a brief capture. For full-length audio recording of the meeting, please visit:*

http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/



To: Planning Commission
From: Stephen Atkinson, Principal Planner, Planning Services Division
Subject: **Future Land Use Map Implementation – 2014 Buildable Lands Overview**
Meeting Date: September 5, 2018
Memo Date: August 30, 2018

Action Requested:

Informational – Staff is providing background information on the Pierce County Buildable Lands Report and City of Tacoma housing targets and guidance on how to use this information during the Future Land Use review.

Discussion:

At the next meeting on September 5, 2018, staff will provide a general overview of the Pierce County Buildable Lands Program, the City's forecast development capacity and housing targets, and a profile of the City's current zoning that underpins the development capacity estimates. Following the overview, staff will provide guidance on how the information can be used during the review of the Future Land Use Map implementation. This discussion is in response to a Commission request to review the City's housing capacity and growth allocations as part of the Future Land Use Map implementation project.

The County last conducted a buildable lands review in 2014 as a precursor to the 2015 Comprehensive Plan update, as mandated by State law. This report is available at <https://www.piercecountywa.gov/923/Buildable-Lands>.

Currently, the Puget Sound Regional Council is in process to develop VISION 2050, replacing VISION 2040. This process will include an update to regional population and employment forecasts, extending these forecasts to 2050, and include new population allocations among the regional geographies. More information on this process and current status is available at www.psrc.org/vision. This work will be a precursor to the next Pierce County Buildable Lands Review, scheduled to be completed in 2021.

Following this discussion, staff will provide a schedule of upcoming meetings on this project and key guidance staff will need from the Planning Commission to develop an initial proposed zoning map.

Project Summary:

The Future Land Use Map, Figure 2 of the One Tacoma Comprehensive Plan, illustrates the City's intended future land use pattern through the geographic distribution of residential and commercial areas, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and single-family detached designations. These designations correspond to specific zoning districts and use and development standards that implement the policies of the One Tacoma Plan.

Per the Washington State Growth Management Act and the Tacoma Municipal Code, the City's Land Use Regulations, including zoning districts, should be consistent with the policies of the One Tacoma Plan. However, in many areas throughout the City current zoning is inconsistent with the Land Use Designation in the Future Land Use Map. This project will seek to improve the consistency between the One Tacoma Plan and implementing zoning.

Prior Actions:

- 5/2/2018 – Reviewed draft scope of work for Future Land Use Map Implementation project.
- 6/4/2018 – Conducted a public hearing on the proposed scope of work for 2019 Amendments.
- 6/20/2018 – Approved an amended scope of work and recommended the work program to the City Council Infrastructure, Planning and Sustainability Committee.

Staff Contact:

- Stephen Atkinson, Principal Planner, satkinson@cityoftacoma.org, (253) 591-5531.

Attachments:

- A. Chapter 1 of the Draft Department of Commerce Buildable Lands Guidance Document (2018).** This document provides a general overview of the purpose of the Buildable Lands Program and the statutory requirements.
- B. Pierce County 2014 Buildable Lands PowerPoint Presentation.** This PowerPoint presentation provides a summary of Pierce County's buildable lands methodology and overall findings.
- C. City of Tacoma Buildable Lands inventory map from the 2014 Buildable Lands Report.** This map provides a broad view of the location and distribution of lands identified as vacant or underutilized for the purposes of calculating the City's ability to accommodate assigned housing targets.

c: Peter Huffman, Director



Department of Commerce

REVIEW & EVALUATION PROGRAM

BUILDABLE LANDS GUIDANCE

2018



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ACKNOWLEDGMENTS

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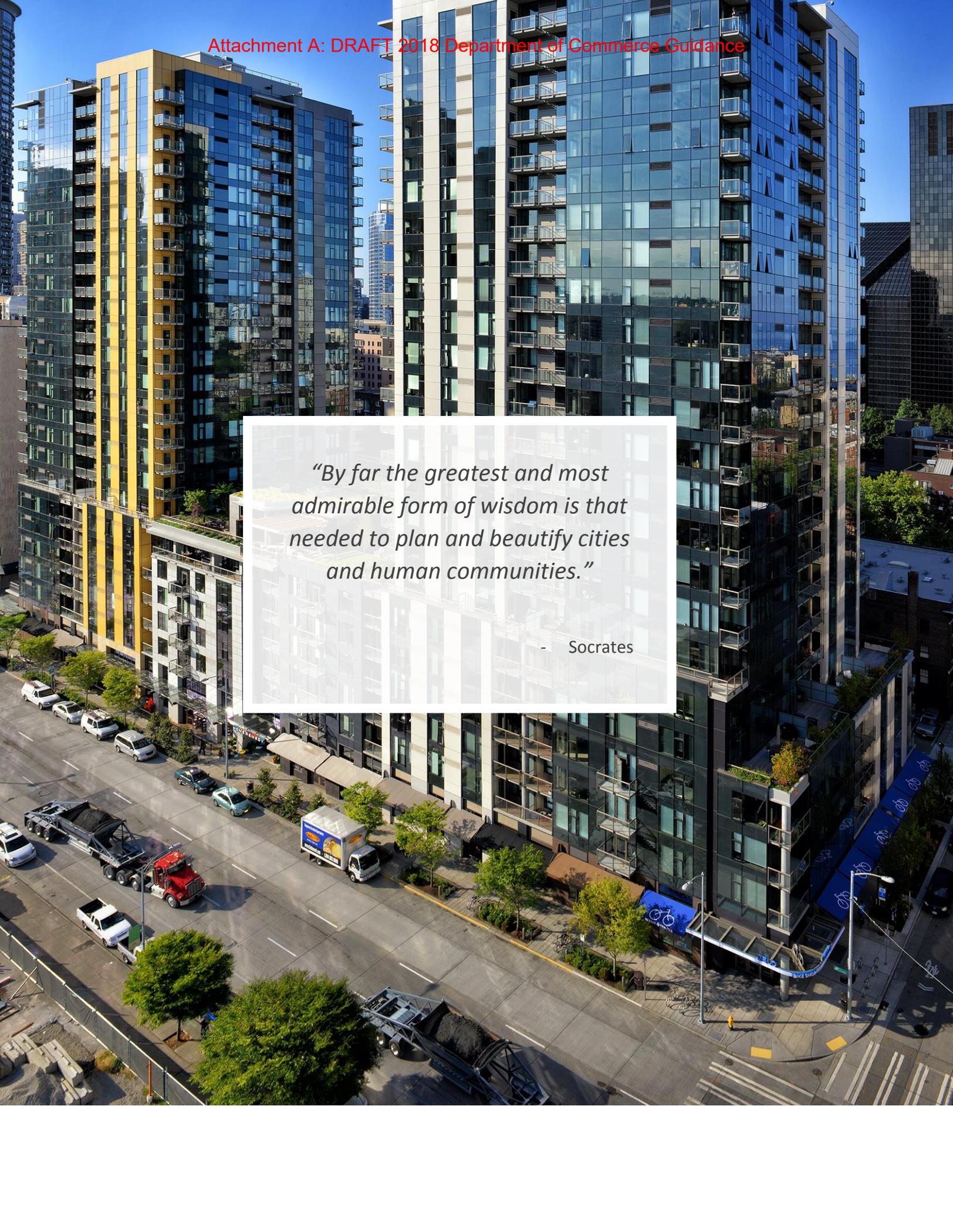
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“By far the greatest and most admirable form of wisdom is that needed to plan and beautify cities and human communities.”

- Socrates



CHAPTER 1: INTRODUCTION

REVIEW & EVALUATION PROGRAM

GMA GOALS & REQUIREMENTS

PURPOSES OF THE BUILDABLE LANDS
PROGRAM

FUNCTION OF THE BUILDABLE LANDS
GUIDANCE



The Review & Evaluation Program

The Review & Evaluation Program, also commonly referred to as the Buildable Lands Program or Buildable Lands, is an integral part of Washington State's Growth Management Act (GMA). The program is established in Revised Code of Washington (RCW) 36.70A.215 and Washington Administrative Code (WAC) 365-196-315. In summary, Buildable Lands is a data exercise that uses development data to assess whether or not growth is occurring as planned and whether or not there is sufficient buildable area to accommodate projected growth within the comprehensive planning 20-year period.

(Will add a graphic showing the regulatory relationship)

While the concept of assessing comprehensive plan performance and evaluating achieved densities may seem simple at face value, there are many complex factors, issues, patterns, and data that must be collected by jurisdictions and assessed in detail when performing the required evaluation. This complex exercise raises many questions from jurisdictions – How does a jurisdiction get started? What methods can be used for conducting the

analysis? What actions do local officials need to take based upon the results of the collected data? What is required by the program and what flexibility do jurisdictions have to define their program and approach? These questions, among many others, are the basis for this guidebook.

Program History

The Review & Evaluation Program was established in 1997 as part of an amendment to the Washington State Growth Management Act. The program originally applied to six counties, and the cities within their boundaries, and is optional for all other jurisdictions. The six counties that were part of the original program were Clark, King, Kitsap, Pierce, Snohomish, and Thurston. These counties are all located in Western Washington and have historically been among the most urban and fastest growing counties in Washington State. Due to these characteristics, the primary intent of Buildable Lands was to ensure that each jurisdiction had enough capacity to accommodate projected population and employment growth and to provide a checkpoint to assess whether adopted GMA comprehensive plans were functioning as intended.

2018 | BUILDABLE LANDS GUIDANCE

If it was determined that densities and intensities of growth were not occurring as planned, jurisdictions would be required to take certain actions to rectify growth patterns to be more in-line with what was intended in the comprehensive plan. These corrective actions are referred to as reasonable measures and are determined by local jurisdictions in collaboration with their respective county. The program made clear that an expansion of urban growth areas is not an acceptable corrective action for remediating growth inconsistencies or capacity issues.

The first Buildable Lands Guidance was prepared in 2000 and over a 20-year period, jurisdictions generally conducted their Buildable Land Programs at the required five-year intervals. During this period, many jurisdictions developed streamlined processes for conducting their own individual Buildable Lands Programs. The flexibility allotted by the program is evidenced in the different approaches that have been developed by each county while still complying with the program's regulatory requirements from the RCW and WAC.

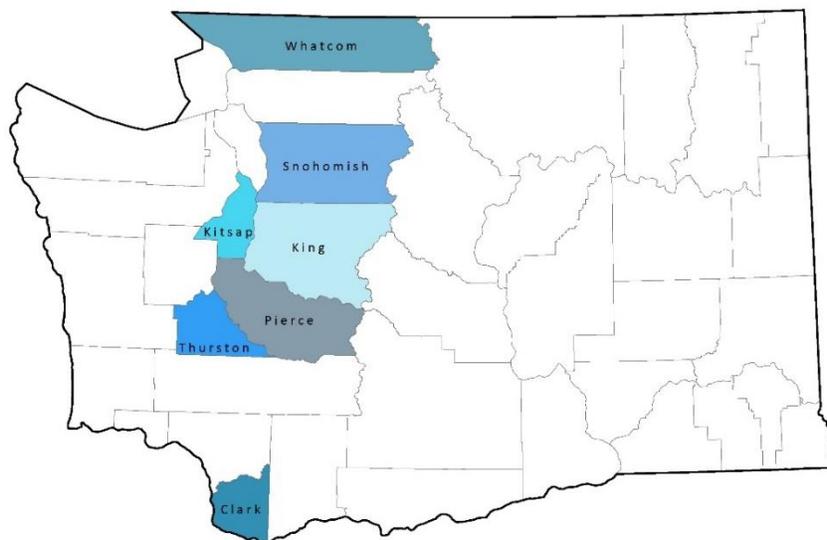
In 2017, E2SSB-5254 was passed by the Washington State Legislature. The passage of this bill constituted the first major revision to the program, as outlined in RCW 36.70A.215, since its inception in 1997.

The revisions to the program primarily centered around additional considerations that jurisdictions must consider as they identify lands suitable for development as part of the urban lands supply portion of the buildable lands analysis.

These changes were primarily supported by building and affordable housing groups who were concerned with rapidly escalating land and housing prices in Western Washington, mainly within the Central Puget Sound region. One of the most significant pieces of the legislation was the addition of a seventh county into the Review & Evaluation Program. In addition to the six original counties of Clark, King, Kitsap, Pierce, Snohomish, and Thurston, Whatcom County is now a required Buildable Lands participant.

