



## **Legislation Passed August 15, 2023**

The Tacoma City Council, at its regular City Council meeting of August 15, 2023, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 41256**

A resolution authorizing the execution of a loan and grant agreement with the Washington State Public Works Board, including a loan in the amount of \$750,000, and a loan forgiveness grant in the amount of up to \$250,000, for a cumulative total of \$1,000,000; and accepting and depositing said sum into the Transportation Capital Fund, for the Union Avenue Bridge Emergency Fire Damage Repair Project.  
[Chris Storey, Principal Engineer; Josh Diekmann, P.E. PTOE, Interim Director, Public Works]

### **Resolution No. 41257**

A resolution reappointing Shennetta Smith to the Board of Commissioners of the Tacoma Housing Authority for a five-year term, beginning August 22, 2023, to expire August 21, 2028.  
[Mayor Woodards]

### **Resolution No. 41258**

A resolution awarding a contract to Braun Northwest, Inc., in the amount of \$2,847,889, plus applicable taxes, plus a 10 percent contingency, budgeted from the Emergency Medical Services Special Revenue Fund, for the purchase of nine 2024 North Star 171-1 Ambulances - Savvik Purchasing Group, Contract No. PSAI 2020-04  
[Teresa Green, Business Services Manager; Toryono Green, Fire Chief]

### **Resolution No. 41259**

A resolution directing the Planning Commission to review Section 13.06.080 of the Municipal Code, entitled "Special Use Standards", to consider modifications to home occupation standards for the purpose of expanding opportunities to microbusinesses.  
[Council Member Diaz]

### **Amended Ordinance No. 28901**

An ordinance amending the Future Land Use Map for the Mor Furniture site, located at 1824 South 49th Street, to change from a Low-Scale Residential land use designation to a General Commercial land use designation, and amending the Parks and Recreation Facilities Map to remove the subject site, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code.  
[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

**Substitute Ordinance No. 28902**

An ordinance amending Chapter 13.06 of the Municipal Code, relating to Zoning, to expand the allowed use of electric fences in association with outdoor storage in various zoning districts, with associated development standards, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director,  
Planning and Development Services]

**Ordinance No. 28903**

An ordinance amending Chapter 13.06 of the Municipal Code, relating to Zoning, to support the expanded use of shipping containers for temporary and accessory uses, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code, as recommended by the Planning Commission.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director,  
Planning and Development Services]

**Ordinance No. 28904**

An ordinance amending Chapters 13.01 and 13.06 of the Municipal Code, relating to Definitions and Zoning, to clarify delivery-only retail business use and standards, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code, as recommended by the Planning Commission.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director,  
Planning and Development Services]

**Ordinance No. 28905**

An ordinance amending Chapter 13.06 of the Municipal Code, relating to Zoning, by amending various sections to clarify commercial zoning design and development standards that would apply to projects seeking to utilize the Multi-Family Tax Exemption Program in neighborhood commercial areas, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code, as recommended by the Planning Commission.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director,  
Planning and Development Services]

**Ordinance No. 28906**

An ordinance amending various chapters in Title 1, relating to Administration and Personnel, and Title 13, relating to the Land Use Regulatory Code of the Municipal Code, to adopt minor code amendments, as part of the 2023 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code, as recommended by the Planning Commission.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director,  
Planning and Development Services]



## RESOLUTION NO. 41256

1 A RESOLUTION relating to public safety; authorizing the execution of a loan and  
2 grant agreement with the Washington State Public Works Board, including a  
3 loan in the amount of \$750,000, and a loan forgiveness grant in the amount  
4 of up to \$250,000, for a cumulative total of \$1,000,000; and accepting and  
depositing said sum into the Transportation Capital Fund, for the Union  
Avenue Bridge Emergency Fire Damage Repair Project.

5 WHEREAS damage was sustained to the Union Avenue Bridge off-ramp  
6 due to a homeless encampment fire in February of 2023, with an initial  
7 assessment determining approximately \$1,000,000 worth of damage was done to  
8 the structure, and  
9

10 WHEREAS following the assessment the Public Works Engineering Division  
11 began to pursue funding options to conduct the repairs and reopen the off-ramp to  
12 traffic, and  
13

14 WHEREAS in June 2023, the City Council approved a Proclamation of  
15 Emergency retroactive to February 27, 2023, and in July of 2023, the Public Works  
16 Department was informed that the City was successful in obtaining approval for both  
17 a loan and grant from the Washington State Public Works Board, and  
18

19 WHEREAS, under the grant process guidelines, the City Council must  
20 approve acceptance of loan and grant funding; Now, Therefore,

21 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

22 Section 1. That the proper officers of the City are hereby authorized to  
23 accept funding from the Washington State Public Works Board ("Board") in the  
24 amount of \$750,000 through an emergency loan, and a loan forgiveness  
25  
26



1 grant up to \$250,000, for deposit into the Transportation Capital Fund, for the  
2 Union Avenue Bridge Emergency Fire Damage Repair Project.

3 Section 2. That the proper officers of the City are hereby authorized to  
4 execute a loan and grant agreement and any associated term extensions with  
5 the Board for the administration of the funding accepted pursuant to Section 1,  
6 said document to be substantially in the form of the proposed grant agreement  
7 on file in the office of the City Clerk.  
8

9  
10 Adopted \_\_\_\_\_

11  
12 \_\_\_\_\_ Mayor

13 Attest:

14  
15 \_\_\_\_\_  
16 City Clerk

17 Approved as to form:

18 \_\_\_\_\_  
19 Deputy City Attorney

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## RESOLUTION NO. 41257

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to committees, boards, and commissions; reappointing  
3 Shennetta Smith to the Board of Commissioners of the Tacoma Housing  
4 Authority.

5 WHEREAS a vacancy exists on the Board of Commissioners of the Tacoma  
6 Housing Authority, and

7 WHEREAS, under Tacoma City Charter Section 2.4, appointments may be  
8 made by a majority vote of the City Council from names presented in writing to the  
9 City Council by the Mayor, and

10 WHEREAS the Mayor recommends the reappointment of Shennetta Smith to  
11 serve on the Board of Commissioners of the Tacoma Housing Authority for a five-  
12 year term, effective August 22, 2023, to expire August 21, 2028 ; Now, Therefore,

13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 That Shennetta Smith is hereby confirmed and reappointed as a member of  
15 the Board of Commissioners of the Tacoma Housing Authority to serve a five-year  
16 term, effective August 22, 2023, to expire August 21, 2028.  
17

18 Adopted \_\_\_\_\_  
19

20  
21 \_\_\_\_\_  
22 Mayor

23 Attest:  
24 \_\_\_\_\_  
25 City Clerk

26 Approved as to form:  
\_\_\_\_\_  
City Attorney



## RESOLUTION NO. 41258

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 Braun Northwest, Inc., in the amount of \$2,847,889, plus applicable taxes,  
4 plus a 10 percent contingency, budgeted from the EMS Special Revenue  
Fund, for the purchase of nine 2024 North Star 171-1 ambulances, pursuant  
to Savvik Purchasing Group, Contract No. PSAI 2020-04.

5 WHEREAS the City has complied with all applicable laws and processes  
6 governing the acquisition of those supplies, and/or the procurement of those  
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
8 incorporated herein as though fully set forth, and  
9

10 WHEREAS the Board of Contracts and Awards has concurred with the  
11 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

12 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

13 Section 1. That the Council of the City of Tacoma concurs with the Board of  
14 Contracts and Awards to adopt the recommendation for award as set forth in the  
15 attached Exhibit "A."  
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Section 2. That the proper officers of the City are hereby authorized to  
1 enter into a contract with Braun Northwest, Inc., in the amount of \$2,847,889, plus  
2 applicable taxes, plus a 10 percent contingency, budgeted from the EMS Special  
3 Revenue Fund, for the purchase of nine 2024 North Star 171-1 ambulances,  
4 pursuant to Savvik Purchasing Group, Contract No. PSAI 2020-04, consistent with  
5 Exhibit "A."

6  
7  
8 Adopted \_\_\_\_\_

9  
10 \_\_\_\_\_  
Mayor

11 Attest:

12  
13 \_\_\_\_\_  
City Clerk

14 Approved as to form:

15  
16 \_\_\_\_\_  
City Attorney



## RESOLUTION NO. 41259

1 BY REQUEST OF DEPUTY MAYOR WALKER AND COUNCIL MEMBERS  
2 DANIELS AND DIAZ

3 A RESOLUTION directing the Planning Commission to review Tacoma Municipal  
4 Code Section 13.06.080, entitled "Special Use Standards", to consider  
5 modifications to home occupation standards for the purpose of expanding  
6 opportunities to microbusinesses.

7 WHEREAS with the rising costs of commercial rent in the City, it is  
8 becoming more difficult for microenterprise (having five or fewer employees)  
9 start-ups to have a current pathway to leasing commercial spaces to grow their  
10 businesses, and

11 WHEREAS commercial real estate trends in the City have paralleled the  
12 residential real estate trends and have outpriced many start-ups from obtaining  
13 commercial leases, and due to this trend many entrepreneurs are moving to  
14 more affordable cities surrounding the City or choosing not to open a brick-and-  
15 mortar storefront because the cost is out of reach and the financial risk is too  
16 great, and

17 WHEREAS according to data provided by Spaceworks Tacoma, in 2014-  
18 2016, Downtown commercial rent was \$12 per square foot per year and the  
19 Hilltop was \$6 per square foot per year; in 2023, on average, historic building  
20 spaces are renting for \$18-\$22 per square foot per year and new developments  
21 are renting for \$28-\$32 per square foot, and

22 WHEREAS in addition to increased costs for rent, microbusinesses in need  
23 of a loan to set up a physical location must either have years of financial history or  
24  
25  
26





1 accept high interest rates, and often collateral, sometimes over \$25,000, is required  
2 to obtain a loan, and

3 WHEREAS this resolution targets obstacles microenterprises (or  
4 microbusinesses) face as separate, or different than what "small businesses" face  
5 when it comes to commercial leasing in the City, and requests a review of home  
6 occupation standards to better align with the needs of microbusinesses, and

8 WHEREAS physical incubation for microbusinesses is an important step  
9 in the start-up phase, especially for low to moderate income entrepreneurs, and  
10 affords them time to build capital and establish a customer base to sustain that  
11 income, and

13 WHEREAS in addition to providing a safe testing ground for ideas, it also  
14 provides historical data, financials, experience that property managers and  
15 developers are looking for in a quality leaseholder, and gives entrepreneurs the  
16 chance to fail without severe consequences like unnecessary loans, liens, or  
17 bankruptcy due to lease commitments, and

19 WHEREAS this resolution would direct the Planning Commission  
20 ("Commission") to review the Tacoma Municipal Code ("TMC") with the goal of:  
21 (1) expanding ways home business occupation could be used by microbusinesses,  
22 (2) incentivizing growth and transition to brick-and-mortar operations, (3) limiting  
23 impact on surrounding communities, and (4) reducing the administrative burden for  
24 microbusinesses to receive their permit for home business occupation, and  
25  
26



1 WHEREAS Home Business Occupation licenses are regulated into two  
2 parts in the TMC Title 6, the Tax and License Code, and TMC Subsection  
3 13.06.080.G, related to Home Occupation Standards, and changes to Title 13  
4 require the Commission's review and recommendation to the City Council;  
5

6 Now, Therefore,

7 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

8 That the proper officers of the City are hereby authorized to direct the  
9 Planning Commission to review Tacoma Municipal Code Section 13.06.080,  
10 entitled "Special Use Standards", to consider modifications to home occupation  
11 standards for the purpose of expanding opportunities to microbusinesses.  
12

13 Adopted \_\_\_\_\_  
14

15 \_\_\_\_\_  
16 Mayor

17 Attest:  
18

19 \_\_\_\_\_  
20 City Clerk

21 Approved as to form:  
22

23 \_\_\_\_\_  
24 City Attorney  
25  
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## ORDINANCE NO. 28901

1 AN ORDINANCE relating to land use and zoning; amending the Comprehensive  
2 Plan Future Land Use Map for the Mor Furniture site, located at 1824 South  
3 49th Street, to change from a Low-Scale Residential land use designation to  
4 a General Commercial land use designation, and amending the Parks and  
5 Recreation Facilities Map to remove the subject site, as part of the 2023  
6 Amendment to the Comprehensive Plan and Land Use Regulatory Code.

7 WHEREAS the 2023 Annual Amendment to the One Tacoma  
8 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")  
9 includes the following six applications: (1) an amendment to the Future Land Use  
10 Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for the Mor  
11 Furniture site, (2) an amendment to the Land Use Regulatory Code ("Regulatory  
12 Code") pertaining to electric fences, (3) an amendment to the Regulatory Code  
13 pertaining to shipping containers, (4) an amendment to the Regulatory Code  
14 pertaining to delivery-only retail businesses, (5) an amendment to the Regulatory  
15 Code pertaining to commercial zoning, and (6) minor amendments to the  
16 Comprehensive Plan and Regulatory Code, and

17 WHEREAS this ordinance pertains to the land use designation change for  
18 the Mor Furniture site, and was initiated by an application proposed by Wesco  
19 Management, LLC ("Wesco"), which seeks to change the land use designation for  
20 the 1.24 acre site located at 1824 South 49th Street from Low-Scale Residential to  
21 General Commercial, which would allow Wesco to request a future site rezone and  
22 apply for permits for commercial development of the site, in conjunction with four  
23 parcels to the north that are zoned C-2 General Commercial, and  
24  
25  
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1           WHEREAS the Planning Commission ("Commission") completed its review  
2 of the 2023 Amendment through an extensive and inclusive public engagement  
3 process, including a public hearing on April 5, 2023, and the Commission  
4 forwarded to the City Council, and filed with the City Clerk's Office, the  
5 Commission's Findings of Fact and Recommendations Report for the 2023  
6 Amendment along with a letter of recommendations, both dated May 17, 2023, and  
7

8           WHEREAS the report documents the public review and community  
9 engagement process and the Commission's deliberations and decision-making  
10 concerning the six applications, and  
11

12           WHEREAS the subject site is currently designated Low-Scale Residential  
13 with an R-2 Single-Family Dwelling District, which would allow for future  
14 development of new residences on site, and  
15

16           WHEREAS the subject site is adjacent to Interstate 5 and both the Planning  
17 Commission Findings and Recommendations Report and public testimony have  
18 highlighted the probable air quality impacts resulting from this close proximity to  
19 Interstate 5 on future residents on this subject site, and  
20

21           WHEREAS the current land use designation and zoning district supports  
22 land uses which are incompatible with site location and conditions, and  
23

24           WHEREAS the subject site is designated as an educational facility as part  
25 of the City of Tacoma park and recreation system as described in the Park and  
26 Recreation Element of the One Tacoma Comprehensive Plan, and



1 WHEREAS the subject site was previously owned by the Tacoma School  
2 District and was surplused and sold to Wesco Management, LLC, removing the  
3 site from public ownership, and  
4

5 WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
6 public hearing before enacting any proposed amendments to the Comprehensive  
7 Plan and the TMC, and the City Council has fulfilled said requirement by conducting  
8 a public hearing on June 27, 2023, concerning all six applications for the 2023  
9 Amendment, and  
10

11 WHEREAS, Tacoma desires to increase the supply of housing, especially  
12 affordable housing, but considerations of human health should be included in the  
13 zoning and regulation of housing development, and the prior recording of that  
14 covenant shall be a condition any future rezone of the Mor Furniture site, and  
15

16 WHEREAS, public testimony and information from other governmental  
17 agencies have raised community concerns around the compatibility of housing  
18 development closely adjacent to freeway corridors like Interstate 5, and  
19

20 WHEREAS, the owner of the Mor Furniture site has offered to record a  
21 restrictive covenant on the property limiting the uses that may be developed on the  
22 site, which shall be a condition precedent to any future rezone of the Mor Furniture  
23 site, and  
24

25 WHEREAS, the City Council hereby adds the following language to the One  
26 Tacoma Comprehensive Plan regarding the risks to human health where housing is



1 adjacent to freeways to provide guidance for future review of zoning and land use  
2 regulations; Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4 Section 1. That the One Tacoma Comprehensive Plan is hereby amended  
5 to change the Future Land Use Map for the Mor Furniture site, located at 1824  
6 South 49th Street, from a Low-Scale Residential land use designation to a General  
7 Commercial land use designation, and further amending the Parks and Recreation  
8 Facilities Map to remove the subject site.  
9

