



**To:** Planning Commission  
**From:** Lauren Flemister, Senior Planner, Planning Services Division  
**Subject:** **Detached Accessory Dwelling Unit (DADU) Regulations**  
**Meeting Date:** August 1, 2018  
**Memo Date:** July 26, 2018

**Action Requested:**

Guidance and Concurrence.

**Discussion:**

At the next meeting on August 1, 2018, the Planning Commission will discuss issue areas for the project of “Detached Accessory Dwelling Unit (DADU) Regulations.” The discussion will focus on a variety of issues, such as design review, parking, and size. Staff hopes to have clear direction from Planning Commission on these key issues, in order to draft code that targets desired policy outcomes. Attached to facilitate the Commission’s review and discussion is the Discussion Outline.

**Project Summary:**

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

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

**Prior Actions:**

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

**Staff Contact:**

- Lauren Flemister, Senior Planner, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org), 253-591-5660

**Attachments:**

- Detached Accessory Dwelling Unit Permanent Regulations Discussion Outline
  - Exhibit “A” – TMC 13.05.115 Residential Infill Pilot Program
  - Exhibit “B” – TMC 13.06.150 Accessory Dwelling Units
  - Exhibit “C” – Residential Infill Pilot Program Handbook Excerpts

c: Peter Huffman, Director



# Detached Accessory Dwelling Unit Permanent Regulations

## Discussion Outline

*August 1, 2018*

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### Objectives

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

### Summary

While all provisions of the Pilot Program code (TMC 13.05.115; see Exhibit “A”) and portions of the ADU code (TMC 13.05.150; see Exhibit “B”) will be reviewed, staff recommends focusing on those provisions that will help increase the potential for high quality projects that positively impact both the homeowner and neighborhood. Additional areas of study that will impact the scope of review are based on information from the Pilot Program, best practices and benchmarking in the region regarding DADUs and design review, and information from Public Works and Environmental Services. The following issues have been identified for elevated review:

- Occupancy – Currently, TMC 13.05.120 states that a maximum of 4 persons shall occupy an ADU. However, Title 2 – Minimum Building and Structures addresses occupancy based on life safety and health issues. Staff will review necessity in defining number of residents in this code section.
- Ownership – Both the Pilot Program and ADU code sections state that a property owner must maintain occupancy in either the main building or ADU. Staff will review language for desired outcomes.
- Parking – Both code sections do not require off-street parking. Staff will review parking demand in neighborhoods adjacent to mixed-use centers and will review code language to better account for varied site conditions. Staff will also provide a recommendation on the need for a parking plan or statement of parking as a requirement.

- Home Occupations – Code review will be conducted between the ADU and home occupation code sections to ensure no conflicts and desired outcomes.
- Legalization of Nonconforming DADUs – Code currently covers an amnesty period that sunsetted in 1996. Staff will assess if a new amnesty period should be offered to property owners to bring nonconforming ADUs under permit and which requirements must be met to come into compliance.
- Size – As currently defined in the ADU code, the size of an ADU must not exceed 1,000 square feet and cannot exceed 40 percent of the total square footage of the house and ADU or 2/3 of the main building, as well as the ADU and other accessory buildings not exceeding 1,500 square feet. These size requirements will be looked at based on both the relative size of the DADU to the main house, as well as the size of the lot.
- Design – The Pilot Program and the ADU codes both lay out some design criteria. The Pilot Program defines 8 elements that must be followed to meet design intent. However, specific design standards were not developed due to the nature of a pilot program and because a review committee made determinations on individual projects. Staff will develop draft design standards that take quality and an appropriate level of compatibility into consideration without creating undue process. Staff will also research and present benchmarking of other City’s standards and processes as it relates to design of DADUs.
- Site Improvements – Staff will work with the Site Development group to determine appropriate criteria for walkway size, location, and materiality, as well as ensuring that site improvements meet issues of nexus and proportionality

## Area of Applicability

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

## Background

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

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

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

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

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

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

### Available

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

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

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

### Currently Closed

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

As of April 2017, no DADU spaces have been open. Robust community interest in applying for DADUs has continued unabated during the time since the first review

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### Detached Accessory Dwelling Units Permanent Regulations

Discussion Outline (8-1-18)

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committee meeting. Based on the acute housing need in the City and the level of community interest, City Council passed Resolution No. 39886 in December of 2017 requesting the Planning Commission to modify TMC 13.05.115 to increase the number of DADUs allowed and to review design standards and review processes for the entire Pilot Program.

