



Req. #15-1232

ORDINANCE NO. 28336

1 AN ORDINANCE relating to the City's comprehensive plan; amending TMC Titles 1
2 and 13 concerning affordable housing and infill development; and amending
3 TMC Title 13 by amending Chapters 13.02, 13.04, 13.05, 13.06, 13.06A,
4 13.09, 13.11, 13.12, and 13.16 thereof, to update information, address
5 inconsistencies, correct minor errors, provide additional clarity, and improve
6 administrative function, all as part of the proposed amendments to the
7 Comprehensive Plan and Land Use Regulatory Code for 2015 (2015 Annual
8 Amendment) as recommended by the Planning Commission on October 7,
9 2015.

10 WHEREAS amendments to the City's Comprehensive Plan and
11 development regulations are considered on an annual basis, as required by the
12 Growth Management Act, RCW 36.70A, and

13 WHEREAS, for year 2015, the City is required to conduct a "Periodic
14 Update" of the Comprehensive Plan, and

15 WHEREAS the Planning Commission completed its review of the 2015
16 Annual Amendment through a public review process, including a public hearing on
17 August 19, 2015, and made recommendations to the City Council on October 7,
18 2015, as documented in the Planning Commission's Findings of Fact and
19 Recommendations Report, and

20 WHEREAS the City Council conducted a public hearing on October 27,
21 2015, in accordance with Tacoma Municipal Code ("TMC") 13.02, to receive public
22 comments on the Planning Commission's recommendations, and

23 WHEREAS the proposed amendments pertaining to the affordable and infill
24 housing regulations are intended to promote housing affordability and choice
25 throughout the neighborhoods of the City through a range of affordable housing
26 incentives and residential infill proposals, and



1 WHEREAS these proposed affordable and infill housing regulations were
2 developed with extensive input from the City Council-appointed Affordable Housing
3 Policy Advisory Group ("AHPAG") and represent the third and final phase of the
4 implementation of the Affordable Housing Planning Work Program pursuant to City
5 Council Resolution No. 38489, adopted on May 15, 2012, based on the
6 recommendations of the AHPAG, and

7 WHEREAS the proposed amendments to Title 13 also update information,
8 address inconsistencies, correct minor errors, provide additional clarity, and
9 improve administrative function, and

10 WHEREAS the Infrastructure, Planning and Sustainability Committee
11 reviewed the components of the 2015 Annual Amendment between
12 September 2014 and October 2015, and is recommending the proposed
13 amendments for consideration by the City Council, and

14 WHEREAS the Neighborhood and Housing Committee also reviewed certain
15 parts of the 2015 Annual Amendment on an as-needed basis, and

16 WHEREAS the proposed TMC amendments will become effective
17 December 31, 2015; Now, Therefore,

18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. That TMC Title 1 is hereby amended by the addition thereto of a
20 new Chapter 1.39, entitled "Affordable Housing Incentives and Bonuses
21 Administrative Code," to consist of nine sections, to be numbered 1.39.010 through
22 1.39.090, as set forth in the attached Exhibit "A."
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1 Section 2. That Chapters 13.04, 13.05, 13.06, 13.06A, and 13.11 of the
2 TMC, relating to affordable housing incentives, are hereby amended as set forth in
3 the attached Exhibit "B."

4 Section 3. That Chapters 13.02, 13.04, 13.05, 13.06, 13.06A, 13.09, 13.11,
5 13.12, and 13.16 of the TMC are hereby amended as set forth in the attached
6 Exhibit "C," to update information, address inconsistencies, correct minor errors,
7 provide additional clarity, and improve administrative function,

8
9 Passed DEC 01 2015

10 
11 Mayor

12 Attest:

13 
14 City Clerk

15 Approved as to form:

16 
17 Deputy City Attorney



**2015 Annual Amendment
Affordable/Infill Housing Regulations**

Exhibit A

LAND USE REGULATORY CODE CHANGES

Title 1 – Administration and Personnel

Chapter 1.39 – Affordable Housing Incentives and Bonuses Administrative Code (*proposed new chapter*)

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

Chapter 1.39

AFFORDABLE HOUSING INCENTIVES AND BONUSES ADMINISTRATIVE CODE

Sections:

- 1.39.010 Purpose.
- 1.39.020 Definitions.
- 1.39.030 Applicability.
- 1.39.040 Program Requirements.
- 1.39.050 Financial Incentives.
- 1.39.060 Development Incentives.
- 1.39.070 Residential Upzones.
- 1.39.080 Incorporation of Affordable Housing Units.
- 1.39.090 Procedures.

1.39.010 Purpose.

The purpose of this Chapter is to encourage the development of affordable housing for households earning 80 percent or less of the Tacoma median household income, pursuant to the provisions of RCW 36.70A.540. The Growth Management Act (GMA) requires Tacoma to make adequate provisions for existing and projected housing needs of all economic segments of the community. The City recognizes that the real estate market provides adequate housing for those households in the upper economic segments; however, a combination of financial and regulatory incentives will be necessary to adequately provide for the needs of households whose incomes are at or below the City's median household income. The City recognizes the public benefits affordable housing contributes to local communities and businesses.

1.39.020 Definitions.

A. Affordable Housing Incentives Program Covenant Agreement. That document to be signed by the applicant and the City and representing a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant securing affordability requirements and more fully described pursuant to TMC Section 1.39.030.G below.

B. Annual Portion of Net Proceeds Table. An Exhibit to the Affordable Housing Incentives Program Covenant Agreement which details the applicable in-lieu fee percentage to use when determining the required in-lieu fee payment for homeownership projects.

C. Back-End Ratio. Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance plus recurring household expenses paid on a monthly basis divided by the household's gross monthly income.

D. Density Bonus. Additional development capacity available in exchange for the affordable housing provisions proscribed in this Chapter as well as in TMC 13.06 and 13.06A.

E. Front-End Ratio. Housing costs for homeownership projects calculated as the principal, interest, taxes and insurance paid on a monthly basis by a household divided by the household's gross monthly income.

F. Household. Household is defined as all persons living in the same household who are related or unrelated persons who reside in the same dwelling unit as their permanent residence. This does not include live-in aides and/or unrelated persons paying rent for a room.

G. Successor-in-Interest. The household that buys the home from the most recent income qualified household selling the home. The Successor-in-Interest may or may not be income qualified.

H. Up-Front In-Lieu Fee. The per unit in-lieu fee as described in TMC Section 1.39.080 multiplied by the additional units created.

1.39.030 Applicability.

The affordable housing incentives for low-income households may be utilized within a range of zoning designations throughout the City. The incentives and bonuses offered through the provisions of this Chapter may be utilized to gain an increase in height or density pursuant to the provisions and ratios of the applicable provisions of TMC Title 13, as specified in Chapters 13.06 and 13.06A. Additional permitting incentives, including fee reductions and expedited City review, are also authorized through this Chapter. Finally, this Chapter lays out requirements to incorporate housing affordability with the grant of residential upzone requests.

1.39.040 Program Requirements.

A. Duration of Affordability. Affordable housing units created as a result of the provisions of this Chapter shall remain affordable for 50 years, unless an in lieu fee is paid pursuant to the requirements of this Chapter. A recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant shall secure the affordability requirements. The recorded covenant must provide that if the affected unit in the property is converted to a use other than for low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable Affordable Housing in-lieu fees in effect at the time of conversion.

B. Number of units. A minimum of 20 units shall be included in a project in order to qualify to enter the program.

C. Affordable Housing units shall be rented or sold to income-qualified households. To qualify, rental occupied households shall earn no more than 50 percent of Area Median Income (AMI) for Pierce County, adjusted for family size. To qualify, owner households shall earn no more than 80 percent of AMI for Pierce County, adjusted for family size. The establishment of rental levels and housing prices will be updated as needed to reflect changing household affordability needs in the community.

D. Maximum rent and purchase price for designated units.

1. Rental. The maximum cost of rent and utilities which may be charged for designated affordable units shall not exceed 30 percent of the tenant's monthly gross income.

2. Ownership. The maximum Front-End Ratio cost for purchase of for-sale units shall be 33 percent, and the maximum Back-End Ratio cost shall be 50 percent.

E. Construction of Affordable Housing Units. If affordable housing units are constructed in phases or over a period of more than 12 months, a proportional amount of affordable housing units must be completed at or prior to the completion of related market rate housing units.

F. Size/Location/Appearance of Affordable Housing Units. The affordable housing units shall be provided in a range of sizes comparable to those units that are available to other residents. To the extent practicable, the number of bedrooms in low income units must be in the same proportion as the number of bedrooms in units throughout the entire development. Affordable housing units shall generally be distributed throughout the development and have substantially the same functionality and amenities as the market rate units in the development. The exterior appearance of the affordable housing units shall be indistinguishable from the market rate housing units within the project in terms of finish materials and design vocabulary. Interior finish materials and content of affordable units shall be generally comparable with market rate housing units within the project.

G. Affordable Housing Incentives Program Covenant Agreement. An application for a proposed project that incorporates any of the incentives in this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as a component of the application package. The agreement shall include, but not be limited to:

1. The term of affordability;

2. Identification of all the development and financial incentives that the project proposes to incorporate;

3. Identification of the minimum number of affordable housing units required to be provided in the project to qualify for use of these provisions;

4. Binding language recorded on the title of the property that protects the City's interests in the event that a developer obtains affordable housing incentives through the platting or building phases but fails to provide low-income affordable housing;

5. Language that requires recording the required low-income affordability provisions prior to the approval of a final plat, multi-family or mixed use building permit, or other development approval;

6. Language that recognizes the potential need to modify the agreement if the submitted project requires alteration through the review and approval process; and

7. Language that sets forth the consequences of a breach of contract action where the applicant fails to provide the required number of affordable housing units as required under the Agreement.

H. Monitoring Continued Affordability. The Housing Development Division of the Community and Economic Development Department shall monitor the continued affordability of both rental and owner-occupied housing units. The City reserves the right to establish in the Affordable Housing Incentives Program Covenant Agreement monitoring fees for the affordable housing units, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review

and processing of documents to maintain compliance with income and affordability restrictions of the Affordable Housing Incentives Program Covenant Agreement.

I. Resale of Affordable Homeownership Units. Affordable Housing units provided for under this Chapter may be sold or resold to eligible low-income households or a nonprofit organization through the end of the required affordability duration. Any sale to a non-income eligible household would require the seller to forfeit a portion of net sales proceeds consistent with the seller's tenure of ownership relative to the in-lieu fee reduction schedule identified in the Affordable Housing Incentives Program Covenant Agreement.

1.39.050 Financial Incentives.

A. Financial incentives are intended to reduce the financial burden of carrying a loan through the review process and alleviate up-front financial costs to developers and builders associated with participating in this program, and to reduce costs in exchange for providing affordable housing units.

B. Expedited Permit Processing. The City will seek opportunities to expedite the review of development proposals incorporating affordable housing under the provisions of this Chapter. Actions to implement this shall be resource dependent.

C. Fee Reductions. Permit fees applicable to development proposals which commit to incorporating affordable housing units under the provisions of this Chapter may be fully or partially paid by City funding allocated for the purpose of promoting affordable housing. Such action will be resource dependent.

1.39.060 Development Incentives.

A. Development incentives are voluntary options intended to promote the incorporation of affordable housing units within private developments by offering sufficient value to offset the cost of the reduced revenue from rents or purchase prices, in order to promote a range of housing unit costs integrated within for-profit housing developments and thus promote a distribution of affordable housing throughout the neighborhoods of the City.

B. Planned Residential Districts. Per the provisions of TMC 13.06.140, PRDs offer a zoning mechanism to develop a site specific proposal on larger sites that can incorporate additional density in exchange for the provision of affordable housing units pursuant to the requirements of this Chapter. PRDs may allow up to two times the number of dwelling units permitted in the underlying residential district. Fifty percent of this bonus development capacity is reserved for the provision of affordable housing pursuant to the requirements of this Chapter.

