

Members

Donald Erickson, Chair
Sean Gaffney, Vice-Chair
Theresa Dusek
Tina Lee
Matthew Nutsch
Erle Thompson
Scott Winship
(vacant)
(vacant)



Agenda

Tacoma Planning Commission

Community and Economic Development Department

Ryan Petty, Director
Peter Huffman, Assistant Director
Charles Solverson, P.E., Building Official

Public Works and Utilities Representatives

Kurtis Kingsolver, Assistant Director/City Engineer, Public Works Department
Heather Pennington, Resource Planning Manager, Tacoma Water
Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power

747 Market Street, Room 1036
Tacoma, WA 98402-3793
253-591-5200 (phone) / 253-591-2002 (fax)
www.cityoftacoma.org/planning

(Agenda also posted at: www.cityoftacoma.org/planning > "Planning Commission" > "Agendas-Minutes-Recordings")

MEETING: Regular Meeting

TIME: Wednesday, June 20, 2012, 4:00 p.m.

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

A. CALL TO ORDER

B. QUORUM CALL

C. APPROVAL OF MINUTES – Regular Meeting of June 6, 2012

D. GENERAL BUSINESS

(4:03 p.m.) **1. Election of Officers for 2012-2013**

Description: Elect officers of the Planning Commission for July 2012 – June 2013
Actions Requested: Nomination and Election
Support Information: None
Staff Contact: Lihuang Wung, 591-5682, lwung@cityoftacoma.org

(4:05 p.m.) **2. Code Streamlining 2012**

Description: Complete the review of the proposed code streamlining pertaining to SEPA review thresholds, live-work and work-live units, and commercial parking requirements.
Actions Requested: Authorize for Public Distribution; Set a Public Hearing Date
Support Information: See "Agenda Item GB-2"
Staff Contact: Ian Munce, 573-2478, imunce@cityoftacoma.org



E. COMMUNICATION ITEMS

1. **Medical Cannabis Public Hearing** – The City Council will conduct a public hearing on Tuesday, June 26, 2012, at approximately 5:30 p.m., in the Council Chambers, concerning the Proposed Medical Cannabis Land Use Regulations, as recommended by the Planning Commission.
2. **Meeting Cancellation** – The Planning Commission’s meeting on July 4, 2012 is canceled.
3. **2013 Annual Amendment** – The Planning Commission is accepting applications for amending the Comprehensive Plan and/or Land Use Regulatory Code for 2013. Applications are due by Friday, June 29, 2012. (www.cityoftacoma.org/planning > “2013 Annual Amendment”)
4. Planning Commission Tentative Agenda for July 18:
 - Code Streamlining 2012 (public hearing)
 - 2013 Annual Amendment (preview of applications)

F. COMMENTS BY LONG-RANGE PLANNING DIVISION

G. COMMENTS BY PLANNING COMMISSION

H. ADJOURNMENT

Members

Donald Erickson, Chair
 Sean Gaffney, Vice-Chair
 Theresa Dusek
 Tina Lee
 Matthew Nutsch
 Erle Thompson
 Scott Winship
 (vacant)
 (vacant)



Minutes

Tacoma Planning Commission

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(Draft for Review/Approval)

MEETING: Regular Meeting

TIME: Wednesday, June 6, 2012, 4:00 p.m.

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

Members Present: Donald Erickson (Chair), Sean Gaffney (Vice-Chair), Theresa Dusek, Tina Lee, Matthew Nutsch, Erle Thompson, Scott Winship

Staff and Others Present: Brian Boudet, Ian Munce, Lucas Shadduck, Lihuang Wung (BLUS); William Osborne (planning consultant)

Chair Erickson called the meeting to order at 4:02 p.m. The minutes of the regular meeting and public hearing on May 16, 2012 were approved as submitted.