10 Section 2. That the recording of a restrictive covenant by the owner of  
11 the Mor Furniture site, substantially in the form of the Covenant attached to this  
12 Ordinance, shall be a condition precedent to any future rezone of the Mor  
13 Furniture site.  
14

15 Section 3. That there is hereby added to the One Tacoma Comprehensive  
16 Plan, the following:  
17

18 Policy UF-1.14: Due to the adverse air quality and noise impacts  
19 associated with Interstate 5 and State Route 16, avoid locating new  
20 higher density residential development in proximity to these rights-of-  
21 way. Where such residential use is located in proximity to Interstate 5  
22 and State Route 16, use building design and site design elements, such  
23 as setbacks and landscaped buffer areas, and other techniques, to  
24 mitigate the negative effects of air pollution and noise on residents.  
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Section 4. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

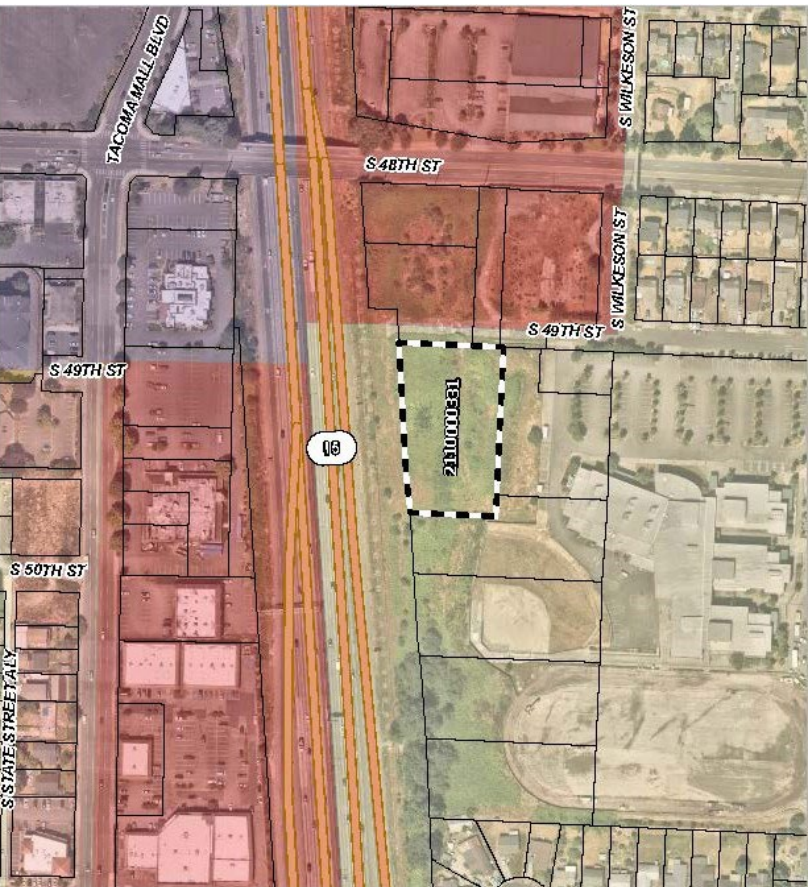


# 2023 Comprehensive Plan and Land Use Code Amendments

## Future Land Use Implementation (FLUM)

## EXHIBIT "A": Mor Furniture Land Use Designation Change

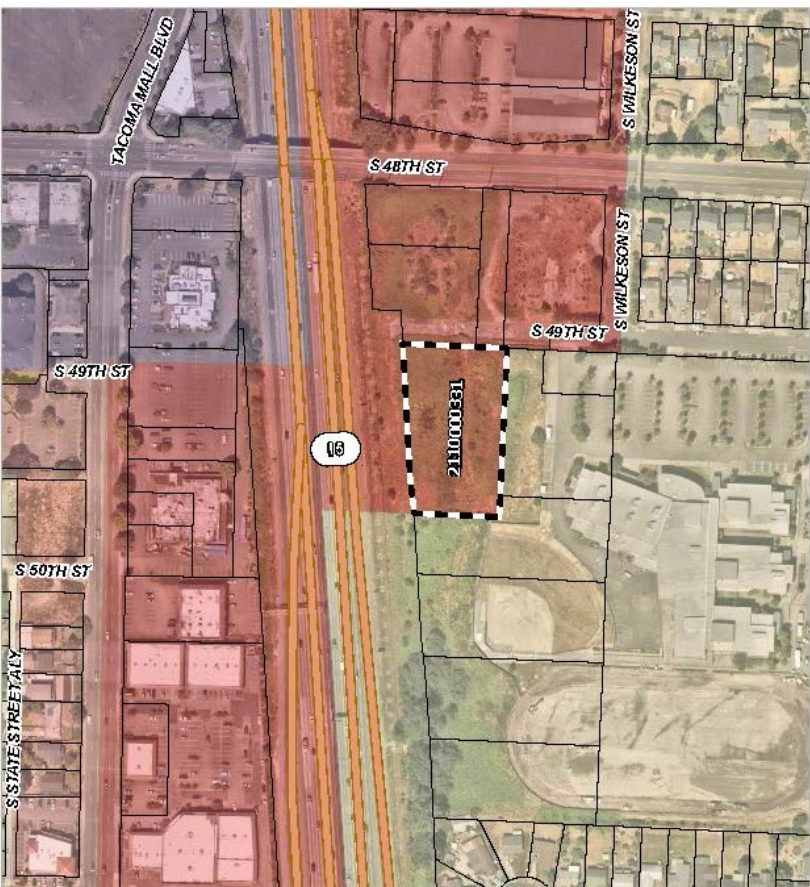
### CURRENT LAND USE DESIGNATION: LOW-SCALE RESIDENTIAL



#### Low-Scale Residential Designation Description:

Low-scale residential designations provide a range of housing choices built at the general scale and height of detached houses and up to three stories (above grade) in height... Low-scale residential designations are generally located in quieter settings of complete neighborhoods that are a short to moderate walking distance from parks, schools, shopping, transit and other neighborhood amenities... Qualities associated with low-scale residential areas include: Diverse housing types and prices, lower noise levels, limited vehicular traffic, moderate setbacks, private and shared open space and yards, street trees, green features, and complete streets with alleys.

### PROPOSED LAND USE DESIGNATION: GENERAL COMMERCIAL



#### General Commercial Designation Description:

This designation encompasses areas for medium to high intensity commercial uses which serves a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, often with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.

#### APPLICANT:

Wesco Management LLC. (parent company of Mor Furniture)

#### SITE LOCATION:

1824 South 49<sup>th</sup> Street, Tacoma WA

#### AMENDMENT TYPE:

Comprehensive Plan Future Land Use Map Amendment

#### WHY IS THIS CHANGE PROPOSED?

The applicant, Wesco Management LLC., submitted an amendment application seeking a land use designation change at the subject parcel located at 1824 South 49<sup>th</sup> Street. The 1.24-acre subject parcel currently has a Low-scale Residential land use designation. The applicant is requesting a land use designation change for the subject parcel to General Commercial.

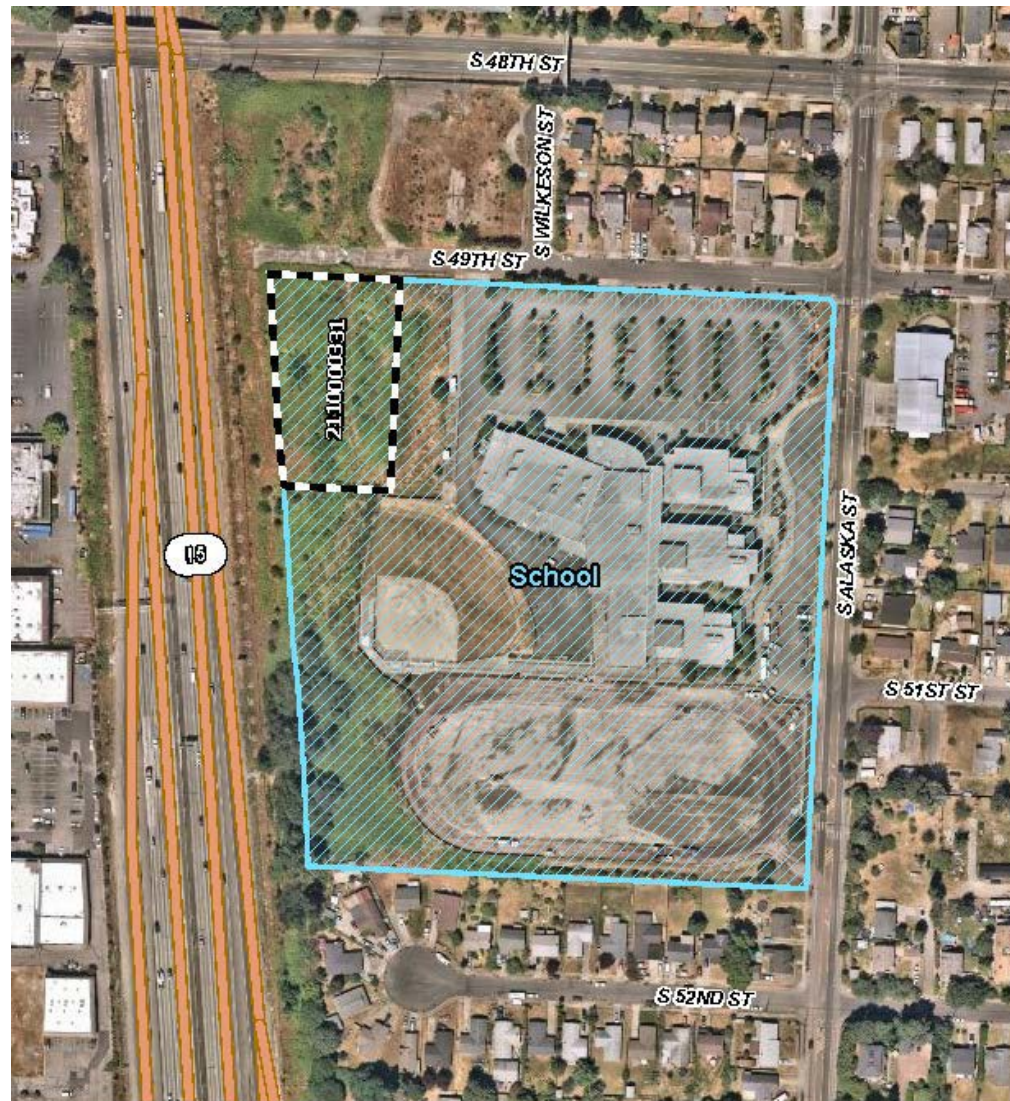
If this amendment application is approved by the City Council, the subject parcel land use designation would be amended in the Comprehensive Plan Future Land Use Map (FLUM) from Low-scale Residential designation to a General Commercial designation. If granted, the land use designation change to General Commercial would enable the applicant to apply for a rezone to PDB Planned Development Business District or C-2 General Community Commercial District.

To learn more: visit [www.cityoftacoma.org/2023amendment](http://www.cityoftacoma.org/2023amendment) or email at [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org).

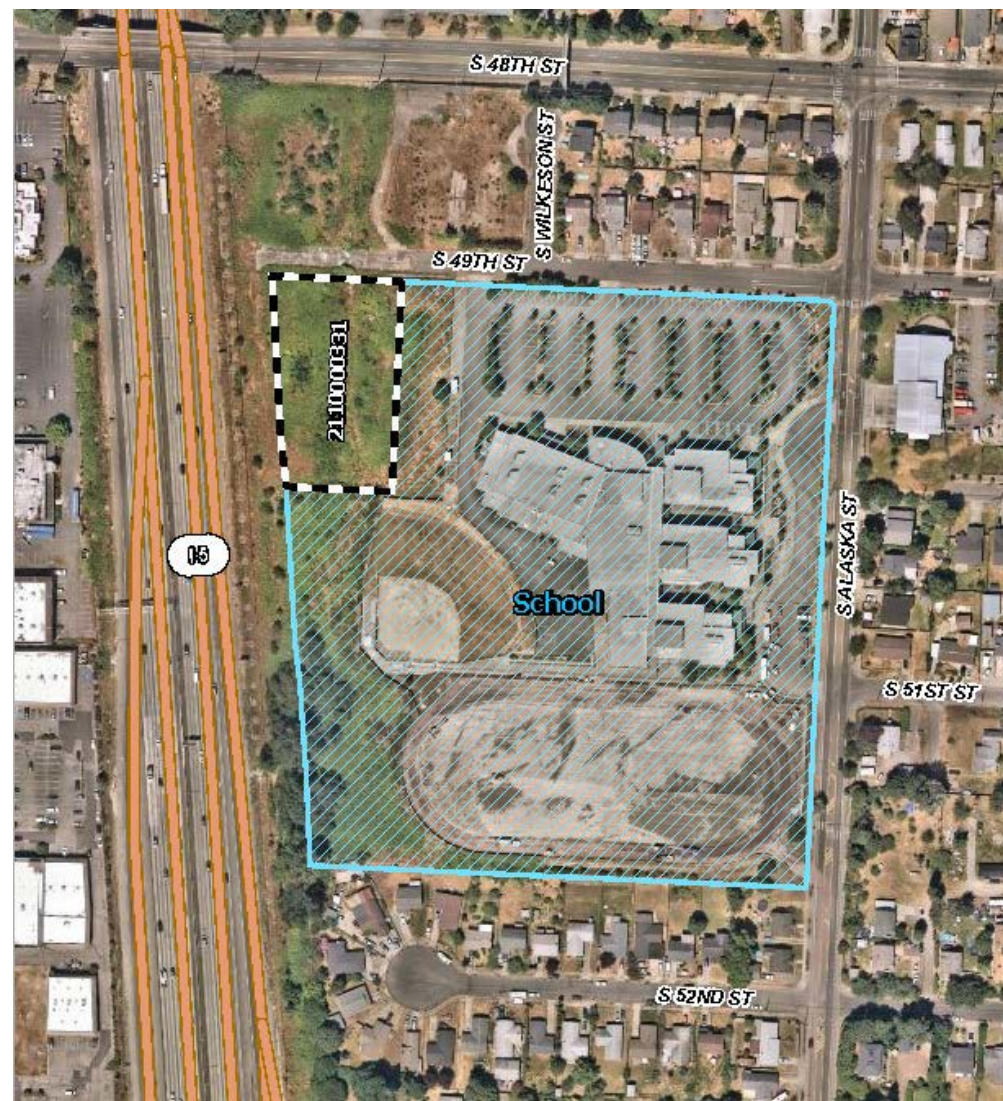


# 2023 Comprehensive Plan and Land Use Code Amendments Amendment to Parks + Recreation Facilities Map

CURRENT: "SCHOOL" DESIGNATION ON  
PARKS + RECREATION FACILITIES MAP



PROPOSED: REMOVE "SCHOOL"  
DESIGNATION ON PARKS + RECREATION  
FACILITIES MAP



## EXHIBIT "B": Mor Furniture Land Use Designation Change

PROPOSED DESIGNATION CHANGE  
ON PARKS + RECREATION FACILITIES  
MAP

**SUBJECT SITE:** 1824 South 49<sup>th</sup> Street, Tacoma, WA

**ACTION REQUESTED:** Remove subject site from "Schools" designation on Parks + Recreation Facilities Map (Figure 36) in Element 8: Parks + Recreation of the *One Tacoma Comprehensive Plan*.

### WHY IS THIS CHANGE PROPOSED?

The 1.24-acre subject parcel located at 1824 South 49<sup>th</sup> Street was formerly a surplus parcel owned by Tacoma Public Schools. Public schools within the City of Tacoma are designated as parks and recreation facilities in the Parks and Recreation Element of the *One Tacoma Comprehensive Plan*. The subject parcel assumed private ownership in 2018 when Tacoma Public Schools sold the parcel to Wesco Management LLC.

Due to the change from public to private ownership, and Wesco Management's amendment request to change the subject parcel's land use designation from Low-scale Residential to General Commercial, it is requested that the subject parcel be removed from the "School" facilities designation from the Parks + Recreation Facilities Map.