C. Downtown Tacoma. Per the provisions of TMC 13.06A.080, development proposals within Downtown zoning districts seeking to gain additional Floor Area Ratio may choose from a list of public benefit features including the provision of affordable housing pursuant to the requirements of this Chapter.

1.39.070 Residential Upzones.

A. The grant of a change in zoning designation to a zone that allows higher development capacity increases the value of the land. This provision creates the mechanism for some of that increase in value to be allocated to the provision of affordable housing units. Zoning changes are governed by the provisions of TMC 13.06.650.

B. Per TMC 13.06.650, privately-initiated upzone requests shall be conditioned to provide for the incorporation of affordable housing units per the provisions of this Chapter. City-initiated upzones shall also be evaluated for housing affordability needs and may also result in a determination that housing units shall be incorporated under the provisions of this Chapter.

1.39.080 Incorporation of Affordable Housing Units.

A. To obtain the Financial and Development Incentives offered, or to gain approval of a residential upzone, the following provisions must be met. These include the incorporation of affordable housing units within the project or the payment of an in-lieu fee to the City to be utilized for the creation of housing affordability.

B. Incorporation of Affordable Units. To satisfy the provisions of this section the following is required:

1. Density bonuses—Planned Residential Districts and Downtown Floor Area Ratio. For each additional market rate dwelling unit allowed through a density bonus, pursuant to the provisions of this Chapter and of TMC 13.06 and 13.06A, an additional affordable unit shall also be included. The ratio of bonus density market rate to affordable units shall be one to one.

2. Density bonuses—Residential Upzones. For every three additional market rate dwelling units allowed through a privately-initiated upzone request, an additional affordable unit shall also be included per the provisions of this section and of TMC 13.06.650. The ratio of upzone market rate to affordable units shall be three to one.

3. Affordability requirements. To qualify as affordable per the provisions of this section, rental households shall be affordable to households earning up to 50 percent of the Pierce County Area Median Income (AMI), and ownership households shall be affordable to households earning up to 80 percent of AMI, adjusted for household size.

4. A combination of affordable rental and ownership households is acceptable within a qualifying development.

5. Affordable housing units provided pursuant to the provisions of this section shall remain affordable for a 50 year term, pursuant to the requirements of RCW 36.70A.560.

C. In-lieu Fee option. As an alternative to incorporation of affordable housing units within the development, the project proponent may choose to pay an in-lieu fee as a contribution to the City's Housing Trust Fund. This fee is based on the increased land value as a function of City approval to allow more density, and has been calibrated to provide equivalent affordable housing benefit to the community as compared to the incorporation of affordable housing units within the development.

1. Density bonus types. The density bonus provisions of this section function either as an increase in the number of dwelling units permitted (in the case of PRDs), or as an increase in over height and bulk (in the case of Floor Area Ratios or height increases). Upzone requests can work in either fashion. The in lieu fee options for each are calculated as follows:

a. Calculation - Dwelling Units bonus. If paid prior to issuance of the Certificate of Occupancy, the in-lieu fee shall be \$10,000 for Planned Residential Districts and Downtown Floor Area Ratio bonuses, and \$5,000 for upzones, as of July 1, 2016, adjusted per the Consumer Price Index annually, for each additional dwelling unit (both market-rate and affordable) permitted through the bonus density or upzones provisions of this Chapter. For density bonuses and upzones which grant additional height or Floor Area Ratio, the additional dwellings shall be calculated as the additional square footage permitted through the density bonus divided by the average dwelling unit size within the development.

2. In lieu fee payment Timing. The project proponent or subsequent property owner can choose to pay the in-lieu fee at any point during the 50 year required period of affordability. If paid after issuance of the Certificate of Occupancy, the in lieu fee shall be paid as follows:

a. Multifamily rental projects. The per unit in-lieu fee as described in C.1.a above multiplied by the additional units created through the Density Bonus. This number constitutes the Up-Front In-Lieu Fee. The Up Front In-Lieu Fee is multiplied by two percent multiplied by the number of years the project has been in service per the Affordable Housing Incentives Program Covenant Agreement.

b. Homeownership projects. If the home is resold to a non-income qualified Successor-in-Interest within the first 5 years of the period of affordability, 100 percent of the net proceeds upon resale would constitute the in-lieu fee. If the home is resold to a non-income qualified Successor-in-Interest in year 6 or after, the in-lieu fee would be the net proceeds from the resale of the home multiplied by the following in-lieu fee percentage: At year 6 the in-lieu fee is 50 percent of net proceeds, declining thereafter by 1 percent per year in years 7 through 48 with a two percent decrease at year 49.

3. Use of in lieu fee funds. Funds paid pursuant to the in-lieu fee option into the Housing Trust Fund shall be utilized by the City for the creation of housing affordability pursuant to the strategies identified through the City of Tacoma's Consolidated Plan and other related City of Tacoma affordable housing policy documents.

1.39.090 Procedures.

A. Predevelopment Meeting. A meeting shall be required for any land application that incorporates any of the provisions of this Chapter.

B. Affordable Housing Incentives Program Covenant Agreement. An application for a proposed project that incorporates any of the provisions of this Chapter shall not be deemed complete until the applicant has submitted a signed Affordable Housing Incentives Program Covenant Agreement as set forth in this Chapter, as a component of the application package.

C. Development Review. The Planning and Development Services Department shall integrate additional density or other bonuses resulting from the incorporation of affordable housing units into a development proposal under the provisions of this Chapter into their review and approvals for the proposal.

D. Required Documentation. Prior to the final approval of any land use application or building permit that incorporates any incentives provided for within this Chapter, the owner of the property shall provide a signed and recorded Affordable Housing Incentives Program Covenant Agreement which will serve as a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant to secure the affordability requirements as stated under this Chapter. The recorded Affordable Housing Incentives Program Covenant Agreement must provide that if the property is converted to a use other than for low-income affordable housing as defined under this Chapter within the required affordability duration, the property owner must pay the applicable in lieu fees in effect at the time of conversion.



**2015 Annual Amendment
Affordable/Infill Housing Regulations**

Exhibit B
Amended 11- 24-15

LAND USE REGULATORY CODE CHANGES

Title 13 – Land Use Regulatory Code

Chapter 13.04 Platting and Subdivisions

13.04.240 – Plats within Planned Residential Development Districts (PRD Districts)

Chapter 13.05 Land Use Permit Procedures

13.05.080 – Modifications/revision to permits

13.05.115 – Residential Infill Pilot Program (*proposed new section*)

Chapter 13.06 - Zoning

13.06.100 – Residential Districts

13.06.140 – PRD Planned Residential Development District

13.06.145 – Small-lot single-family residential development

13.06.150 – Accessory Dwelling Units

13.06.160 – Cottage Housing (*proposed new section*)

13.06.300 – Mixed-use Center Districts

13.06.501 – Building design Standards

13.06.510 – Off-Street Parking and Storage Areas

13.06.640 – Conditional use permit

13.06.650 – Application for rezone of property

13.06.700 – Definitions and illustrations.

Chapter 13.06A – Downtown

13.06A.080 – Design Standards for Increasing Allowable FAR

Chapter 13.11 – Critical Areas Preservation

13.11.260 – Residential Density Credits

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

CHAPTER 13.04 PLATTING AND SUBDIVISIONS

13.04.240 Plats within Planned Residential Development Districts (PRD Districts).

A. Intent. The PRD District is intended to: provide for greater flexibility in large-scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts and of the subdivision ordinance of the City of Tacoma; encourage developers to use a more creative approach in land development; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and ecological systems of the physical environment; reflect a high quality of site and urban design; and facilitate more desirable, aesthetic and efficient use of open space. The PRD District is also intended to provide for density increases in association with the provision of public benefits including sustainability features and affordable housing.

In order to facilitate development within PRD Districts, these regulations may, if necessary, be modified as they apply to residential access streets, blocks, lots and building lines when the plan for such PRD District provides: adequate access to arterial streets and adequate circulation, recreation areas, and area per family as required by the zoning ordinances; light and air for the needs of the tract when fully developed and populated; and such legal restrictions or other legal status as will assure the carrying out of the plan.

B. Procedures.

1. All preliminary plats within PRD Districts shall be considered by the Hearing Examiner, except for preliminary short plats considered by the Director subsequent to approval of a reclassification to a PRD District. The final plat/short plat shall be considered by the Director. The preliminary plat/short plat for a planned residential development may be submitted with the application for reclassification to a PRD District, and will then be processed concurrently with the reclassification application.

2. The final plat for a PRD District may be considered as a final site plan for that portion of the PRD District to which it pertains.

3. When the preliminary plat of a proposed subdivision in a PRD District is processed as the preliminary plan for the reclassification request, and/or the final plat is processed as the final site plan, the processing procedures for plats contained in this chapter shall be followed.

4. All preliminary plats within PRD Districts shall demonstrate consistency with the requirements of TMC 13.06.140, with TMC 1.39 when density bonuses are sought pursuant to the provision of affordable housing, as well as with other applicable sections of the TMC.

C. General Requirements.

1. Lot Area. Lot sizes required for plats within PRD Districts shall generally be the same as for the residential district with which the PRD District is combined; ~~provided, however, that unless~~ the Hearing Examiner or the Director ~~may determine that modify-modification of said~~ lot sizes is appropriate in light of where the following factors ~~have been considered~~:

- a. Type of dwelling structures involved;
- b. Amount of common and private open space to be provided and the location of such open space in relation to the dwelling structures involved;
- c. The street pattern and street design within the PRD District; ~~and~~
- d. The landscaping plan concept to be utilized around such dwellings. All modifications shall be made strictly within the spirit, intent, and purposes of this section and the PRD District section of the zoning ordinances.

e. The provision of public benefits including sustainability features and affordable housing committed to as part of a density bonus, when applicable.

f. The intent of the PRD District, including the pursuit of urban design excellence, creation of a livable and attractive neighborhood, and place-making.

2. Transfer of ownership of lots within PRD Districts shall be made in such a manner as to not increase the total number of lots in the PRD District, and in no event shall any ownership be less than the dimensions of the minimum size lot within the PRD District.

3. Streets and Roadways Within PRD Districts.

- a. Standards of design and construction for roadways, both public and private, within PRDs may be modified as is deemed appropriate by the Hearing Examiner.
- b. Right-of-way widths and street roadway widths may be reduced where it is found that the plan for the PRD District provides for the separation of vehicular and pedestrian circulation patterns, accommodates bicycle circulation, and provides for adequate off-street parking facilities.

c. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.

d. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

4. All land within the Planned Residential Development District shall be subject to contractual agreements with the City of Tacoma and to recorded covenants approved by the City of Tacoma providing for compliance with the regulations and provisions of the district and the site plan or plat as approved.

* * *

Chapter 13.05

LAND USE PERMIT PROCEDURES

Sections:

- 13.05.005 Definitions.
- 13.05.010 Application requirements for land use permits.
- 13.05.020 Notice process.
- 13.05.030 Director Decision Making Authority.
- 13.05.040 Decision of the Director.
- 13.05.045 Historic Preservation Land Use Decisions.
- 13.05.046 Compatibility of historic standards with zoning development standards.
- 13.05.047 Certificates of approval, historic.
- 13.05.048 Demolition of City Landmarks.
- 13.05.049 Minimum buildings standards, historic.
- 13.05.050 Appeals of administrative decisions.
- 13.05.060 Applications considered by the Hearing Examiner.
- 13.05.070 Expiration of permits.
- 13.05.080 Modification/revision to permits.
- 13.05.090 Director approval authority.
- 13.05.095 Development Regulation Agreements.
- 13.05.100 Enforcement.
- 13.05.105 *Repealed.*
- 13.05.110 *Repealed.*
- [13.05.115 Residential Infill Pilot Program](#)

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13.05.080 Modification/revision to permits.