The passage of E2SSB – 5254 was the impetus for this document being revised. It has been nearly two decades since the program, and its guidelines, have been updated. Along with incorporating guidance related to the new additions to the program as part of E2SSB – 5254, the current update is also an opportunity to reflect on lessons-learned over the past twenty years.

Buildable Lands Counties (2018)



GMA Objectives

The Washington State Growth Management Act was first adopted in 1990. There are a total of 13 goals that define the purpose and intent of the Growth Management Act. Additionally, a fourteenth goal related to Shoreline Management (RCW 36.70A.480) was added later. GMA goals are rooted in a desire to focus growth within designated urban growth areas in order to facilitate orderly and efficient growth while protecting Washington State's delicate natural environment.

The Growth Management Act is codified under Chapter 36.70A of the Revised Code of Washington (RCW). Implementation occurs mostly at the local level through a framework that includes:

- Multi-county Planning Policies (MPPs) through Puget Sound Regional Council (PSRC) - *(King, Pierce, Snohomish, Kitsap Counties only)*
- County-wide planning policies (CPPs);
- Comprehensive plans;
- Development regulations; and
- Capital budgets and other ongoing local activities.

Urban Growth Areas (UGAs) are adopted to include existing incorporated towns and cities and unincorporated UGAs that are typically connected to a city or town. Together, these areas are designed to accommodate the primary share of the projected growth and provide enough land for 20 years of urban growth. Areas designated as UGAs shall encourage urban growth and provide for urban densities (RCW 36.70A.110). Natural resource lands are designated for long-term commercial agriculture, forestry, and mineral extraction. Critical areas in all counties are designated for certain kinds of environmentally sensitive lands. In counties, rural lands must be designated for rural uses and densities.

GROWTH MANAGEMENT ACT (GMA) GOALS

- *Concentrated Urban Growth*
- *Sprawl Reduction*
- *Regional Transportation*
- *Affordable Housing*
- *Economic Development*
- *Property Rights*
- *Permit Processing*
- *Natural Resource Industries*
- *Open Space & Recreation*
- *Environmental Protection*
- *Early & Continuous Public Participation*
- *Public Facilities & Services*
- *Historic Preservation*
- *Shoreline Management*

***Revised Code of
Washington 36.70A.020***

Under the GMA, comprehensive plans and development regulations are subject to “continuing review and evaluation” by each jurisdiction (RCW 36.70A.130).

Additionally, seven counties in Western Washington, and the cities within their boundaries, also need to meet special requirements for monitoring land supply and urban densities – Buildable Lands.

The Washington State Department of Commerce provides technical assistance to guide the growth management process, adopts rules, reviews local plans and regulations, makes grants to participating cities and counties, manages data, and prepares progress reports for the legislature. Additionally, the Department of Commerce oversees and administers the Review & Evaluation Program.

Purpose of the Review & Evaluation Program

The Review & Evaluation Program, often referred to as Buildable Lands, was established as a review metric for comprehensive plan performance. To provide a periodic check to ensure that growth is occurring as planned and, more importantly, to ensure that there is sufficient capacity to accommodate anticipated growth for the remaining duration of the 20-year planning period. In addition to the specific requirements outlined for the Buildable Lands Program, the Growth Management Act sets specific parameters and includes other processes for counties, cities, and towns to follow as they plan for growth.

Successful implementation of Growth Management Act goal requirements, including the Review and Evaluation program, is contingent upon accurate data that provides rationale for planning decisions. The core objectives of GMA are rooted in goals that include a desire to maximize infrastructure, coordinate efficient

growth, and preserve the environment.

Comprehensive plan growth assumptions are critical to achieving the intentions of GMA and the Buildable Lands program is the check on whether or not those assumptions are occurring as planned for.

As part of the GMA comprehensive planning process, Buildable Lands is intentionally designed to be a long-range planning exercise accounting for natural economic and population fluctuations during the entire duration of the planning period. While intended to be a long-range planning exercise, the results of the analysis can potentially have short-term implications, particularly since the primary intent of the program is to assess growth patterns and discern whether or not sufficient capacity exists for the remainder of the planning period. This can become especially challenging during robust economic growth cycles where the 20-year planning targets may be realized quicker than anticipated but where it has yet to be determined whether or not the immediate growth cycle will eventually be mitigated by an economic cool-off or correction period.

Buildable Lands is the data exercise that supplements growth management assumptions and directly assists counties and cities with determining future growth needs based upon historical development trends and the growth that is actually occurring.

Function of the Buildable Lands Guidance

The Review & Evaluation Program is intentionally designed as a “bottoms-up” approach in order to provide a great deal of discretion to Counties as they define their own programs within their Countywide Planning Policies. The rules for the Review & Evaluation Program are established in RCW 36.70A.215 and WAC 365-196-315. Both of these are prescriptive as to what jurisdictions are



required to assess. The Buildable Lands Guidance, however, is a flexible guidebook that breaks down the requirements of the program in order to assist local jurisdictions with the development and implementation of their own Buildable Lands Programs. It is also produced for stakeholders and interested parties to provide a user-friendly outline of the Buildable Lands program processes and requirements. To be clear, the Guidebook is not a rulebook – WAC 365-196-315 provides great discretion to Buildable Lands jurisdictions. Local County-wide Planning Policies and local comprehensive plans are the primary location where the program requirements are defined. It is, however, intended to provide ideas, guidance, and tools for jurisdictions to use as they define and conduct their own programs and also provide interested parties a resource guide in order to better understand the requirements and processes for this program.

Contents of Guidance

This introductory section has provided some important background information and context related to the Review & Evaluation Program. The purpose of this document, however, is to serve as a resource by providing guidance, direction, and best practices regarding how to conduct a buildable lands analysis to Buildable Lands jurisdictions.

The guidance document is divided into distinct sections that provide background on program requirements, data collection techniques, and evaluation methodologies. To this end, the content of this guidance document is divided into

Getting Started

What you need to know about the program, such as what is required, what steps are generally involved, how a program is established, and the timeline for completion.

Data Collection

Information related to the fundamental data collection process, including the various types of data, how to collect data, what types of tools are used for data collection, and how jurisdictions monitor and handle the data collection and reporting process.

Approach & Methodology

This section provides details and worksheets related to the primary steps involved with conducting a Buildable Lands analysis. The methodology listed within this section provides a framework for how the analysis has been traditionally conducted.

Best Practices

This section provides information related to best practices and lessons learned during the first 20 years of the Review & Evaluation Program. Information within this section is varied and it is intended to serve as a resource for implementing jurisdictions.

Appendices

The appendices contain information related to market factor calculations, encouraging growth within urban areas, schedule considerations, factors influencing the cost of housing, and additional resource information.



2014 Pierce County Buildable Lands Report



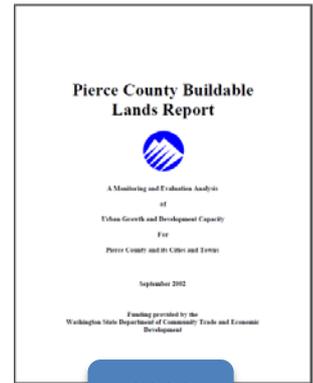
Presentation Outline



- History
- Overview of Process and Findings
 - Observed Trends
 - Inventory
 - Capacity Analysis
 - Conclusion
 - Consistency Analysis

Buildable Lands Program

- 1990 The Growth Management Act (GMA)
 - Size UGAs to accommodate 20-year housing and employment targets
- 1997 GMA Amendment, “Buildable Lands”
 - Monitoring and Evaluation Program
 - ✦ Review Development Activities
 - ✦ Conduct Housing/Employment Capacity
 - ✦ Consistency Evaluation
 - ✦ Reasonable Measures



2002



2007

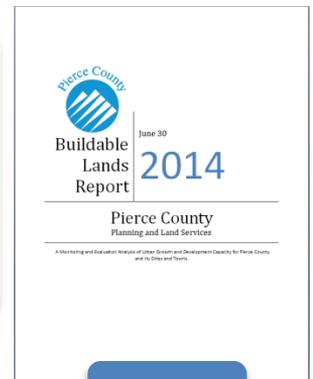
Early 2013:
Development data provided by local jurisdictions

Late 2013-Early 2014:
Developing assumptions and an inventory of vacant and underutilized land.

Early 2014:
Calculating Housing/Employment Capacity

May 2014:
Draft Report open for comment

June 2014:
Final Report Submitted



2014

Overview of Process and Findings



Attachment B: Pierce County Buildable Lands Presentation

Development Data

Table 1 - Unincorporated Urban Pierce County: Summary of Building Permits for Multi-Family Development

Land Use Designation	Zoning District	Density/Units	2006	2007	2008	2009	2010	2011	2012
CC	CC	Gross	14.47	12.19	18.00	18.47	8.70	N/A	N/A
		Net	14.47	12.19	18.00	18.47	8.70		
		Units	68	24	18	200	2		
	MHR	Gross	N/A	N/A	N/A	11.11	N/A	N/A	N/A
		Net				11.11			
		Units				2			
	ROC	Gross	N/A	N/A	N/A	7.14	N/A	N/A	N/A
		Net				7.14			
		Units				2			
EC	CE	Gross	N/A	N/A	9.16	11.89	N/A	N/A	N/A
		Net			9.16	11.89			
		Units			42	75			
HRD	HRD	Gross	N/A	N/A	5.13	N/A	N/A	N/A	N/A
		Net			5.13				
		Units			2				
	MHR	Gross	21.08	8.25	15.67	8.59	N/A	12.22	9.09
		Net	21.08	8.25	15.67	8.59		12.22	9.09
		Units	47	8	21	55		251	88
ROC	Gross	15.79	15.38	N/A	N/A	N/A	N/A	N/A	
	Net	15.79	15.38						
	Units	6	4						
HSF	HSF	Gross	N/A	5.41	6.63	6.13	N/A	N/A	N/A
		Net		5.41	6.63	6.13			
		Units		2	12	50			
MPC	MHR	Gross	N/A	6.19	13.61	8.49	N/A	N/A	25.71
		Net		6.19	13.61	8.49			25.71
		Units		68	32	148			9
MSF	MSF	Gross	5.49	5.31	4.85	7.31	4.64	7.59	N/A
		Net	5.49	5.31	4.85	7.31	4.64	7.59	
		Units	36	36	34	32	20	6	
	RR	Gross	5.23	4.77	16.38	9.84	N/A	N/A	N/A
		Net	5.23	4.77	16.38	9.84			
		Units	34	42	38	18			
	SF	Gross	3.33	5.00	2.90	6.25	4.49	9.16	N/A
		Net	3.33	5.00	2.90	6.25	4.49	9.16	
		Units	6	9	2	8	4	12	

Table 2 - Unincorporated Urban Pierce County: Summary of Parcel-Specific Residential Platting Activity