To learn more: visit [www.cityoftacoma.org/2023amendment](http://www.cityoftacoma.org/2023amendment) or email at [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org).



Return Address

William T. Lynn  
Gordon Thomas Honeywell, LLP  
1201 Pacific Ave, Suite 2100  
Tacoma, WA 98402

**CONDITIONAL COVENANT RUNNING WITH THE LAND  
AND RESTRICTING USE OF PROPERTY**

**Grantor(owner):** WESCO MANAGEMENT LLC

**Grantee:** CITY OF TACOMA

**Abbreviated Legal Description**

**Assessor's Property Tax  
Parcel/Account No.** 2110000331

This Conditional Covenant Running with the Land and Restricting Use of Property (Covenant) is made this \_\_\_\_ day of \_\_\_\_\_, 2023 by Wesco Management LLC, a Washington limited liability company (Wesco), and the City of Tacoma, a Washington municipal corporation (City).

**BACKGROUND**

A. Wesco owns property adjacent to the I-5 freeway at 1824 South 49th Street in Tacoma (Wesco Property). The Wesco Property is legally described on Exhibit A to this Agreement (parcel number 2110000331). Wesco is the sole and exclusive owner of the Wesco Property and has authority to bind all persons or entities that have a known interest in the Wesco Property.

B. The current Comprehensive Plan Land Use Designation for the Wesco Property is “Low-Scale Residential.” This is implemented by the R-2 STGPD zone (Single-Family Dwelling District & South Tacoma Groundwater Protection District).

C. Wesco has applied for a land use designation change for the Westco Property from Low-Scale Residential to General Commercial (Application). This would allow Wesco to request a future site rezone to C2 (General Community Commercial District) and to apply for permits for commercial development at the site.

D. If (a) the application for the land use designation change is approved and (b) the Wesco Property is subsequently rezoned to C2, Wesco will covenant and agree as set forth below.

### **CONDITIONAL COVENANT RUNNING WITH THE LAND**

1. Conditional Restriction. If the City Council approves the Application, and if the property is subsequently rezoned to C2, Wesco covenants and agrees for itself and its successors and assigns, and for any subsequent possessor or owner of the Wesco Property, that it will not use the property for any of the following C2 permitted uses as they are defined under the Tacoma Municipal Code:

- Airports
- Carnival
- Fueling station
- Funeral home
- Golf course
- Marijuana retailer
- Passenger terminal
- Residential chemical dependency
- Transportation/freight terminal

2. Other Permits. Nothing in this Covenant is intended to excuse Wesco from applicable City requirements for any proposed activities on the Wesco Property.

3. Expiration and Termination. The Covenant shall be null and void if the City does not approve the Application and/or the property is not subsequently zoned C2 within three (3) years from the date the City approves the Application. Wesco may earlier terminate the Covenant only as provided in Section 4 below.

4. Release or Modification of Covenant. Wesco agrees not to seek a release or modification of any term of the Covenant by any means other than by a legislative procedure, to be considered for approval by the City Council, as set forth in the Tacoma Municipal Code.

5. Successors and Assigns; Enforceability. This Covenant shall run with the Wesco Property as a restrictive covenant and shall be binding upon Wesco until its expiration or termination as set forth above. All obligations made herein by Wesco shall be

enforceable in law or in equity by the City against Wesco Management LLC, and all of its successors, assigns, and any future possessors or owners of the Wesco Property.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2023.

WESCO MANAGEMENT LLC

CITY OF TACOMA

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_ day of December, 2018, before me personally appeared \_\_\_\_\_ to me known to be the \_\_\_\_\_ of WESCO MANAGEMENT LLC, the limited liability company that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute and in fact executed said instrument on behalf of the limited liability company.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Type/Print Name: \_\_\_\_\_  
 NOTARY PUBLIC in and for the State of  
 Washington, residing at \_\_\_\_\_  
 My Commission Expires \_\_\_\_\_

[illegible]

On this \_\_\_\_\_ day of December, 2018, before me personally appeared \_\_\_\_\_ to me known to be the \_\_\_\_\_ of the CITY OF TACOMA, the municipal corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute and in fact executed said instrument on behalf of the City.

DATED this                      day of \_\_\_\_\_, 2023.

Type/Print Name: \_\_\_\_\_  
 NOTARY PUBLIC in and for the State of  
 Washington, residing at \_\_\_\_\_  
 My Commission Expires \_\_\_\_\_

## Exhibit A



## SUBSTITUTE ORDINANCE NO. 28902

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS BUSHNELL  
2 AND USHKA

3 AN ORDINANCE relating to land use regulations; amending Chapter 13.06 of  
4 the Tacoma Municipal Code, relating to Zoning, to expand the allowed  
5 use of electric fences in association with outdoor storage in various  
6 zoning districts, with associated development standards, as part of the  
2023 Annual Amendment to the Comprehensive Plan and Land Use  
Regulatory Code.

7 WHEREAS the 2023 Annual Amendment to the One Tacoma  
8 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")  
9 includes the following six applications: (1) an amendment to the Future Land Use  
10 Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for the  
11 Mor Furniture site, (2) an amendment to the Land Use Regulatory Code  
12 ("Regulatory Code") pertaining to electric fences, (3) an amendment to the  
13 Regulatory Code pertaining to shipping containers, (4) an amendment to the  
14 Regulatory Code pertaining to delivery-only retail businesses, (5) an amendment  
15 to the Regulatory Code pertaining to commercial zoning, and (6) minor  
16 amendments to the Comprehensive Plan and Regulatory Code, and  
17

18 WHEREAS this ordinance pertains to the proposed amendments to the  
19 Regulatory Code pertaining to electric fences, and was initiated by resolutions  
20 adopted by the City Council, including Resolution No. 40881 and Substitute  
21 Resolution No. 40955, forwarded in response to community concerns about  
22 increasing theft and safety concerns faced by commercial businesses, and  
23  
24



1           WHEREAS this proposed amendment would expand the allowed use of  
2 electric fences in association with outdoor storage in C-1 and C-2 Commercial  
3 Districts; WR Warehouse Residential Districts; DMU Downtown Mixed-Use  
4 Districts; and CIX, CCX, and UCX Mixed-Use Commercial Districts, and  
5

6           WHEREAS, in addition, the amendment includes development standards for  
7 placement, setbacks, height, aesthetics, signage, and voltage/amperage limitations  
8 to avoid impacts to the public realm and public health and safety, and  
9

10           WHEREAS the Planning Commission ("Commission") completed its review  
11 of the 2023 Amendment through an extensive and inclusive public engagement  
12 process, including a public hearing on April 5, 2023, and the Commission  
13 forwarded to the City Council, and filed with the City Clerk's Office, the  
14 Commission's Findings of Fact and Recommendations Report for the 2023  
15 Amendment along with a letter of recommendations, both dated May 17, 2023, and  
16

17           WHEREAS the report documents the public review and community  
18 engagement process and the Commission's deliberations and decision-making  
19 concerning the six applications, and  
20

21           WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
22 public hearing before enacting any proposed amendments to the Comprehensive  
23 Plan and the TMC, and the City Council has fulfilled said requirement by  
24 conducting a public hearing on June 27, 2023, concerning all six applications for  
25 the 2023 Amendment;  
26





1 WHEREAS community members and business representatives provided  
2 comment to the City Council pertaining to the security concerns of local businesses  
3 as well as the concerns over the health and safety of electric fences, and  
4

5 WHEREAS the policies of the One Tacoma Comprehensive Plan provide  
6 guidance on the necessary balance between safety and security, aesthetics, and  
7 off-site impacts, including policies on the use of crime prevention through  
8 environmental design, and  
9

10 WHEREAS the development standards drafted by the Planning Commission  
11 provide a balanced and effective approach to support the safety and security of  
12 local business while protecting the broader public health and safety; Now,  
13 Therefore,  
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.06 of the Tacoma Municipal Code, relating to Zoning, is hereby revised by amending Sections 13.06.090 entitled "Site Development Standards", and 13.06.100 entitled "Building Design Standards", to consolidate and amend fencing regulations to read as set forth in the attached Exhibit "A."

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## EXHIBIT "A"

### CHAPTER 13.06 ZONING

\* \* \*  
\* \* \*

#### 13.06.090 Site Development Standards

\* \* \*

#### 13.06.090.K

##### K. Fences and Retaining Walls.

1. Applicability. These fence and retaining wall regulations apply to all zoning districts. Regulations within specific zones are set forth below.

2. Purpose. The purpose of fence and retaining wall regulations is to implement the Comprehensive Plan policies that seek to enhance the pedestrian experience while also reducing opportunity for crime.

3. The Director may attach any reasonable conditions found necessary to make proposed fencing or retaining walls compatible with its environment, to carry out the goals and policies of the City's Comprehensive Plan, and/or to provide compliance with other criteria or standards set forth in the City's Land Use Regulatory Codes.

4. ~~(2).~~ General Fencing and Wall Height Standards.

(a) Unless otherwise allowed, except as set forth in 4.b.1(c) above, the maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet.

(b) Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with landscaping pursuant to the requirements of TMC 13.05.502 to soften the view of the fence and contribute to the pedestrian environment.

(c) Fences required by the Washington State Liquor Control Board shall also be exempt from the maximum height limitation, provided any portion of the fence between 3 and 7 feet above grade is at least 50 percent transparent.

(d) Fences shall not exceed 5 feet in height in required Street Level Residential Transition Areas.

(e) Fences along alleys are allowed provided fences greater than 3 feet in height are at least 20 percent transparent between 3 and 7 feet above grade. If no transparency is provided, the maximum height of such fence shall be 3 feet.

(f) Exception. In Downtown Districts, fences greater than 3 feet in height are allowed if the portion of the fence between 3 and 7 feet above grade is at least 20 percent transparent.

#### Fencing.

#### 5a. Residential District Fence and Wall Standards

#### (1)a. Fencing Type Limitations

(1a) Barbed or razor wire. The use of barbed or razor wire is prohibited.

(2b) Electrified fences are prohibited.



(3e) Chain link. Chain link is permitted; except

(a) In the case of a 4-plex, multi-family, or single-family attached (townhouse) development, chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses; and

(b) chain link, with or without slats, is prohibited for required screening.

#### b.(2) Fence and Wall Height

(1) Except as specifically set forth below, fences in residential districts for residential development are exempt from height and transparency set forth below.

(1a) In the case of single-family attached (townhouse), the maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment.

(2b) See TMC 13.06.090.M for fence limitation specific to Building Transition. In the case of conflicts, the most restrictive section will apply.

#### 6b. Commercial Districts, MUCs, and Downtown

##### (1)a. Fencing Type Limitations.

(1a) Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.

(2b) Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.

(3e) Electrified. Electric fences are allowed around outdoor storage areas, where permitted, in C-1 and C-2 Commercial Districts, CCX Community Commercial Mixed-Use District, UCX Urban Center Mixed-Use District, CIX Commercial industrial Mixed-Use District, DMC Downtown Mixed Use and WR Warehouse Residential District, subject to the following standards. ~~Electric Fences are not subject to the height standards in subsection (2) below.~~ These standards shall not apply to underground or invisible pet fences that are used to contain small domestic animals.

##### (i)b. ~~Location~~ Electrified Fence Standards

(1a) Electric fences shall be prohibited between the front of a building and the adjacent public street, except when ~~as provided below:~~

(i) Outdoor storage located between the building and the front property line, which was in existence at the time of the passing of this Ordinance may be protected by an electric fence. In the case of a corner site, this applies to the side adjacent to right-of-way.

~~Electric fences will not be permitted adjacent to designated Core Pedestrian Streets or designated Pedestrian Streets.~~

~~See below for standards related to electric fence and perimeter fence when adjacent to right-of-way.~~

(ii)b) Except for the South Tacoma Groundwater Protection District, electric fences ~~shall not be closer than~~ shall be set back a minimum of 15 feet from the buffer of any critical area as defined in TMC 13.01.110.C and the fence shall not surround said critical area.

##### (ii) Standards

(2a) Electric fences shall be limited to a height of ~~10 feet~~ 8 feet.

##### (3)iii) Electrification



1 (ia) The energy source (energizer) for electric fences must be provided by a storage battery not to exceed 12 volts DC. The storage battery may be charged by a solar panel. The solar panel may not be augmented by a trickle charger.

2 (ii**b**) The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in the International Electrotechnical Commission (IEC) Standard 60335-2-76.

3 (iii**e**) Fence system shall be tested and labeled to the Electrotechnical Commission IEC Standards 60335-2-76.

4 (4**iv**) Warning Signs and Insurance

5 (ia) Electric fences shall be clearly identified with warning signs that read "Warning - Electric Fence" at intervals of 50 feet or less. Signs shall also contain imagery or symbols of, or similar to, the International Organization for Standardization (ISO) warning symbol for electric hazard to alert individuals that the fence is electrically charged (e.g. lightning bolts).

7 (ii**b**) Warning signs shall be posted in English, Russian, Spanish, and Vietnamese

8 (iii**v**) Owner of the electric fence shall provide to the City a certificate of commercial general liability insurance covering third party liability risks in a minimum amount of \$1,000,000.00 combined single limit per occurrence for bodily injury and personal injury.

10 (5) Perimeter Fence

11 ~~(b) When adjacent to a dwelling or dwellings, a playground, a school, or a park, recreation, and open space, as defined in TMC 13.01, or adjacent to street right of way, the electric fences shall be setback a minimum of 5 feet from property line and no taller than 8 feet.~~

12 (i**be**) An electric fence shall be surrounded by a decorative, non-electric, perimeter fence, with a smaller aperture designed to limit the passthrough of hands. This perimeter fence shall be a minimum of 6 feet in height and a maximum of 7 feet in height. This fence may be located on the property line. ~~When the fence is between a public street and the property the fence shall be at least 50 percent transparent.~~

14 (i**ed**) The required perimeter fence shall be setback a minimum of 1 foot from the electric fence.

15 (iii**de**) The perimeter fence ~~located between the building and front property~~ shall not be chain link ~~and must meet subsection 2(b) below.~~

17 (iv) ~~When the perimeter fence is between a public street and the property, the fence must be designed to allow pedestrians and drivers to see onto the property~~ shall be at least 50 percent transparent and a planting strip at least 5 feet wide with landscaping pursuant to the requirements of TMC 13.05.502 will be provided to soften the view of the fence and contribute to the pedestrian environment.

19 (v) Electric fences adjacent to designated Core Pedestrian Streets or designated Pedestrian Streets shall be required to have a planting strip at least 5 feet wide between the public right-of-way and the perimeter fence, with landscaping pursuant to the requirements of TMC 13.05.502 in order to soften the view of the fence and contribute to the pedestrian environment.

21 c. Industrial Districts

22 (1) Barbed or razor wire. The use of barbed or razor wire is limited to those areas not adjacent to residential use.

23 (2) Chain link. Chain link or similar wire fencing is permitted.

24 (3) Electrified. Electric fences are allowed in all Industrial Districts subject to the following standards. These standards shall not apply to underground or invisible pet fences that are used to contain small domestic animals.

26 (a) Location



(i) Electric fences shall be setback 5 feet to any dwelling or dwellings.

(ii) Electric fences shall not be around or adjacent to a critical area as defined in TMC 13.01.110.C.

(b) Standards

(i) Electric fences shall be limited to a height of 10 feet.

(ii) An electric fence shall be separated from property line by a non-electric fence a minimum of 6 feet tall.

(c) Electrification

(i) The energy source (energizer) for electric fences must be provided by a storage battery not to exceed 12 volts DC. The storage battery may be charged by a solar panel. The solar panel may not be augmented by a trickle charger.

(ii) The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in the International Electrotechnical Commission (IEC) Standards 60335-2-76.

(iii) Fence system shall be tested and labeled to the Electrotechnical Commission IEC Standards 60335-2-76.

(d) Warning Signs and Insurance

(i) Electric fences shall be clearly identified with warning signs that read "Warning - Electric Fence" at intervals of 50 feet or less. Signs shall also contain imagery or symbols of, or similar to, the International Organization for Standardization (ISO) warning symbol for electric hazard to alert individuals that the fence is electrically charged (e.g. lightning bolts).