A. Purpose. The purpose of this section is to define types of modifications to permits and to identify procedures for those actions.

* * *

F. PRD District Modifications.

1. Proposed modifications to development approved in a PRD District rezone and/or site approval shall, in addition to the above criteria, be deemed minor only if all the following criteria are satisfied:

- a. No new land use is proposed;
- b. No increase in density, number of dwelling units, or lots is proposed; ~~and~~
- c. No reduction in the amount of approved open space is proposed, excluding reductions in private yards; ~~and-~~
- [d. No reduction in the amount, quality or condition of sustainability features and, when applicable, affordable housing units required as part of the PRD decision pursuant to a density increase per the provisions of TMC 13.06.140.](#)

Examples of minor modifications could include, but are not limited to, lot line adjustments, minor relocations of buildings or landscaped areas, minor additions to existing buildings, the construction of accessory buildings, and minor changes in phasing and timing.

2. In addition to the standard criteria applicable to major modifications to a PRD District rezone and/or site approval, such major modifications to fully or partially developed PRD Districts shall only be approved if found to be consistent with the following additional decision criteria:

- a. The proposed modification shall be designed to be compatible with the overall site design concept of the originally approved site plan. In determining compatibility, the decision maker may consider factors such as the design, configuration and layout of infrastructure and community amenities, the arrangement and orientation of lots, the layout of different uses, and the bulk and scale of buildings, if applicable, with a particular focus on transition areas between existing and proposed development.
- b. The proposed modification shall be generally consistent with the findings and conclusions of the original PRD rezone decision.
- c. If the existing PRD District is nonconforming to the current development standards for PRD District, the proposed modification does not increase the district's level of nonconformity to those standards.

G. Other permits. Any modification, whether considered minor or major, may still require approvals other than the type granted for the original development. For example, an existing, permitted conditional use seeking a modification that qualifies

as a minor modification to their existing conditional use permit but that also necessitates a variance to a development standard, would not be required to obtain approval of a major modification to their existing conditional use permit or a new conditional use permit but would need to receive a variance permit for the project.

* * *

13.05.115 Residential Infill Pilot Program

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

B. Term. The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been developed, with input from the Planning Commission, and authorized by the Director. The Pilot Program will be reassessed as directed by the City Council or by the Director, ~~after projects have been completed in three or more of the permitted categories, or after three or more of any single category has been completed~~ ~~whichever comes first~~. Once three of any of the categories has been completed, no additional applications will be accepted for that category until further Council action has been taken.

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

1. Detached Accessory Dwelling Units within the R-1, R-2, R-2SRD and HMR-SRD Districts,
2. Two-family or townhouse development within the R-2 District,
3. Multifamily development within the R-3 District, and
4. Cottage Housing development within any residential district except the HMR-SRD District.

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

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

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

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

1. A site plan.
2. Building elevations from all four sides.
3. A massing study.
4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.
5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
7. A complete application, along with applicable fees, for any required land use permits, including conditional use and Accessory Dwelling Unit permits. Such processes may require public notification or meetings.
8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.
- H. Review process. The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner's decision and conditions of approval.
 1. This body will include the following representatives:
 - a. The Director or designee;
 - b. The Long Range Planning Manager or designee;
 - c. A City staff member with residential building and site development expertise;
 - d. A designee representing the area Neighborhood Council where the project is proposed;
 - e. An architect or urban design professional; and,
 - f. A representative of the Landmarks Preservation Commission, if the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties.

2. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:

a. Designation of the historically significant property to the Tacoma Register of Historic Places.

b. Avoidance of the historically significant property or minimizing exterior changes to the property.

c. Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.

3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following:

a. Responsiveness to the following basic neighborhood patterns established by existing development in the area.

(1) Street frontage characteristics.

(2) Rhythm of development along the street.

(3) Building orientation on the site and in relation to the street.

(4) Front setback patterns.

(5) Landscaping and trees.

(6) Backyard patterns and topography.

(7) Architectural features.

(8) Historic character, if located within a designated Historic District.

(9) Whether adverse impacts to properties that are eligible for listing on a historic register can be mitigated.

b. Pedestrian-friendly design. The proposed development must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways and must emphasize pedestrian connectivity. The quality of the pedestrian experience within the site and in the abutting public right-of-way shall be high.

c. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.510 in a manner that de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-way.

d. Minimize scale contrasts, shading and privacy impacts. The proposal must demonstrate that it will limit abrupt changes in scale between the proposed development and existing buildings on adjacent parcels. Privacy and shading impacts on abutting parcels must be prevented or reduced to a reasonable extent.

e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents.

f. Sustainable features. In the case of multifamily development in the R-3 District, and cottage housing, the proposal must provide documentation of the incorporation of sustainability features through one of the following certification programs:

1. Built Green 3 Stars or LEED Bronze; or,

2. Greenroads Bronze rating if full new roadway sections are constructed as part of the project;

g. Consistency with code requirements. The proposal must be consistent with the applicable provisions of TMC 13.06 and other applicable requirements. The Director has discretion to increase, decrease or modify development standards including setbacks, height and parking in order to ensure the proposal is fully consistent with the intent of the Pilot Program.

I. Decision. As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the proposal meets the intent of this section and incorporate conditions as appropriate into the land use and building permit approvals. In the case of projects in historic or conservation districts, or individually designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.045.

* * *

Chapter 13.06 ZONING¹

Sections:

13.06.100 Residential Districts.

- 13.06.100.B.1 R-1 Single-Family Dwelling District.
- 13.06.100.B.2 R-2 Single-Family Dwelling District.
- 13.06.100.B.3 R-2 SRD Residential Special Review District.
- 13.06.100.B.4 HMR-SRD Historic Mixed Residential Special Review District.
- 13.06.100.B.5 R-3 Two-Family Dwelling District.
- 13.06.100.B.6 R-4-L Low-Density Multiple Family Dwelling District.
- 13.06.100.B.7 R-4 Multiple-Family Dwelling District.
- 13.06.100.B.8 R-5 Multiple-Family Dwelling District.
- 13.06.105 *Repealed.*
- 13.06.110 *Repealed.*
- 13.06.115 *Repealed.*
- 13.06.118 *Repealed.*
- 13.06.120 *Repealed.*
- 13.06.125 *Repealed.*
- 13.06.130 *Repealed.*
- 13.06.135 *Repealed.*
- 13.06.140 PRD Planned Residential Development District.
- 13.06.145 Small-lot single-family residential development.
- 13.06.150 Accessory dwelling units.
- 13.06.155 Day care centers.
- [13.06.160 Cottage Housing.](#)

* * *

13.06.100 Residential Districts.

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

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

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

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

B. Districts established.

¹ Rezone ordinances are on file in the office of the City Clerk.

1. The following districts are intended primarily for residential land uses, as well as other uses such as daycares, parks, schools, churches and other uses which serve the neighborhood and have been deemed compatible with residential character.

2. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in established areas with steep topography a relatively quiet and stable neighborhood environment or an established pattern of larger lots.

23. R-2 Single-Family Dwelling District. This district is intended primarily for ~~low density~~, single-family detached housing but, in addition to the uses listed above, may also allow a limited number of compatible uses including limited lodging uses, and uses such as limited holiday sales for Christmas and Halloween, and two-family dwellings in certain circumstances. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

34. R-2SRD Residential Special Review District. This district is intended primarily for ~~low density~~, single-family detached housing, but in addition to the uses listed above, it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area and enhance the area's overall quality.

54. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the buildings within reflect significant aspects of Tacoma's early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Infill development shall be consistent with historic character of the district and shall be predominantly single-family. A limited number of two- and three-family dwellings may be permitted by conditional use permit provided they are consistent with the historic character of the district and are not conversions of historically contributing single-family houses. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.

56. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate, in addition to the uses permitted in less dense zones. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

67. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended primarily for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

87. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. In addition to uses permitted in less dense zones, ~~Other~~ appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

98. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings, in addition to uses permitted in less dense zones. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.046.

2. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

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

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

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Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
Drive-through with any use	N	N	N	N	N	N	N	N	
Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one dwelling <u>unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process</u> unless each dwelling complies with the use regulations, height regulations, area regulations, and parking regulations of the district.
Dwelling, two-family	N	<u>NCU</u> ²	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit (see Section 13.06.640). <u>In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), and but requires issuance of a conditional use permit (see Section 13.06.640).</u> Subject to additional requirements contained in Section 13.06.501.N.
Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit. See Section 13.06.640. For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district. Subject to additional requirements contained in Section 13.06.501.N.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
Dwelling, multiple-family	N	N	N	P/N	NCU²	P	P	P	In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005. In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), but requires issuance of a conditional use permit (see Section 13.06.640).
Dwelling, townhouse	N	NCU²	CU	NCU	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.G. In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit. See Section 13.06.640. In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.115).
Dwelling, accessory (ADU)	PN²	PN²	PN²	PN²	P	P	P	P	Subject to additional requirements contained in Section 13.06.150. In all residential districts ADUs require the issuance of an ADU permit. In the R-1, R-2, R-2SRD and HMR-SRD districts, detached ADUs are subject to the provisions of the Residential Infill Pilot Program (Section 13.05.115)are prohibited while attached ADUs are permitted. Subject to additional requirements contained in 13.06.150.
Dwelling, Cottage Housing	CU²	CU²	CU²	N	CU²	CU²	CU²	CU²	Cottage Housing developments require the issuance of a Conditional Use Permit (see Section 13.06.640) and are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.

Footnotes:

¹For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements

²[Certain land uses, including two-family, townhouse, cottage housing, and Detached Accessory Dwelling Units in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.](#)

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D. Lot size and building envelope standards.

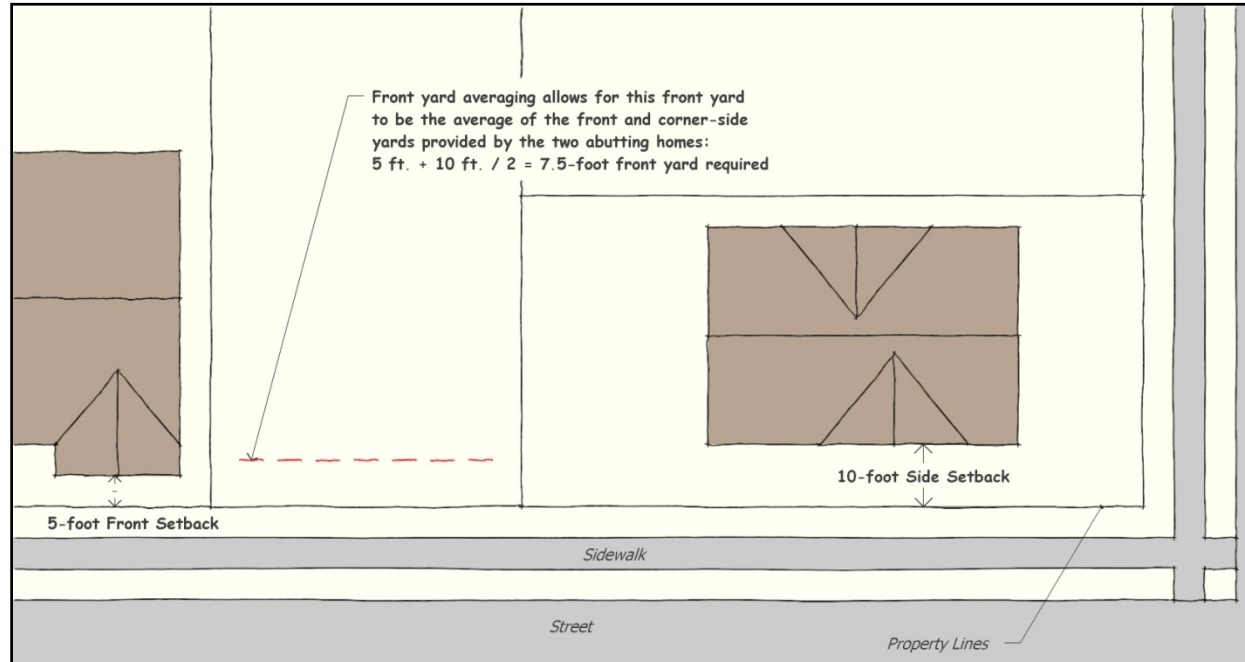
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Minimum Lot Area (in square feet, unless otherwise noted)								
Single-family detached dwellings – Standard Lots	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Single-family detached dwellings – Small Lots (Level 1)	6,750	4,500	4,500	4,500	3,500 2,500	3,000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