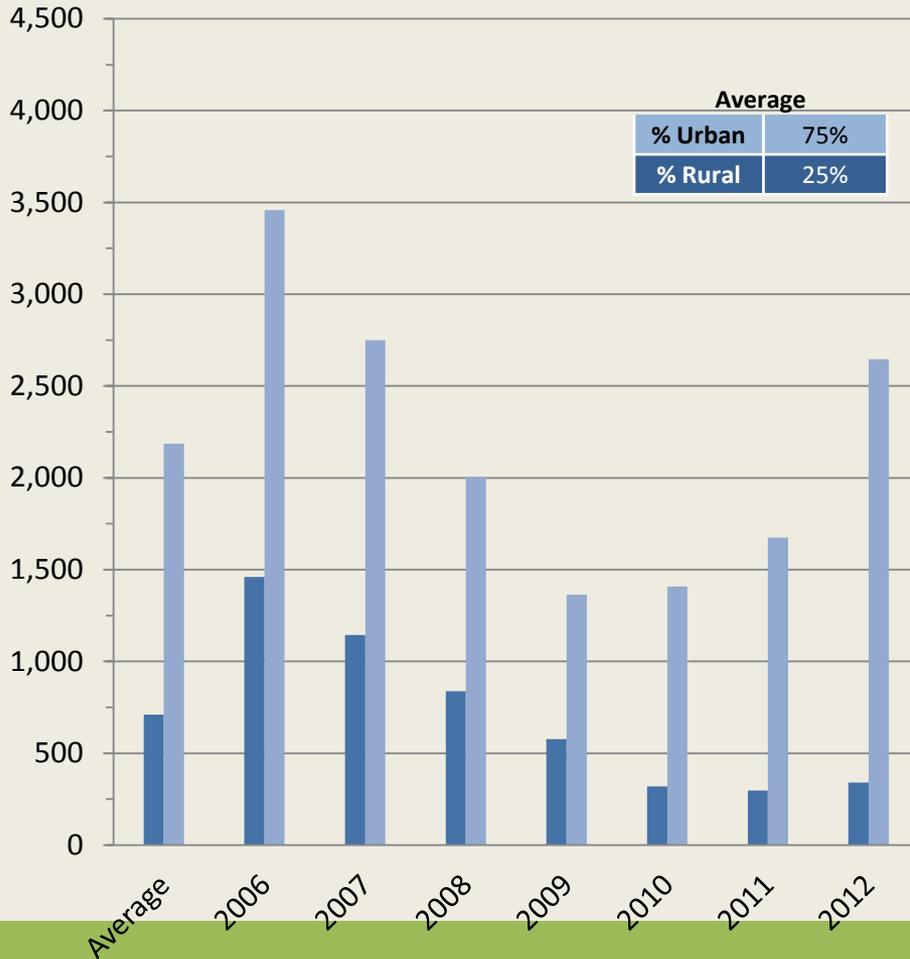
Land Use Designation	Zoning District	Density/Lots	2006	2007	2008	2009	2010	2011	2012
EBPC	EBPC	Gross	N/A	N/A	3.14	N/A	N/A	N/A	N/A
		Net			3.90				
		Lots			390				
EC	CE	Gross	N/A	N/A	4.40	N/A	N/A	N/A	N/A
		Net			4.40				
		Lots			4				
HRD	MHR	Gross	4.99	11.11	5.00	N/A	N/A	N/A	N/A
		Net	6.05	11.14	5.00				
		Lots	100	220	24				
HSF	HSF	Gross	2.90	1.82	N/A	N/A	2.06	N/A	N/A
		Net	2.90	1.82			2.06		
		Lots	14	2			2		
MPC	CC	Gross	7.25	N/A	N/A	N/A	N/A	N/A	N/A
		Net	10.19						
		Lots	98						
	HSF	Gross	4.59	N/A	N/A	N/A	N/A	N/A	N/A
		Net	4.59						
		Lots	155						
	MHR	Gross	N/A	N/A	N/A	N/A	N/A	N/A	1.78
		Net							2.42
		Lots							178
MSF	Gross	2.49	N/A	N/A	N/A	N/A	N/A	N/A	
	Net	3.09							
	Lots	98							
MSF	MSF	Gross	3.96	3.21	4.07	3.81	3.55	1.38	3.83
		Net	4.60	4.26	4.31	4.69	4.04	1.38	3.97
		Lots	1,162	1,043	622	234	71	93	28
	RR	Gross	1.99	3.89	1.21	1.35	0.49	1.67	1.99
		Net	2.04	3.94	1.21	1.42	0.73	4.58	1.99
		Lots	32	134	9	20	2	19	20
	SF	Gross	4.42	3.93	3.38	4.92	4.41	4.60	2.94
		Net	4.95	4.59	4.44	6.48	4.59	5.72	3.75
		Lots	381	383	282	494	216	238	16
MUD	MHR	Gross	N/A	6.69	N/A	N/A	N/A	N/A	N/A
		Net		6.69					
		Lots		216					
	MUD	Gross	N/A	4.47	N/A	4.96	N/A	N/A	N/A
		Net		19.15		5.00			
		Lots		45		2			

Countywide Rural/Urban Development Split



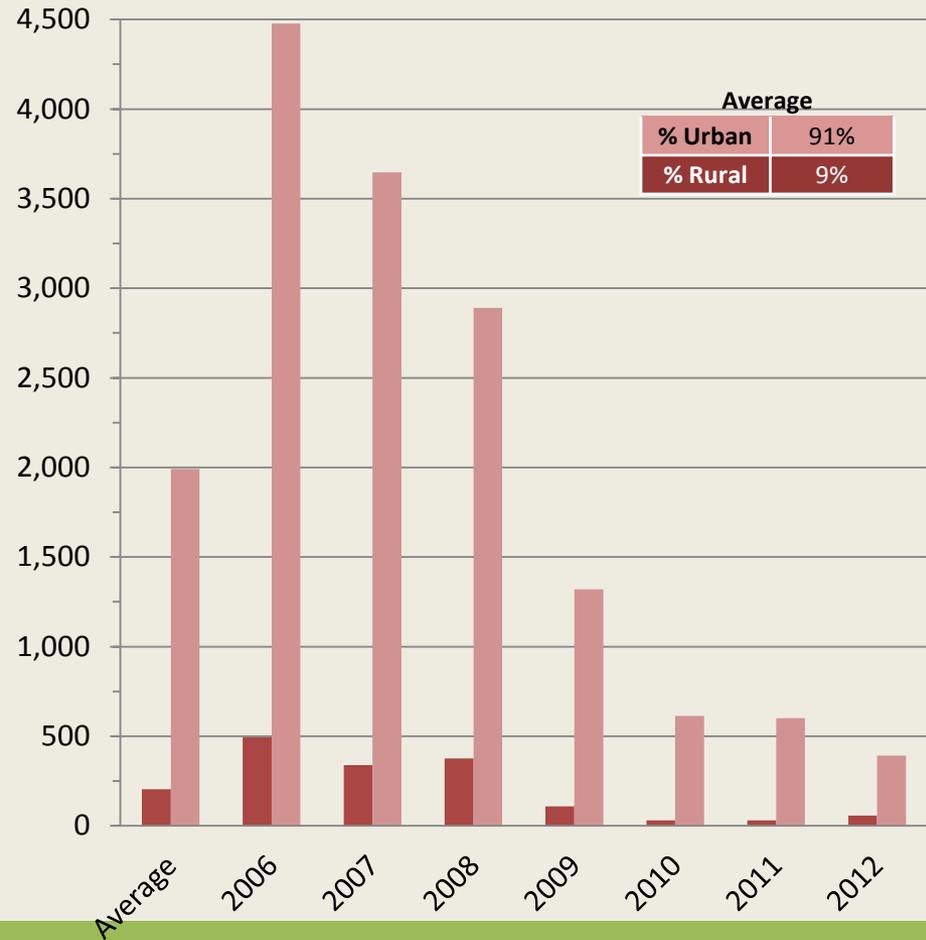
Net Housing Units (Permits)

■ Rural
■ Urban



Recorded Lots

■ Rural
■ Urban



Question:

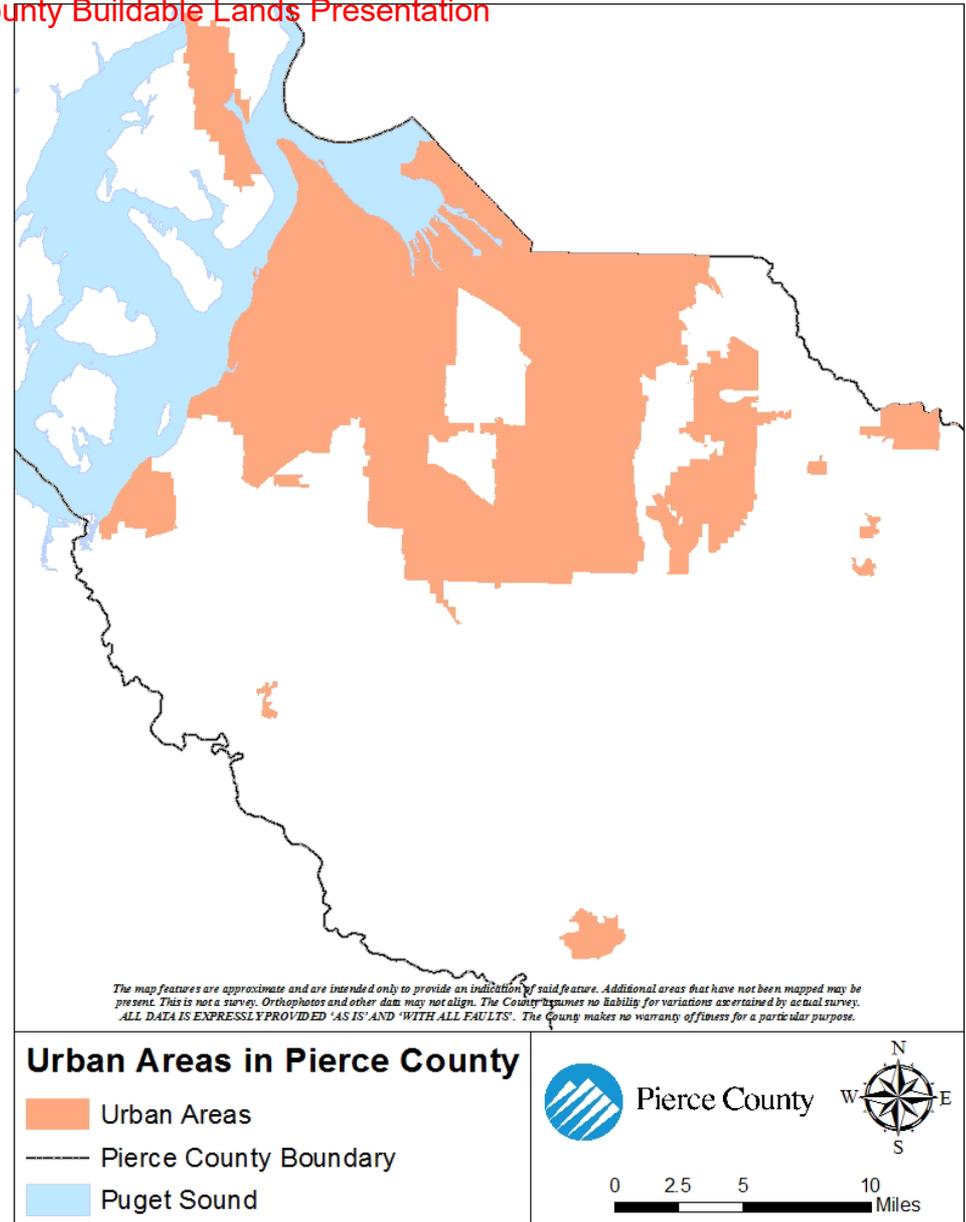


Does the County have enough urban residential and commercial land to accommodate the 20-year housing and employment growth targets?