GENERAL BUSINESS

1. Medical Cannabis Land Use Regulations

Ian Munce and Lucas Shadduck facilitated the Commissioners' deliberation of their recommendation on the proposed Medical Cannabis Land Use Regulations, in response to the City Council's requests (per Medical Cannabis Moratorium Ordinances No. 28010 and 28021). The Commissioners reviewed the Medical Cannabis Alternatives Evaluation Sheet, a matrix developed by Chair Erickson laying out the main provisions of the three alternative schemes of land use regulations (i.e., Alternatives "A", "B", and "C" released for public review for the purpose of the public hearing on May 16, 2012) and comparing them against the directives from the City Council pursuant to the moratorium ordinances.

The Commissioners provided various comments, concerns, and suggested modifications to the alternatives. The Commissioners took preliminary votes on the following three measures: (1) By a vote of 5 to 2, forwarding Alternative "A" to the City Council, with the understanding that some conditions could be addressed through licensing rather than through the Land Use Code, was approved; (2) By a vote of 2 to 5, modifying Alternative "A" by adding a requirement of "500-ft setback from other medical cannabis uses" was denied; and (3) By a vote of 2 to 5, modifying Alternative "A" by adding a requirement of "1,000-ft setback from parks" was denied. In all three cases, the two minority votes were cast by Commissioners Nutsch and Thompson.



At the conclusion of the discussion, the Commissioners agreed to modify Alternative "A" to require that signage not exceed 7.5 square feet and not be of any dimension greater than 36 inches. The motion to forward Alternative "A", as modified, to the City Council for consideration, passed with a vote of 5 Ayes, 1 Nay (Commissioner Nutsch), and 1 Abstain (Commissioner Thompson). The Commissioners acknowledged in their findings that they declined to make recommendations regarding what they understood to be substantial questions of law including whether the City has the authority to enact zoning regulations relating to marijuana uses, whether such regulations are preempted by federal law, and whether such regulations would conflict with local, state and federal laws that make possession of marijuana a crime.

COMMUNICATION ITEMS

Chair Erickson acknowledged receipt of the following information/announcements:

1. Letter from Dale Cope, May 30, 2012, re: "Electronic Reader Boards".
2. The Planning Commission has three openings available, representing Council Districts 2, 3 and 5, for a three-year term from July 1, 2012 to June 30, 2015. Applications are due to the Mayor's Office by Friday, June 8, 2012.
3. The Planning Commission is accepting applications for amending the Comprehensive Plan and/or Land Use Regulatory Code for 2013 through June 29, 2012.
4. "Short Course on Local Planning" provided by the State Department of Commerce on June 12, 2012, 6:30 p.m., in Lacey.
5. Planning Commission Tentative Agenda for June 20.

COMMENTS BY LONG-RANGE PLANNING DIVISION

Mr. Munce stated that the Urban Forestry Landscaping Code Amendment project will be delayed to allow for more stakeholder engagement. Through the public process thus far, staff has received a lot of comments and concerns expressed by the Planning Commission and various agencies and individuals. Staff will regroup, conduct more outreach, re-examine the proposed revisions, and return to the Commission at a later meeting. The Commissioners concurred.

Lihuang Wung stated that, on recruiting citizens to fill the three vacant positions on the Commission, the Mayor's Office has received applications for Districts 2 and 3, but none for District 5. He suggested that the Commissioners contact their affiliates and encourage those who may be interested to apply.

Mr. Wung reported that the City Council conducted a study session and a public hearing on May 22, 2012, concerning the Commission's recommendations on the 2012 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code. The Council also heard the first reading of two adopting ordinances on June 5, and is scheduled to adopt the ordinances on June 12, 2012.

COMMENTS BY PLANNING COMMISSION

None.

ADJOURNMENT

The meeting adjourned at 6:36 p.m.



City of Tacoma
Community and Economic Development Department

TO: Planning Commission
FROM: Ian Munce, Acting Division Manager, Long-Range Planning Division
SUBJECT: Code Streamlining 2012
DATE: June 14, 2012

At the next meeting on June 20, 2012, the Planning Commission will continue to review the proposal to streamline the Land Use Regulatory Code (Title 13 of the Tacoma Municipal Code) in those areas pertaining to Live-Work/Work-Live, SEPA threshold, and parking requirements. The Commission will be requested to authorize the distribution of the proposed code revisions for public review and set a public hearing date for July 18, 2012.