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Single-family detached dwellings – Small Lots (Level 2): Additional exceptions to Minimum Lot Area Requirements	One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. In no case shall a new lot be smaller than the following without grant of a variance: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft. Lot Size Averaging – Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size. Lot Size Averaging – Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in other districts, provided that the overall average lot size within the Short or Full Plat meets the Standard Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging. Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size. Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.145.F. Small lot exceptions are not applicable to pipestem lots.							
Critical Areas Density Bonus	Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.							
Planned Residential Districts	Planned Residential Districts: Exceptions to the standard and small lot provisions of this section may be permitted through the provisions of Section 13.06.140.							
Lot Measurements (in feet)								
Minimum Average Lot Width – Standard Lots	50	50	50	50	50	50	50	50
					16 for townhouse dwellings; 32 for two-family dwellings			
Single-family Small Lots – Minimum Average Lot Width	45	35	35	35	30	25	25	25
Minimum Lot Frontage	25	25	25	25	25	25	25	25
Small Lots – Exceptions to Minimum Average Lot Width	Reductions to minimum lot width, as shown above, may be allowed pursuant to Section 13.06.145. Small lot exceptions are not applicable to pipestem lots.							

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Lot Coverage (percentage)								
Maximum lot coverage	-	-	-	-	-	35	-	-
Max. Height Limits (in feet)								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15-feet							
* * *								

(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.



(2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house. averaging shall be calculated by adding the setback provided on the adjacent developed lot and the minimum setback of the district in which it is located and dividing by two.

(3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.

Vehicular Access and Parking

All on-site parking for dwellings and buildings other than dwellings 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 a total of 50 percent of the front yard or 50 percent of a corner street side yard. In the case of Small Lots, see the additional provisions of Section 13.06.145.

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Main Building Orientation	All dwellings shall maintain primary orientation to the adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance.
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13.06.140 PRD Planned Residential Development District.

A. Intent. The PRD Planned Residential Development District is intended to: provide for greater flexibility in large scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts; encourage developers to use a more creative approach in land development and stormwater management; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and retain native vegetation; provide a high quality of urban design pursuant to creating a livable and attractive neighborhood and place-making; and facilitate more desirable, aesthetic, and efficient use of open space; promote sustainable building and site design practices; and promote the voluntary incorporation of affordable housing through provision of voluntary density bonuses.

The PRD District is intended to be located in areas possessing the amenities and services generally associated with residential dwelling districts, and in locations which will not produce an adverse influence upon adjacent properties.

Land classified as a PRD District shall also be classified as one or more of the regular residential zoning districts and shall be designated by a combination of symbols (e.g., R-3-PRD planned residential development district).B. Procedures. Application for reclassification to a PRD District shall be made in accordance with the provisions of Chapter 13.05 and Section 13.06.650. Applications for reclassification to a PRD District shall bear the written consent of the owners of all property within the proposed PRD. Applications for a major modification to an existing PRD District shall bear the written consent of the owners of the specific properties proposed to be modified.

An application for site approval shall accompany a request for reclassification to a PRD District. Applications filed subsequent to such a reclassification shall be considered by the Director. Where only a portion of the development is submitted for site approval, a preliminary plan for the remainder of the development shall also be submitted, indicating the intended layout for the remainder of the development.

The Hearing Examiner shall conduct a public hearing on all applications for site approval which accompany a reclassification request. In acting upon a request for site approval, the Hearing Examiner or Director shall consider, but not be limited to, the following criteria:

1. The site development plan shall be consistent with the goals and policies of the Comprehensive Plan.
2. The plan shall be consistent with the intent and regulations of the PRD District and any other applicable statutes and ordinances.
3. The proposed development plan for the PRD District is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The findings of the Hearing Examiner or Director shall be concerned with, but not limited to, the following:
 - a. The generation of noise or other nuisances which may be injurious or to the detriment of a significant portion of the community.
 - b. Availability and/or adequacy of public services which may be necessary or desirable for the support of the development. These may include, but shall not be limited to, availability of utilities; transportation systems, including vehicular, pedestrian, and public transportation systems; and education, police, and fire services, and social and health services.
 - c. Adequacy of landscaping, recreation facilities, screening, yards, setbacks, open spaces, or other development characteristics necessary to provide a sound and healthful living environment and mitigate the impact of the development upon neighboring properties and the community.
 - d. The compliance of the site development plan with any conditions to development stipulated by the City Council at the time of the establishment of the PRD District.
 - e. The demonstration of urban design excellence in site and building design through establishing Basic Neighborhood Patterns, pedestrian-friendly design, de-emphasized parking, minimized scale contrasts and privacy impacts, usable outdoor spaces, sustainability features and connectivity as appropriate to the site, context and proposed development type and density.

An application for site approval shall include:

4. A plan or plans at a scale of not less than one inch equals 200 feet for the proposed development showing:
 - a. Proposed name of the development, north point, scale, date, legal description, and names and addresses of the developer, engineer, surveyor, land planner, and landscape architect.
 - b. The basic layout of the site or portion thereof, including lot design, if any, building locations, street layout, and roadway widths.
 - c. Horizontal alignment data for all streets and vehicular accessways.
 - d. Any areas proposed to be dedicated or reserved for public parks, schools, or playgrounds, or otherwise dedicated or reserved for public purposes.
 - e. Other undedicated open space set aside for the use of the residents of the development in common.

- f. A general land use plan for the proposed district indicating the areas to be used for the various purposes.
- g. Types of dwellings and site locations thereof.
- h. Proposed locations of off-street parking areas with dimensions.
- i. Pedestrian walks, malls, and other trails, both public and private.
- j. A circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares, [routes and pathways](#). Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown.
- k. The stages to be built in progression, if any.
- l. Finished contours at a five-foot interval.
- m. The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.
- n. Land within the tract not to be developed as a part of the PRD District, with indication of existing and/or intended use or uses.
- o. Necessary building setback lines, including those required for sight distance purposes.
- p. Existing zoning boundaries.
- ~~5q.~~ The intended time schedule for development.
- ~~6r.~~ Tables showing the density and lot coverage of the overall development and of each zoning district within the development.
- [s. A narrative and supporting exhibits demonstrating how the project will be consistent with the PRD intent and the provisions of this section.](#)

C. General requirements.

[1. This Section was substantially updated on \[DATE OF ADOPTION\]. PRD Districts approved prior to that date are subject to the provisions of their approvals, including the amount and designation of required open space. PRD applications submitted after that date shall meet the following standards and requirements.](#)

[+2. PRDs are permitted as an overlay in all residential districts, with the exception that PRDs are not permitted in the HMR-SRD District or within designated Historic Districts.](#)

[3. The site approval shall be binding upon the development and substantial variations from the plan shall be subject to approval by the Director.](#)

[24. No building permit shall be issued without a site approval.](#)

[35. The site approval shall expire as provided in Chapter 13.05.](#)

[46. In granting site approval, the Hearing Examiner and/or the Director may attach conditions as authorized in Chapter 1.23, or, in the case of approval by the Director, Chapter 13.05, and unless other arrangements are agreed to by the City, the owner and/or developers shall be responsible for paying the cost of construction and/or installation of all required on- and off-site improvements. This responsibility shall be the subject of a contractual agreement between the owner and/or developer and the City. Such contract shall require that, in lieu of the actual construction of the required improvements, the owner and/or developer shall deposit a performance bond or cash deposit with Planning and Development Services, in an amount not less than the estimate of the City Engineer for the required improvements, and provide security satisfactory to the Department of Public Utilities, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the time specified in the contractual agreement. Also, such contract and recorded covenants, governing all land within the PRD District, shall provide for compliance with the regulations and provisions of the district and the site plan as approved.](#)

[7. PRDs are subject to the provisions of the underlying zoning district and other pertinent sections of the TMC, unless specifically addressed in this section or through the conditions of the PRD decision or site approval.](#)

8. Urban design, sustainability and connectivity. The PRD site design shall demonstrate the following:

a. Establishment of high quality and context-responsive Basic Neighborhood Patterns, including the following:

- (1) Street frontage characteristics.
- (2) Rhythm of development along the street.
- (3) Building orientation on the site and in relation to the street.
- (4) Front setback patterns.
- (5) Landscaping and trees.
- (6) Backyard patterns and topography.
- (7) Architectural features.

b. Pedestrian-friendly design. The proposal must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways, and must emphasize pedestrian connectivity and the high quality of the pedestrian experience within the site and in the abutting public right-of-way. Transportation infrastructure within PRD Districts shall implement complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

c. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.510 in a manner that de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-way.

d. Minimize scale contrasts and privacy impacts. The proposal must demonstrate that it will limit scale contrasts and privacy impacts on existing adjacent parcels and buildings to a reasonable extent.

e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents. These outdoor spaces shall be provided per the open space requirements of this section.

f. Sustainable features. The proposal must provide documentation of the incorporation of both green building and site features as follows:

- (1) Built Green 4 Stars or LEED Gold Certified rating for Building Design and Construction; and,
- (2) Greenroads Bronze if full new roadway sections are constructed.

g. Connectivity. Proposed PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, to the maximum extent feasible.

h. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:

- (1) Designation of the historically significant property to the Tacoma Register of Historic Places.
- (2) Avoidance of the historically significant property or minimizing exterior changes to the property.
- (3) Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.

59. Not more than one-third of the gross area of the site shall have a finished grade exceeding 20 percent, consist of bodies of water, or consist of tidelands, unless otherwise permitted by the decision.

610. The development of the property in the manner proposed will not be detrimental to the public welfare, will be in keeping with the general intent and spirit of the zoning regulations and Comprehensive Plan of the City of Tacoma, and will not impose an abnormal burden upon the public for improvements occasioned by the proposed development.

711. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities which are compatible with the properties adjacent to the proposed development.

812. The PRD District shall be located on property which has an acceptable relationship to major transportation facilities~~thoroughfares~~, and those ~~thoroughfares~~facilities within the vicinity of the PRD District shall be adequate to carry the additional bicycle, pedestrian and vehicular traffic generated by the development.

913. A PRD District shall make provisions for existing and future streets, pathways and undeveloped areas adjacent to the development to allow for the proper and logical development of such areas.

1014. The internal circulation system within the PRD District shall be designed and constructed to insure the safety and convenience of pedestrian, bicycle and vehicular traffic by providing proper horizontal and vertical alignments, widths, physical improvements, parking provisions (on- and/or off-street), pedestrian facilities, sight distances, necessary traffic control regulations and signs, and necessary directional and identification signs.

15. Placement and maintenance of traffic, directional, and identification signs for private vehicular accessways shall be the responsibility of the developer.

16. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.

17. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

~~44~~18. The grades and alignments and other construction details for all vehicular accessways and utilities, both public and private, shall be established and approval granted by the City of Tacoma prior to commencement of any construction within the area for which site approval was granted.

~~42~~19. Subject to width variations, all vehicular accessways within the PRD District, both public and private, shall be constructed and improved to meet or exceed minimum City of Tacoma standards; except that all public and private vehicular accessways shall be paved with a hard surface with necessary base preparations, in accordance with City of Tacoma standards.