(ii) Warning signs shall be posted in English, Russian, Spanish, and Vietnamese

(iii) Owner of the electric fence shall provide to the City a certificate of commercial general liability insurance covering third party liability risks in a minimum amount of \$1,000,000.00 combined single limit per occurrence for bodily injury and personal injury.

\* \* \*

\* \* \*



## ORDINANCE NO. 28903

1 AN ORDINANCE relating to land use regulations; amending Chapter 13.06 of  
2 the Tacoma Municipal Code, relating to Zoning, to support the expanded  
3 use of shipping containers for temporary and accessory uses, as part of  
4 the 2023 Annual Amendment to the Comprehensive Plan and Land Use  
5 Regulatory Code, as recommended by the Planning Commission.

6 WHEREAS the 2023 Annual Amendment to the One Tacoma  
7 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")  
8 includes the following six applications: (1) an amendment to the Future Land  
9 Use Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for  
10 the Mor Furniture site, (2) an amendment to the Land Use Regulatory Code  
11 ("Regulatory Code") pertaining to electric fences, (3) an amendment to the  
12 Regulatory Code pertaining to shipping containers, (4) an amendment to the  
13 Regulatory Code pertaining to delivery-only retail businesses, (5) an  
14 amendment to the Regulatory Code pertaining to commercial zoning, and (6)  
15 minor amendments to the Comprehensive Plan and Regulatory Code, and  
16

17 WHEREAS this ordinance pertains to the proposed amendments to the  
18 Regulatory Code to support the expanded use of shipping containers for  
19 temporary and accessory uses, and this application was initiated by resolutions  
20 passed by the City Council, including Resolution No. 40794 and Substitute  
21 Resolution No. 40955, and would allow shipping containers to be used as an  
22 accessory structure in C-1 and C-2 Commercial Districts and on residentially-  
23 zoned properties that are operating with an approved conditional use permit  
24 (such as parks, schools, and churches), and  
25  
26



1 WHEREAS the placement of shipping containers would be subject to  
2 certain development standards and, depending on size, may require a building  
3 permit, and this proposal would also broaden the potential use of shipping  
4 containers as a temporary structure, and

5  
6 WHEREAS the Planning Commission ("Commission") completed its review  
7 of the 2023 Amendment through an extensive and inclusive public engagement  
8 process, including a public hearing on April 5, 2023, and the Commission  
9 forwarded to the City Council, and filed with the City Clerk's Office, the  
10 Commission's Findings of Fact and Recommendations Report for the 2023  
11 Amendment along with a letter of recommendations, both dated May 17, 2023,  
12 and

13  
14 WHEREAS the report documents the public review and community  
15 engagement process and the Commission's deliberations and decision-making  
16 concerning the six applications, and

17  
18 WHEREAS the Commission recommended that the City Council adopt the  
19 code changes pertaining to the shipping containers application, and the  
20 recommendations are consistent with the Growth Management Act, the  
21 Comprehensive Plan, Tacoma 2025, and the City's health, equity and  
22 sustainability policy, and

23  
24 WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
25 public hearing before enacting any proposed amendments to the Comprehensive  
26 Plan and the TMC, and the City Council has fulfilled said requirement by





1 conducting a public hearing on June 27, 2023, concerning all six applications for  
2 the 2023 Amendment; Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4 Section 1. That Chapter 13.06 of the Tacoma Municipal Code, relating to  
5 Zoning, is hereby amended by amending Section 13.06.020 entitled "Residential  
6 Districts," Section 13.06.030 entitled "Commercial Districts," Section 13.06.080  
7 entitled "Special Use Standards," and Section 13.06.100 entitled "Building Design  
8 Standards," to read as set forth in the attached Exhibit "A."  
9

10 Section 2. That the City Clerk, in consultation with the City Attorney, is  
11 authorized to make necessary corrections to this ordinance, including, but not  
12 limited to, the correction of scrivener's/clerical errors, references, ordinance  
13 numbering, section/subsection numbers, and any references thereto.  
14

15 Passed \_\_\_\_\_  
16

17  
18 \_\_\_\_\_  
Mayor

19 Attest:  
20

21 \_\_\_\_\_  
22 City Clerk

23 Approved as to form:  
24

25 \_\_\_\_\_  
Deputy City Attorney  
26



## EXHIBIT "A"

### CHAPTER 13.06 ZONING

\* \* \*

#### 13.06.020 Residential Districts.

A. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.020.

\* \* \*

G. Accessory building standards.

\* \* \*

9. Except as noted below, commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district.

a. Such Shipping and/or storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.

b. Shipping and/or storage containers may be allowed on a site with a valid conditional use permit, subject to the following standards:

(1) On sites less than 5 acres, shipping container shall not be located between the building and street right-of-way. On corner lots, this applies to front and side.

(2) On sites less than 5 acres, on corner lots, shipping container shall be setback further than the side wall of the main building.

(3) Shipping containers shall be screened from any Residential District when adjacent to or across street and/or alley from the Residential District. The shipping container must be screened by a minimum 6-foot tall solid wood fence and/or landscaping.

(4) Shipping containers cannot be stacked

(5) Shipping containers must meet, at a minimum, the setbacks of the main building

(6) If any of these standards cannot be met, a shipping container may be located as a Temporary Use for a reduced time and subject to the standards for a Temporary Use. See TMC 13.06.080.P

\* \* \*

#### 13.06.030 Commercial Districts

A. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.030.

\* \* \*

E. District use restrictions.

\* \* \*

4. District use table.

\* \* \*

Footnotes:



~~3. Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.~~

\* \* \*

#### F. District Development Standards

\* \* \* \* \*

#### 3. Setbacks

a. Applicability. [See TMC 13.100.A for setbacks applicable to shipping containers.](#)

\* \* \*

#### 13.06.080 Special Use Standards

\* \* \*

#### P. Temporary Use.

\* \* \*

#### 2. Purpose.

The Purpose of this section is to allow listed temporary uses which:

- a. Are not contrary to the various purposes of this chapter;
- b. Will not impede the orderly development of the immediate surrounding area, as provided for in the Comprehensive Plan and the zoning district in which the area is located; and
- c. Will not endanger the health, safety, or general welfare of adjacent residences or the general public.

\* \* \*

#### 4. Temporary structure standards.

\* \* \*

#### d. Temporary storage.

Temporary storage units are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis. Temporary storage can also include storage of food (including the growth of food items). Temporary storage units, where allowed, shall be subject to the following standards:

(1) Temporary storage units shall be allowed in the following instances:

[\(a\) As part of an active construction project or active moving process; or](#)

[\(b\) In conjunction with a conditional use, to support the conditional use; or](#)

[\(c\) To support an agricultural use, such as growing food. Food shall not be sold from the site.](#)

(2) In residential zoning districts, the maximum duration of temporary storage shall be 180-days in any two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services.

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be:

[\(a\) removed within 30 days after final inspection of the project; or](#)

[\(b\) if being used in conjunction with a conditional use, a maximum of 180-days in a two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services](#)



(4) Temporary storage units shall be placed in the least conspicuous location available to minimize disturbance to any adjoining properties and shall be located in accordance with all applicable building, health and fire safety ordinances and regulations. Units shall provide a minimum 5-foot setback from all exterior property lines and shall not be located within required buffer areas. Units shall not block, impair, or otherwise unduly inconvenience pedestrian or vehicular traffic patterns, emergency access, access points to the site, parking lots, or adjacent uses.

(5) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.090.100.

(7) Planning and Development Services shall have full discretion to stipulate additional limitations or conditions on such temporary use to ensure that it does not unduly affect the health, safety, or general welfare of adjacent properties or residences or the general public.

\* \* \*

### **13.06.100 Building design standards.**

#### **A. Commercial District Minimum Design Standards.**

1. General Applicability. The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development as outlined below, except as follows:

\* \* \*

#### [i. Accessory Structure - Shipping containers are exempt from all sections except Subsection 9 below.](#)

2. Zoning District Applicability. The following requirements apply to C1, C2, T, and PDB zoning districts.

\* \* \*

#### [9. Accessory Structure - Shipping Container](#)

[a. Shipping Containers are allowed as an accessory structure in all Commercial Districts subject to the standards set forth below:](#)

[\(1\) Shipping container shall not be located between the building and street right-of-way. On corner lots, this applies to front and side.](#)

[\(2\) Shipping container must be setback a minimum of 5 feet from all property lines; AND](#)

[\(3\) When the shipping container is not between the building and street right-of-way, it must be setback further from right-of-way than the wall of building and a minimum of 5 feet, whichever is greater. On corner lots, this applies to front and side.](#)

[\(3\) Shipping containers shall be screened from any Residential District when adjacent to or across an alley from the Residential District. In this case it must be screened by a minimum 6-foot tall solid wood fence and/or landscaping.](#)

[\(4\) Each site is limited to one shipping container.](#)

[\(5\) Shipping containers may not be placed within a shopping center as defined in TMC 13.01.060.S.](#)

[\(6\) See TMC 13.06.080.P for regulations specific to shipping containers as a temporary use.](#)

\* \* \*



## ORDINANCE NO. 28904

1 AN ORDINANCE relating to land use regulations; amending Chapters 13.01  
2 and 13.06 of the Tacoma Municipal Code, relating to Definitions and  
3 Zoning, to clarify delivery-only retail business use and standards, as part  
4 of the 2023 Annual Amendment to the Comprehensive Plan and Land  
5 Use Regulatory Code, as recommended by the Planning Commission.

6 WHEREAS the 2023 Annual Amendment to the One Tacoma  
7 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment") includes  
8 the following six applications: (1) an amendment to the Future Land Use Map in the  
9 One Tacoma Comprehensive Plan ("Comprehensive Plan") for the Mor Furniture  
10 site, (2) an amendment to the Land Use Regulatory Code ("Regulatory Code")  
11 pertaining to electric fences, (3) an amendment to the Regulatory Code pertaining  
12 to shipping containers, (4) an amendment to the Regulatory Code pertaining to  
13 delivery-only retail businesses, (5) an amendment to the Regulatory Code  
14 pertaining to commercial zoning, and (6) minor amendments to the Comprehensive  
15 Plan and Regulatory Code, and

16 WHEREAS this ordinance pertains to the proposed amendments to the  
17 Regulatory Code pertaining to delivery-only retail businesses, and this application  
18 was initiated in response to recent permits and development trends in the retail  
19 sector, and

20 WHEREAS as proposed by the Planning and Development Services  
21 Department, these amendments to the Tacoma Municipal Code ("TMC"), Title 13  
22 Land Use Regulatory Code, would require retail uses on designated pedestrian  
23 streets in mixed-use centers and include an in-person customer sale component,  
24 incorporate commissary kitchens within the retail use definition and apply retail  
25  
26



1 development standards to such uses, as well as include a size limitation for  
2 commissary kitchens within mixed-use centers, and

3 WHEREAS the Planning Commission ("Commission") completed its review  
4 of the 2023 Amendment through an extensive and inclusive public engagement  
5 process, including a public hearing on April 5, 2023, and the Commission  
6 forwarded to the City Council, and filed with the City Clerk's Office, the  
7 Commission's Findings of Fact and Recommendations Report for the 2023  
8 Amendment along with a letter of recommendations, both dated May 17, 2023, and  
9

10 WHEREAS the report documents the public review and community  
11 engagement process and the Commission's deliberations and decision-making  
12 amendments pertaining to delivery-only retail businesses, and the Commission's  
13 recommendations are consistent with the Growth Management Act, the  
14 Comprehensive Plan, Tacoma 2025, and the City's health, equity and sustainability  
15 policy, and  
16

17 WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
18 public hearing before enacting any proposed amendments to the Comprehensive  
19 Plan and the TMC, and the City Council has fulfilled said requirement by  
20 conducting a public hearing on June 27, 2023, concerning all six applications for  
21 the 2023 Amendment; Now, Therefore,  
22  
23  
24  
25  
26



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.01 of the Tacoma Municipal Code ("TMC"), relating to Definitions, is hereby amended by amending Section 13.01.060 entitled "Zoning Definitions," and that Chapter 13.06 of the TMC relating to Zoning, is hereby amended by amending Section 13.06.040 entitled "Mixed-Use Center Districts," to read as set forth in the attached Exhibit "A."

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

# EXHIBIT “A”

## CHAPTER 13.01 DEFINITIONS

\* \* \*

### 13.01.060 Zoning Definitions.

For the purposes of Chapter 13.06, certain words and terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. For words that are not defined in this chapter, or that do not incorporate a definition by reference, refer to a Webster’s Dictionary published within the last ten years.

\* \* \*

### 13.01.060.R

\* \* \*

“Retail.” Establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, bank branches, furniture stores, pawn shop, pharmacies, and businesses retailing the following goods as examples: toys, hobby materials, food and beverages sales (including catering [and commissary kitchens](#)), hand-crafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, baseball cards, coins, comics, paint and wallpaper, carpeting and floor covering, medical supplies, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

\* \* \*

\* \* \*



## **CHAPTER 13.06 ZONING**

\* \* \*

### **13.06.040 Mixed-Use Center Districts.**

#### **A. Applicability.**

All portions of Section 13.06.040 apply to all new development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts, unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.040.A through 13.06.040.E are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

\* \* \*

#### **E. District use restrictions.**

##### **1. Use requirements.**

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

\* \* \*

##### **3. District use table.**

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX. <sup>2</sup> Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
* * *									
Retail	P	P/CU~	P/CU~	P	P/CU~	P*	N	N	~ A conditional use permit is required for retail uses exceeding 45,000 square feet. *Limited to 7,000 square feet of floor area, per business, in the HMX District. <a href="#">*Commissary Kitchens are limited to 6,000 SF of net building area and exterior display or storage of equipment is prohibited.</a> <a href="#">* Retail uses are required to primarily conduct in-person, direct customer sales along the designated pedestrian street storefront.</a>

# # #



## ORDINANCE NO. 28905

1 AN ORDINANCE relating to land use regulations; amending Chapter 13.06 of  
2 the Tacoma Municipal Code, relating to Zoning, by amending various  
3 sections to clarify commercial zoning design and development standards  
4 that would apply to projects seeking to utilize the Multi-family Tax  
5 Exemption Program in neighborhood commercial areas, as part of the  
6 2023 Annual Amendment to the Comprehensive Plan and Land Use  
7 Regulatory Code, as recommended by the Planning Commission.

8 WHEREAS the 2023 Annual Amendment to the One Tacoma  
9 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")  
10 includes the following six applications: (1) an amendment to the Future Land Use  
11 Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for the Mor  
12 Furniture site, (2) an amendment to the Land Use Regulatory Code ("Regulatory  
13 Code") pertaining to electric fences, (3) an amendment to the Regulatory Code  
14 pertaining to shipping containers, (4) an amendment to the Regulatory Code  
15 pertaining to delivery-only retail businesses, (5) an amendment to the Regulatory  
16 Code pertaining to commercial zoning, and (6) minor amendments to the  
17 Comprehensive Plan and Regulatory Code, and

18 WHEREAS this ordinance pertains to the proposed amendments to the  
19 Land Use Regulatory code pertaining to commercial zoning, and was initiated in  
20 response to Amended Ordinance No. 28798, providing a comprehensive review of  
21 the design standards for projects which include residential development in  
22 Neighborhood Commercial Nodes, and

23 WHEREAS the proposed amendments would update the City's code to  
24 provide better clarity as to the district, site development, and building design  
25 standards that would apply to projects seeking to utilize the Multi-Family Tax  
26



1 Exemption ("MFTE") program in Neighborhood Commercial areas, and most  
2 updates are clarifications as to the applicability of existing standards, addressing  
3 standards such as tree canopy, usable yard space, street level transitions, and  
4 window and entrance standards, and  
5

6 WHEREAS the Planning Commission ("Commission") finds that an  
7 adequate and comprehensive review of the design standards for projects which  
8 include residential development in Neighborhood Commercial Nodes has been  
9 conducted and recommend that the expansion of the MFTE program to  
10 Neighborhood Commercial Nodes, as adopted in Amended Ordinance No. 28798,  
11 take effect, and  
12

13 WHEREAS the Commission completed its review of the 2023 Amendment  
14 through an extensive and inclusive public engagement process, including a public  
15 hearing on April 5, 2023, and the Commission forwarded to the City Council, and  
16 filed with the City Clerk's Office, the Commission's Findings of Fact and  
17 Recommendations Report for the 2023 Amendment along with a letter of  
18 recommendations, both dated May 17, 2023, and  
19

20 WHEREAS the report documents the public review and community  
21 engagement process and the Commission's deliberations and decision-making  
22 concerning the six applications, and  
23

24 WHEREAS the Commission recommended that the City Council adopt the  
25 proposed amendments to the Regulatory Code pertaining to the commercial zoning  
26 update - Phase 1 application, and the Commission's recommendations are



1 consistent with the Growth Management Act, the One Tacoma Plan, Tacoma 2025,  
2 and the City's health, equity and sustainability policy, and

3 WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
4 public hearing before enacting any proposed amendments to the Comprehensive  
5 Plan and the TMC, and the City Council has fulfilled said requirement by conducting  
6 a public hearing on June 27, 2023, concerning all six applications for the 2023  
7 Amendment; Now, Therefore,

8  
9 BE IT ORDAINED BY THE CITY OF TACOMA:

10 Section 1. That Chapter 13.06 of the Tacoma Municipal Code ("TMC")  
11 relating to Zoning, is hereby amended as set forth in Exhibit "A," which exhibit is  
12 incorporated as though fully set forth herein.