As introduced to the Commission at the May 16, 2012 meeting, the proposed code revisions are intended to promote infill development and reduce barriers in the reuse of existing buildings, as summarized below:

- Live-Work/Work-Live – The proposed revisions to TMC 13.06.300 (Mixed-Use Center Districts) and TMC 13.06A (Downtown Tacoma) would allow existing buildings, both residential and non-residential, in Downtown and Mixed-Use Districts, to accommodate a mix of small scale residential and commercial uses without meeting all of the current requirements of the Land Use Code.
- SEPA Threshold – The proposed revisions to TMC 13.12 would implement a new State law that makes it easier to exempt small-scale residential infill from the requirements of the State Environmental Policy Act (SEPA).
- Parking Requirements – The proposed revisions to TMC 13.06.510 would exempt a change of use within an existing building located within Commercial Districts (outside the Mixed-Use Centers and Downtown) from providing additional off-street parking. Existing parking that meets the requirement would have to be retained.

Attached is the staff analysis report, including the draft code language and supporting exhibits, for the above mentioned code streamlining proposals. If you have any questions, please contact me at (253) 573-2478 or imunce@cityoftacoma.org.

Attachment

c. Peter Huffman, Assistant Director



Land Use Regulatory Code Amendment Code Streamlining 2012

STAFF REPORT

| | |
|------------------------------------|--|
| Applicant: | City of Tacoma, Community & Economic Development Dept. |
| Contact: | Ian Munce, Long-Range Planning Division |
| Type of Amendment: | Regulatory Code Text Changes |
| Current Land Use Intensity: | Various |
| Current Area Zoning: | Various |
| Size of Area: | Not Applicable |
| Location: | City-wide |
| Neighborhood Council area: | City-wide |
| Proposed Amendment: | Three amendments to the Land Use Regulatory Code to reduce barriers in the reuse of existing commercial buildings. |

General Description of the Proposed Amendment:

The proposed amendment involves amending the Land Use Regulatory Code in three parts: expanding the “home occupation” use in the Downtown and Mixed-Use Districts to include Live-Work/Work-Live regulations; adopting increased thresholds for Environmental (SEPA) review; and, adding a parking exemption for existing buildings in Commercial Districts outside of the Downtown and Mixed-Use Districts. The proposed changes in this amendment will help to reduce barriers to infill development and reuse of existing commercial buildings by broadening the existing home-occupation standards, exempting smaller scale development from environmental review, and expanding parking exemptions for existing buildings.

A general summary of the proposed amendments is as follows:

Changes to Chapter 13.06 Zoning, including:

Section 13.06.300 – Mixed-Use Center Districts

- Adding new Live-Work and Work-Live standards

Section 13.06.510 – Off-Street Parking and Storage Areas

- Adding a parking exemption for Commercial Districts, which consist of T, C-1, C-2, HM, and PDB Districts, that will exempt a change of use in an existing building from providing additional parking (See Exhibit C-3).

Changes to Chapter 13.06A – Downtown Tacoma

Section 13.06A.050 – Additional Use Regulations

- Adding new Live-Work and Work-Live standards

Changes to Chapter 13.12 – Environmental Code

Section 13.12.801 – Flexible Thresholds for Categorical Exemptions

- Increasing the flexible thresholds in TMC 13.12.310 to align with recently passed State Legislation (Engrossed Substitute Senate Bill 6406).

Project Background:

These amendments are being brought forward as part of an effort to make the reuse of existing buildings in the City less difficult. This is seen as a way to improve blighted areas within the City's commercial centers by reducing barriers to the reuse of buildings that might otherwise lay vacant for long periods of time. The desired result would be increased activity and vibrancy in areas that have been underutilized and neglected in the past.

Applicable Provisions of the Growth Management Act:

The Growth Management Act (GMA) requires that development regulations shall be consistent with and implement the Comprehensive Plan. The proposed amendments are designed to reduce barriers in the reuse of existing buildings while improving consistency and compatibility between the Comprehensive Plan and development regulations.