~~43~~20. The developer shall guarantee, to the satisfaction of the Building Official, the improvement of all streets and accessways, both public and private, to minimum City of Tacoma standards prior to the occupancy of any dwelling units served by such streets and accessways.

~~44~~21. The internal circulation within the PRD District shall permit vehicular access to each building for fire protection and such other purposes as may be necessary.

~~45~~22. Fire hydrants and facilities shall be provided in accordance with the standards of the National Board of Fire Underwriters.

~~46~~23. All utilities, including storm drainage, within the PRD District shall be provided as set forth by the City of Tacoma.

~~47~~24. Due consideration shall be given by the developer or subdivider to the allocation of suitable areas for schools, parks, playgrounds, and other necessary facilities to be dedicated for public use or purposes.

~~48~~25. The initial stage of development shall be of sufficient size and dimension to produce the intended environment of a PRD District, and shall provide an equitable amount of open space, off-street parking, and other amenities commensurate with the zoning and density of said initial stage. The requirements of any subsequent stage may be determined in conjunction with the approved standards of all previous stages in order to determine its conformance to the overall requirements of this district.

~~49~~26. All nonconforming uses within a PRD District shall be removed or provisions made for their removal prior to the issuance of a building permit.

~~20~~27. There shall be adequate provisions to insure the perpetual maintenance of all non-dedicated accessways and all other areas used, or available for use, in common by the occupants of the PRD District.

D. Use regulations. A building, structure, or land, and a building or structure hereafter built, altered, or enlarged, shall be used for only the following permitted uses:

1. The uses of property permitted in the regular zoning district with which the PRD District is combined.
2. Townhouses in all PRD Districts.
3. Multi-family dwellings in R-3-PRD Districts.
4. Indoor and outdoor recreational facilities and structures for the ~~exclusive~~ use of the residents of the PRD District.
5. Day care centers with an enrollment of 50 or fewer children or adults.
6. Special needs housing, in accordance with the provisions of Section 13.06.535.

7. Limited non-residential uses in R-3-PRD and denser Districts. Such uses shall be small in size, internally oriented within the PRD District, serve the immediate neighborhood and are prohibited from producing noise, traffic, or signage impacts incompatible with the surrounding area. Such uses shall otherwise meet the pertinent requirements of the TMC with the exception that parking requirements may be reduced or eliminated to reflect the intent of serving the immediate neighborhood. Potential examples include small cafes, live-work spaces, artist lofts, and small offices.

E. Height regulations. The height of buildings, structures, or portions thereof, shall be the same as the residential district with which the PRD District is combined.

F. Area regulations.

1. Setback regulations. A minimum 20-foot building setback shall be maintained from the district property line on the perimeter of the PRD District. Setbacks from dedicated arterial streets within the PRD District shall be maintained in accordance with the requirements of the residential district with which it is combined.

The distance separating buildings, exclusive of accessory buildings, shall be adequate to provide for fire safety, emergency access, maintenance and, where appropriate, pedestrian passage~~not less than twice the standard side yard setback for the applicable base zoning district~~, except that a building on a platted lot may be attached to any building or buildings on any adjoining platted lot or lots, ~~or, if unattached, a building setback equal to that required in the base zoning district shall be maintained from such adjoining lot line or lines~~. Accessory buildings shall not be permitted within required setback areas.

Building setbacks from the PRD District boundary, from dedicated streets adjacent to and within the PRD District, and from other buildings shall be increased by one-half foot for each one foot the height of such a building or structure exceeds 35 feet.

2. Site area. The minimum gross site area for a PRD District shall be one acre of net site area, not including abutting public rights-of-way, as follows:

~~R-1 PRD District — ten acres~~

~~R-2 PRD District — five acres~~

~~R-3 PRD District — two acres~~

~~R-4 L PRD District — three and one-half acres~~

~~R-4 PRD District — five acres~~

~~R-5 PRD District — ten acres~~

~~except, PRD Districts with lesser site area may be permitted when contiguous to, and planned simultaneously with, another PRD District; provided, the total of all such PRD Districts has an area of not less than that required by the included District having the largest site requirements (e.g., a combination of an R-3 PRD District and an R-5 PRD District) shall have a site area of not less than ten acres (the area required for an R-5 PRD District), and a combination of an R-2 PRD District, R-3 PRD District, and an R-4 L PRD District shall have a site area of not less than five acres (the area required for an R-2 PRD District).~~

~~One-half of the area of public street right-of-way on the perimeter of the site and all of the area of street right-of-way entirely within the boundaries of the sites may be included in determining the gross area of the district for minimum site area and density purposes; provided, limited access freeways may not be so included in determining gross area for site and density purposes.~~

3. Density.

a. PRD Base Density. The ~~maximum-permitted~~ density of dwelling units within a PRD District shall be approximately 1.25 times the densities permitted in the base district, as described below as follows. ~~(the gross area of the PRD District may be considered for computing density, and R~~Retirement home guest rooms and/or guest suites shall be construed as dwelling units for purposes of computing density):

b. Density bonuses

(1) An additional 0.50 times the underlying district density is permitted through the provision of affordable housing units pursuant to TMC 1.39.

(2) Once the density available for the provision of affordable housing units has been utilized, an additional 0.25 times the underlying district density is permitted through the provision of both of the following features:

(a) Built Green Emerald Star or Living Building Challenge 3 Petals; and,

(b) Greenroads Gold if new full roadway sections are constructed.

(3) The following table summarizes the number of dwelling units permitted in the underlying zoning districts, and the three tiers of density available through the provisions of the PRD section, provided in gross density (dwelling units per acre) of the site:

	<u>Underlying Zoning Density</u>	<u>Tier 1: PRD Base Density</u>	<u>Tier 2: PRD Affordable Housing</u>	<u>Tier 3: PRD Sustainability features</u>
<u>R-1</u>	<u>5.8</u>	<u>7</u>	<u>10</u>	<u>12</u>
<u>R-2</u>	<u>8.7</u>	<u>11</u>	<u>15</u>	<u>17.5</u>
<u>R2-SRD</u>	<u>8.7</u>	<u>11</u>	<u>15</u>	<u>17.5</u>
<u>R-3</u>	<u>14.5</u>	<u>18</u>	<u>25</u>	<u>29</u>
<u>R-4L</u>	<u>29.0</u>	<u>36</u>	<u>51</u>	<u>58</u>
<u>R-4</u>	<u>43.6</u>	<u>55</u>	<u>76</u>	<u>87</u>
<u>R-5</u>	<u>58.1</u>	<u>73</u>	<u>102</u>	<u>116</u>

These dwelling units may be any combination of residential land uses permitted in the PRD District.

~~R-1 PRD District—7,500 square feet of gross site area per dwelling unit.~~

~~R-2 PRD District—5,000 square feet of gross site area per dwelling unit.~~

~~R-3 PRD District—3,000 square feet of gross site area per dwelling unit.~~

~~R-3 PRD District Retirement Homes—The Hearing Examiner shall determine the minimum lot area per dwelling unit, guest room, or guest suite; provided, the lot area so determined shall not be less than 1,500 square feet nor more than 3,000 square feet.~~

~~R-4 L PRD District—1,500 square feet of gross site area per dwelling unit.~~

~~R-4 PRD District—1,500 square feet of gross site area per dwelling unit.~~

~~R-5 PRD District—1,500 square feet of gross site area per dwelling unit.~~

~~R-4 L PRD, R-4 PRD and R-5 PRD District retirement homes—the Hearing Examiner or the Director shall determine the minimum lot area per dwelling unit, guest room, or guest suite; provided, the lot area so determined shall not be less than 750 square feet nor more than 1,500 square feet.~~

4. Minimum dimensions. The minimum average width and depth of any PRD District shall not be less than 120 feet, except that the minimum average width and depth of an R-5-PRD District shall not be less than 200 feet.

5. Site coverage. Buildings and structures shall not occupy more than one-half~~third~~ of the ~~gross~~ area of the PRD District.

6. Common Open Space. A minimum of ~~one-third~~fifteen percent of the ~~gross~~ site area of the PRD District shall be provided as common open space. For the purpose of this section, common open space shall be defined as land which is provided or maintained for the general enjoyment of the residents of the PRD District or the general public and not used for buildings, dedicated public rights-of-way, private access/road easements, driveways, traffic circulation and roads, private yards, required sidewalks, utility areas, storm water facilities (unless also developed as a recreational area), parking areas, or any kind of storage. Common open space includes, but is not limited to woodlands, open fields, streams, wetlands, other water bodies, habitat areas, steep slope areas, landscaped areas, parks, beaches, community gardens, courtyards, or recreation areas.

a. A minimum of one-~~third~~half of this required common open space shall be devoted to recreation area for use by the residents of the PRD District or the general public. For the purpose of this section, recreation area includes, but is not limited to trails, athletic fields and courts, playgrounds, swimming pools, picnic areas or similar facilities. Such recreation area(s) shall be located in a central area of the district or spread throughout the district to provide convenient access to all residents. The recreation area(s) shall be of a size, topography and configuration so as to accommodate a variety of recreational functions for residents, with the overall intent of consolidating amenity areas to avoid fragmented areas of marginal utility. Said recreation areas shall not entirely consist of concrete or other hardscape.

b. Common open space areas shall be located and configured to protect mature trees, native vegetation and critical areas, provide for recreational opportunities, and create open space corridors, green belts and connections between existing or planned parks, trails or open space.

c. Such common open space shall be available for use or enjoyment by all of the residents of the PRD District or the general public. The common open space shall be dedicated, reserved or otherwise held in common by a homeowners association or by a proportional ownership interest shared among all of the property owners within the PRD, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.

d. Permanent provisions for the maintenance and management of open space, private trails, private parks and recreation areas, and other common areas shall also be provided. These provisions shall run with the land and be recorded.

G. Parking regulations. Off-street parking space shall be provided in accordance with Section 13.06.510. Required off-street parking for dwellings shall not be located more than 100 feet from the dwelling or dwellings it is intended to serve unless otherwise permitted by the Hearing Examiner or the Director.

Required parking spaces shall be surfaced with a hard surface.

H. Modifications. Modifications to existing PRDs shall be subject to further review and approval, in accordance with the criteria and standards contained in Section 13.05.080, including the additional provisions in subsection 13.05.080.F., and the expanded notice provisions in Sections 13.05.020.C.2 and 13.05.020.D.2.

* * *

13.06.145 Small-lot single-family residential development.

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

B. Lot size standards.

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

2. New lots that are smaller than the applicable [Level 1 Small Lot](#) minimum lot dimensions in Section 13.06.100.D shall only be allowed [pursuant to the Level 2 Small Lots provisions of that section, or](#) with approval of a variance (see Section 13.06.645), and provided that all new dwellings meet the design standards in Section 13.06.145.E and F.

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

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

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

D. Design standards - Applicability.

1. New single-family dwellings on new lots that are [less than the Standard Lot dimensions, up to and no less than the minimum Level 1 Small Lot](#) ~~10% smaller than applicable standard minimum lot dimensions in Section 13.06.100.D (for example, in the R-2 District Small Lots are between 5,000 and 4,500 square feet and/or between 50 and 35 feet in width) 10% is 4,500 square feet and 45 feet average width in most zones)~~ shall be subject to the design requirements found in Section 13.06.145.E.

2. New single-family dwellings on ~~new~~ lots that are ~~more than 10%~~ smaller than [the applicable Level 1 Small Lot standards minimum lot dimensions](#) in Section 13.06.100.D ([including Level 2 Small Lots, legally pre-existing lots and lots where greater reductions are permitted, or](#) a variance has been approved) shall be subject to the design requirements found in Sections 13.06.145.E and 13.06.145.F.