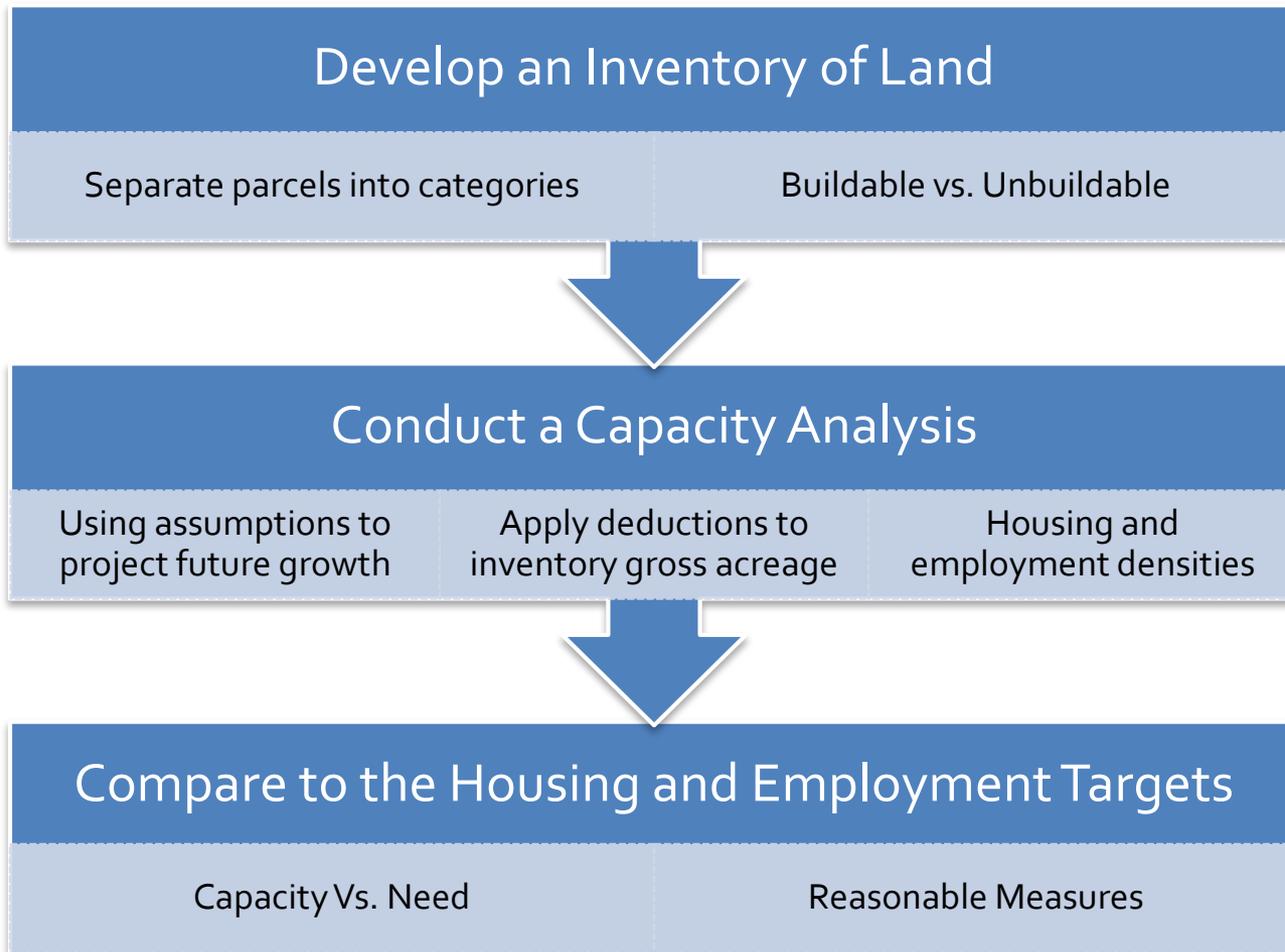
Attachment B: Pierce County Buildable Lands Presentation

Jurisdictions Included in the Capacity Analysis:

- City of Auburn
- City of Bonney Lake
- City of Buckley
- Town of Carbonado
- City of DuPont
- Town of Eatonville
- City of Edgewood
- City of Fife
- City of Fircrest
- City of Gig Harbor
- City of Lakewood
- City of Milton
- City of Orting
- City of Pacific
- City of Puyallup
- City of Roy
- City of Ruston
- Town of South Prairie
- Town of Steilacoom
- City of Sumner
- City of Tacoma
- City of University Place
- Town of Wilkeson
- Unincorporated Urban Pierce County



How do we answer this question?



Inventory



Vacant



1.4 acre vacant lot in CC zone

- Parcels of vacant land
 - Does not have a use
 - Does not include Current Use taxation parcels
 - Divided into Vacant and Vacant (single unit) depending on size

Table 5 - Unincorporated Urban Pierce County: Assumptions for Vacant, Vacant Single Unit Lots, and Underutilized Parcels			
Zoning District	Vacant	Vacant (Single Unit)	Underutilized
MSF	>= 1 acre	< 1 acre	-
SF	>= 1 acre	< 1 acre	-
RR	>= 2.5 acres	< 2.5 acres	-
HSF	>= 1 acre	< 1 acre	-
HRD, MHR, MUD, EC, CE, MUC, CC, AC, NC, PI, MUD, ROC, CMUD, OMUD, ES, RO, UV	>= .5 acre	>.068 and < .5 acre	>= .5 acre

Underutilized



Single family residence
5 acres
MSF zone
(4 DU/AC)

20:1 ratio



Commercial Retail/Service
1 acre
1,768 SF

6:1 ratio

- **Parcels with an existing use**
 - Capable of accommodating more growth
 - ✦ At least 3,000 SF and not adjacent to marine shoreline
 - ✦ Improvement value less than \$1,000,000 for commercial/MF; \$500,000 for SF
 - ✦ 2.5:1 or greater for residential assumed to existing build out
 - ✦ 5:1 or greater for commercial assumed to existing build out

Residential Example

Assumed DU/AC ¹	Current DU/AC ²	Ratio ³
5 (acres) X 4 (DU/AC)		
20 units	1 unit	20:1

Commercial Example

Average Parcel Capacity ¹	Average Building Capacity ²	Ratio ³
1 (acre) X 19.37 (emp. per acre)	1,768 (SF)/500 (emp. per SF)	
19 Jobs	3 Jobs	6:1

¹ The assumed density of the parcel based on the past trends and allowed density for that zone

² The density of current development on the parcel

³ Underutilized parcels are determined by a ratio of greater than or equal to 2.5:1 units for residential and 5:1 for commercial

Pipeline and Major Projects



Sunrise and Lipoma Firs Developments

- Parcels with an application for development planned within the 20-year time frame
- Known development that has occurred since 2010

Undevelopable



ATR Classification: Vacant land major problem

- Parcels with an existing use
 - Categorized as unbuildable based on ATR classification; or
 - Does not meet underutilized criteria

Capacity Analysis



HOUSING AND EMPLOYMENT

*Excluding Tacoma's Mixed Use and Manufacturing/Industrial Centers



Assumptions

Development Assumptions and Trends:

- Residential Densities
- Employment Densities
- Percent Residential vs. Commercial for Mixed Use Zones
- Deductions for:
 - Roads
 - Critical Areas
 - Recreation/Park/Other
 - Public Facilities/Institutions
 - Land in Residential Zones for Non-Residential Uses
 - Land Unavailable for Development

Table 4 - Unincorporated Urban Pierce County: Development Assumptions and Trends

		2006-2012 Average	2030 Assumptions
Residential Density		Refer to Tables 1 and 2.	AC, CMUD, MHR, MUC, OMUD: 8 du/na CC, MUD: 14 du/na HRD, HSF: 6 du/na MSF, NC, SF: 4 du/na ROC: 10 du/na RR: 2 du/na UV: 12 du/na
Mixed Use Split		AC, CC, CMUD, MUC, MUD, NC, OMUD, ROC, UV: 35%/65%	AC, CC, CMUD, MUC, MUD, NC, OMUD, ROC, UV: 35%/65%
Individual Plat Deductions	Roads	12.04%	15%
	Critical Areas	15.29%	County Wetland Inventory, Supplemental Wetland Inventory, Rivers/Streams, Floodways, Channel Migration Zone, and Steep Slopes
	Recreation/Park	N/A	N/A
Public Facilities/Institutions		0.53%	N/A
Land in Residentially Zoned Districts for Non-Residential Uses		MSF: 1.49% RR: 3.95% SF: 0.09%	2%
Land Unavailable for Development			Single Family: Vacant 15%, Underutilized 40% ² Mixed Use/Multi-Family: Vacant 20%, Underutilized 40% Commercial/Industrial: Vacant 20%, Underutilized 50%
Employees per Gross Acre¹			Manufacturing/Warehousing: 8.25 Commercial/Services: 19.37

¹Pierce County Employment Survey.

²Percent deduction for underutilized single family land unavailable for development also takes into account the percent of lots with access on private roads.

Capacity Calculations

Applying deductions to the gross acreages from the inventory by zone.

Table 6 – Unincorporated Urban Pierce County: Supply of Land/Lots for Residential Development

Zoning District	AC				CC		
Land Type	Underutilized	Vacant	Vacant (Single Unit)	Pipeline ³	Underutilized	Vacant	Vacant (Single Unit)
123.13							
Gross Acres	99.48	23.65	0.00	2.65	162.74	121.47	5.76
Residential Split ¹	34.82	8.28			56.96	42.52	
Deductions ²	Roads	5.22	1.24		8.54	6.38	
	Critical Areas ²	1.14	0.05		2.43	3.21	
	Parks and Open Space	-	-		-	-	
Net Acres	28.46	6.99			45.99	32.92	
Non-Residential Uses ³	-	-			-	-	
Adjusted Net Acres	28.46	6.99			45.99	32.92	
Land Unavailable for Development ⁴	11.38	1.40			18.39	6.58	
Final Adjusted Net Acres	17.08	5.59			27.59	26.34	
Total Adjusted Net Acres			22.67				53.93
One Dwelling Unit per Vacant (single) Lot			0	104			54
Displaced Units ⁴	2	12 units			24		
Displaced Jobs ⁴	26	152 jobs			42		

¹The percentage of land assumed for residential uses. See Table 4 "Development Assumptions and Trends."
²The critical areas acreage for mixed use zones represents the percentage of land assumed for residential uses.
³See Table 4 "Development Assumptions and Trends" for deduction assumptions.
⁴Existing housing units and employees associated with underutilized parcels are adjusted down to reflect the mixed use and "unavailable to develop" assumptions.
⁵See Appendix C for list of major projects and pipeline projects.

Table 9 - Unincorporated Urban Pierce County: Supply of Land for Commercial/Industrial Employment

Zoning District	AC		CC	
Land Type	Vacant	Underutilized	Vacant	Underutilized
123.13				
Gross Acres	23.65	99.48	121.47	162.74
Commercial Split ¹	15.37	64.66	78.96	105.78
Land Unavailable for Development	3.07	25.86	15.79	42.31
Net Acres	12.30	38.80	63.17	63.47
Total Net Acres		51.09		126.63
Displaced Jobs ²		59		96
Displaced Units ²		5		56

¹The percentage of land assumed for commercial uses. See Table 4 "Development Assumptions and Trends."
²Existing housing units and employees associated with underutilized parcels are adjusted down to reflect the mixed use and "unavailable to develop" assumptions.

Capacity Results

Calculating housing and employment density by multiplying assumed densities by net acreages and adding in vacant single units and pipeline units/estimated employees.

Table 8 - Unincorporated Urban Pierce County: Housing Unit Capacity

Zoning District	Adjusted Net Acres	Assumed Density	Unit Capacity	One Dwelling Unit per Vacant (Single Unit) Lot	Major Projects and Pipeline ¹	Housing Capacity
AC	22.67	8	181	0	104	285
CC	53.93	14	755	54	0	809
CE	0.00	N/A	0	73	27	100
CMUD	25.16	8	201	0	0	201
EBPC	0.00	N/A	0	391	4,000	4,391
EC	0.00	N/A	0	5	0	5
HRD	15.91	6	95	5	0	100
HSF	92.81	6	557	2	227	786
MHR	87.34	8	699	107	3,522	4,328
MPC	311.17	4	1,245	68	0	1,313
MSF	2,732.98	4	10,932	2,623	1,822	15,377
MUC	0.72	8	6	0	0	6
MUD	63.25	14	885	1	32	918
NC	26.44	4	106	0	176	282
OMUD	6.34	8	51	0	0	51
ROC	26.83	10	268	0	2	270
RR	446.14	2	892	299	1,826	3,017
SF	1,049.19	4	4,197	1,443	1,584	7,224
UV	20.59	12	247	64	0	311
Total Housing Capacity						39,774

¹See Appendix C for a list of major projects and pipeline projects.

*The numbers in this table have been rounded to two decimal points for formatting reasons and may represent a higher or lower number than the actual numbers used in the calculations. There may be discrepancies within this representation of the table calculations, but the capacity results represent the full calculation.