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

## Options Analysis

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

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

## Outreach Summary

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

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

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

### Key Stakeholders

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

- Planning Commission mailing list

### Outreach Tools

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

*Staff will provide a completed outreach plan at the Planning Commission meeting on August 7<sup>th</sup>.*

### **Exhibits**

- “A” – TMC 13.05.115 Residential Infill Pilot Program
- “B” – TMC 13.06.150 Accessory Dwelling Units
- “C” – Excerpts from Residential Infill Pilot Program Handbook



### **13.05.115 Residential Infill Pilot Program**

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

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

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

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

(Ord. 28336 Ex. B; passed Dec. 1, 2015)



### **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.

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CODE EXCERPTS PERTAINING TO RESIDENTIAL INFILL PILOT PROGRAM

[www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning), select Current Initiatives, Residential Infill Pilot Program

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 minimum Level 1 Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. 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 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 for detached ADUs shall be 18 feet, measured per the Building Code. Detached ADUs shall be no taller than the main house. The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, the structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.
4. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, when allowed, permitted as a detached structure located in the rear yard.
5. Setbacks. 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.





CITY OF TACOMA

# RESIDENTIAL INFILL PILOT PROGRAM

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A handbook for building new housing on existing  
residential properties



TMC 13.05.115 Residential Infill Pilot Program  
November 2016

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**TYPES OF INFILL:**

ACCESSORY DWELLING UNITS



TWO-FAMILY HOUSING



MULTI-FAMILY HOUSING



COTTAGE HOUSING





# Ø1 INTRODUCTION

## PURPOSE

The purpose of the Residential Infill Pilot Program (referred to as the Pilot Program throughout the remainder of this document) is to promote innovative residential infill development types and housing choice, 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 future Council decision on development regulations and design standards for some or all of these infill housing types.

## BACKGROUND

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

-  Detached Accessory Dwelling Units (DADU) in single-family zoning districts (R-1, R-2, R2-SRD, HMR-SRD)
-  Two-family or townhouse (TF) development within the R-2 Single-Family District
-  Small-scale multifamily (MF) development within the R-3 District
-  Cottage Housing (COT) development within any residential district except HMR-SRD District

A maximum of three of each housing type may be developed for a maximum of twelve projects through the Pilot Program.

### *Infill Defined:*

*New development that is sited on vacant or undeveloped land within an existing community, and that is enclosed by other types of development.*

Infill Housing Types:	DADU	TF	MF	COT
Maximum number of applications that will be selected for the Pilot Program*				
				
				
				
				

\*The number of applicants (represented by colored hexagons per housing type) does not change the number of projects chosen to move forward under the Pilot Program.

The anticipated Pilot Program launch is October 2016. At that time, the City will begin more detailed discussions with applicants wishing to develop one of the infill housing options. The review committee of staff and Tacoman citizens formed by Planning and Development Services (PDS) will select up to three of each housing type based on how well they demonstrate the Pilot Program’s design principles and objectives, as well as meet related City requirements. Proponents of the projects selected will be invited to submit full permit applications.

**PILOT PROGRAM PROCESS DIAGRAM**



**PROCESS TO APPLY**

**Scoping and Preparation**

Staff will be available to discuss project ideas with potential applicants. In addition, planning staff can put potential applicants in contact with staff in other departments and divisions to add with information gathering and necessary clarifications. This period is intended to help applicants determine if a project is well-suited to go through the Residential Infill Pilot Program process.

**Pre-Application Meeting**

As on all development projects, staff will be available to help individuals in the preliminary planning stage on your infill proposal. Any level of detail can be a basis for conversation and analyzing areas that need additional attention or correction.

**Pilot Program Application**

After working with staff to develop project particulars, applications will be accepted in a window from January to February. Precise dates will be announced at a later date.