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

[3. Proponents of new Small Lots located within designated Historic Districts shall provide a site plan and massing study demonstrating consistency with the provisions of this section and with the pertinent historic design standards. No subdivision shall be permitted which would lead to the demolition of an historically contributing structure.](#)

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

1. [Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.](#)

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

(a.) Within designated Historic Districts, covered porches (projecting or alcove) a minimum of 60 square feet and no dimension less than 6 feet, with decorative piers, columns, railings or other architectural features are required.

2. Garages:

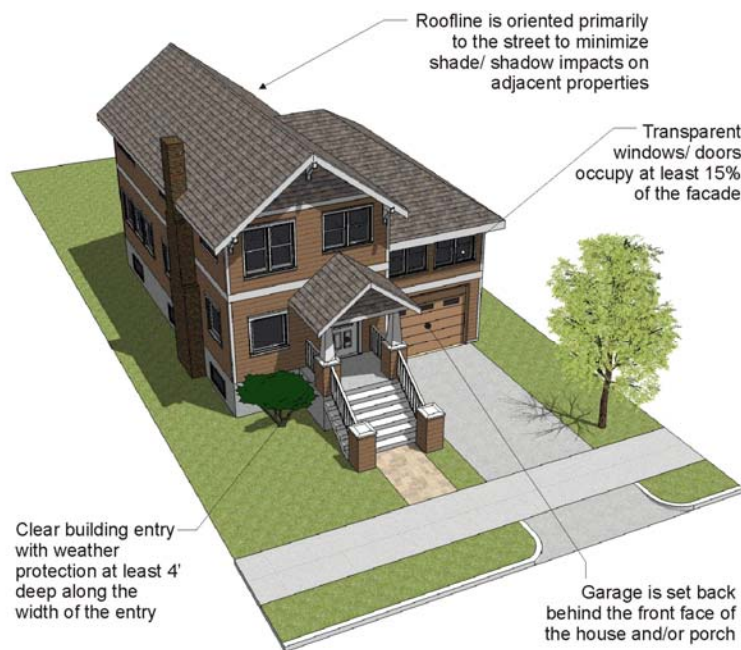
a. The garage shall be located in the rear with rear access if suitable access is available, such as abutting right-of-way that is or can be practicably developed.

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

c. Within Designated Historic Districts, garages located in the rear yard shall be detached from the house, unless an alternate design is approved by the Landmarks Preservation Commission.

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

4. Rooflines. For two-story houses with peaked roofs, the primary roofline(s) shall be oriented towards the front of the lot, running perpendicular to the street or front property line to minimize shade and shadow impacts to adjacent properties. Exceptions to this standard are allowed for projects involving multiple, adjacent single-family dwellings on small lots where alternating roofline orientation is being used to meet the Housing Style Variety requirement in Subsection 7, below, or for lots that measure less than 80 feet in depth. Roof pitches shall be designed to achieve architectural balance with the scale of the house. Two story houses with peaked roofs shall provide a minimum roof pitch of 6:12, excluding dormers and excluding vegetated roofs. Eave overhangs a minimum of 2 feet shall be provided.



5. All street-facing windows and doors shall be finished with ~~e. D~~decorative molding / framing details, around all front façade windows and doors.

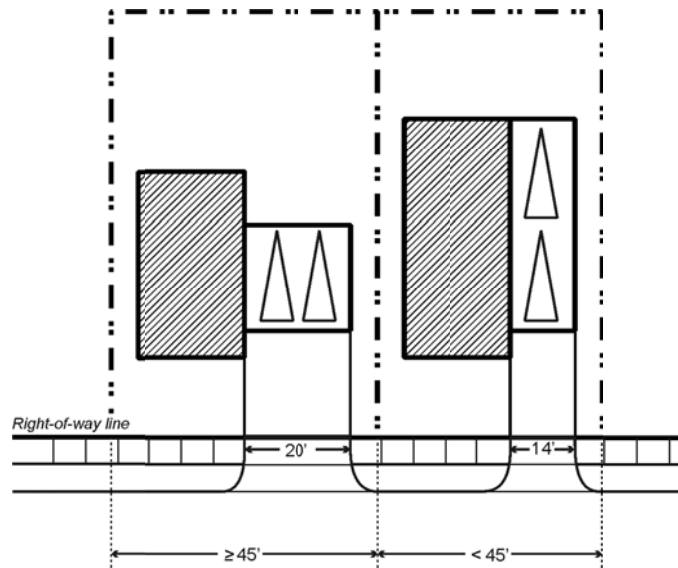
56. Driveways.

a. Vehicular access shall be from the rear of the site whenever feasible.

b. For driveways accessing the street, the maximum width of driveway approaches shall be 20 feet.

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

ed. In no case shall a driveway approach occupy more than 50% of any lot frontage. Shared driveway approaches may be appropriate for narrower lots.



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

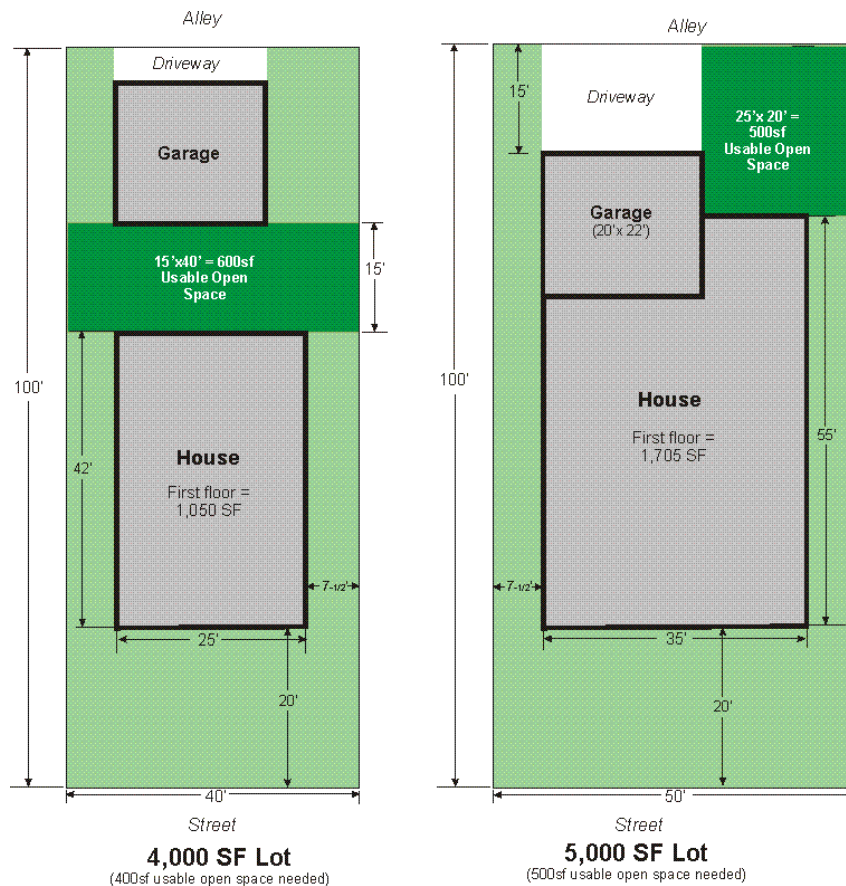
- a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.
- b. Not include alleys or driveway space.
- c. Not be located within the required front yard.
- [d. Be directly connected to and accessible from the house.](#)

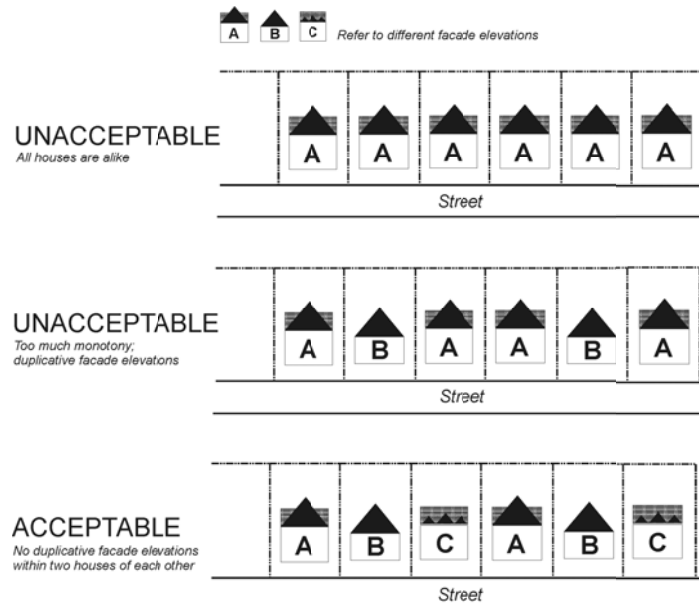
78. Housing style variety. Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation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

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

Example Layouts:

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





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

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

11. Within designated Historic Districts, whenever the applicable historic design standards conflict with the provisions of this section, the historic design standards shall control. The Landmarks Preservation Commission has the authority to provide direction in such cases.

F. Design Requirements – Level 2. In addition to meeting all the design requirements listed in subsection E, above, all new single-family dwellings on ~~new~~ lots that are ~~more than 10%~~ smaller than the applicable ~~Level 1 Small Lot standard~~ minimum lot size and/or width requirements in Section 13.06.100.D (~~including Level 2 Small Lots, legally pre-existing lots and lots where greater reductions are permitted, or~~ a variance has been approved), shall meet the following design standards:

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

- a. Decorative porch or entry design, including decorative columns or railings,
- b. Bay windows or balconies,
- ~~c. Decorative molding / framing details around all front façade windows and doors,~~
- ~~d.~~ c. Decorative door design including transom and/or side lights or other distinctive feature,
- ~~e.~~ d. Decorative roofline elements, such as brackets, multiple dormers, and chimneys,
- ~~f.~~ e. Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,
- ~~g.~~ f. Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or
- ~~h.~~ g. Other decorative façade elements or details that meet the intent of the criteria

2. At least one of the following must be provided:

- a. Dwelling(s) shall meet Built Green or other equivalent environmental certification for new construction, or
- b. Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.

13.06.150 Accessory dwelling units.

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

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

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

- 1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and fees as prescribed in subsection B.2 below.
- 2. Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.
- 3. Notice on title. The owner of any property containing an ADU shall record with the Pierce County Auditor a notice on title of the ADU. Such notice shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.; and (c) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the notice on title has been recorded prior to issuance of an ADU permit by Planning and Development Services. The notice on title shall run with the land as long as the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the notice on title. Such termination shall be granted upon proof that the ADU no longer exists on the property.
- 4. Permit. Upon receipt of a complete application, application fees, proof of recorded notice on title, and approval of any necessary building or other construction permits, an ADU permit shall be issued.
- 5. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.
- 6. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.

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

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

- 1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single-family detached dwelling in the City of Tacoma.
- 2. Occupancy. The maximum number of occupants in an ADU shall be 4 persons. Maximum occupancy may be further limited by the Minimum Building and Structures Code in Title 2.
- 3. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.
- 4. Ownership. The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.
- 5. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as

an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.

6. Home occupations. Home occupations shall be allowed, subject to existing regulations. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.

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

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

1. For Attached ADUs, the lot must meet the ~~standard~~ minimum Level 1 Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least ~~5,000 square feet, or~~ 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).

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

3. Height. The maximum height ~~limit~~ for detached ADUs shall be 18 feet, measured per the Building Code. Detached ADUs shall be no taller than the main house, the same as for other detached accessory structures (see Section 13.06.100.D). Alternatively, two-story detached ADUs may be allowed up to 25 feet in height provided the following: The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, the structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.