Calculating Need

Targets Adopted by
Pierce County Ordinance
No. 2011-36s

Jurisdiction	2030 Total Housing Units Needed ¹	2010 Total Housing Units ²	Additional Housing Needed (2010-2030)	Displaced Units	Total Housing Units Needed
Auburn	3,634	3,146	488	5	493
Bonney Lake	8,498	6,394	2,104	171	2,275
Buckley	2,930	1,669	1,261	60	1,321
Carbonado	298	218	80	19	99
DuPont	5,291	3,241	2,050	47	2,097
Eatonville	1,353	1,059	294	130	424
Edgewood	6,003	3,801	2,202	407	2,609
Fife	4,457	3,895	562	78	640
Fircrest	3,351	2,847	504	40	544
Gig Harbor	5,431	3,560	1,871	89	1,960
Lakewood	34,284	26,548	7,736	1,829	9,565
Milton	2,779	2,724	55	126	181
Orting	3,121	2,361	760	32	792
Puyallup	22,611	16,171	6,440	445	6,885
Roy	487	326	161	8	169
Ruston	775	430	345	1	346
South Prairie	281	174	107	2	109
Steilacoom	3,385	2,793	592	63	655
Sumner	5,743	4,279	1,464	127	1,591
Tacoma	129,030	85,786	43,244	3,996	47,240
University Place	18,698	13,573	5,125	584	5,709
Wilkeson	238	175	63	2	65
Unincorporated Urban Pierce County	99,563	72,091	27,472	2,242	29,714
Total	362,241	257,261	104,980	10,503	115,483

¹Adopted by Pierce County Ordinance No. 2011-36s.

²2010 Census.

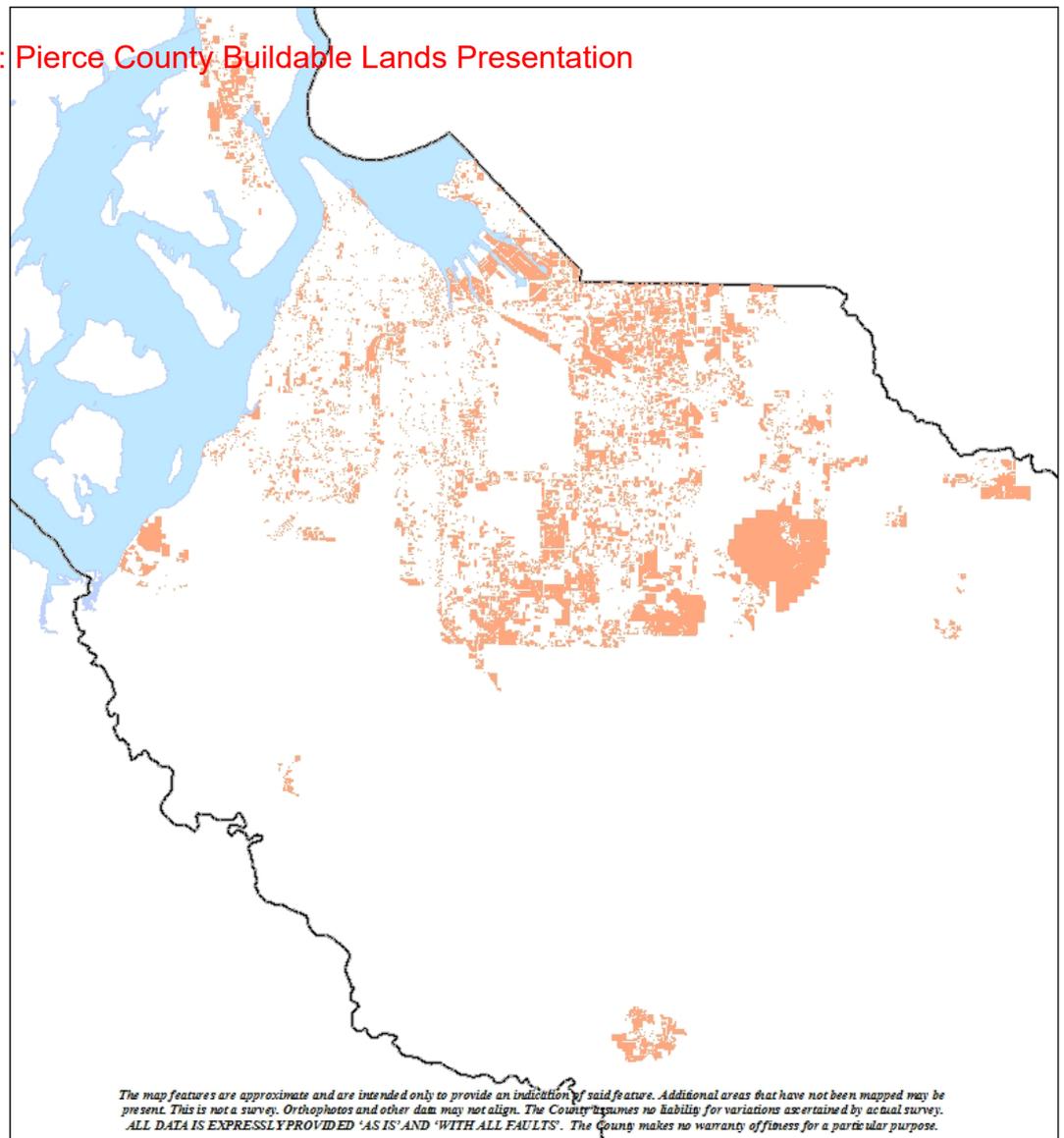
Conclusion



CAPACITY VS. NEED

Does the County have enough urban residential and commercial land to accommodate the 20-year housing and employment growth targets?

Yes



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Urban Areas in Pierce County