13  
14 Section 2. That projects located within Neighborhood Commercial Nodes  
15 defined within TMC Chapter 13.17, relating to Residential Target Areas are  
16 eligible for the Multi-Family Property Tax Exemption subject to the requirements in  
17 TMC Subtitle 6A, relating to the Tax Code.  
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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

# EXHIBIT “A”

## CHAPTER 13.06 ZONING

\* \* \*

### 13.06.030 Commercial Districts.

#### A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.030. All portions of Section 13.06.030 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.030, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.030.A through Section 13.06.030.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

\* \* \*

#### F. District development standards.

	T	C-1	C-2	PDB
* * *				
6. Minimum usable yard space.				
a. Applicability.	Applies to single use residential development <a href="#">and multi-family residential development with a commercial component</a> , only.			
* * *				
7. Tree Canopy Coverage				
a. Applicability.	Applies to single-use residential development <a href="#">and multi-family residential development with a commercial component</a> , only.			
* * *				
8. Maximum setback standards on designated streets.				
* * *				
d. Exceptions	<div>a. Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback..</div> <div>b. Buildings that are 100 percent residential, <a href="#">or that have any portion of the ground floor as a residential use</a>, do not have a maximum setback. <del>Residential development</del> <a href="#">and instead</a> shall meet the Build-to Area standard in 13.06.020.F.6.</div> <div>c. The primary building of a gas station, where gas stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt.</div> <div>d. Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.</div>			

\* \* \*

### 13.06.090 Site Development Standards.

\* \* \*

C. Off-street parking areas.

\* \* \*

3. Off-street parking spaces - quantity.

\* \* \*

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

<i>TABLE 1 – Required Off-Street Parking Spaces<sup>9, 14</sup> (All footnotes are in Table 2, below.)</i>		
Use	Unit	Required parking spaces
		Min.
<b>Residential</b>		
Single-family detached dwelling, Adult family home, Staffed residential home <sup>1, 2, 12</sup>	Dwelling.	2.00
Two-family dwelling in all districts <sup>1, 2, 12</sup>	Dwelling.	2.00
Townhouse dwelling in all districts <sup>1, 2, 12</sup>	Dwelling.	1.00
Three-family dwelling in all districts <sup>1, 2, 12</sup>	Dwelling.	2.00
Two- or Three-family dwelling via Conditional Use Permit	Dwelling.	1.00
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents <sup>1, 16</sup>	Room, suite or dwelling.	1.00
Small Lots, Cottage Housing and lots not conforming to area/width <sup>3</sup>	Dwelling.	1.00
Mobile home park <sup>1, 2, 12</sup>		
Senior housing	Guest room, suite or dwelling unit.	0.75
Multiple-family dwelling <sup>1, 2, 12, 16</sup>		
Located in R-3, R-4-L, T, HMR-SRD, and PRD Districts <sup>12</sup>	Dwelling.	1.50
Located in R-4, C-1, C-2, <del>HM</del> PDB, and M-1 Districts <sup>12</sup>	Dwelling.	1.25
Located in R-5 District <sup>12</sup>	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	



<b>TABLE 1 – Required Off-Street Parking Spaces<sup>9, 14</sup> (All footnotes are in Table 2, below.)</b>		
<b>Use</b>	<b>Unit</b>	<b>Required parking spaces</b>
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club <sup>1</sup>	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Section 13.06.050 Downtown.	
* * *		

\* \* \*

## 7. Development Standards – X-Districts and Multi-family Residential.

### c. Off-street Parking Location:

\* \* \*

#### (3) Multi-Family Development Parking

\* \* \*

(b) Non-X-Districts: In multi-family residential developments, [including multi-family residential development with a commercial component](#), all on-site 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 or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed the following:

- Surface parking and access thereto shall not occupy more than 50% of the front yard and corner street side yard street frontages and more than 80 feet in continuous street level frontage.
- Surface parking located to the side of a structure meeting the maximum setback shall not exceed a maximum of 60 feet in width for paved vehicular area.
- Surface parking shall not be located between a structure meeting the “build-to area” maximum setbacks and the pedestrian street right-of-way.

\* \* \*

## 13.06.100 Building design standards.

### A. Commercial District Minimum Design Standards.

#### 1. General applicability.

The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development as outlined below, except as follows:

\* \* \*

#### e. Residential and/or mixed-use.

(1) Single, two, and three-family dwellings are subject only to the design standards in Subsection E. Townhouses are subject only to the design standards in Subsection H. For other residential uses, such as mixed-use buildings and multi-family dwellings of 4 units or more, the standards herein apply unless otherwise noted.

(2) Multi-family residential development with a commercial component located within the C1, C2, T, and PDB zoning districts, and within the Neighborhood Commercial FLUM (as defined in Figure 2 of the Urban Form chapter of the Comprehensive Plan) are subject to the requirements in Section 13.06.100.B Mixed-Use District Minimum Design Standards.

(3) Single-family dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-family dwellings shall not increase the level of nonconformity.

\* \* \*

#### 7. Pedestrian Standards.

Purpose: The following standards are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.	
a. Customer entrances	<p>(1) Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>(2) Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.030 or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
<u>b. Residential Entrances</u>	<p><u>(1) Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. Buildings that have a shared main entrance must use the shared main entrance to fulfill the requirements of this standard.</u></p> <p><u>(a) The shared main entrance must face the street or be at an angle of up to 45 degrees from the street.</u></p> <p><u>(b) The shared main entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis.</u></p> <p><u>(2) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</u></p>

b.c. Street level weather protection	<p>(1) Weather protection shall be provided above a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>(2) Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>(3) Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.</p>
--------------------------------------	--

\* \* \*

## B. Mixed-Use District Minimum Design Standards.

\* \* \*

### 2. Zoning District Applicability.

The following requirements apply to all development located in any X-District; [and to multi-family residential development with a commercial component located within the C1, C2, T, and PDB zoning districts and within the Neighborhood Commercial FLUM \(as defined in Figure 2 of the Urban Form chapter of the Comprehensive Plan\)](#), except where noted or unless specifically exempted.

\* \* \*

## 9. Pedestrian Standards.

Purpose: The following standards are intended to enhance pedestrian mobility and safety by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

a. Customer entrances	<p>(1) Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>(2) Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.030 or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
b. Residential Entrances	<p>(1) <u>Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. Buildings that have a shared main entrance must use the shared main entrance to fulfill the requirements of this standard.</u></p> <p>(a) <u>The shared main entrance must face the street or be at an angle of up to 45 degrees from the street.</u></p> <p>(b) <u>The shared main entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis.</u></p> <p>(2) <u>Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</u></p>
c. Street level weather protection	<p>(1) Weather protection shall be provided above a minimum of 50 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage. Façades or portions of façades where planting strips of more than 5 feet in width separate the walkway from the building wall are exempt from these standards.</p> <p>(2) Mixed-Use Center District designated pedestrian streets. Weather protection shall be provided above a minimum of 80 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>(3) Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>(4) Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar accessories to not less than 3 feet in width.</p> <p>(5) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</p>

\* \* \*

\* \* \*



## ORDINANCE NO. 28906

1 AN ORDINANCE relating to land use and zoning; amending various chapters in  
2 Title 1, relating to Administration and Personnel, and Title 13, relating to  
3 the Land Use Regulatory Code of the Tacoma Municipal Code, to adopt  
4 minor code amendments, as part of the 2023 Annual Amendment to the  
Comprehensive Plan and Land Use Regulatory Code, as recommended  
by the Planning Commission.

5 WHEREAS the 2023 Annual Amendment to the One Tacoma  
6 Comprehensive Plan and Land Use Regulatory Code ("2023 Amendment")  
7 includes the following six applications: (1) an amendment to the Future Land Use  
8 Map in the One Tacoma Comprehensive Plan ("Comprehensive Plan") for the  
9 Mor Furniture site, (2) an amendment to the Land Use Regulatory Code  
10 ("Regulatory Code") pertaining to electric fences, (3) an amendment to the  
11 Regulatory Code pertaining to shipping containers, (4) an amendment to the  
12 Regulatory Code pertaining to delivery-only retail businesses, (5) an amendment  
13 to the Regulatory Code pertaining to commercial zoning, and (6) minor  
14 amendments to the Comprehensive Plan and Regulatory Code, and  
15

16 WHEREAS this ordinance pertains to the minor plan and code amendment  
17 application, and as recommended by the Planning Commission ("Commission"),  
18 includes seven technical amendments to the Tacoma Municipal Code ("TMC") that  
19 are intended to maintain consistency with state and local laws, correct minor  
20 errors, address inconsistencies, keep information current, and clarify and improve  
21 provisions that, through implementation of the plan and the code, are found to be  
22 unclear or not fully meeting their intent, and  
23  
24  
25  
26



1           WHEREAS the Commission completed its review of the 2023 Amendment  
2 through an extensive and inclusive public engagement process, including a public  
3 hearing on April 5, 2023, and the Commission forwarded to the City Council, and  
4 filed with the City Clerk's Office, the Commission's Findings of Fact and  
5 Recommendations Report for the 2023 Amendment along with a letter of  
6 recommendations, both dated May 17, 2023, and  
7

8           WHEREAS the report documents the public review and community  
9 engagement process and the Commission's deliberations and decision-making  
10 concerning the six applications, and  
11

12           WHEREAS the Commission recommended that the City Council adopt the  
13 seven minor amendments to the TMC, and the Commission's recommendations are  
14 consistent with the Growth Management Act, the One Tacoma Plan, Tacoma 2025,  
15 and the City's health, equity and sustainability policy, and  
16

17           WHEREAS pursuant to TMC 13.02.070.I.1, the City Council shall hold a  
18 public hearing before enacting any proposed amendments to the Comprehensive  
19 Plan and the TMC, and the City Council has fulfilled said requirement by conducting  
20 a public hearing on June 27, 2023, concerning all six applications for the 2023  
21 Amendment; Now, Therefore,  
22  
23  
24  
25  
26



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 1.42 of the Tacoma Municipal Code ("TMC") entitled "Landmarks Preservation Commission Code," Chapter 13.04 of the TMC entitled "Platting and Subdivisions," Chapter 13.06 of the TMC entitled "Zoning," and Chapter 13.11 TMC entitled "Critical Areas Preservation," are hereby amended, all as set forth in Exhibits "A," "B," "C," and "D," which exhibits are incorporated as though fully set forth herein.

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

# EXHIBIT “A”

## CHAPTER 1.42 LANDMARKS PRESERVATION COMMISSION

\* \* \*

### 1.42.040 Composition of the Landmarks Preservation Commission.

All members of the Commission shall have a demonstrated interest and familiarity with basic historic preservation issues, either through professional practice or volunteer work, and shall be residents within the boundaries of the City, ~~except as provided elsewhere in this chapter.~~

The Landmarks Preservation Commission shall consist of 11 members as follows:

A. Architect Positions: The Commission shall include a minimum of three members who are currently or have been in the past professionally certified architects. These positions shall be named Architect Positions 1 through 3.

\* \* \*

D. Temporary vacancies of one or all of the professional positions shall not render actions by the Commission invalid, unless the Commission action is related to meeting Certified Local Government (“CLG”) responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the state.

~~E. Exception to the residency requirement may be granted by City Council in order to fill vacancies for professional positions.~~

~~F.~~ E. The Appointments Committee may, at its discretion, solicit nominations from neighborhood community associations, business districts, and professional organizations to ensure geographic and professional diversity within the Commission.

~~G.~~ F. The provisions of this chapter shall be enforced as vacancies occur following the adoption of this legislation.

\* \* \*

\* \* \*



# EXHIBIT “B”

## CHAPTER 13.04 PLATTING AND SUBDIVISIONS

\* \* \*

### 13.04.090 Short plat/short subdivision procedures.

#### A. Administration.

The Director or designee is vested with the duty of administering the provisions of this section and with the authority to summarily approve or disapprove proposed preliminary and final short plats. The Director or designee may prepare and require the use of such forms and develop policies deemed essential to the effective administration of this code.

#### B. Application.

Applications for approval of preliminary short subdivisions shall be submitted to Planning and Development Services and shall be accompanied by a proposed short plat which includes pertinent survey data compiled as a result of a survey of the property made by or under the supervision of a ~~registered land~~ [Washington State Licensed Land Surveyor](#). In addition, an application will include a title report and free consent statement signed by all owners of land within the proposed short plat. All surveys shall be accomplished as required by the Survey Recording Act (RCW 58 and WAC 332), and shall be monumented in accordance with the Survey Recording Act and Public Works specifications. In addition to the survey data, the short plat application shall be considered complete when the following information is received by the Planning and Development Services Department:

1. A completed application form including the following information: name(s), mailing address(es), and phone number(s) of applicant(s) and property owner(s); legal description of property; County Assessor's parcel number; general location of property; current use of property; proposed improvements; signature of applicant(s); and date signed.

\* \* \*

6. A City-approved preliminary short plat layout drawing containing the following information:

\* \* \*

m. The preliminary locations of proposed stormwater facilities and BMPs private and municipal stormwater systems required to serve each lot as well as any shared private and municipal stormwater BMPs systems that shall serve the development short plat/short subdivision;

~~nn.~~ n. The accurate location, material and size of all monuments. Monuments shall meet the specifications of the Survey Recording Act and Public Works Department;

~~oo.~~ o. Certification by a registered land surveyor to the effect that the short plat is a true and correct representation of the lands actually surveyed and that all the monuments shown thereon actually exist, or that, in lieu of their placement, a bond has been provided in conformance with Section 13.04.100.H of this chapter, and that the location, size and material of the monuments are correctly shown.

7. Additional application information which may be requested by the Department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, transportation impact studies, and wastewater capacity analysis.

#### C. Stormwater Vesting

1. Projects are considered to be vested to the current Stormwater Management Manual when:

a. All relevant plans, specifications, and supporting documents necessary to meet the design requirements of the SWMM for the proposed project have been received by the City for review.

This may include, but is not limited to, Civil Plans and Stormwater Site Plan including all necessary appendices.

b. The City of Tacoma has deemed the permit application complete.

2. Vesting for compliance with the Stormwater Management Manual is limited to timeframes specified in the most recent City of Tacoma Phase I Municipal Stormwater Permit.

**D. Process.**

Upon Submittal of a complete preliminary short plat/short subdivision application, at least one copy of the preliminary short plat shall be transmitted for review and comment to departments and agencies as determined by the Planning and Development Services Department. Short subdivision applications that are adjacent to a transit street or within 1,000 feet of a bus stop shall be forwarded to Pierce Transit for review and comment.

The Planning and Development Services Department shall assemble the agency comments and prepare a written preliminary report to the Director. The report shall contain an analysis of the applicable criteria for the approval of preliminary short subdivisions, public notice comments for five- to nine-lot short subdivisions, agency comments received, and requested conditions of approval.

At the time of submission of application for final short plat the applicant shall request creation of any required new address(es).

**E. Notification.**

\* \* \*

**F. Approval.**

\* \* \*

**G.** After approval of a preliminary short plat application by the Director, the short plat shall be filed with the Pierce County Auditor for recording, and only after such filing shall the short plat be deemed approved and accepted by the City of Tacoma, provided that:

1. The final short plat drawing submitted for recording substantially conforms to the approved preliminary short plat and the approved preliminary short subdivision decision and is submitted within the time limits set forth in Chapter 13.05 of the Tacoma Municipal Code.