**Public Early Involvement Meetings**

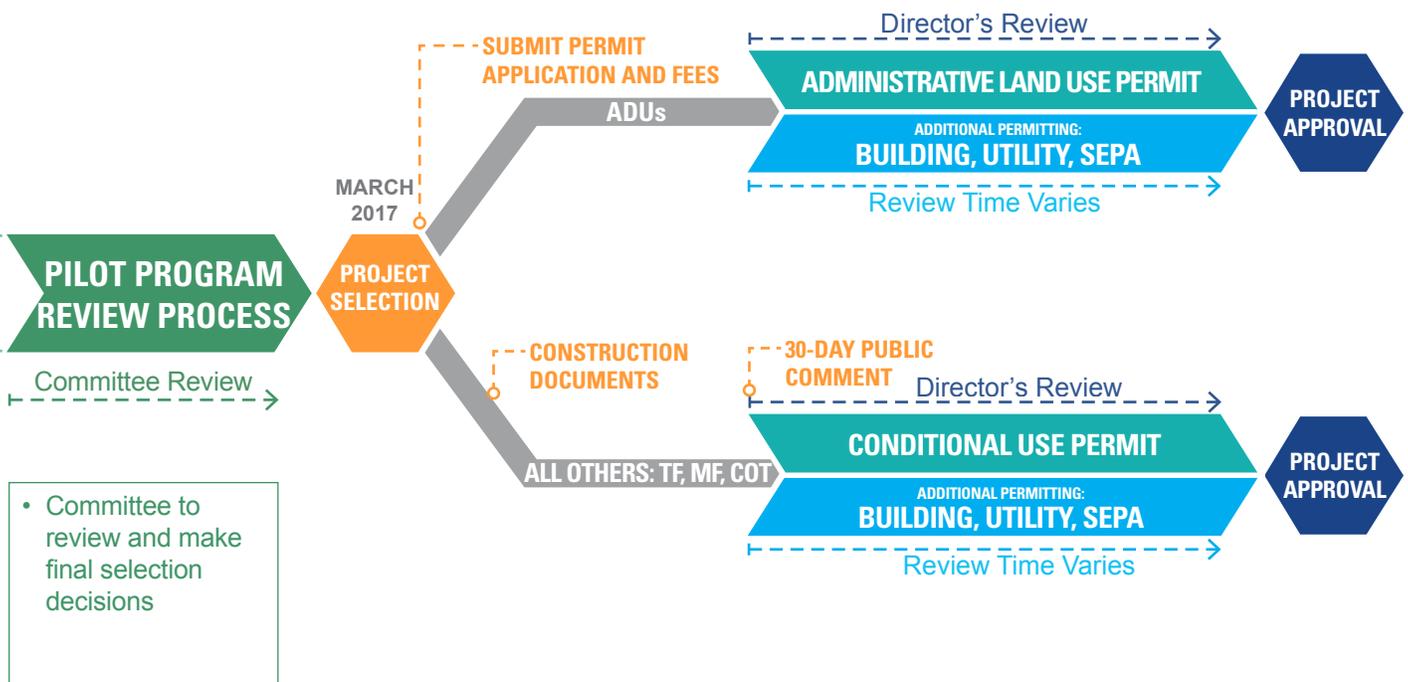
In order for public feedback to be heard and to provide comprehensive information to the review committee, meetings will be scheduled to hear public comment about potential residential infill pilot projects.

**Project Program Review Committee Meeting**

The committee will meet to review the merits of all eligible projects that have been submitted via application to staff. A scoring rubric, which will be made available in advance of the application window, will be used to rank projects.

**Permitting Process**

All projects are subject to typical regulations and fees associated with project type and size. If the applicant is ready, the project may be submitted after notification of project acceptance. Otherwise, more time should be taken to develop the project for permit submittal.



## CONDITIONAL USE PERMITS

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, these uses 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.

A conditional use permit will be required for two-family development within the R-2 district, multi-family development within the R-3 district, and cottage housing development within any residential district except HMR-SRD. DADUs do not require a conditional use permit unless taller than 18' to

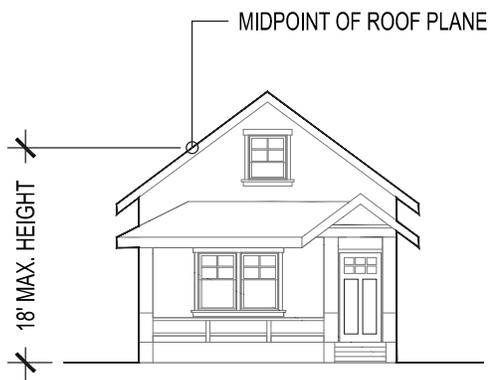
midpoint of the roof. All DADUs must be developed in the R-1, R-2, R2-SRD and HMR-SRD districts and require an administrative land use permit.

See *Locating Infill Projects* in Chapter 4 of this document which provides more detail on the zoning for allowable housing types and defines the residential zoning districts. Also, see TMC 13.06.100, -.200, -.300, and -.400 which identifies which uses require a conditional use permit. 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 under *Procedures and Fees* in Chapter 4 of this document.

RESIDENTIAL INFILL PILOT PROGRAM



ADU in Tacoma, WA. Photo Credit: Lauren Flemister.



Height Limit Requirements for new DADU.  
CUP is required only for buildings taller than 18' to midpoint of roof plane.



DADU in Seattle, WA. Photo Credit: Seattle Department of Construction and Inspections.

## ACCESSORY DWELLING UNITS

### Definitions

**Accessory Dwelling Units (ADUs):** A self-contained living space within a house or on the same lot as an existing single-family home that is established through a permit process.

A legally permitted unit in the home is called an **attached accessory dwelling unit**. A legally permitted unit on the property (but not within the home) is called a **detached accessory dwelling unit (DADU)** sometimes called a backyard cottage or mother-in-law apartment.

Only DADUs will be considered under this Pilot Program.

### Zoning

Under the Pilot Program, DADUs will be reviewed in single-family zoning districts: R-1, R-2, R2-SRD and HMR-SRD. See *Locating Infill Projects* in Chapter 4 of this document for allowable locations for this type of development.

### Permitting

ADUs do not need to go through a conditional use permit process as long as they meet the criteria presented in this section.

### Submittal Requirements

See checklists in Chapter 4 for complete submittal requirements under the provisions of the Pilot Program.