-  Potentially Developable
-  Pierce County Boundary
-  Puget Sound



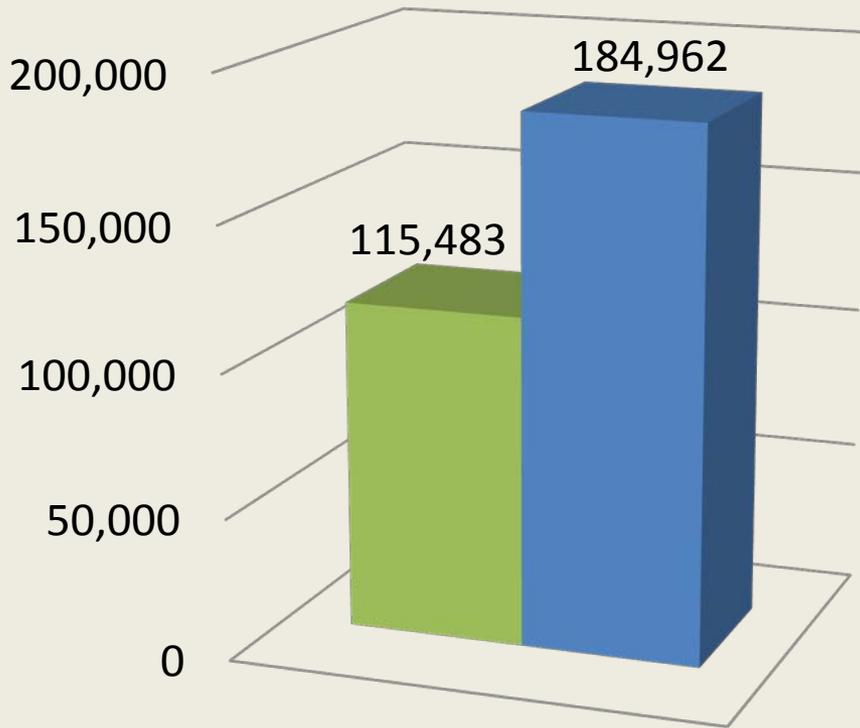
Pierce County



0 2.5 5 10 Miles

Countywide Need Vs. Capacity

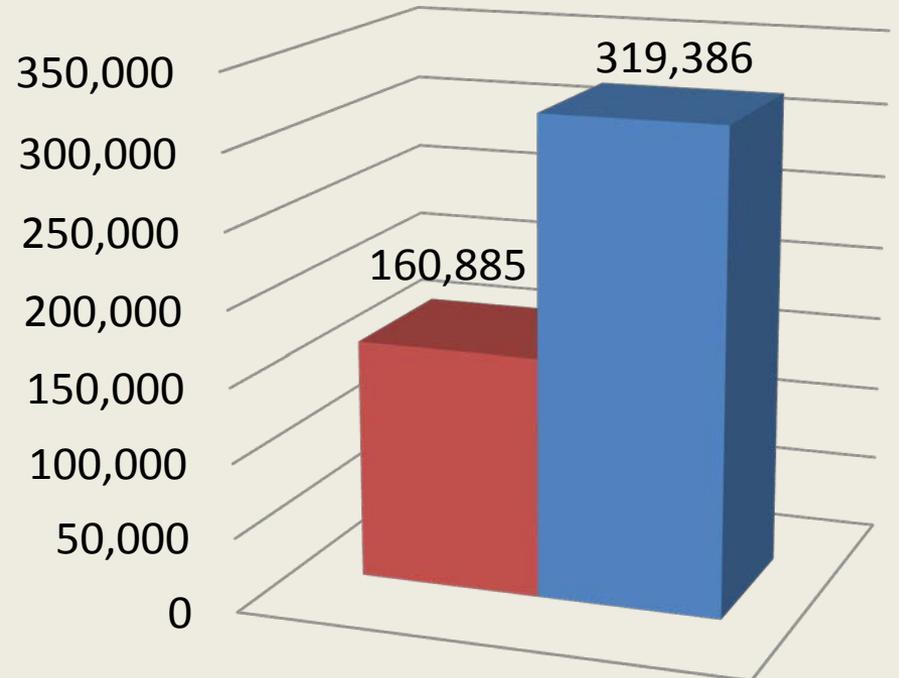
2030 Housing Need Vs. Capacity



Total Housing Units

■ Need ■ Capacity

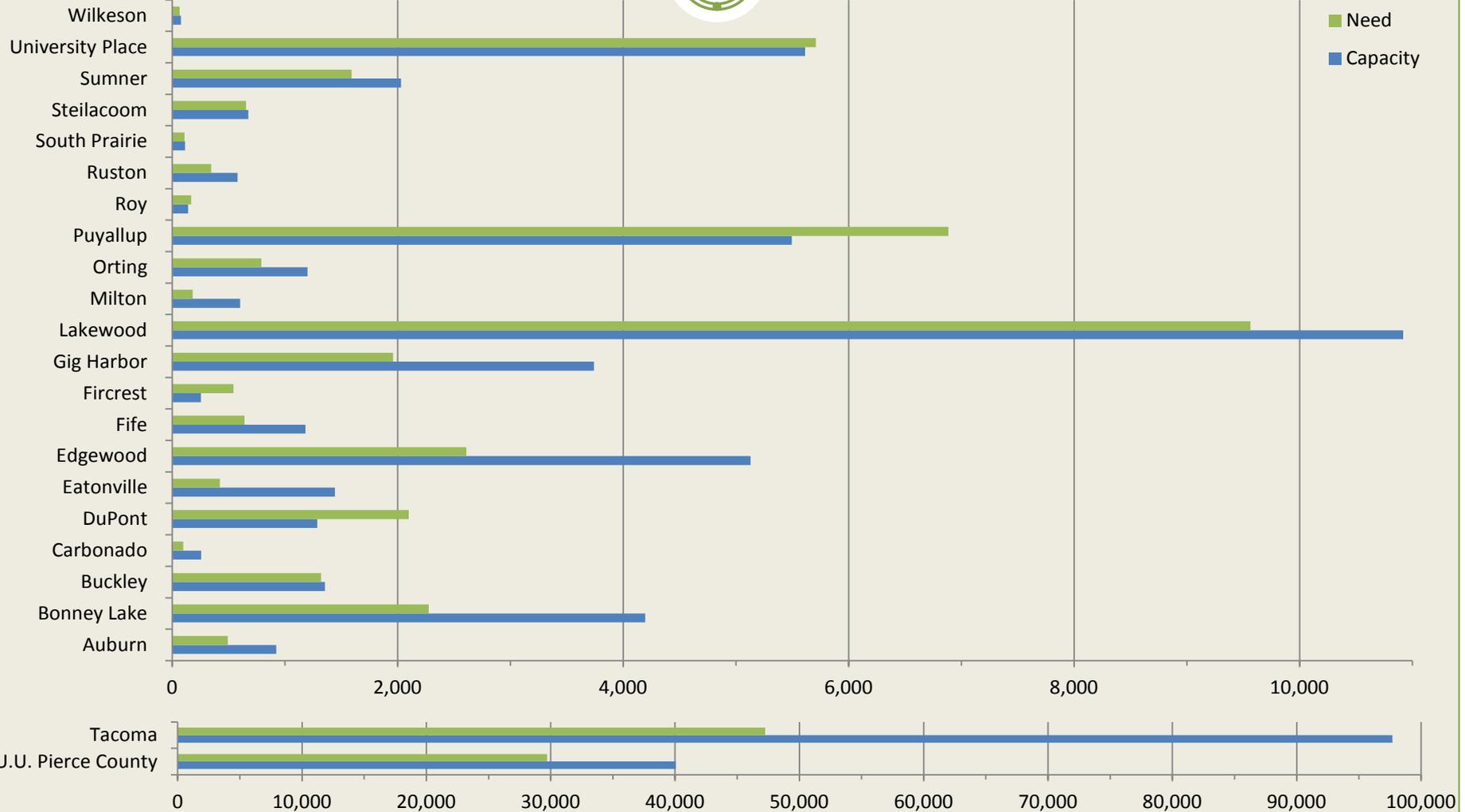
2030 Employment Need Vs. Capacity



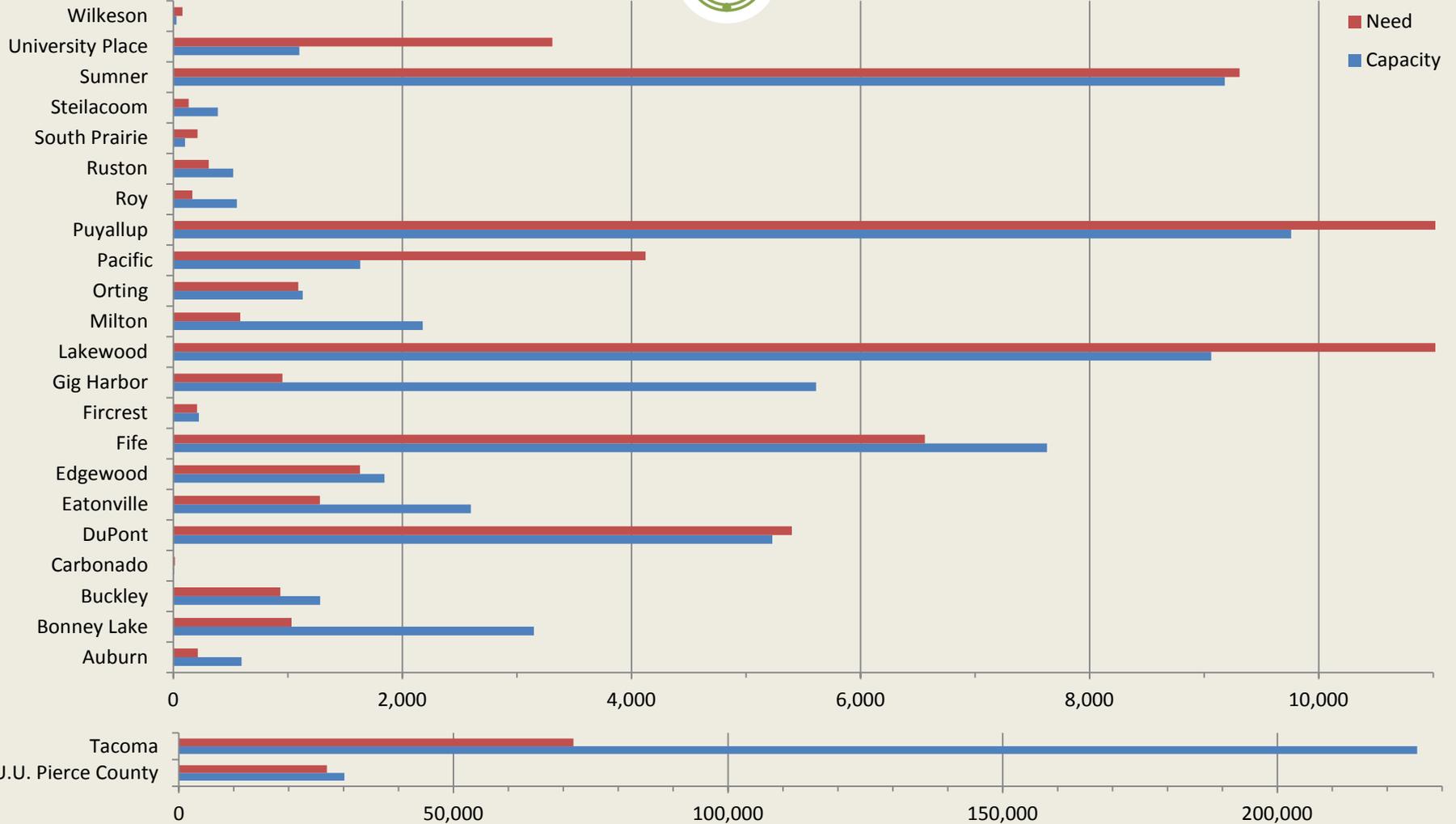
Total Jobs

■ Need ■ Capacity

Housing Need Vs. Capacity by Jurisdiction



Employment Need Vs. Capacity by Jurisdiction



Consistency Analysis



LONG-TERM RESIDENTIAL AND EMPLOYMENT CAPACITY COMPARISONS

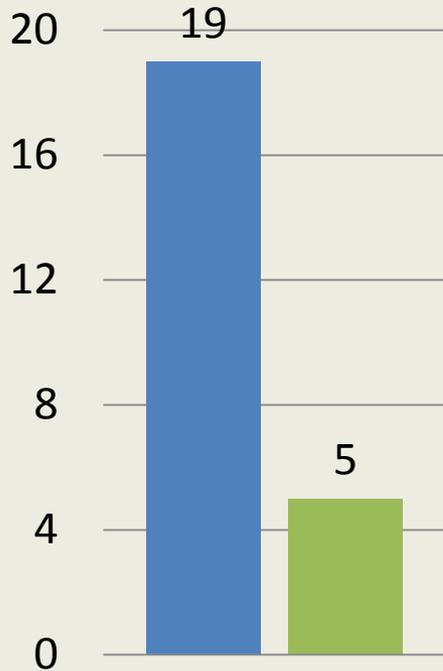
Consistency Analysis



Housing

May need to adopt reasonable measures:

- DuPont
- Fircrest
- Puyallup
- Roy



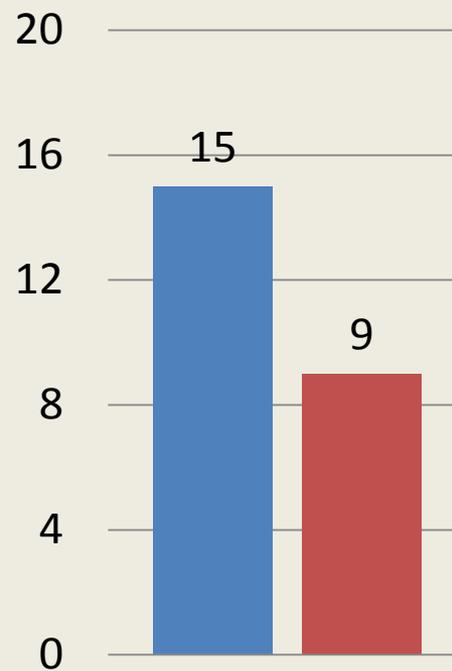
Number of Jurisdictions

- Meeting Housing Targets
- Not Meeting Housing Targets

Employment

May need to adopt reasonable measures:

- Lakewood
- Pacific
- Puyallup
- South Prairie
- University Place
- Wilkeson



Number of Jurisdictions

- Meeting Employment Targets
- Not Meeting Employment Targets

Reasonable Measures



- RCW 36.70A.215 – “...Identify Reasonable Measures, other than adjusting urban growth areas...”
- Examples of reasonable measures:
 - Increasing allowed density.
 - Rezoning.
 - Modifying development regulations.
 - ✦ Bulk standards.
 - ✦ Density calculations.

Pierce County Buildable Lands Program

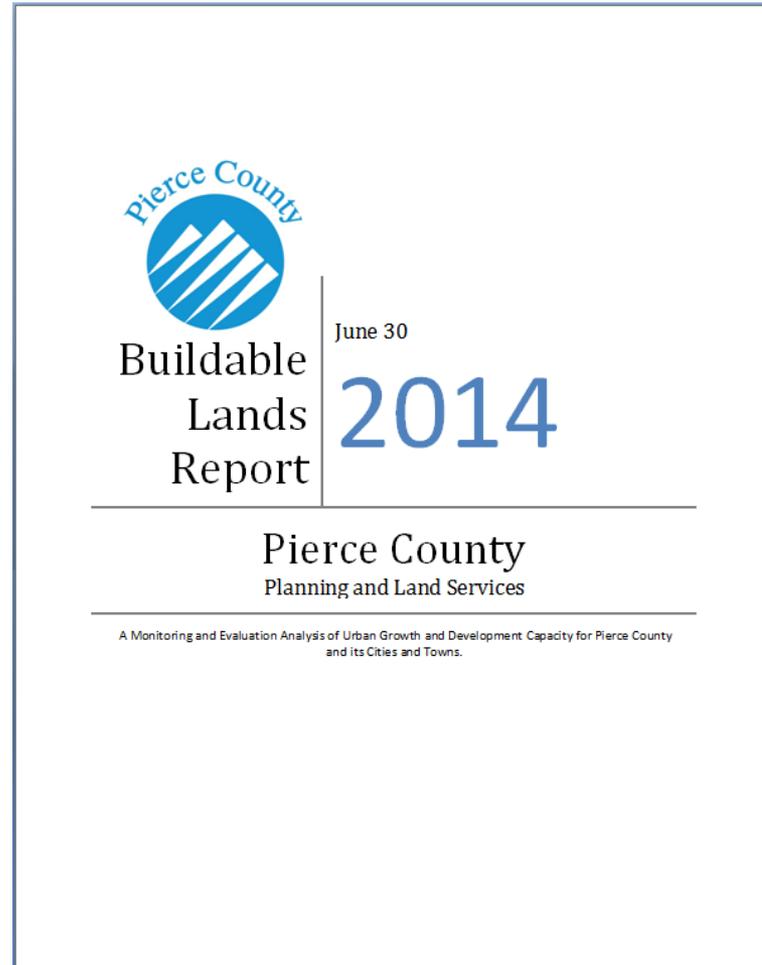
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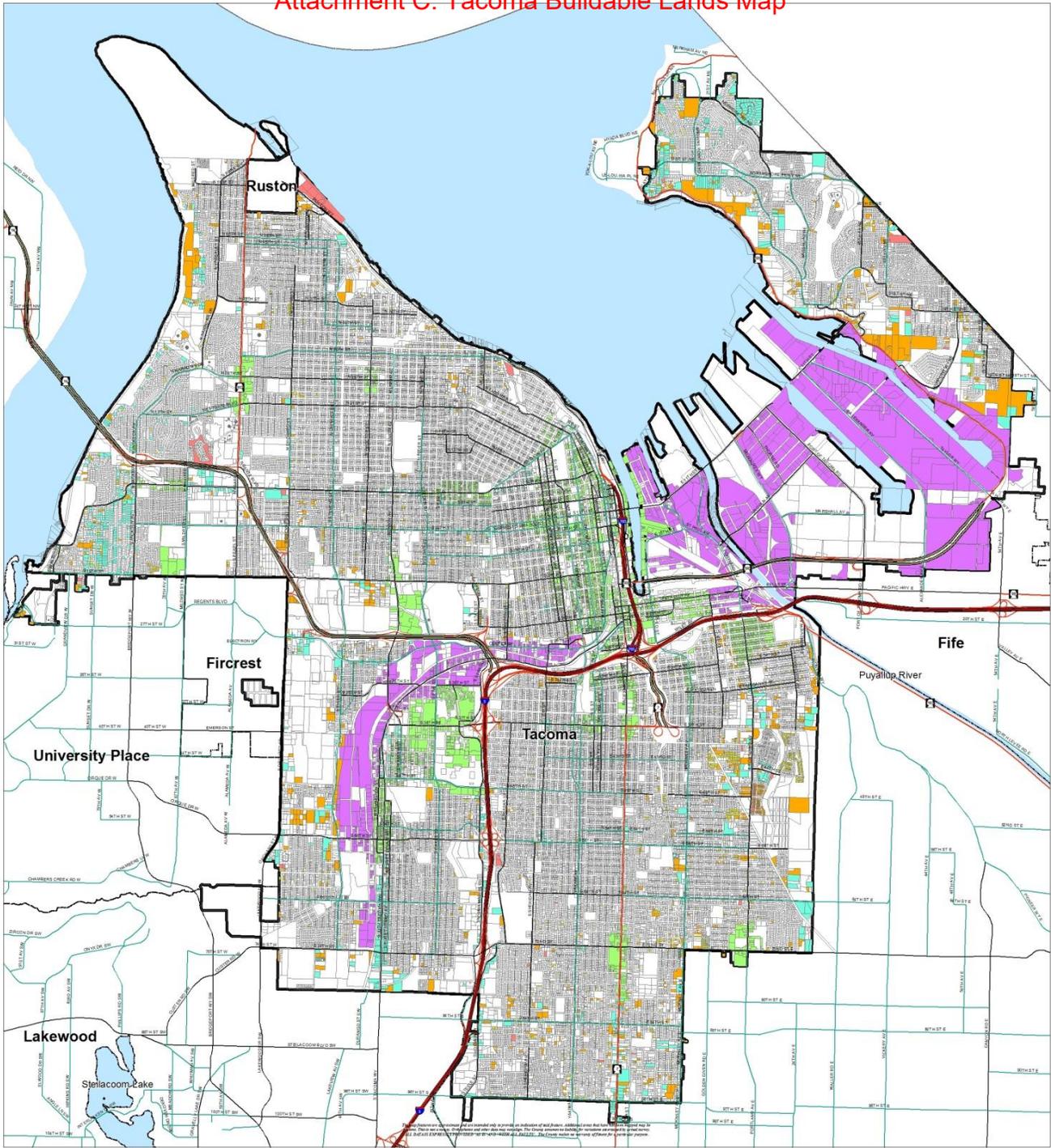
Jessica Gwilt