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

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

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

7. Design - Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space.

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

* * *

13.06.160 Cottage Housing.

A. Intent. Cottage housing developments are intended to:

1. Add affordable units to the existing housing supply.
2. Provide an increased choice of housing that responds to changing needs and lifestyles (e.g., young families, retired people).
3. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that cottage housing developments are designed in a compatible manner.
4. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Applicability. Cottage housing developments may be proposed in all residential districts.

C. Procedures. Cottage housing developments require the following applications:

1. A complete Conditional Use Permit application, pursuant to TMC 13.06.640.
2. Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.115.
3. A completed Preliminary Plat application, if applicable.
4. A completed environmental checklist, if applicable.
5. A completed application for a site plan approval.

6. Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

D. Application. Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit and for approval under the Residential Infill Pilot Program.

E. Development standards.

1. Residential Infill Pilot Program. Cottage housing developments shall comply with the sustainability and connectivity requirements, as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.115.

2. Minimum site size. Cottage housing developments require a minimum net site size of 10,000 square feet.

3. Number of units. Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.

4. Cottage housing types:

a. Cottage – A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.

b. Carriage – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.

c. Two/Three-dwelling Buildings – A structure containing two or three dwelling units, not to exceed 1,000 square feet per unit on average, designed to look like a detached single-family house. Two/three-dwelling cottage buildings are not permitted in the R-1 or R-2 Districts.

5. Maximum density. Cottage housing developments are permitted 1.5 times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or six cottage housing units.

6. Parking. Each cottage unit is required to have one off-street parking space. Parking may be contained in detached garages adjacent to dwelling units no larger than 250 square feet in floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.

7. Vehicular access. Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.

8. Setbacks. The external setbacks of the underlying zoning district shall apply.

9. Separation between units. A minimum of 8 feet shall be provided between structures containing dwelling units.

10. Common open space. A minimum of 400 square feet of common open space shall be required per unit. Each area of common open space shall be in one contiguous and central location with no dimension less than 20 feet. Common open space shall be located in a central area, that is easily accessible and visible to all dwellings within the cottage cluster. No sight-obscuring fences are permitted within common open spaces. The common open space shall be surrounded by cottage or common buildings on at least three sides, unless topography precludes this. Common open space shall be attractively landscaped and improved with gathering space, gardening, walkways or recreational features.

11. Private open space/yard. A minimum of 300 square feet of private open space shall be required per unit.

12. Maximum height for dwellings: Dwellings maximum height is 18 feet, or up to 25 feet with a minimum of 6:12 sloped roof.

13. Design Standards.

a. Each cottage building is required to have an attached covered porch a minimum of 50 square feet in size with no dimension less than 5 feet.

b. Each carriage unit shall have a deck or balcony, oriented toward the common open space.

c. Buildings adjacent to the public right-of-way must orient entrances toward the public right-of-way, provide a minimum of 15 percent façade transparency, and provide an inviting façade through façade modulation, roofline variation or other design features.

d. Cottage projects shall establish building and site design that is attractive and promotes visual interest. All structures shall be designed according to a coherent design concept that allows for variation in style, features, materials and colors.

e. Cottage developments shall provide for variation in unit sizes, building and site design. A variety of building styles, features, colors and site design elements are required within a cottage housing development.

f. Cottage developments shall be stick-built.

14. Community buildings. Community buildings in common ownership are permitted within cottage housing developments, and shall be incidental in use and size to the cottage dwellings.

15. Connectivity. All dwelling units shall be directly connected to the public sidewalk.

16. Landscaping. Street trees are required per the provisions of 13.06.502. Parking areas shall be softened or screened with landscaping. Internal landscaping shall be determined through the Residential Infill Pilot Program review process.

17. Accessory Dwelling Units. Not permitted.

18. Floor Area Ratio. A maximum of 0.5 FAR is required for the overall site.

* * *

13.06.300 Mixed-Use Center Districts.

* * *

B. Districts established. The following specific districts are established to implement the purposes of this section and the goals and policies of Tacoma's Comprehensive Plan:

* * *

6. NRX Neighborhood Residential Mixed-Use District. To provide for a predominantly residential neighborhood, to discourage removal of existing single-family residential structures; and to encourage in-fill residential development of appropriate size and design. This district is designed for areas characterized by an established mix of housing types and limited neighborhood commercial uses, in areas which were formerly zoned to permit residential development at densities greater than single-family, where redevelopment removed many existing single-dwelling structures and where there is continued development pressure that threatens single-family dwellings. Adaptive reuse of existing single-family detached structures as duplexes or triplexes is permitted with special review. Multiple-family dwellings in existence at the time of reclassification to NRX are conforming uses.

* * *

E. Building envelope standards.

1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Minimum lot area	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	0 square feet	3,750 square feet for single-family dwellings; 2,500 square feet per unit for duplexes; 6,000 square feet for triplexes and multi-family dwellings; 5,000 square feet total per townhouse development	

* * *

2. X-District Height Bonuses. The X-District Height Bonus program provides a mechanism to allow for additional height for projects within certain portions of the Neighborhood Mixed-Use Centers. It is designed to encourage new growth and foster economic vitality within the centers, consistent with the State Growth Management Act and the City's Comprehensive Plan, while balancing taller buildings and greater density with public amenities that help achieve the community's vision for the centers, with improved livability, enhanced pedestrian and transit orientation, and a quality built environment, and realize other City-wide goals. Through this program, projects within certain areas may qualify for additional building height, above and beyond the standard maximum height limits outlined above, under Subsection E.1. In order to achieve these increased height limits, projects are required to provide one or more public benefit bonus features.

* * *

b. Height Bonus Palettes. The two tables below outline the various public benefit features available for incorporation as part of a project in order to increase maximum height limits, as described above. The following limitations and guidelines apply to the use of the bonus palettes:

* * *

(7) Height Bonus Palette – Level 1:

* * *

HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
Quality of Life		
Affordable Housing	At least 20% of residential units provided for households making less than 80% of area median income. In order to qualify, the affordable units shall meet all of the standards prescribed through the City’s Multi-family Property Tax Incentive program.	20 feet
Affordable Housing Trust Fund	Contribution to the City’s Housing Trust Fund in an amount equal to the fee in lieu provisions of TMC 1.39 Affordable Housing Incentives Administrative Code. 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). This contribution would be made available in loans or grants to public or private developers for the development of housing for households making less than 80% of area median income. First priority for the use of the contribution would be within the mixed-use center where the project contribution is being made.	10 feet
Open Space Fund Contribution (0.5%)	Contribution to the City’s Open Space Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). These funds would be utilized for acquisition and management of open spaces within the City, with a particular focus, when appropriate, on acquiring and managing open spaces within and in close proximity to the subject Mixed-Use Center.	10 feet
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area.	10 feet

* * *

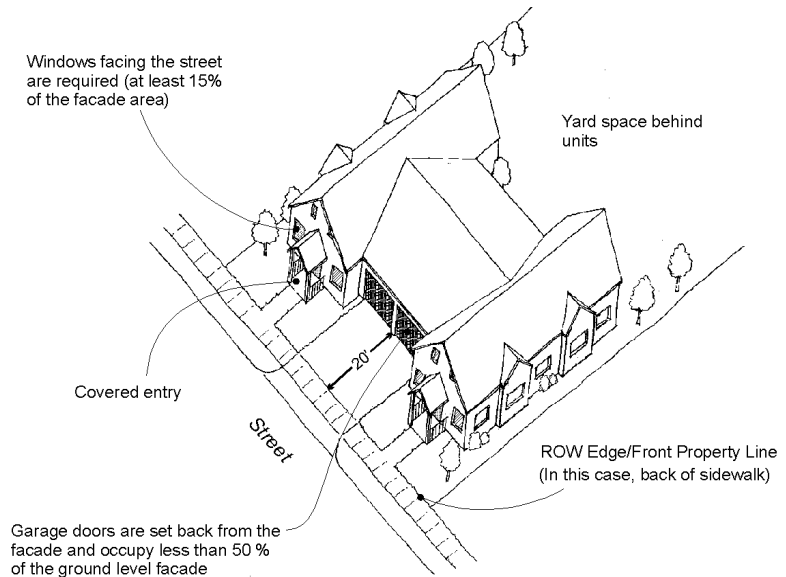
13.06.501 Building design standards.

A. 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 in C-1, C-2, HM, T, PDB, and Mixed-Use Center Districts and alterations, as outlined below, as well as to townhouses in R-districts, except as follows:

* * *

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

1. Covered entries are required for each common entry or individual dwelling unit entry with minimum dimensions of 4 feet by 6 feet.
2. Windows on the street. At least 15 percent of the street-facing façades (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.
3. Garage design standards.
 - a. Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as an abutting right-of-way that is or can be developed, is available.
 - b. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the property line or private road easement.
 - c. The garage face or side wall shall occupy no more than 50 percent of the length of a ground-level façade facing a street.
 - d. Where the garage faces the side, but is visible from the frontage, the garage shall incorporate a window on the front-facing façade so that it appears to be a habitable portion of the building. The window size and design must be compatible with the windows on habitable portions of the dwelling.
 - e. Driveway approaches shall also be consistent with the standards in Section 13.06.510.



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

* * *

13.06.510 Off-street parking and storage areas.

A. Purpose. To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land, and to ensure that required parking areas are designed to perform in a safe and efficient manner. Additionally, to minimize impacts to adjacent uses from areas used for storage of vehicles and other materials, specific design and development standards for such areas are provided in Subsection D.

* * *

TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}		
Use	Unit	Required parking spaces
		Min.
Residential		

Group housing – up to 6 residents		2.00
Group housing – 7 or more residents ^{1, 16}	Room, suite or dwelling	1.00
Small Lots, Cottage Housing and Lots not conforming to area/width ³	Dwelling.	1.00
Mobile home park ^{1, 2, 12}		

TABLE 1 Footnotes	

3.	Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.145, Cottage Housing Dwellings approved per TMC 13.06.155, and A lots which were was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.

* * *

13.06.640 Conditional use permit.

A. Purpose. In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

B. Conditional uses and height. Since certain conditional uses have intrinsic characteristics related to the function or operation of such uses, which may necessitate buildings or other structures associated with such uses to exceed the height limits of the zoning districts in which the conditional uses may be located, the Director or Hearing Examiner may authorize the height of buildings or other structures associated with the following conditional uses to exceed the height limit set forth in the zoning district in which such uses are located; provided, such height is consistent with the criteria contained in subsection C D of this section:

* * *

C. Conditional Use Permits and Historic Properties. For proposals affecting properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the Director shall refer the complete application to the Landmarks Preservation Commission for comment regarding whether the proposal appears to meet applicable historic guidelines and standards.

C D. Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.

2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.

3. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.

34. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:

a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.

b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.

c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

4.5. An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

D E. Special needs housing. A conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:

* * *

E F. Two- and three-family and townhouse dwellings, where allowed by conditional use permit in Special Review Districts (R-2SRD and HMR-SRD). A conditional use permit for a two- or three- family or townhouse dwelling unit in a Special Review District shall only be approved upon a finding that such use is consistent with all of the following criteria:

a1. The use is consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.

b2. The use is consistent with the intent and regulations of the R-2SRD and HMR-SRD Districts.

e3. Special circumstances exist on the site which present an opportunity to evaluate the potential integration of two or three-family or townhouse development into the predominately single-family neighborhood~~make development or continuation of a single-family dwelling difficult~~. Special circumstances may include, but shall not be limited to, the following:

- ~~(1)~~a. Location on an arterial street;
- ~~(2)~~b. Location in close proximity to a more intensive zoning district or to transit service;
- ~~(3)~~c. Unusually large lot for a single-family dwelling which, because of its shape, topography, lack of suitable access or other factors affecting the lot, could not be subdivided and developed in conformance with the regulations of the district; and
- ~~(4)~~d. The existence on the site of a single-family dwelling with an above-grade floor area of more than 2,400 square feet, exclusive of garage area, in the case of an application for conversion to a two-family dwelling, or 3,200 square feet in the case of a conversion to a three-family dwelling.