### References

- TMC 13.06.150 - Accessory Dwelling Units
- TMC 13.05.115 - Residential Infill Pilot Program

## ADU REQUIREMENTS:



### Maximum Units:

- One ADU allowed per residential lot

### Floor Area Limits:

- 1,000 SF or 2/3 the SF of the main building (whichever is smaller)
- DADU + Other Accessory Buildings = 1,500 SF max.

### Minimum Lot Size:

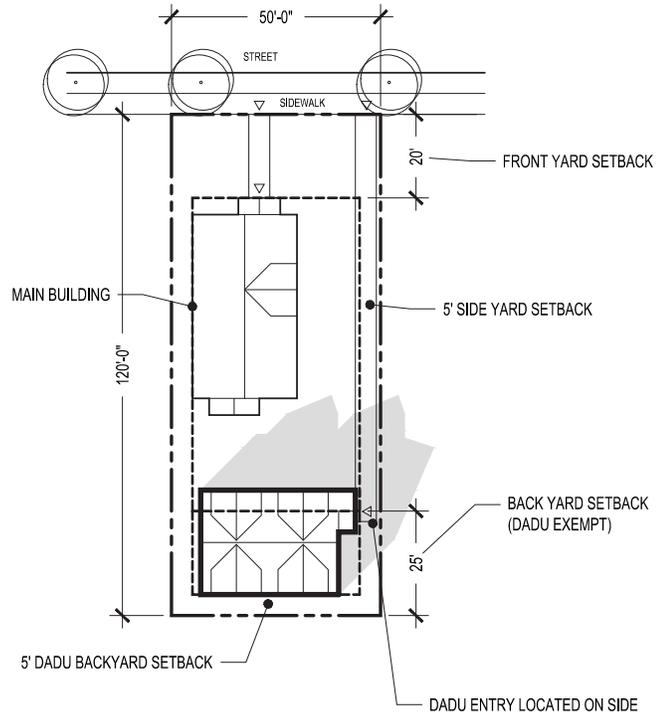
- 7,500 SF in R-1
- 5,000 SF in other R zones

### Parking:

- No additional parking required

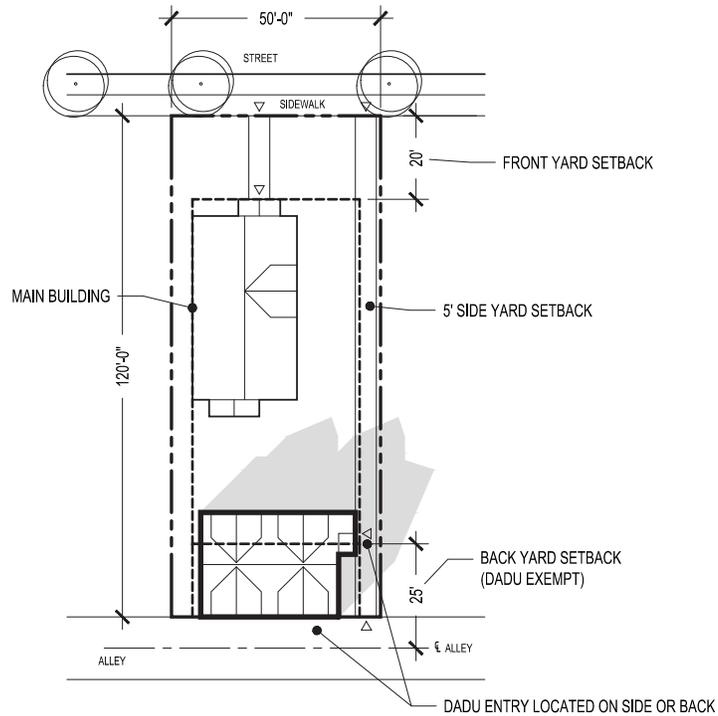
### Design Criteria:

- No more than four occupants in ADU.
- Property owner must maintain occupancy in the main building or ADU.
- ADU shall include facilities for cooking, living, sanitation and sleeping.
- Home occupations allowed.
- DADU footprint must be less than 85% of main building footprint and less than 15% of the lot area.
- A 4-foot pedestrian walkway composed of distinct materials from adjacent vehicle driving or parking surfaces shall be provided between the ADU and the nearest public sidewalk or street right-of-way when no sidewalk exists.
- Minimum usable yard space shall be 10% of lot area



**Example 1: DADU with No Alley**

DADUs also need to meet standards in TMC 13.06.100.F building standards



**Example 2: DADU with Alley**

DADUs also need to meet standards in TMC 13.06.100.F building standards

## Ø3 DESIGN ELEMENTS

### Criteria

The success of the pilot program will be based on the production of exemplary projects; once staff and Council know the best of what is possible, we will be able to create code and design guidelines that will encourage consistent, good-quality projects of these types. Some of the principles in the Comprehensive Plan and the Strategic Plan and requirements found in portions of municipal code provide guidance to shape the design elements of the projects we hope will arise from the pilot program. The following elements provide a design framework to help applicants design site plans and buildings that will match the vision of pilot program.