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Questions?

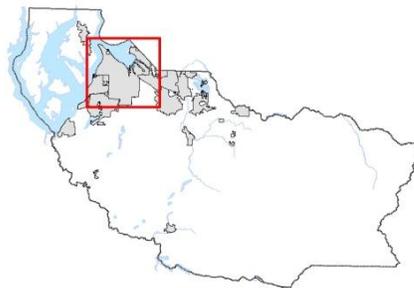


Attachment C: Tacoma Buildable Lands Map

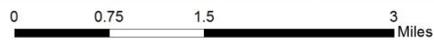


**City of Tacoma
Inventory of Vacant and Underutilized Land**

- Underutilized
 - Vacant
 - Vacant Single Unit
 - Pipeline
 - Built Out/Undevelopable
 - Mixed Use Centers**
 - Developable
 - Undevelopable
 - Manufacturing/Industrial Centers**
 - Developable
 - Undevelopable
- Municipal Boundary



Pierce County, Washington



**Buildable Lands
Report**



Map Document: tacoma\2015 Comp Plan\Buildable Lands\Map\MDFINAL\tacoma_BU_2014.mxd



To: Planning Commission
From: Lauren Flemister, Senior Planner, Planning Services Division
Subject: **Detached Accessory Dwelling Unit (DADU) Regulations**
Meeting Date: September 5, 2018
Memo Date: August 30, 2018

Action Requested:

Release for Public Review and Set a Public Hearing Date.

Discussion:

At the next meeting on September 5, 2018, the Planning Commission will review the proposed code for “Detached Accessory Dwelling Unit (DADU) Regulations.” Upon completing the review, the Commission will be requested to release the proposed code, as may be modified, public review and set October 3, 2018 as the date for a public hearing to receive public comment.

Project Summary:

The Residential Infill Pilot Program was initiated as a part of the City’s 2015 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code. The program aims to promote innovative residential infill pilot development types that are underutilized or expanding the areas in the Tacoma where certain development types are permitted.

As the needs of residents and market conditions shift, the urgency to implement learnings from the program increases. Modifications to public outreach and education, the path to codification with design standards and appropriate processes, and the allowance of detached accessory dwelling units outright in certain zoning districts should be reviewed and implemented.

Prior Actions:

- 8/1/2018 – Issue Review and Direction
- 7/18/2018 – Review of Scope for DADU Codification
- 5/16/2018 – Review of the Scope of Residential Infill Pilot Program Phase II
- 3/1/2017 – Review of Round 1 Application of the Pilot Program and Lessons Learned
- 9/21/2016 – Review of the Handbook Design and Program Next Steps
- 2014-2015 – Review of the 2015 Annual Amendment Package

Staff Contact:

- Lauren Flemister, Senior Planner, lflemister@cityoftacoma.org, 253-591-5660

Attachment:

- Discussion Outline
- Proposed Code - TMC 13.05.115 Residential Infill Pilot Program and TMC 13.06.150 Accessory Dwelling Units

c: Peter Huffman, Director

Accessory Dwelling Unit Permanent Regulations

Discussion Outline

September 5, 2018

Objectives

- Create detached accessory dwelling unit (DADU) permanent regulations, which will amend existing ADU code, before the end of 2018.
- Create permanent regulations for DADUs that are responsive to the needs of various populations and implement the learnings from the Residential Infill Pilot Program (hereinafter referred to as the Pilot Program) and best practices in the region, while creating a high quality standard and an easily navigable process.

Summary

While all provisions of the Pilot Program code (TMC 13.05.115) and portions of the ADU code (TMC 13.05.150) will be reviewed (see Exhibit “A”), staff recommends focusing on those provisions that will help increase the potential for high quality projects that positively impact both the homeowner and neighborhood. Additional areas of study that will impact the scope of review are based on information from the Pilot Program, best practices and benchmarking in the region regarding DADUs and design review, and information from Building and Site Development. The following highlights all proposed changes to code by code section or subsection.

13.06.100.F Accessory Building Standards

Size of All Accessory Structures

Existing Code: Footprints of accessory buildings cannot exceed 85% of the footprint of the main building and cannot exceed 15% of the square footage of the lot. Allows for all accessory building footprints that include a DADU to total 1,500 square feet. For ½ acre or greater lots, allows accessory buildings to be 10 of lot square footage.

Proposed Code: Lowers large lot size from ½ acre to 10,000 square feet. Allows proportional increase in accessory building footprint for large lots plus 500 square feet if a DADU is one of the accessory buildings.

Size of Accessory Dwelling Units

Relocates to Development Standards subsection in 13.06.150

Accessory Building Location

Streamlines language regarding allowance of accessory building in front yard (location of ADU addressed in 13.06.150)

13.06.150 Accessory Dwelling Units

Intent

Refines language to address with overarching goals of housing choice and sustainability and aligns with modified design standard approach.

Procedures

Accessory Dwelling Unit Agreement

Existing Code: Requires owner of property containing ADU to record its existence with the County, stating legal description, affirmation of residence in main building or ADU, and compliance with requirements and conditions

Proposed Code: Adds the word “notification” to match existing process and documentation

Restricted Districts

Existing Code: ADUs only permitted in single-family residential districts through Residential Infill Pilot Program

Proposed Code: Removes R-1, R-2, R2-SRD, and HMR-SRD and Residential Infill Pilot Program provision

Requirements

Occupancy

Existing Code: Maximum number of occupants – 4 people

Proposed Code: Limited by Minimum Building and Structures Code – Title 2

Ownership

Existing Code: Property owner must live in main building or ADU and ADU must share a parcel with the main building

Proposed Code: Removes redundancy with ADU Agreement section and strikes regulation of rent on occupied unit

Legalization of Nonconforming ADUs

Existing Code: Allows for “amnesty” period to bring nonconforming ADUs

Proposed Code: Updates time period for new “amnesty” period. Defines sections of Code that must be complied with to become legal.

Development Standards – Subsection created

Lot Size

Existing Code: Lot must meet Standard Lot Size and Standard Minimum Lot Width

Proposed Code: A DADU on a lot smaller than the Standard Minimum Lot Size or not meeting the Standard Minimum Lot Width may be authorized through a Conditional Use Permit (C.U.P.)

(Building) Size

Existing Code: Size not to exceed 40 percent of the total square footage of main building and ADU combined

Proposed Code: Moved and used framework of size definition from 13.06.100.F. Standardized use of percentages and changes all definitions to habitable building square footage.

Categorizes size based on a standard lot condition, a small lot condition, and a larger lot condition.

- Standard Lot – 67% of main building or 1,000 square feet, whichever is smaller
- Smaller Lot – 15% of lot size or 800 square feet, whichever is smaller
- Larger Lot – Reduced to 10,000 square feet from ½ acre. 75% of main building or 1,500 square feet, whichever is smaller.

Height

Existing Code: 18 feet using Building Code Methodology. Cannot be taller than main house based on idea of subservience. Conversions may be taller than 18 feet with C.U.P. Explains series of conditions and requirements to be met if ADU obstructs daylight at 45 degree daylight plane.

Proposed Code: Removes daylight obstruction regulations. Adds text about View Sensitive District.

Setbacks

Refines language addressing no setbacks on property lines abutting an alley.

Proposed Code: Explains compliance when a conversion does not meet setbacks

Open Space – Subsection created

Proposed Code: In order to avoid completely maxed out lots, each proposal must maintain or provide outdoor or yard space consistent with 13.06.100.D.7 Minimum Usable Yard Space

Walkways

Existing Code: Must be 4 feet and composed of “distinct” materials

Proposed Code: Reduced to 3 feet.

Design Standards

Attached ADUs

Existing Code: Requires design of ADU to match main home and provides direction on entrance orientation and location

Proposed Code: Adds reference to historic district review for ADUs located in historic special review districts.

Detached ADUs

Existing Code: Required complementary architectural design based on colors, materials, windows, and roof design. Provides direction on entrance orientation and location.

Proposed Code: Strikes previous design guidance. Provides performance and quality standards. Adds reference to historic district review for ADUs located in historic special review districts.

13.05.115 Residential Infill Pilot Program

- Strikes any reference to DADUs
- Refines submittal language

Area of Applicability

City-wide, in all single family residential zoning districts. DADUs are already permitted, as of right, in many higher density zoning districts. The zoning districts that will be impacted by this code amendment include: R-1 (Single-Family Dwelling District), R-2 (Single-Family Dwelling District), R-2 SRD (Residential Special Review District), and HMR-SRD (Historic Mixed Residential Special Review District). Parcels must have a main home with one DADU permitted.

Background

In December 2015, the City Council adopted code enacting the Pilot Program, as part of a package of Affordable/Infill Housing code updates. The following infill housing types were reviewed under the Pilot Program:

- Detached Accessory Dwelling Units in single-family zoning districts
- Two-family development on corner lots in the R-2 Single-family District
- Small-scale multifamily development in the R-3 District
- Cottage Housing in most residential districts

The intent of the program was to promote innovative residential infill while ensuring that such infill demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character.

The Pilot Program was designed for a maximum of three of each infill housing types to be developed (potentially up to 12 in total) through the Pilot Program. (See Exhibit “C”)

Through the application process in early 2017, which has been called Round 1A, the City received 16 project applications, involving three housing types: Detached Accessory Dwelling Units, Cottage Housing, and Two-family Development on Corner Lots. The Project Review Committee comprised of staff and citizen volunteers met on April 27, 2017 to evaluate the applications and recommend up to three projects of each type to move forward to the permitting process. The public was invited to observe the deliberations and offered the opportunity to comment prior to the meeting. During the first part of the Round 1A Selection of Projects, the three available Detached Accessory Dwelling Units in single-family zoned districts were all selected. One space was filled in the Cottage Housing category.

After the initial interest produced by public outreach, a rolling deadline was established. In that time, a two-family housing project was approved. The review committee met on April 30, 2018. Currently, the program spaces are as follows:

Available

Two Two-family Developments on corner lots in the R-2 Single-family District are **open**.

All **three** Small-scale Multifamily developments are **open**.

Two Cottage housing developments (in most residential districts) are **open**.

Currently Closed

All **three** Detached Accessory Dwelling Units positions are **filled**.

As of April 2017, no DADU spaces have been open. Robust community interest in applying for DADUs has continued unabated during the time since the first review committee meeting. Based on the acute housing need in the City and the level of community interest, City Council passed Resolution No. 39886 in December of 2017 requesting the Planning Commission to modify TMC 13.05.115 to increase the number of DADUs allowed and to review design standards and review processes for the entire Pilot Program.