Applicable Policies of the City of Tacoma Comprehensive Plan:

The City of Tacoma Comprehensive Plan contains multiple policies in its Generalized Land Use Element, Historic Element, and Downtown Elements that support the proposed amendments.

Urban Growth Tiers

Tacoma is anticipated to continue to serve as the primary focal point for urban growth in Pierce County. Encouraging and directing this growth appropriately can be achieved through incentives, which is well-expressed in LU-GUGT-1.

LU-GUGT-1 Encourage Development

Provide incentives to encourage development and redevelopment of lands consistent with the time frames of designated growth tiers.

Mixed-Use

This section of the Comprehensive Plan Land Use Element expresses a desire to have a diverse mix of uses within buildings and to use different techniques, such as reducing parking, to achieve this variety.

LU-MU-3 Mixed-use Development

Encourage integration of different land uses within the same building or site in order to maximize efficient land use, foster a variety of developments, and support multimodal mobility.

LU-MU-4 Development Bonuses and Incentives

Provide a range of development incentives and bonuses in order to encourage specific types of development as well as public benefits. Incentives may include reduced parking requirements, fee waivers, height increases, density bonuses, property tax exemptions, capital improvements, and other techniques.

Downtown Tacoma Center

These policies support increased activity in the Downtown Tacoma Center, by encouraging diverse uses and the preserving historic assets.

LU-MUDTC-1 Maximize Development

Encourage maximum development of the downtown with diverse types of uses and facilities such as major financial, professional, office, cultural, retail and high density residential developments, giving the City of Tacoma a recognizable focal point that has continuous, vigorous use and affords maximum safety and convenience.

LU-MUDTC-2 Preservation of Historical, Cultural and Scenic Resources

Recognize the abundance and prominence of historical, cultural, and scenic resources within downtown and preserve these unique assets.

Mixed-Use Urban Center

The Mixed-Use Urban Center policy LU-MUUC-8 promotes an enhanced mix of complementary land uses, including employment, services and amenities for residents living near or in the center.

LU-MUUC-8 Mix of Uses

Promote an enhanced mix of complementary land uses in urban centers that promotes pedestrian activity and provides housing, employment, services, and amenities to persons living and/or working in the center or nearby.

Mixed-Use Community Centers

Mixed-Use Community Centers policy LU-MUCC-3 includes consideration of development variety relating to the desired balance between residential and commercial uses.

LU-MUCC-2 Variety of Development

Build on existing assets and strongly direct housing and other types of non-commercial development into community centers in order to diversify and achieve a balance of uses with existing commercial and institutional development.

Mixed-Use Neighborhood Centers

Policy LU-MUNC-3 provides general support for the idea of adaptive reuse and context-sensitive development that is apparently compatible. By encouraging innovative development, this policy offers support to reconsider how buildings and spaces can be best used.

LU-MUNC-3 Build on Existing Assets and Character

Build on existing assets and historic character of centers by preserving key features that establish a unique sense of place. Encourage innovative development and compatibility with surrounding residential areas through the use of buffers, public spaces, and building design.

Commercial Development Location and Activity

The policies of the Commercial Development Location and Activity section support locating residential and commercial uses near one another and also within the same building. This type of collocation serves both the commercial and residential uses.

LU-CDLA-9 Commercial Uses within Residential High-Rise

Encourage commercial development that provides convenience goods to be situated within mid and high-rise residential structures in order to serve the needs of the persons within.

LU-CDLA-13 Residential Development within Commercial Areas

Encourage the development of residential uses within and near commercial areas, particularly within mixed-use centers.

Urban Growth Areas

The policies of the Urban Growth Areas section promotes locating growth within Tacoma's Urban Growth Area as a method to discourage sprawl. This type of growth can only be realized if there are incentives in place that invite wanted growth in appropriate areas.

LU-UGA-6 Growth and Development

Promote growth and development within Tacoma's urban growth area that is consistent with the City's adopted policies, the *County-wide Planning Policies for Pierce County*, and *Vision 2040* in order to discourage sprawl, direct higher intensity and density uses into designated centers, and support enhanced public transit.

Historic Preservation

The policies of the Historic Preservation Element support the active use and reuse of existing buildings with historic significance.