### *Element One*

In the City of Tacoma, there are distinct residential patterns in various areas of the city. Many of the neighborhoods are well-designed and possess a character beloved by residents, so many cues can be taken from the existing style of the neighborhood. Successful projects will be compatible with the following patterns established by existing neighborhood development:

#### (1.) Street frontage characteristics

-consider the entries (pedestrian and vehicular), location of exterior temporary and permanent fixtures, walkways, etc.

#### (2.) Rhythm of development along the street

-consider scale of building(s), size of openings (doors and windows), amount of and location of lot coverage

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

-consider location and direction of building, entries, walkways, and driveways

#### (4.) Front setback patterns

-consider and follow setback requirements set out in code and present in your neighborhood

#### (5.) Landscaping and trees

-site development associated with any proposed projects should either follow or improve upon existing vegetation patterns

#### (6.) Backyard patterns and topography

-site development associated with any proposed projects should be consistent with neighborhood characteristics and properly and safely accommodate the new or modified structure(s)

#### (7.) Architectural features

-building details may be consistent with those of any other buildings on the site and/or other buildings in the neighborhood. An updated or modernized style will be considered provided the quality and design are considered to be appropriate for the project and neighborhood

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

-if the proposed project is in a historic district or the house has special architectural features or is landmarked, the proposed design must be responsive to the main house and/or neighboring structures

### ***Element Two***

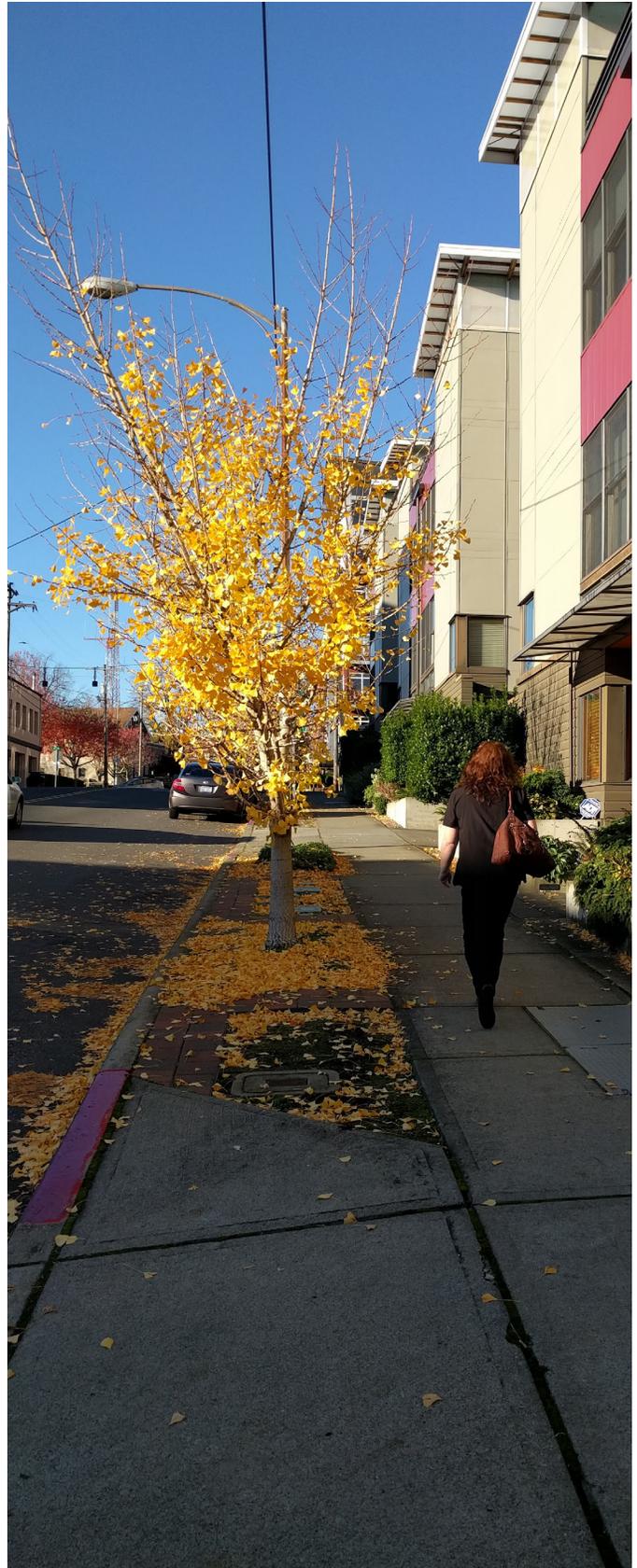
Walkability and connectivity are core principles in the City's Comprehensive Plan. Walkable neighborhoods promote health and wellness and create an accessible environment with more ways to engage citizens. Pedestrian-friendly design will be a key component of any proposed project or development. Each structure must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways. Additionally, the proposed development must emphasize pedestrian connectivity. The quality of the pedestrian experience within the site and in the abutting public right-of-way will also be taken into consideration. Consider nice outdoor space and landscaping as an important component of your overall design.