2. All requirements specified in the preliminary short subdivision decision are fully complied with and all required public dedications and improvements, including, but not limited to, rights-of-way, easements, streets, alleys, pedestrian ways, bike routes, sidewalks, ~~storm drainage facilities~~ municipal and private stormwater systems, sewer systems, and water and electrical distribution systems, shall be provided in accordance with the requirements of this chapter, and any other applicable codes and ordinances of the City of Tacoma.

**H. Final Short Plat.**

The final short plat shall be submitted to the Planning and Development Services Department and shall be an accurate short plat for official record, surveyed and prepared by, or under the supervision of, a Washington State Licensed registered ~~L~~ and surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The final short plat shall be prepared in accordance with the regulations set forth in subsequent sections of this chapter and the City's Comprehensive Plan and applicable ordinances, manuals, design specifications, plans and guidelines in Section 13.04.120. When the final short plat is submitted to the Planning and Development Services Department for processing, it shall be accompanied by two copies of a title report confirming that the title of lands, as described and shown on the short plat, is in the name of the owner(s) signing the certificate of the short plat. The final short plat will be reviewed by the City Engineer and representatives of the Water and Light Divisions of the Department of Public Utilities, and the Tacoma-Pierce County Health Department.

**I. Contents of Final Short Plat.**

The final short plat shall be drawn to a scale of 100 feet or less, but, preferable, 100 feet to the inch, and shall show:

\* \* \*

14. Certification by a ~~registered~~ Washington State Licensed ~~H~~L and ~~s~~Surveyor to the effect that the final short plat is a true and correct representation of the lands actually surveyed and that all monuments shown thereon actually exist, or, in lieu of their placement, that a bond has been provided in conformance with Section 13.04.090.I. of this chapter, and that their location, size, and material are correctly shown.

\* \* \*

## 21. Conditions of Approval.

Applicant shall include demonstration of compliance of conditions of preliminary short plat.

\* \* \*

~~H~~I. Monuments to be Placed Prior to Submission of Final Short Plat.

\* \* \*

~~J~~K. All final short plats hereafter shall contain the following dedicatory language:

\* \* \*

~~K~~L. Conditions of Approval of the Final Short Plat.

Before approval of the final short plat, the Director will require:

1. That all street grading and grading along street lines, including sidewalk areas and bus stop areas, be approved by the City Engineer to ensure proper transition from street grade to adjacent property.
2. Surfacing of all roadways, bike routes, and pedestrian ways with an all-weather surface approved by the City Engineer; this shall include the construction of curbs and gutters of Portland cement concrete or an equivalent as approved by the City Engineer in accordance with the specifications of the City of Tacoma.
3. Installation of necessary facilities for the proper handling of stormwater including identification and design of all private stormwater systems that are required for each individual lot as well as any shared municipal or private stormwater systems that shall serve the platted development or ROW improvements related to the short plat. ~~storm drainage~~ as approved by the City Engineer.

\* \* \*

~~L~~M. Approval of Final Short Plat.

\* \* \*

~~M~~N. Issuance of Building Permits.

The issuance of a building permit or other development permit for the development of a short subdivision may be delayed or issued contingent upon the subdivider's providing for adequate access, ~~storm drainage~~ stormwater facilities systems, sewer systems and water supply systems, and electrical power supply systems. If required improvements are not properly installed prior to the issuance of a building permit or other development permit, surety may be required in accordance with Section 13.04.100.J.8 of this chapter.

\* \* \*

~~N~~O. The development of any improvements associated with a short plat will not be permitted until after a short subdivision approval decision is final, the applicant has submitted the final short plat and the necessary construction and site development documents in compliance with the short subdivision decision. It is anticipated that partial permits to allow grading, clearing, etc., may be issued prior to the issuance of the final short plat for streets and utilities. Development pursuant to Sections 13.04.300 (Model homes) and 13.04.305 (Temporary rental or sales offices, contractors' offices and signs) are exempt from this provision.

\* \* \*

~~O~~P. Resubdivision.

\* \* \*

### **13.04.100 Plat/subdivision procedures.**

#### **A. Application.**

\* \* \*

6. A City-approved plat layout drawing containing the following information:

\* \* \*

k. The locations of existing stormwater systems and sanitary sewers, water mains and electric conduits or overhead power lines to be used to serve the property shall be shown at points of proposed connection.

l. The preliminary locations of proposed municipal and private stormwater systems required to serve each lot as well as any shared private stormwater systems that shall serve the plat/subdivision.

m. All existing buildings and required setbacks for each lot shall be shown.

n. The mylar shall be stamped by a Professional Land Surveyor or Professional Civil Engineer licensed in the State of Washington.

\* \* \*

8. Additional application information may be requested by the Department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, transportation impact studies, and wastewater capacity analysis.

\* \* \*

#### **B. Process.**

Upon submittal of a complete preliminary plat application, Planning and Development Services shall transmit at least one copy of the plat for review and comment to departments and agencies as determined by Planning and Development Services. Preliminary plat applications for plats that are adjacent to a transit street or within 1,000 feet of a bus stop shall be forwarded to Pierce Transit for review and comment.

Planning and Development Services shall assemble the agency comments and prepare a written preliminary report to the Hearing Examiner. The report shall be transmitted to the Examiner and applicants a minimum of seven days prior to the date of the public hearing on the application. The report shall contain an analysis of the applicable criteria for the approval of preliminary plats, agency comments, an environmental determination and requested conditions of approval.

At the time of submission of application for final plat the applicant shall request creation of any required new address(es).

#### **C. Stormwater Vesting**

1. Projects are considered to be vested to the current Stormwater Management Manual when:

a. All relevant plans, specifications, and supporting documents necessary to meet the design requirements of the SWMM for the proposed project have been received by the City for review. This may include, but is not limited to, Civil Plans and Stormwater Site Plan including all necessary appendices.

b. The City of Tacoma has deemed the permit application complete.

2. Vesting for compliance with the Stormwater Management Manual is limited to timeframes specified in the most recent City of Tacoma Phase I Municipal Stormwater Permit.

\* \* \*

#### **E.D. Notification**

\* \* \*

**DE**. Hearing Examiner or Director Review of Preliminary Plat.

\* \* \*

2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other Adopted City Ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

\* \* \*

**EF**. Final Plat Approval.

The final plat for the subdivision shall be submitted to Planning and Development Services and shall be an accurate plat for official record, surveyed and prepared by, or under the supervision of, a ~~registered~~ Washington State Licensed Land ~~s~~Surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The final plat shall be prepared in accordance with the regulations set forth in subsequent sections of this chapter and the City's Comprehensive Plan and applicable ordinances, manuals, design specifications, plans, and guidelines, in section 13.04.120. When the final plat is submitted to Planning and Development Services for processing, it shall be accompanied by two copies of a title report confirming that the title of lands, as described and shown on the plat, is in the name of the owner(s) signing the certificate of the plat. The final plat will be reviewed by the City Engineer and by representatives of the Water and Light Divisions of the Department of Public Utilities, and the Tacoma-Pierce County Health Department.

Planning and Development Services shall prepare a report summarizing the findings and recommendations of the reviewing departments and agencies and shall file said report and request with the Director. The Director or designee shall review the final plat. The Director's review shall be limited to ensuring that the final plat conforms to all requirements of this chapter and that all required improvements have been constructed or bonded. The Director shall issue a report approving or denying the final plat and shall transmit a copy of the report to the applicant and parties of record. The decision shall be final, unless appealed to the Hearing Examiner within 14 days of the date of the Director's decision.

An applicant may develop a plat in two or more phases. If phasing is to be used in the development, it is recommended that an applicant identify the proposed phasing plan at the time of preliminary plat approval so that appropriate conditions for each phase can be developed. When an applicant requests final plat approval for a specific phase of a plat subsequent to approval of the preliminary plat, the Director shall determine, after consultations with affected departments and agencies, the conditions of approval necessary to support that phase of the development. Each phase of a plat must receive final plat approval within the time period identified in Section 13.04.100.E.

\* \* \*

**EG**. Contents of Final Plat.

\* \* \*

14. Certification by a ~~registered~~ Washington State Licensed Land ~~s~~Surveyor to the effect that the plat is a true and correct representation of the lands actually surveyed and that all monuments shown thereon actually exist, or, in lieu of their placement, that a bond has been provided in conformance with Section 13.04.100.G. of this chapter, and that their location, size, and material are correctly shown.

\* \* \*

21. Conditions of Approval

Applicant shall include demonstration of compliance of conditions of preliminary plat.

\* \* \*

**G.H.** Monuments to be Placed Prior to Submission of Final Plat.

\* \* \*

**H.I.** All final plats hereafter shall contain the following dedicatory language:

\* \* \*

**I.J.** Conditions of Approval of the Final Plat.

\* \* \*

3. Installation of necessary facilities for the proper handling of ~~storm drainage~~ stormwater including identification and design of all private stormwater systems that are required for each individual lot as well as any shared municipal or private stormwater systems that shall serve the platted development or ROW improvements related to the plat. as approved by the City Engineer.

\* \* \*

**J.K.** Approval of Final Plat.

\* \* \*

**K.L.** The development of any improvements associated with a plat will not be permitted until after the approval of a subdivision decision is final, the applicant has submitted the final plat for recording and the necessary construction and site development documents in compliance with the subdivision decision. It is anticipated that partial permits to allow grading, clearing, etc., may be issued prior to the issuance of the final plat for streets and utilities. Development pursuant to Sections 13.04.300 (Model homes) and 13.04.305 (Temporary rental or sales offices, contractors' offices and signs) are exempt from this provision.

\* \* \*

\* \* \*

## CHAPTER 13.06

### ZONING

\* \* \*

\* \* \*

### E. District use restrictions.

\* \* \*

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

\*Current table on pages 183-190 will be replaced with the following table

<u>Uses</u> <sup>3</sup>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations</u> <sup>1, 3</sup>
<b><u>Agriculture and Natural Resources</u></b>										
-	<u>Agricultural uses</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.</u>
-	<u>Mining and quarrying</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Existing surface mines considered permitted as conditional use, subject to requirements contained in Section 13.06.080.O.</u>
-	<u>Urban horticulture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b><u>Residential Uses</u></b>										

<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1, 3</sup></u>
<u>Dwelling Types</u>		-	-	-	-	-	-	-	-	-
-	<u>Dwelling, accessory (ADU)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.A.</u>
-	<u>Dwelling, single-family detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>No lot shall contain more than one dwelling unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process.</u>
-	<u>Dwelling, two-family</u>	<u>N</u>	<u>CU<sup>2</sup></u>	<u>P/CU</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit.</u> <u>In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit.</u> <u>Subject to additional requirements contained in Section 13.06.100.</u>



<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
-	<u>Dwelling, three-family</u>	<u>N</u>	<u>N</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<p><u>In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit.</u></p> <p><u>For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district. Subject to additional requirements contained in Section 13.06.100.</u></p>

<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
-	<u>Dwelling, multiple-family</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P/N</u>	<u>CU<sup>2</sup></u>	<u>P</u>	<u>P</u>	<u>P</u>	<p><u>In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005.</u></p> <p><u>In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.060), but requires issuance of a conditional use permit.</u></p>
-	<u>Dwelling, townhouse</u>	<u>N</u>	<u>CU<sup>2</sup></u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<p><u>Subject to additional requirements contained in Section 13.06.020.G. In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit.</u></p> <p><u>In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.060).</u></p>
<u>Other Residential</u>		-	-	-	-	-	-	-	-	-
-	<u>Adult family home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N</u>
-	<u>Day care, family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Must be licensed by the State of Washington.</u>

<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
-	<u>Foster home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Group housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>In the R-1, R-2, R-2SRD, and HMR-SRD districts, group housing is limited to 6 or fewer unrelated adults.</u> <u>In the R-3 district, group housing is limited to 15 or fewer unrelated adults.</u> <u>In the R-4-L, R-4 and R-5 districts, there is no limit to the allowed number residents in a group housing facility.</u>
-	<u>Home occupation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.G</u>
-	<u>Live/Work</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Mobile home/trailer court</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.090.B.</u>
-	<u>Short-term rental</u>	<u>N</u>	<u>N</u>	-	-	-	<u>N</u>	-	-	-
-	<u>Staffed residential home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
-	<u>Student housing</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
-	<u>Retirement home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
<b><u>Medical and Health Services</u></b>										
<u>Continuing care retirement community</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
<u>Detoxification center</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Hospital</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-

<u>Uses<sup>3</sup></u>	<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
<u>Intermediate care facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
<u>Residential care facility for youth</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.N.</u>
<u>Residential chemical dependency treatment facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.N.</u>
<b><u>Community and Civic Facilities</u></b>									
<u>Assembly facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Cemetery/ Internment services</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A.</u>
<u>Confidential shelter</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.N.</u>
<u>Correctional facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Cultural institution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Detention facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Side yards shall be provided as specified in Section 13.06.010.</u>
<u>Juvenile community facility</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Section 13.06.080.H.</u>



<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1, 3</sup></u>
-	<u>Eating and drinking</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>For R-5, minor eating and drinking establishments are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities, are designed primarily to serve on-site residents, and are consistent with a restaurant use per Section 13.01.060.</u>
-	<u>Microbrewery/ winery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Entertainment and Recreation</u>		-	-	-	-	-	-	-	-	-
-	<u>Adult retail and entertainment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Carnival</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.080.P.</u>
-	<u>Commercial recreation and entertainment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Golf Courses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Theater</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Retail</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>For R-5, minor retail businesses such as drug stores and newsstands are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.</u>

<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
-	<a href="#">Marijuana retailer</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Nursery</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Services</u>		-	-	-	-	-	-	-	-	-
-	<a href="#">Ambulance services</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Animal sales and service</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Building material and services</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Business support services</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Day care center</a>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	Subject to additional requirements contained in <a href="#">Section 13.06.080.E</a> . For R-4-L, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.
-	<a href="#">Funeral home</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<a href="#">Personal services</a>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.





<u>Uses<sup>3</sup></u>		<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1,3</sup></u>
-	<u>Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Smelting</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Industry, light</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle service and repair, industrial</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Research and development industry</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Marijuana processor, producer, and researcher</u>	<u>P</u>	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Utilities, Transportation and Communication Facilities</u>										
<u>Airport</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Communication facility</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Antennas for such facilities are subject to the additional requirements contained in Section 13.06.080.Q.</u>
<u>Heliport</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Passenger terminal</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Transportation/ freight terminal</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Utilities</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Wireless communication facility</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Section 13.06.080.Q and the time limitations set forth in Chapter 13.05, Table H.</u>

<u>Uses<sup>3</sup></u>	<u>R-1</u>	<u>R-2</u>	<u>R-2SRD</u>	<u>HMR-SRD</u>	<u>R-3</u>	<u>R-4-L</u>	<u>R-4</u>	<u>R-5</u>	<u>Additional Regulations<sup>1, 3</sup></u>
<b><u>Accessory and Temporary Uses</u></b>									
<u>Seasonal sales</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to additional requirements contained in Section 13.06.080.P.</u>
<u>Temporary uses</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>See Section 13.06.080.P</u>
<b><u>Unlisted Uses</u></b>									
<u>Uses not prohibited by City Charter and not prohibited herein</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b><u>Footnotes:</u></b>									
<sup>1</sup> For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements. <sup>2</sup> Certain land uses, including two-family, townhouse, and cottage housing in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.060. <sup>3</sup> Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.									