Policy HP-6 Encourage active use of historic resources.

The preservation program should focus on keeping a building in active service and in accommodating compatible alterations. Change that retains the significance of a property is to be accepted and expected. Note that there are, of course, exceptions for special landmarks and historic building museums.

Action HP-6A Promote adaptive reuse of historic properties.

Regulations and incentives should encourage the re-use of historic structures so they remain part of economically vibrant neighborhoods and areas.

Strategies include:

- Promoting tax incentives, loans and grant programs to encourage the adaptive reuse of historic structures to meet community and market needs.
- Revising zoning regulations and the building code when needed to ensure that they support the re-use of historic structures.

Policy HP-11 Capitalize on and promote historic resources in community planning efforts.

Action HP-11C Use historic assets to guide development in Mixed-Use Centers.

Historic assets should help guide development and redevelopment in the City's designated Mixed-Use Centers. Preservation incentives that are currently included in zoning standards for Mixed-Use Centers should be promoted to encourage re-use of historic buildings.

Policy HP-33 Enhance regulatory incentives to encourage preservation and conservation.

Action HP-33B Promote the use of Mixed-Use Center and Downtown zoning incentives for preservation projects.

Promote zoning incentives such as height bonuses for preservation projects in Mixed-Use Centers and parking waivers for existing buildings Downtown and in Mixed-Use Centers. In conclusion, the proposed amendments are supported by the policies of the Comprehensive Plan, particularly the Generalized Land Use Element.

Downtown Element

The policies of the Downtown Element promote the preservation and adaptive reuse of historic buildings downtown. The policies also support providing a variety of housing options that will accommodate different demographics.

2.2F Historic Preservation

The collection of remaining historic buildings downtown should be championed as one of Tacoma's key strategic assets. The preservation of historic buildings should be supported through a range of City-led initiatives and public/private projects as catalysts for downtown revitalization.

Policy

2.2F.A The City should continue to enrich and expand programs to encourage adaptive re-use and preservation of, and design compatibility with, downtown historic buildings, with the intent of creating environments of distinctive character and quality.

2.3B Expand Downtown Housing Choice

Goal

Housing for all incomes is located within walking distance to employment centers and planned on existing and planned high capacity transit routes.

Policy

2.3B.A The Downtown should stress mixed-income housing solutions where affordable units are integrated with market rate units to achieve a balanced neighborhood.

2.3B.B The downtown provides a range of housing types from low to high-rise and provides housing opportunities for various groups including youth, single adults, couples, families, seniors, people with special needs, artists and others.

Amendment Criteria:

Applications for amendments to the Comprehensive Plan and Land Use Regulatory Code are subject to review based on the adoption and amendment procedures and the review criteria contained in TMC 13.02.045.G. Proposed amendments are required to be consistent with or achieve consistency with the Comprehensive Plan and meet at least one of the ten review criteria to be considered by the Planning Commission. The following section provides a review of each of these criteria with respect to the proposal. Each of the criteria is provided, followed by staff analysis of the criterion as it relates to this proposal.

1. There exists an obvious technical error in the pertinent Comprehensive Plan or regulatory code provisions.

Staff Analysis: Not applicable.

2. Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances has occurred since the area or issue was last considered by the Planning Commission.

Staff Analysis: The State Legislature passed Engrossed Substitute Senate Bill 6406 which amends the state’s environmental and natural resources laws, including the State Environmental Policy Act (SEPA). The purpose of the bill is to streamline regulatory processes and to modernize the SEPA review to take into account growth management and evolving development regulations. The bill does several things, including directing Department of Ecology to revise SEPA thresholds and applicability by the end of 2012, with additional changes to occur in 2013. Among those changes, DOE is directed to raise the thresholds for SEPA review for new construction. Under Resolution Number 38499, adopted June 12, 2012, the City Council adopted the higher thresholds allowed under SEPA for the period that this amendment is under public review.