### ***Element Three***

Parking, while very important, often detracts from good neighborhood design if it is too prominently located. Each proposal should consider ways to de-emphasize parking – every proposal must meet the parking requirements of TMC 13.06.510 in a manner that makes parking less visible and dominant, particularly from the public right-of-way.

### ***Element Four***

Proper scale and the protection of privacy help to maintain neighborhood character and harmony. Each proposal should minimize scale contrasts 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. Specific height and area requirements are provided in this handbook and in code. Privacy impacts, such as the orientation of doors, windows, and parking areas, should be considered as part of this analysis.



Walkable Street in Tacoma, WA.  
Photo credit: Lauren Flemister

**Element Five**

Each of the housing types in the pilot program must have outdoor space for residents to enjoy. 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.

**Element Six**

Sustainable and environmentally-responsible design are strongly encouraged in each proposal. The use of environmentally-friendly materials, low-usage light and plumbing fixtures, as well as water and energy conservation should be addressed. The proposal must provide documentation of the incorporation of one of the following green building and site features as follows (Detached ADUs exempt from this requirement):

1. Built Green or LEED Bronze; or,
2. Greenroads Bronze rating;

**Element Seven**

As with all development projects in the City of Tacoma, there must be a consistency with all applicable code requirements. The proposal must be consistent with the provisions of TMC 13.06 and to other applicable requirements.

**Development Areas of Focus**Fire

Please consider how City of Tacoma emergency personnel will access each housing unit, in the event of medical and fire emergencies. Determine how close your entrance is to the nearest fire hydrant; if the required distance is exceeded, you will need to install a sprinkler in your building.

Building

New energy code may impact the conversion of existing buildings. If converting an existing structure, pay close attention to slab edge insulation, egress windows, and the sizes of rooms.

Fire separation must be 5 feet for each building, for a total of 10 feet.

Site Development

Be mindful of critical areas, such as wetlands, steep slopes, and any other geological hazards. Be prepared to discuss the number and location of water meters based on who you anticipate will be occupying the development (family, tenants, caretakers, etc.).

Consider how circulation, both vehicular and pedestrian, will occur on the project site and how any vehicles will be parked and stored. If applicable, have a plan for stormwater diversion, storage, and/or filtration.

Utilities

Since some projects are an increase in density in populated neighborhoods, please check the capacity of utilities at the outset of your project. Setbacks for access and maintenance of sewer lines in alleys must be addressed. If a multi-unit project is being pursued, consider optimization of side sewer design.

Consider how solid waste will be processed (try to avoid overuse of single containers) and design appropriate screening for containers.

Electrical will likely need to be separately metered. There are safety concerns for power lines in the alley ROW that may cause restrictions during construction and may result in a need to underground electrical wires.

If you have any questions, please reach out to staff; coordination with staff in Public Works and TPU will be coordinated.

# Ø4 PILOT PROGRAM PROCESS

## CODE LANGUAGE

On December 1, 2015 the City Council adopted Amended Ordinance Number 28336, approving proposed amendments to the Tacoma Municipal Code concerning affordable and infill housing. This action adopts a range of affordable and infill housing code changes based on concepts initially recommended by the Affordable Housing Policy Advisory Group. Key changes include:

- Lot size flexibility and small lot design standards
- Creation of a Residential Infill Pilot Program for certain housing types
- Creation of affordable housing incentives and bonuses, and requirements for residential upzones

## TIMELINE

The Pilot Program will launch in November 2016. Pre-application meetings and application submittal will occur during the first couple months of 2017 and application submittal and review will be completed by early to mid-spring. A primary goal is to have construction underway on smaller projects by the middle of 2017.

The permitting process for this program will move in tandem with the conditional use permit process as needed, sharing submittals, review meetings and State Environmental Permitting Act documentation and public notice.

At any point in the process, City of Tacoma staff are available to answer any questions about the timeline and schedule.