Subsequent conversations with the Infrastructure, Planning, and Sustainability Committee, as well as the Planning Commission have redirected efforts toward increasing capacity by allowing DADUs outright in single family zoning districts and addressing other areas of the Pilot Program as part of the implementation strategy for the Affordable Housing Action Strategy, as part of the 2018-2019 Planning Work Program.

Options Analysis

The Planning Commission could choose to create permanent regulations that strongly align with existing code sections. However, the desire to provide clear standards that result in quality with ease of entry and navigation through processes will likely require further analysis and significant modifications to the structure and content of the code.

All options will require the elimination of detached accessory dwelling units from the Pilot Program code section (TMC 13.05.115).

Outreach Summary

A comprehensive outreach plan has been developed by PDS and MCO staff. The initial outreach effort will seek to spread awareness of DADUs being removed from the Pilot Program and being allowed outright before the end of the year. A second part of the outreach will seek to publicize the changes to the code and allowance of DADUs in single family zones.

August 2018 – November 2018 – Awareness and information sharing around legislative process

December 2018 – Quarter One of 2019 – Promotion of DADU Program

Key Stakeholders

- Neighborhood Councils
- Community Organizations
- Homeowners
- PDS-held List of Interested Parties
- Master Builders' Association of Pierce County and American Association of Architects
- Planning Commission mailing list

Outreach Tools

- Ongoing
 - Social Media
 - Website Updates
 - Printed Collateral to hand out at meetings, front counter
- Before Code Amendment Process Completion
 - News Release for public hearing, comment, and general program information
 - Tacoma Report
 - City Line
 - Scala Page
 - Workshop with Community Members to discuss potential community utilization
 - Neighborhood Council meeting attendance
- After Code Amendment Process Completion
 - On-hold messaging
 - "How-to" Workshop/Panel with DADU Infill Pilot Program applicants

Exhibit

- "A" – Proposed Code: TMC 13.06.150 Accessory Dwelling Units and TMC 13.05.115 Residential Infill Pilot Program



Accessory Dwelling Unit Regulations

DRAFT LAND USE REGULATORY CODE CHANGES

AUGUST 30, 2018

These proposed amendments include modifications to the following sections of **Title 13, Land Use Regulatory Code**:

Chapter 13.06 – Zoning

13.06.100.C – Land use requirements (for Residential Districts)

13.06.100.F – Accessory building standards

13.06.150 – Accessory dwelling units

Chapter 13.05 – Land Use Permit Procedures

13.05.115 – Residential Infill Pilot Program

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

Chapter 13.06 – Zoning

13.06.100.C Land use requirements.

* * *

4. 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.

5. District use table.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
* * *									
Dwelling, accessory (ADU)	P ²	P ²	P ²	P ²	P	P	P	P	Subject to additional requirements contained in Section 13.06.150. In all residential districts ADUs require the issuance of an ADU permit. In the R-1, R-2, R-2SRD and HMR-SRD districts, detached ADUs are subject to the provisions of the Residential Infill Pilot Program (Section 13.05.115).
* * *									
Footnotes: ¹ For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640 for additional details, limitations and requirements. ² Certain land uses, including two-family, townhouse, and cottage housing, and Detached Accessory Dwelling Units in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.									

* * *

13.06.100.F. Accessory building standards. Accessory buildings permitted per Section 13.06.100.C.4, such as garages, sheds, [detached accessory dwelling units \(DADUs\)](#), common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-family uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85% ~~percent~~ of the square footage of the main building footprint and no more than 15 ~~percent~~% of the square footage of the lot, [not to exceed 1,000 square feet. For lots greater than 10,000 square feet, the total square footage of all accessory building footprints shall be no more than 10 percent of the square footage of the lot \(the other limitations applicable to smaller properties outlined above shall not apply\). If one of the accessory buildings is a Detached ADU, an additional 500 square feet may be added to the allowed total square footage of all accessory building footprints.](#)~~In addition,~~

[2. Size of Accessory Dwelling Units. See Section 13.06.150 for ADU standards.](#)

~~the total building footprint square footage of structures accessory to a single family dwelling shall not exceed 1,000 square feet, except where properties contain a detached accessory dwelling unit, in which case, the total square footage of accessory building footprints (including the detached ADU) shall be no more than 1,500 square feet. See Section 13.06.150 for ADU standards. For lots greater than 1/2 acre (21,780 square feet), the total square footage of all accessory buildings shall be no more than 10 percent of the square footage of the lot (the 85 percent main building and 1,000/1,500 square foot limitations for smaller properties shall not apply).~~

~~23.~~ A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.

~~34.~~ Except for an approved Accessory Dwelling Unit (ADU – see Section 13.06.150), an accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.

~~45.~~ Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.

~~56.~~ Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.

a. For through lots, if there is an established pattern of “functional front and rear yards,” detached accessory buildings shall be allowed in the “functional rear yard.” A “functional rear/front yard” shall be defined by the established pattern of the block, based on the orientation of existing dwellings and location of existing detached buildings. If there is no defined pattern, a locational variance shall be required to allow the accessory structure in the front yard. The required front setback for such an accessory building shall be the same as for a primary building as set forth in TMC 13.06.100.D.6, ~~either the standard front yard setback for the zoning classification or the average of the accessory and/or main building setbacks provided on the adjacent lots, whichever is smaller. However, if such accessory building includes vehicular doors facing and accessing the adjacent street, the building or portion of the building with such doors shall be setback at least 20 feet.~~

~~67.~~ 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 front property line or private road easement.

~~78.~~ Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line.

~~89.~~ Commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district. Such storage containers may only be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.

~~109.~~ Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.510, including subsection 13.06.510.A.6.

* * *

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-small footprint, lower cost units to the existing housing supply.
3. Make housing units within the City available to low and moderate income people.
4. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young families, retired), environmental sustainability, and modern development technology.
5. Contribute to~~Protect~~ neighborhood stability, and protect property values by creating avenues for additional income, aging-in-place, and the meeting of personal and property needs, ~~and the single-family residential appearance by ensuring that ADUs are installed in a compatible manner under the conditions of this section.~~

6. Maintain residential appearance by ensuring that ADUs are of sound quality and generally consistent with neighborhood patterns.

67. 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.

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. Accessory dwelling unit agreement. The owner of any property containing an ADU shall record with the Pierce County Auditor an accessory dwelling unit [notification](#) agreement for the ADU. Such agreement 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 (c) the conditions necessary to apply the restrictions and limitations contained in this section.

The property owner shall submit proof that the accessory dwelling unit [notification](#) agreement has been recorded prior to issuance of an ADU permit by Planning and Development Services. The accessory dwelling unit agreement 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 accessory dwelling unit agreement. Such termination shall be granted upon proof that the ADU no longer exists on the property.

4. Permit. Upon receipt of a complete application, application fees, proof of recorded accessory dwelling unit agreement, and approval of any necessary building or other construction permits, an ADU permit shall be issued.

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.

6. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.

~~7. Detached ADUs in the R-1, R-2, R2-SRD and HMR-SRD Districts are reviewed under the provisions of the Residential Infill Pilot Program per TMC 13.05.115. Such applications shall provide for notification of property owners within 100 feet.~~

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.

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

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

4. 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 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.

5. Parking. No off-street parking is required for the ADU. 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.

6. Home occupations. Home occupations shall be allowed, subject to existing regulations. 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.

7. Short-term rental. The use of an ADU as a short-term rental shall be allowed, subject to compliance with Sections 13.06.150 and 13.06.575.

8. 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~~2020, and brings the unit up to Minimum Housing Code standards. In addition, all nonconforming ADUs must meet all of the standards within Subsection C. Requirements, as well as Subsection D.4 Location. After January 1, ~~1996~~2021, 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. The burden of proof falls on property owners in any dispute regarding the legality of the unit. All owners of illegal ADUs shall also be required to either legalize the unit or remove it.

D. ~~Bulk, Location and Design Requirements~~Development Standards. The creation of an ADU shall be subject to the following development standards~~requirements~~:

1. Minimum Lot Size.

a. For Attached ADUs, the lot must meet the minimum Level 1 Small 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 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.

b. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot ~~w~~Width (50 feet). A Detached ADU on a lot smaller than the minimum Standard Lot size and/or Standard Minimum Lot width may be authorized through the issuance of a Conditional Use Permit.

2. ADU Size.

a. The total habitable square footage of an ADU, ~~excluding any garage area and other non-living areas, such as workshops or greenhouses,~~ shall not exceed 67~~40~~ percent of the total habitable square footage of the main building or 1,000 square feet, whichever is smaller ~~and the ADU combined, after modification or construction. An ADU shall not contain more than 1,000 square feet. In addition, detached ADUs shall meet the standards of 13.06.100.F. Accessory building standards.~~

Alternative Additional Standard: b. For lots smaller than the minimum Standard Lot size (for example, 5,000 square feet in the R-2 Zoning District), the habitable building square footage of an ADU shall not exceed 15% of the square footage of the lot or 800 square feet, whichever is smaller.

Alternative Additional Standard: c. For lots greater than 10,000 square feet, the habitable building square footage of an ADU shall not exceed 75% of the habitable building square footage of the main building or 1,500 square feet, whichever is smaller.

d. In addition, detached ADUs are considered accessory buildings and thus are also subject to the general size limitations set forth in TMC 13.06.100.F Accessory building standards.

3. Height. Attached ADUs are considered part of the primary structure and thus are subject to the same height limitations applicable to the primary structure. The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, except in View Sensitive Districts where the height limit shall be 15 feet. Detached ADUs shall be no taller than the main house. The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. ~~In such cases, 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. Attached ADUs are considered part of the primary structure and thus are subject to the same setback standards applicable to the primary structure. 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.

Alternative Additional Standard: Existing buildings being converted to Detached ADUs, which do not meet the required setbacks, shall comply with all applicable City of Tacoma Codes adopted at the time of permit application.

6. Open Space. While no additional yard space is required for sites with an ADU, the proposal must maintain or provide usable and functional outdoor or yard space consistent with TMC 13.06.100.D.7 Minimum Usable Yard Space.

7. 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 3 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 and is located along an exterior edge of a driving surface.

E. Design Standards. The creation of an ADU shall be subject to the following design requirements:

~~61.~~ 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 façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade 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. Any attached ADU proposed within a historic district is subject to the requirements and standards set forth in TMC 13.07 Landmarks and Historic Special Review Districts.

~~72.~~ 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. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space. Any Detached ADU proposed within a historic district is subject to the requirements and standards set forth in TMC 13.07 Landmarks and Historic Special Review Districts.

Alternative Additional Standard:

A detached ADU shall be designed so that the overall building design, material selection, and detailing ensure performance and are consistent with or exceed the quality of construction in the surrounding area.

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.

* * *

Chapter 13.05 – Land Use Permit Procedures

13.05.115 Residential Infill Pilot Program

A. Purpose. To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.

B. Term. The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been developed, with input from the Planning Commission, and authorized by the Director.

The Pilot Program will be reassessed as directed by the City Council or by the Director. Once three of any of the categories has been completed, no additional applications will be accepted for that category until further Council action has been taken.

C. Applicability. The provisions of this section apply to the following categories of residential infill:

~~1. Detached Accessory Dwelling Units within the R-1, R-2, R-2SRD and HMR-SRD Districts,~~

21. Two-family or townhouse development within the R-2 District,

23. Multifamily development within the R-3 District, and

34. Cottage Housing development within any residential district except the HMR-SRD District.

D. The pertinent provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent section of the TMC shall apply.

E. There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.

~~F. Only one Detached Accessory Dwelling Unit may be developed within designated Historic Districts under the Pilot Program.~~

GF. Submittals. Proponents of any of the above innovative residential infill development types shall submit the following:

1. ~~A~~sSite plan(s) showing proposed and existing conditions.

2. Building elevations from all four sides, showing proposed and existing conditions.

3. A massing study.

4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.
5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
7. A complete application, along with applicable fees, for any required land use permits, including conditional use and Accessory Dwelling Unit permits. Such processes may require public notification or meetings.
8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.

* * *