44. The proposed use and development shall be compatible with the quality and character of surrounding residential development and shall not be materially detrimental to the overall single-family dwelling environment and character of the general area, and in the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the extent practicable.

5. Within designated Historic Districts, new two or three-family development shall be consistent with the district's historic design guidelines. Conversions of single-family dwellings to two or three-family dwellings shall be limited to buildings listed as "noncontributing" on the historic district inventory adopted by the Landmarks Preservation Commission.

6. The proposed two-family, three-family or townhouse development shall be designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance. In the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

7. The proposed structure is designed to resemble a detached single-family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the zoning district on one side of the structure. Each unit shall provide no more than one off-street parking space.

8. Applications for two- and three-family and townhouse dwelling units in special review districts shall be processed in accordance with the provisions of Chapter 13.05. In addition to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, a landscape plan, and complete information indicating why the property is inappropriate for single-family development. The purpose of these plans and information shall be to show consistency with the required criteria.

FG. Two-family development on corner lots may be allowed by conditional use permit in R-2 Districts. A conditional use permit for a two-family or townhouse dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot is a corner lot with a minimum lot size of 6,000 square feet in size. Corner lots provide an opportunity for two-family or townhouse development to be integrated in the neighborhood in a context-responsive manner that is consistent with the single-family detached character of the district.

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

3. The proposed two-family or townhouse development is designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.

4. The proposed structure is designed to resemble a detached single-family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off-street parking space. In the case of conversion of an existing single-family dwelling to a two-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

5. Applications for two-family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

H. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District. A conditional use permit for a multi-family dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot is a minimum of 9,000 square feet in size.

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

3. The proposed structure is designed to minimize the overall impression of density and bulk and to fit with established neighborhood patterns. Access to dwellings shall be through a shared primary entrance. Parking shall be limited to one space per unit, and shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

4. Applications for multi-family dwellings in R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

FJ. Uses in Historic Structures. A conditional use permit for the reuse of a historic structure and/or site for one of the below listed uses (where not otherwise allowed by the underlying zoning) shall be authorized only if it can be found to be consistent with all of the following criteria. This provision shall be limited to only those structures and sites that are individually-listed on the Tacoma Register of Historic Places. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the existing, historic attributes of the building and site and surrounding uses.

* * *

GJ. Uses in the South Tacoma M/IC Overlay District. When required, a conditional use permit for a use within the ST-M/IC South Tacoma Manufacturing/Industrial Overlay Zoning District, shall be authorized only if it can be found to be consistent with all of the following criteria:

* * *

HK. Duplex, Triplex and Townhouse Development in NRX Districts. In addition to the standard decision criteria for conditional use permits, as outlined above under subsection C, a conditional use permit for a duplex, triplex or townhouse in the NRX District shall only be approved upon a finding that such development is consistent with all of the following additional criteria:

* * *

IL. Pre-existing uses which were not required to obtain a Conditional Use Permit at the time they were developed, but which have subsequently become Conditional Uses, shall be viewed for zoning purposes in the same manner as if they had an approved Conditional Use Permit authorizing the extent of development as of August 1, 2011. If proposed modifications or expansions to such uses exceed the Major Modification thresholds of Section 13.05.080, or for park and recreation facilities the expansion/modification thresholds of Section 13.06.560.C.2, a Conditional Use Permit will be required for the new development activities proposed.

* * *

JM. Large Scale Retail

* * *

13.06.650 Application for rezone of property.

A. Application submittal. Application for rezone of property shall be submitted to Planning and Development Services. The application shall be processed in accordance with the provisions of Chapter 13.05. Final action on the application shall take place within 180 days of submission.

B. Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Comprehensive Plan.
2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Comprehensive Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.

5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

* * *

H. Affordable housing – privately initiated upzones. Privately initiated residential upzones shall be conditioned to provide for inclusion of affordable housing. For development proposals meeting the thresholds and criteria of TMC 1.39, a certain number of the dwelling units shall be entered by the project proponent into the City’s Affordable Housing Incentives Program. That number may be designated at the time of the upzone, or alternatively the upzone shall be conditioned to provide that designated percentage of affordable units at such time as a specific residential development proposal is submitted to the City.

I. Affordable housing – City-initiated upzones. In order to ensure consistency with the housing policies of the Comprehensive Plan which promote mixed-income neighborhoods citywide, the City shall analyze the supply of affordable housing in the vicinity of the proposed upzone, and assess whether the upzone would substantially exacerbate affordability challenges. If there are affordability issues associated with the proposed upzone, the City shall consider actions to address them, potentially including placing special conditions on the upzone, targeting City programs or funding to increase the affordable housing supply, or other methods.

* * *

13.06.700 Definitions and illustrations.

For the purposes of this chapter, 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.

* * *

Cottage housing. Cottage housing is defined as a grouping of small dwelling units clustered around a common area and developed with a coherent plan for the entire site, per the provisions of TMC 13.06.155.

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Floor area. The sum of the square footage of all of the floors of a structure or building. Unless specified otherwise, “floor area” shall be calculated in the same manner outlined in the current building code definition for “floor area, gross.”

Floor Area Ratio (FAR). The amount of floor area within a building as a multiple of the lot area. Right-of-way that has had its air rights vacated shall be considered as lot area for calculating FAR. For the purposes of calculating allowable FAR within the downtown area, floor area shall exclude the following areas when calculating the maximum FAR:

1. Spaces below grade;
2. Space used for retail uses or restaurants that front the sidewalk; and
3. Space devoted to special features.
4. Area used for parking.
5. Mechanical equipment, elevators, and stair shafts.
6. Exterior decks, balconies, and corridors open to the air.

* * *

Floor Area Ratio – Single-family Small Lots. The ratio of the total floor area of a single-family house to the lot area upon which it is built, not including spaces below grade and accessory structures.

* * *

Massing study. A massing study is an architectural method to visualize the way that the shape and size of buildings will impact the neighborhood and site character. Massing refers to the general shape and size of buildings. A massing study shall detail the building bulk, height and articulation on the site as well as the site setbacks, yards and open spaces.

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Chapter 13.06A DOWNTOWN TACOMA

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13.06A.060 Development Standards.

A. Buildings lawfully in existence on January 10, 2000, or August 1, 2014, depending on the location within the Downtown Zoning District, do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity. Please see Figure 1 in Section 13.06A.055.B for specific locations within the Downtown related to legal non-conforming status to these standards.

B. Development Standards Table.

District	Residential FAR			Non Residential FAR			Height Limits
	"As-of-right"	Maximum with Design Standards	Maximum with TDR	"As-of-right"	Maximum with Design Standards	Maximum with TDR	
DMU	3	5	7	2	4	6	100'
WR	4	5	7	3	4	6	100'
DR	2	4	6	1	2	4	90'
DCC	3	6	12	3	6	12	400'

C. Floor Area Ratio – Additional Standards.

1. The FAR for non-residential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded. For example, in the DCC, an "as-of-right" development may have a total FAR of 6, with a FAR of 3 in non-residential use and a FAR of 3 in residential use in a single development.
2. For the purposes of calculating maximum allowable FAR, hotels shall be considered a residential use.
3. A minimum FAR of 1 shall be achieved for structures within the Downtown Commercial Core district. The gross floor area shall be used to calculate the minimum FAR.
4. The maximum allowable Floor Area Ratio may be exceeded as provided for in Section 13.06A.080.
5. Floor area is determined pursuant to the definition provided in Section 13.06.700.

D. Building Height – Additional Standards.

1. Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.
2. Maximum Building Height within 150' east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.

* * *

13.06A.080 Design Standards for Increasing Allowable FAR.

A. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 0.5, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
2. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:
 - a. Seating in the amount of one sitting space for each 100 sf of area.
 - b. Trees and other plantings.
 - c. Solar exposure during the summer.
 - d. Visibility from the nearest sidewalk.
 - e. Within 3' of the level of the nearest sidewalk.
3. Incorporation of works of art into the public spaces, exterior façade, or entrance lobby.

4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of “green roofs” which reduce storm water runoff. Access by building occupants is encouraged.
5. Including a Public Benefit Use within the development.
6. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.
7. Retention and renovation of any designated or listed historic structure(s) located on the site.

B. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 2, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Provide a “hill climb assist” in the form either of a landscaped public plaza or an interior public lobby with an escalator or elevator. Such space shall be open to the public during daylight hours or shall be open during the times detailed in a management plan approved by the City of Tacoma, Building and Land Use Services Department.
2. Provide works of art or water features equivalent in value to at least 1 percent of construction costs within publicly accessible spaces on site or off site within the downtown zoning district where the development is located.
3. Provision of public rest rooms, open to the public at least 12 hours each weekday.
4. Contribution to a cultural, arts organization or to the Municipal Art Fund for a specific development or renovation project located downtown, in an amount equal to at least 1 percent of the construction cost of the development.
5. Parking contained entirely within structures or structures on site.

[6. Incorporation of affordable housing units pursuant to the provisions of TMC 1.39. See TMC 1.39 for the requirements and process of this program.](#)

13.06A.090 Transfer of Development Rights for Increasing Allowable Floor Area Ratio.

Development projects can incorporate Transfer of Development Rights, in compliance with Chapter 1.37 Transfer of Development Rights Administrative Code, to increase the as-of-right allowable FAR up to the “Maximum for TDR.”

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Chapter 13.11

CRITICAL AREAS PRESERVATION

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13.11.260 Residential Density Credits.

A. For residential development proposals on lands containing fish and wildlife habitat conservation areas (FWHCAs), erosion hazard areas, landslide hazard areas or steep slopes, the density that would have been allowed in the critical area and buffer but for the provisions of this chapter is generally transferred to the remainder of the site not in the critical area or buffer. For residential development proposals on lands containing wetland or stream buffers, the density that would have been allowed in the buffer but for the provisions of this chapter is generally transferred to the remainder of the site not in the critical area or buffer. For wetlands and streams, density credits do not apply to the portion of the site occupied by the critical area. The allowable number of dwelling units shall be determined using the following formula, table, 125 percent maximum density rule and setback provisions.

B. The formula for determining the number of dwelling units allowed after the application of density credits is as follows:

Dwelling units allowed on site = $(CA \times DC + DA) / \text{MLS}$, where:

CA = Critical acreage: The amount of land on the project site which is located in the critical area and required buffer and in which no regulated activity is allowed. For wetlands, streams, and FWHCAs the critical acreage only includes the amount of land which is located in the required buffer and in which no regulated activity is allowed.

DC = Density credit: The percentage of the density that would have been allowed in the critical area and/or required buffer but for the provisions of this chapter that is allowed to be transferred to the remainder of the site. The density credit is based on the percentage of the site in the critical area and/or buffer and is determined using the table in subsection C below.

DA = Developable acreage: The amount of land on the project site which is not located in the critical area or the required critical area buffer.

MLS = Minimum lot size: The minimum amount of land required for a dwelling unit in a specific zoning district.

C. Table of density credits.

**Percentage of Site in Density
Critical Area and/or Buffer Credit**

1 – 10%	100%
11 – 20%	90%
21 – 30%	80%
31 – 40%	70%
41 – 50%	60%
51 – 60%	50%
61 – 70%	40%
71 – 80%	30%
81 – 90%	20%
91 – 99%	10%

D. The 125 percent maximum density rule provides that the maximum number of dwelling units cannot exceed 125 percent of the allowed number of dwelling units without a density credit on the developable acreage of the site.

E. The minimum lot size under this provision shall be 3,000 square feet, unless a smaller lot size is permitted in the district. Front and Rear setbacks may be reduced by 50 percent. The Small Lot standards of Section 13.06.145 shall apply. The setback requirements shall be the same as the setback requirements for Planned Residential Developments as provided in Section 13.06.140.

F. The density credits can only be transferred within the same development proposal site.