### PART 1. PILOT PROGRAM



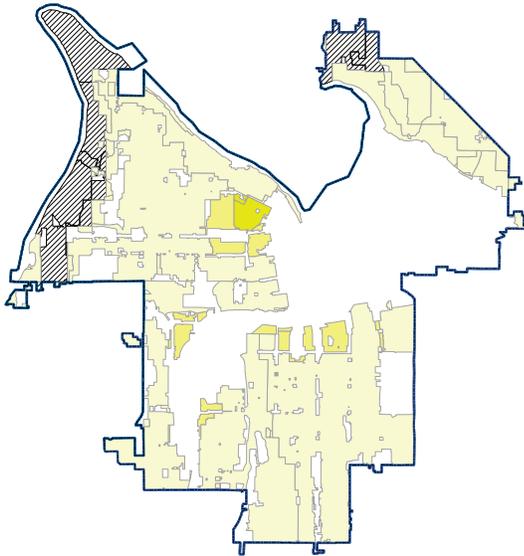
### PART 2. PERMIT REVIEW PROCESS



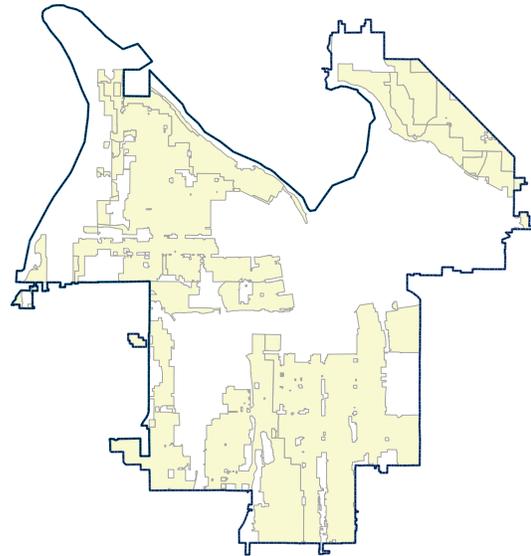
See pages 2-3 for more details on the Pilot Program and permit process.

**ZONING FOR ALLOWABLE HOUSING TYPES:**

**1. Detached Accessory Dwelling Units**



**2. Two-Family Housing**



**LOCATING INFILL PROJECTS**

The Tacoma Residential Infill Program is limited to the following areas in City of Tacoma. The zoning maps above identify locations where the following infill is allowed.

1. Detached Accessory Dwelling Units within the R-1, R-2, R2-SRD 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.

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

For a more detailed map and to find what district your property is located in, visit: <http://www.govme.org/Common/gMap/MGMain.aspx>.

You may also call Planning and Development Services at (253) 591-5577 for more information.

**KEY**

	R2-SRD : One Family Dwelling - Special Review District
	HMR-SRD : Historic Mixed Use Special Review District
	R-1 : One Family Dwelling
	R-2 : One Family Dwelling
	R-3 : Two-Family Dwelling
	R-4L : Low-Density Multi-Family Dwelling
	R-4 : Multi-Family Dwelling
	R-5 : Multi-Family Dwelling

**Residential Zoning Districts Defined**

The residential zoning district's primary use is for single-family and multi-family housing. Community facilities such as parks, schools, daycares, golf courses, and religious facilities may also be appropriate in the residential districts. The specific purpose of the residential districts, as well as development standards, can be found in the Tacoma Municipal Code Section 13.06.100.

**R-1: Single-Family Dwelling District.** The R-1 District is intended for a typical single-family residential neighborhood.

## STATEMENTS OF INTEREST

City will immediately begin accepting statements of interest from applicants wishing to develop one of the infill housing options. Please visit [www.cityoftacoma.org/infill](http://www.cityoftacoma.org/infill) for instructions on how to notify Planning and Development Services of your interest in the program.

A review committee will select up to three of each housing type based on how well they demonstrate the Pilot Program's design principles and objectives, meet community needs, and meet related City requirements. Proponents of the projects selected will be invited to submit full permit applications with a desired 2017 construction start time.

## APPLICATION SUBMITTAL

The applications may be submitted through the City of Tacoma Accela system at <https://aca.accela.com/tacoma> (see image below). After you register for an account, log in and select Permits. Read/accept the disclaimer, then select Pre-Application Request. Fill out the request form as completely as possible and attach all items listed on the Pilot Program Application Checklist as PDF attachments.

## REVIEW PROCESS

The Director of Planning and Development Services (Director) will convene a special advisory review body. This group will review complete applications in an advisory capacity and make recommendations to the Director or the Hearing Examiner. The Director or Hearing Examiner will review the recommendations and make final decision and identify conditions of approval.

## SELECTION

Following the completion of the application submittal, the Infill Pilot Program Special Advisory Review Committee will make a recommendation to move forward with selected projects. As part of the associated land use decision, the Director shall determine whether the proposal meets the intent of this section and incorporate conditions as appropriate into the administrative 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.

### PILOT PROGRAM APPLICATION CHECKLIST

- ✓ Site plan to scale
- ✓ Building elevations (exterior view of all sides)
- ✓ Massing study
- ✓ Existing condition photos
- ✓ Narrative and supporting exhibits
- ✓ Demonstrate meeting TMC 13.06.100 and other pertinent requirements
- ✓ Any additional information or documentation requested by the Director prior to beginning the City's review
- ✓ Application

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Checkmarks (✓) throughout the remainder of this document identify completed Pilot Program application requirements above. These items overlap the Building Permit and CUP Submittal checklists, though they may need to be modified throughout the selection process to reflect City and public feedback.