\* \* \*

### 13.06.030 Commercial Districts.

\* \* \*

E. District use restrictions.

\* \* \*

4. District use table.

\*Current table on pages 208-213 will be replaced with the following table

<u>Uses<sup>4</sup></u>		<u>T</u>	<u>C-1</u>	<u>C-2<sup>1</sup></u>	<u>PDB</u>	<u>Additional Regulations<sup>2,3,4</sup> (also see footnotes at bottom of table)</u>
<b><u>Agriculture and Natural Resources</u></b>						
-	<u>Agricultural uses</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed.</u>
-	<u>Mining and quarrying</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Existing surface mines are permitted as conditional uses, subject to specific requirements in Section 13.06.080.O.</u>
-	<u>Urban horticulture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b><u>Residential Uses</u></b>						
<u>Dwelling Types</u>		-	-	-	-	-
-	<u>Dwelling, accessory (ADU)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in 13.06.080.A.</u>
-	<u>Dwelling, single-family detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.</u>
-	<u>Dwelling, two-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.</u>
-	<u>Dwelling, three-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.</u>
-	<u>Dwelling, multiple-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Dwelling, townhouse</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Other Residential</u>		-	-	-	-	-
-	<u>Adult family home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See definition for bed limit.</u>

Uses <sup>4</sup>		<u>T</u>	<u>C-1</u>	<u>C-2</u> <sup>1</sup>	<u>PDB</u>	<u>Additional Regulations</u> <sup>2,3,4</sup> (also see footnotes at bottom of table)
-	<u>Day care, family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Foster home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Group housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Home occupation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to additional requirements contained in Section 13.06.080.G</u>
-	<u>Live/Work</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Projects incorporating live/work in new construction shall contain no more than 20 live/work units.</u> <u>Subject to additional requirements contained in Section 13.06.080.I.</u>
-	<u>Mobile home/trailer court</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	-
-	<u>Short-term rental</u>	-	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Staffed residential home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N. See definition for bed limit.</u>
-	<u>Student housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Retirement home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N.</u>
<b><u>Medical and Health Services</u></b>						
<u>Continuing care retirement community</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N.</u>
<u>Detoxification center</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Hospital</u>		<u>N</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	-
<u>Intermediate care facility</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N.</u>
<u>Residential care facility for youth</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N. See definition for bed limit.</u>
<u>Residential chemical dependency treatment facility</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N.</u>
<b><u>Community and Civic Facilities</u></b>						
<u>Assembly facility</u>		<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Cemetery/ Internment services</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit.</u>

Uses <sup>4</sup>		<u>T</u>	<u>C-1</u>	<u>C-2<sup>1</sup></u>	<u>PDB</u>	<u>Additional Regulations<sup>2,3,4</sup> (also see footnotes at bottom of table)</u>
<u>Confidential shelter</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.080.N. Limit: 15 residents in T District.</u>
<u>Correctional facility</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Cultural institution</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	-
<u>Detention facility</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Juvenile community facility</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Prohibited except as provided for in Section 13.06.080.H.</u>
<u>Parks, recreation and open space</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to the requirements of Section 13.06.080.L.</u>
<u>Public service facilities</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Religious assembly</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>School, public or private</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Work release center</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Prohibited except as provided for in Section 13.06.080.R.</u>
<b><u>Commercial Uses</u></b>						
<u>Craft Production</u>		<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E. All production, processing and distribution activities are to be conducted within an enclosed building.</u>
<u>Hotel/Motel</u>		<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	-
<u>Office</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.</u>
<u>Work/Live</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.</u>
<u>Eating and Drinking Establishments</u>		-	-	-	-	-
-	<u>Brewpub</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>2,400 barrel annual brewpub production maximum, equivalent volume wine limit.</u>

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

<u>Uses<sup>4</sup></u>		<u>T</u>	<u>C-1</u>	<u>C-2<sup>1</sup></u>	<u>PDB</u>	<u>Additional Regulations<sup>2,3,4</sup> (also see footnotes at bottom of table)</u>
-	<u>Animal sales and service</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Must be conducted entirely within an enclosed building.</u>
-	<u>Building material and services</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	-
-	<u>Business support services</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Day care center</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to development standards contained in Section 13.06.080.E.</u>
-	<u>Funeral home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	-
-	<u>Personal services</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.</u>
-	<u>Repair services</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.</u>
<u>Storage Uses</u>		-	-	-	-	-
-	<u>Warehouse/ storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Wholesale or distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	-
-	<u>Self-storage</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.090.J.</u>
<u>Vehicle Related Uses</u>		-	-	-	-	-
-	<u>Drivethrough with any permitted use</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). Subject to the requirements of TMC 13.06.090.A.</u>
-	<u>Vehicle rental and sales</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).</u>
-	<u>Vehicle service and repair</u>	<u>N</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>*In the C-1 District, car washes are allowed with a limit of 2 washing bays. Washing bays shall be enclosed on at least 2 sides and covered with a roof. No water shall spray or drain off site. Subject to development standards contained in Section 13.06.080.S. Prohibited in any commercial district combined with a VSD View Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).</u>
-	<u>Vehicle storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-

Uses <sup>4</sup>		<u>T</u>	<u>C-1</u>	<u>C-2<sup>1</sup></u>	<u>PDB</u>	Additional Regulations <sup>2,3,4</sup> (also see footnotes at bottom of table)
<b>Industrial</b>						
<u>Industry, heavy</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Coal facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Chemical manufacturing, processing and wholesale distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Cleaner Fuel Infrastructure</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Petroleum Fuel Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19<sup>1</sup>)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Smelting</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Industry, light</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle service and repair, industrial</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Research and development industry</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	-
-	<u>Marijuana processor, producer, and researcher</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b>Utilities, Transportation and Communication Facilities</b>						
<u>Airport</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Communication facility</u>		<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	-
<u>Heliport</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-



<u>Uses<sup>4</sup></u>	<u>T</u>	<u>C-1</u>	<u>C-2<sup>1</sup></u>	<u>PDB</u>	<u>Additional Regulations<sup>2,3,4</sup> (also see footnotes at bottom of table)</u>
<u>Passenger terminal</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	-
<u>Transportation/ freight terminal</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	-
<u>Utilities</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Wireless communication facility</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Wireless communication facilities are also subject to Section 13.06.080.Q.</u>
<b><u>Accessory and Temporary Uses</u></b>					
<u>Seasonal sales</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to Section 13.06.080.P.</u>
<u>Temporary uses</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to Section 13.06.080.P.</u>
<b><u>Unlisted Uses</u></b>					
<u>Uses not prohibited by City Charter and not prohibited herein</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b><u>Footnotes:</u></b>					
<u>Footnotes:</u> <u>1. Designated Pedestrian Streets - For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and offices.</u> <u>2. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.05.010.A for additional details, limitations and requirements.</u> <u>3. Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.</u> <u>4. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.</u>					

\* \* \*

### 13.06.040 Mixed-Use Center Districts.

\* \* \*

E. District use restrictions.

\* \* \*

3. District use table.

\*Current table on pages 221-229 will be replaced with the following table

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
<b><u>Agriculture and Natural Resources</u></b>										
-	<u>Agricultural uses</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Mining and quarrying</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Urban horticulture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<b><u>Residential Uses</u></b>										
<b><u>Dwelling Types</u></b>										
-	<u>Dwelling, accessory (ADU)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets.</u> <sup>2</sup> See Section 13.06.080.A for specific Accessory Dwelling Unit (ADU) Standards. <u>Prohibited in Commercial-only area of the UCX District.</u>
-	<u>Dwelling, single-family detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets.</u> <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u> <u>Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.</u>

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> <u>(also see footnotes at bottom of table)</u>
-	<u>Dwelling, two-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.
-	<u>Dwelling, three-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Prohibited in Commercial-only area of the UCX District. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.020.G.

[illegible]

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX<sup>1</sup></u>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations<sup>3, 4, 5</sup></u> <u>(also see footnotes at bottom of table)</u>
-	<u>Adult family home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Subject to additional requirements contained in Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX.2 Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
-	<u>Day care, family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
-	<u>Foster home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Prohibited in Commercial-only area of the UCX District.
-	<u>Group housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Prohibited in Commercial-only area of the UCX District.
-	<u>Home occupation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Home occupations shall be allowed in all X-Districts pursuant to the standards found in Section 13.06.080.G.

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
-	<u>Live/Work</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I. Prohibited in Commercial-only area of the UCX District.
-	<u>Mobile home/trailer court</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Short-term rental</u>	-	-	-	-	-	-	-	-	-
-	<u>Staffed residential home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 13.06.080.N. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. <sup>2</sup> Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
-	<u>Student housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	Prohibited at street level along frontage of designated core pedestrian streets in NCX, CCX, UCX, CIX, and HMX Districts. <sup>2</sup> Prohibited in Commercial-only area of the UCX District.
-	<u>Retirement home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 13.06.080.N. In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Prohibited in Commercial-only area of the UCX District.

[illegible]

<u>Uses</u>	<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX<sup>1</sup></u>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations<sup>3, 4, 5</sup></u> <u>(also see footnotes at bottom of table)</u>
<u>Assembly facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	Prohibited at street level along designated pedestrian streets in NCX. <sup>2</sup>
<u>Cemetery/ Internment services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit.
<u>Confidential shelter</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 13.06.080.N. Prohibited at street level along frontage of designated core pedestrian streets in UCX, CIX, CCX, HMX, and NCX. <sup>2</sup> Not subject to minimum densities. Prohibited in Commercial-only area of the UCX District.
<u>Correctional facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Cultural institution</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Detention facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Juvenile community facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P/CU</u>	<u>P</u>	<u>N</u>	<u>P/CU</u>	<u>CU</u>	In NCX, CCX, UCX, CIX, and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.080.H for additional information about size limitations and permitting requirements. Prohibited in Commercial-only area of the UCX District.
<u>Parks, recreation and open space</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Not subject to RCX residential requirement. <sup>1</sup> Subject to the requirements of Section 13.06.080.L.



<u>Uses</u>	<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> <u>(also see footnotes at bottom of table)</u>
<u>Public service facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>In the NRX District, unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. Not subject to RCX residential requirement.</u> <sup>1</sup>
<u>Religious assembly</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>Not subject to RCX residential requirement.</u> <sup>1</sup>
<u>School, public or private</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>Not subject to RCX residential requirement.</u> <sup>1</sup>
<u>Work release center</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Permitted with no more than 15 residents in the UCX and no more than 25 residents in the CIX, subject to a Conditional Use Permit and the development regulations found in Section 13.06.080.R.</u>
<b><u>Commercial Uses</u></b>									
<u>Craft Production</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.090.E. All production, processing and distribution activities are to be conducted within an enclosed building.</u>

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> <u>(also see footnotes at bottom of table)</u>
<u>Hotel/Motel</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	-
<u>Office</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street.</u> <sup>1</sup>
<u>Work/Live</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.1. Prohibited in Commercial-only area of the UCX District.</u>
<u>Eating and Drinking Establishments</u>		-	-	-	-	-	-	-	-	-
-	<u>Brewpub</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Brewpubs located in NCX, CCX, UCX, and RCX shall be limited to producing, on-premises, a maximum of 2,400 barrels per year of beer, ale, or other malt beverages, as determined by the annual filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.</u>

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

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

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX<sup>1</sup></u>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations<sup>3, 4, 5</sup></u> <u>(also see footnotes at bottom of table)</u>
-	<u>Repair services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited.</u>
<u>Storage Uses</u>										
-	<u>Warehouse/ storage</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>In the UCX, prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
-	<u>Wholesale or distribution</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>In the UCX, prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
-	<u>Self-storage</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>See specific requirements in Section 13.06.090.J. Prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
<u>Vehicle Related Uses</u>										
-	<u>Drivethrough with any permitted use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<u>* In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses. All drive-throughs are subject to the requirements of TMC 13.06.090.A.</u>
-	<u>Vehicle rental and sales</u>	<u>N*</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>In CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u> <u>*Use permitted in the South Tacoma Way Neighborhood Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited.</u>

[illegible]

<u>Uses</u>		<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX</u> <sup>1</sup>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations</u> <sup>3, 4, 5</sup> <u>(also see footnotes at bottom of table)</u>
-	<u>Port, terminal, and industrial; water-dependent or water-related (as defined in Title 19)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Smelting</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Industry, light</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Vehicle service and repair, industrial</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Subject to additional development standards contained in Section 13.06.080.S. Prohibited at street level along frontage of designated core pedestrian streets.</u> <sup>2</sup>
-	<u>Research and development industry</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
-	<u>Marijuana processor, producer, and researcher</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>See additional requirements contained in Section 13.06.080.J</u>
<b><u>Utilities, Transportation and Communication Facilities</u></b>										
<u>Airport</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	-
<u>Communication facility</u>		<u>CU</u>	<u>CU</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Prohibited at street level along frontage of designated pedestrian streets.</u> <sup>2</sup>
<u>Heliport</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	-
<u>Passenger terminal</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<u>Transportation/ freight terminal</u>		<u>P</u>	<u>P</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets.</u> <sup>2</sup>
<u>Utilities</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets.</u> <sup>2</sup> <u>Not subject to RCX residential requirement.</u> <sup>1</sup>

<u>Uses</u>	<u>NCX</u>	<u>CCX</u>	<u>UCX</u>	<u>RCX<sup>1</sup></u>	<u>CIX</u>	<u>HMX</u>	<u>URX</u>	<u>NRX</u>	<u>Additional Regulations<sup>3, 4, 5</sup></u> <u>(also see footnotes at bottom of table)</u>
<u>Wireless communication facility</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Wireless communication facilities are also subject to Section 13.06.080.Q.</u>
<b><u>Accessory and Temporary Uses</u></b>									
<u>Seasonal sales</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>Subject to Section 13.06.080.P.</u>
<u>Temporary uses</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>See Section 13.06.080.P.</u>
<b><u>Unlisted Uses</u></b>									
<u>Uses not prohibited by City Charter and not prohibited herein</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>-</u>
<b><u>Footnotes:</u></b>									
<u>1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.</u> <u>2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.010.D. for the list of designated pedestrian and core pedestrian streets.</u> <u>3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit.</u> <u>4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.080.P.</u> <u>5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.090.C.</u>									

\* \* \*



### **13.06.070 Overlay Districts.**

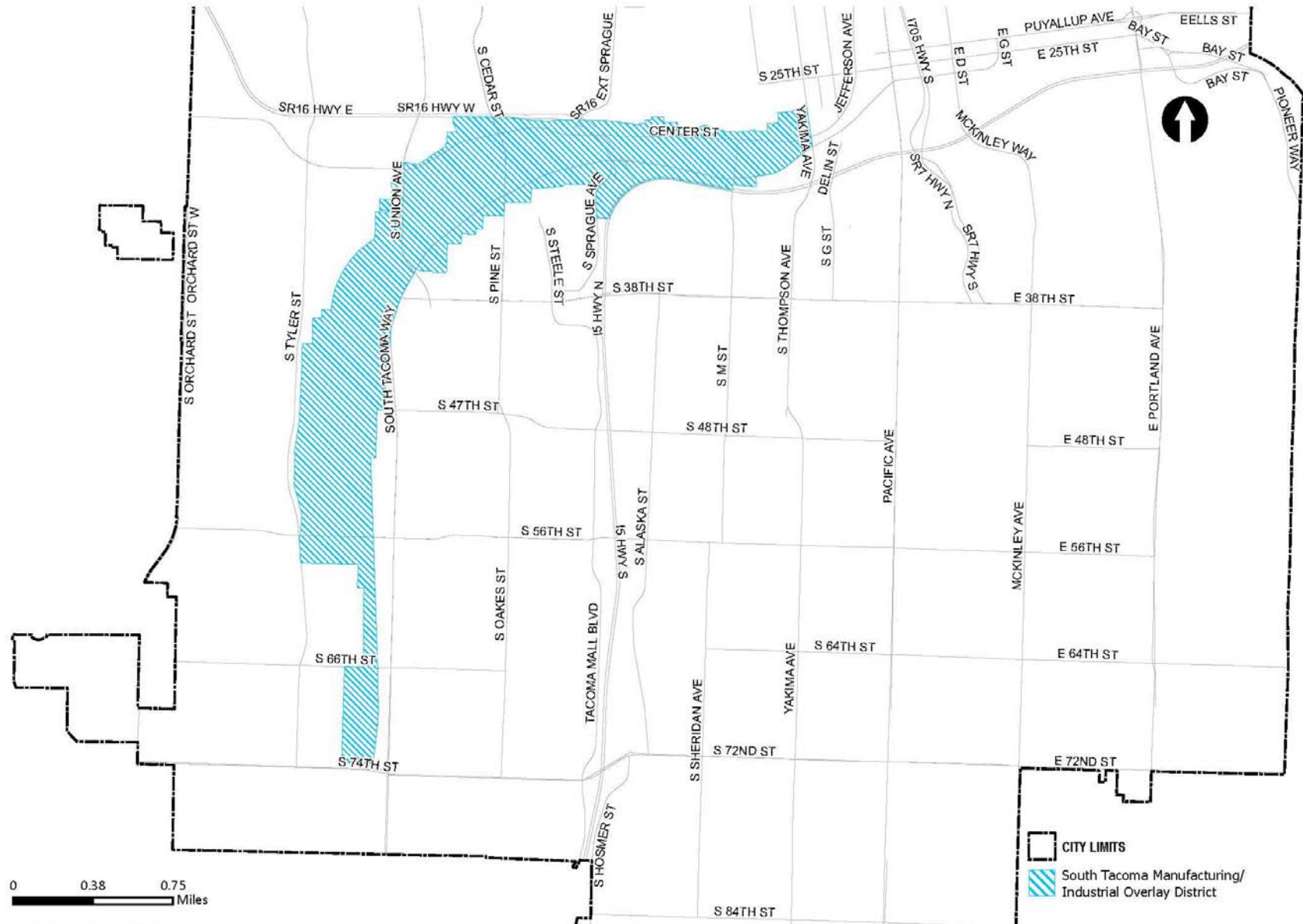
\* \* \*

#### **B. South Tacoma Manufacturing/Industrial Overlay District.**

##### **1. Applicability.**

a. Standards established through the overlay zone are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply.

b. Map.