For more information, see TMC 13.05.115.

## BUILDING PERMIT SUBMITTAL CHECKLIST

- ✓ Site plan to scale
- ✓ Building elevations to scale
- △ Floor plans to scale
- △ Framing plans to scale
- △ Roof plans to scale
- △ Section plans and connection details
- △ Foundation details
- △ Energy code forms
- △ Stormwater site plan
- △ Stormwater pollution prevention plan
- △ Other items identified by City staff

Check marks (✓) identify completed Pilot Program application requirements. They may need to be modified throughout the application process.

For more information, see <http://tacomapermits.org/permitting-library> and select Residential New Building Submittal Checklist

electrical code standards are met.

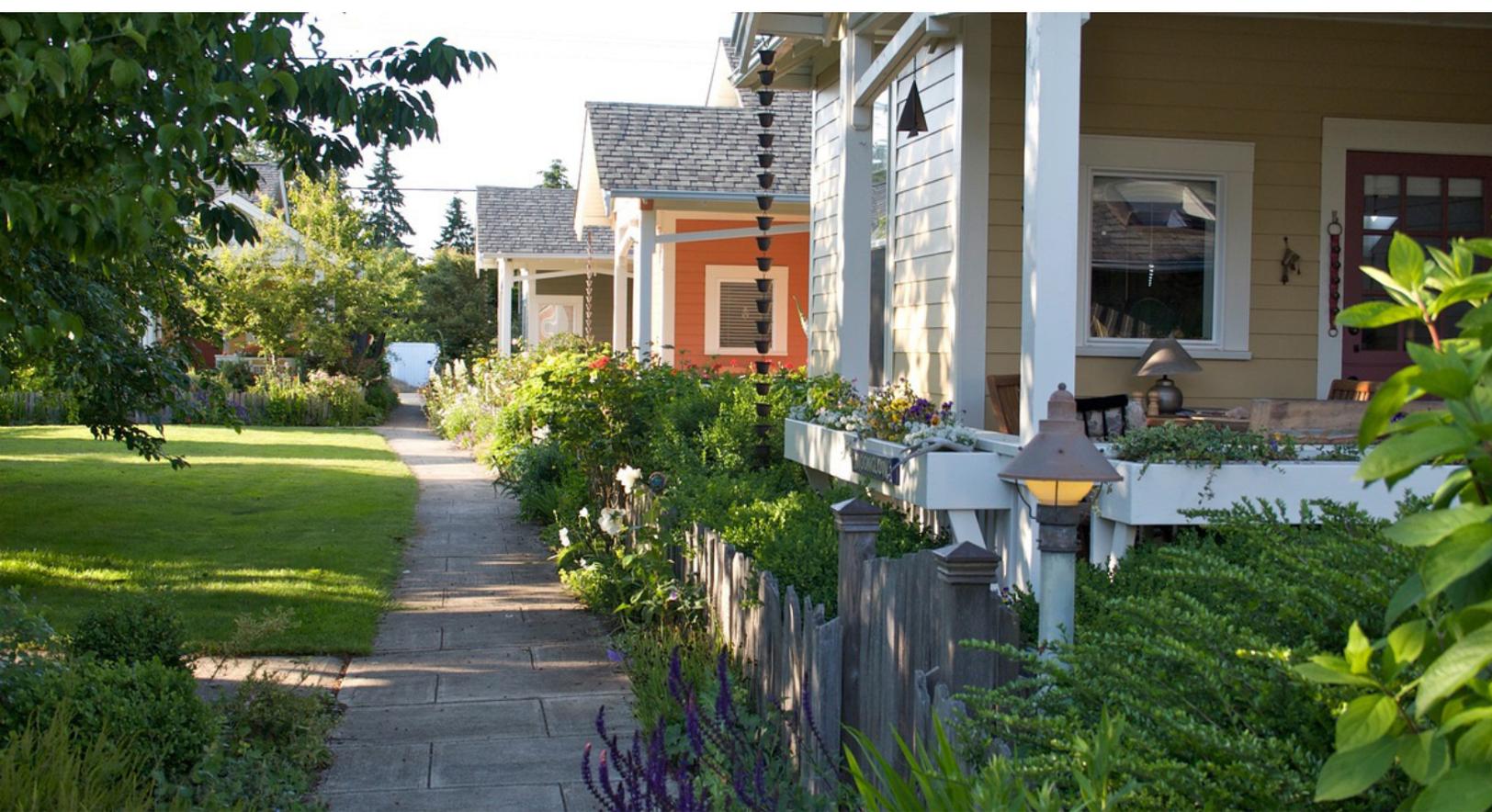
- **Violations.** A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.
- Detached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

### Conditional Use Permit (CUP) General Criteria

A CUP shall be subject to the following criteria:

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



October 2016

City of Tacoma  
747 Market Street, Tacoma, WA 98402  
<http://www.cityoftacoma.org>