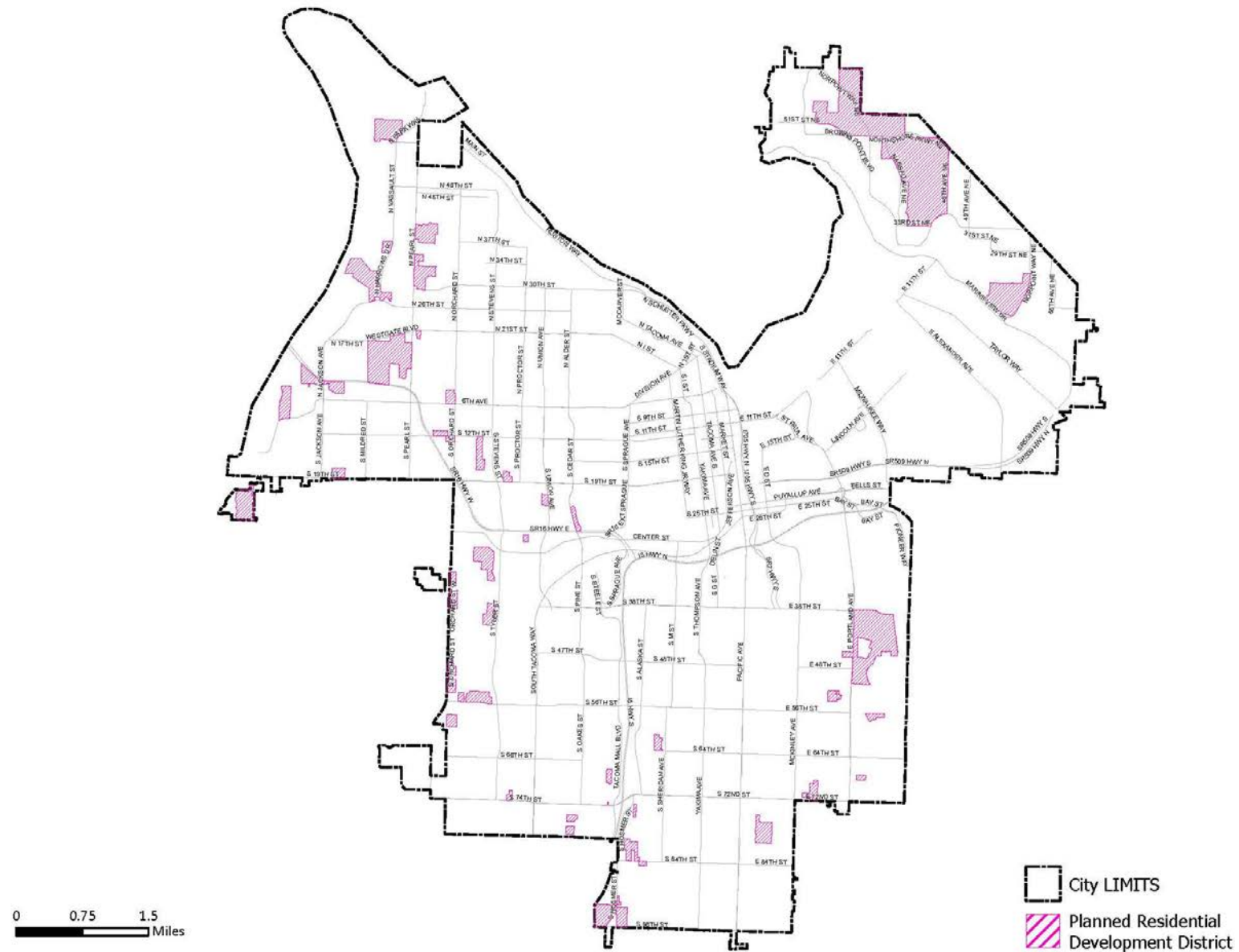
\* \* \*

C. PRD Planned Residential Development District.

1. Applicability.

[a. Map](#)

City of Tacoma | Planning and Development Services  
**PRD Planned Residential Development District**



\* \* \*

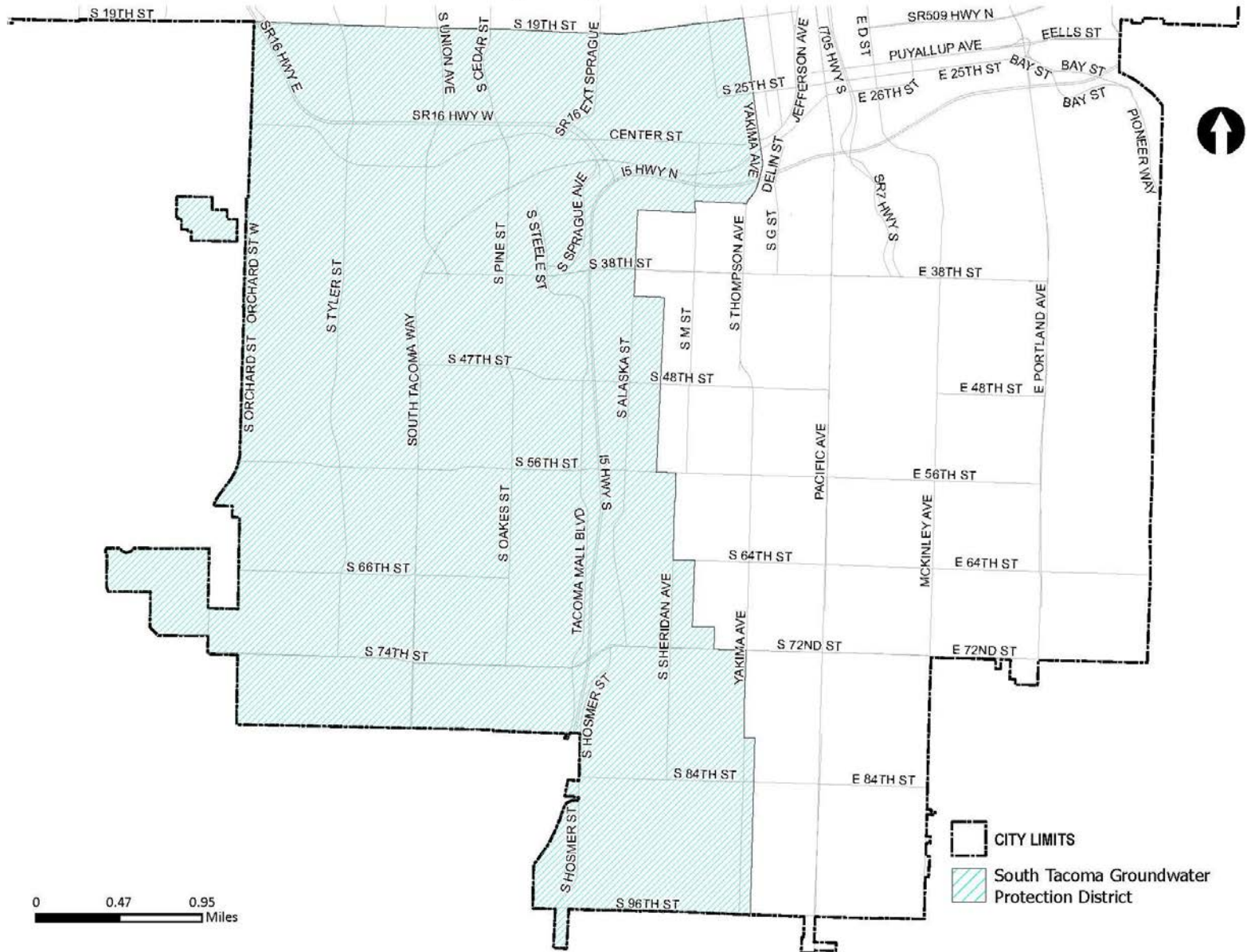
D. South Tacoma Groundwater Protection District (STGPD).

1. Applicability.

\* \* \*

c. Map.

City of Tacoma | Planning and Development Services  
**South Tacoma Groundwater Protection District (STGPD)**



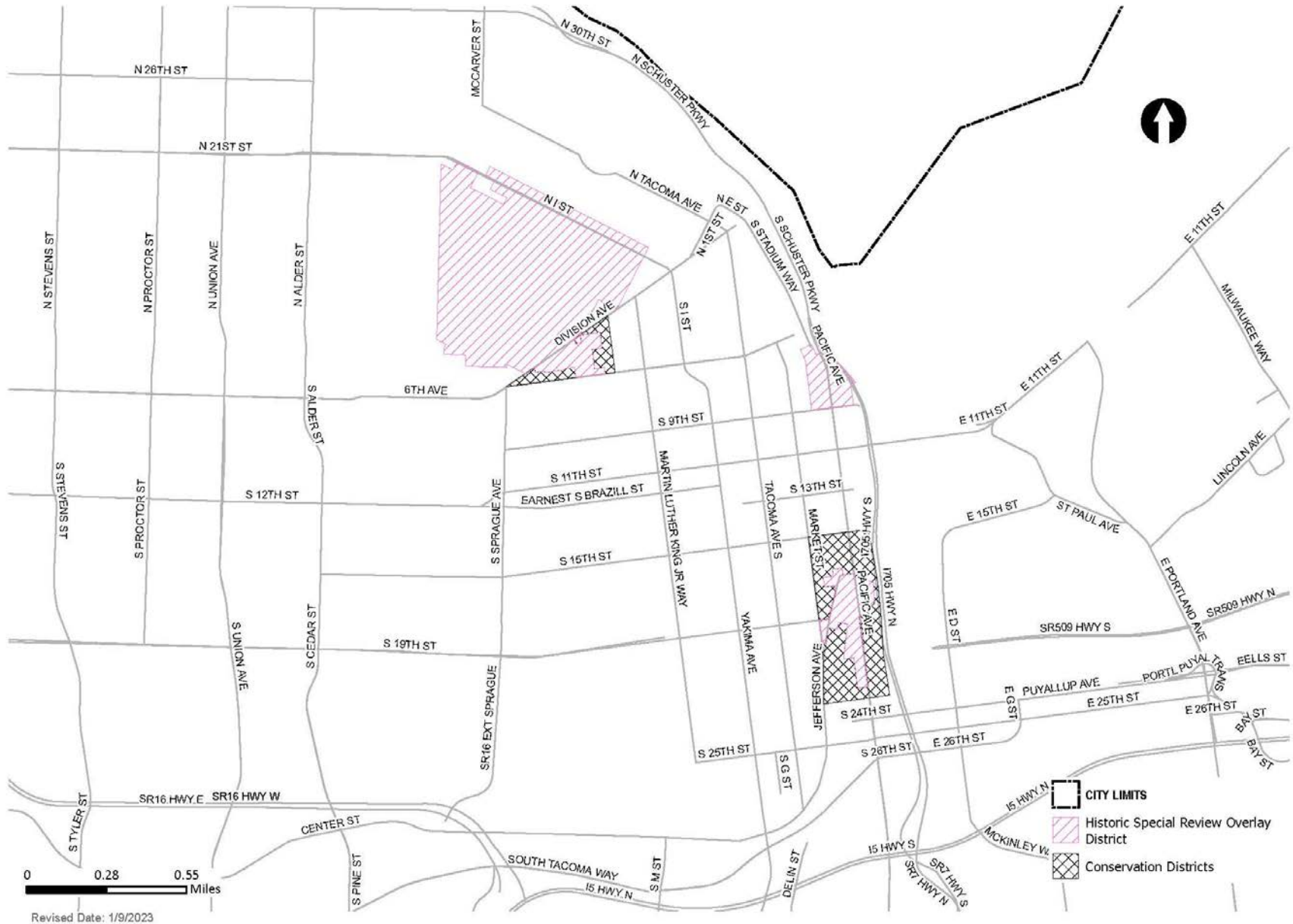
\* \* \*

E. Historic Special Review Overlay District.

1. Applicability.

[a. Map](#)



City of Tacoma | Planning and Development Services  
**Historic Special Review Overlay District**



\* \* \*

F. Joint Base Lewis McChord Airport Compatibility Overlay District (ACD).

1. Applicability.

\* \* \*

d. Map.

## Joint Base Lewis McChord Airport Compatibility Overlay District (ACD)



## 13.06.090 Site Development Standards.

\* \* \*

### I. Sign Standards

\* \* \*

#### 3. General sign regulations.

\* \* \*

##### b. Exempt signs.

\* \* \*

(16) Temporary public event signs not exceeding 12 square feet, and temporary event banners, placed on publicly owned land or adjacent public right-of-way. Signs or banners shall be securely attached to the ground or a structure and must be removed after the event.

(17) Home address signage: one per street face, per unit, including ADUs, located entirely on private property.

\* \* \*

### L. Utilities.

\* \* \*

#### 4. Standards in Mixed-use Districts and Downtown Districts

\* \* \*

#### 6. Standards for Residential Buildings and Developments.

a. Standards for all single, two, ~~and three-family dwellings~~, and multi-family dwellings in X-Districts, and to all two, ~~and three-family dwellings~~, and multi-family dwellings in all districts.

\* \* \*

\* \* \*

# EXHIBIT “D”

## CHAPTER 13.11 CRITICAL AREAS PRESERVATION

\* \* \*

### 13.11.550 FWHCA Modification.

\* \* \*

F. Innovative mitigation per TMC 13.11.270.[LM](#).

When the project cannot meet the minimum standards of this section or the project proponent can demonstrate that a different method will achieve equivalent or better protections for the critical area, it will be reviewed per the standards in 13.11.270.[LM](#).

\* \* \*

### 13.11.620 Standards.

All development proposals shall comply with ~~Sections 2.12.040 through 2.12.050, Title 2 Building and Development Code regarding~~ Flood Hazard and Coastal High Hazard Areas, and ~~Chapter 12.08 Surface Water Management Manual of the TMC~~ [Title 12](#) for general and specific flood hazard protection.

Development shall not reduce the base flood water storage ability. Construction, grading, or other regulated activities which would reduce the flood water storage ability must be mitigated by creating compensatory storage on- or off-site. Compensatory storage provided off-site for purposes of mitigating habitat shall comply with all applicable wetland, stream, and fish and wildlife habitat conservation area requirements. Compensatory storage provided off-site for purposes of providing flood water storage capacity shall be of similar elevation in the same floodplain as the development. Compensatory storage is not required in Coastal A and V Zone flood hazard areas or in flood hazard areas with a mapped floodway but containing no functional salmonid habitat on the site. For sites with functional connection to salmonid bearing waters that provide a fish accessible pathway during flooding, compensatory storage areas shall be graded and vegetated to allow fish refugia during flood events and their return to the main channel as floodwater recede without creating flood stranding risks. Base flood data and flood hazard notes shall be shown on the face of any recorded plat or site plan, including, but not limited to, base flood elevations, flood protection elevation, boundary of floodplain, and zero rise floodway.

\* \* \*

\* \* \*