3. The needs of the City have changed, which support an amendment.

Staff Analysis: Within the City’s commercial areas, there are existing buildings, or portions of existing buildings, that are vacant or underused. These are often buildings or spaces that were constructed to accommodate a specific use and the conversion or blending of uses in those spaces is often problematic due to code constraints or hurdles. The proposed amendments provide a reasonable flexibility in how those spaces can be used, while also recognizing that the reuse of existing buildings helps reach the City’s sustainability goals. Furthermore, commercial areas flourish when there is activity, particularly when there is a mix of residential and commercial uses. Ultimately, the proposed amendments to home occupation and parking standards provide more opportunity in filling vacant buildings and changing uses in occupied buildings.

4. The amendment is compatible with existing or planned land uses and the surrounding development pattern.

Staff Analysis: Not applicable.

5. **Growth and development, as envisioned in the Plan, is occurring faster, slower, or is failing to materialize.**

Staff Analysis: Not applicable.

6. **The capacity to provide adequate services is diminished or increased.**

Staff Analysis: Not applicable.

7. **Plan objectives are not being met as specified, and/or the assumptions upon which the plan is based are found to be invalid.**

Staff Analysis: Not applicable.

8. **Transportation and and/or other capital improvements are not being made as expected.**

Staff Analysis: Not applicable.

9. **For proposed amendments to land use intensity or zoning classification, substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification.**

Staff Analysis: Not applicable.

10. **A question of consistency exists between the Comprehensive Plan and its elements and RCW 36.70A, the County-wide Planning Policies for Pierce County, Multi-County Planning Policies, or development regulations.**

Staff Analysis: Not applicable.

Staff Recommendation:

Staff recommends forwarding the draft Land Use Regulatory Code clarifications and refinements for public review, comment, and further evaluation of the proposed alternatives based on public input prior to finalizing a recommendation to the City Council.

Exhibits:

- A-1. Draft Code Amendments – Live-Work and Work Live
- B-1. Draft Code Amendments – SEPA
- B-2. SEPA Resolution Number 38499
- C-1. Draft Code Amendments – Parking Exemption
- C-2. Map for Parking Exemption
- C-3. Parking Table



Code Streamling 2012

DRAFT LAND USE REGULATORY CODE CHANGES
June 20, 2012

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

Chapter 13.06.300 – Mixed-Use Center Districts

13.06.300 – Land Use Requirements

Chapter 13.06A – Downtown Tacoma

13.06A.050 – Additional Use Regulations

* * *

13.06.300 – Land Use Requirements

D. Land use requirements.

3. District Use Table

| | | | | | | | | | | |
|-----------------|---|---|---|---|---|---|---|---|---|--|
| Home occupation | P | P | P | P | P | P | P | P | P | Home occupations shall be allowed in all X-Districts pursuant to the standards found in Section 13.06.100.E <u>and 13.06A.050.</u> |
|-----------------|---|---|---|---|---|---|---|---|---|--|

* * *

13.06A.050 Additional Use Regulations

* * *

D. Live-Work

1. Purpose and Intent: The purpose of this Section is to assist with the revitalization of Downtown Tacoma and the City’s other Mixed-Use Centers and with the implementation of the City’s Comprehensive Plan by facilitating additional economic activity in conjunction with residential uses. This will help to reduce vacant space as well as preserve Downtown’s architectural and cultural past and

encourage the development of a live/work and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other. Adding a home occupation does not trigger change of use requirements under the City's land-use codes.

a. All legal residential uses in Downtown and the other mixed-use centers may as a matter of right add a home occupation pursuant to TMC 13.06.100 E without being subject to the limitation in TMC 13.06.100 E(6) that no employees outside the members of the family residing on the premises be involved in the home occupation.

b. No additional parking spaces need be added.

c. Up to 10% of new floor area may be added for the purposes of creating living or working space without triggering a change in use.

d. Non-conforming floor area, setbacks, and height are "grandparented in", meaning that a variance is not required.

e. Mezzanine spaces may be added so long as they do not exceed one third the size of the floor below.

E. Work-Live

1. Purpose and Intent: The purpose of this Section is to assist with the revitalization of Downtown Tacoma and the City's other Mixed-Use Centers and with the implementation of the City's Comprehensive Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to work/live units. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past and encourage the development of a work/live and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other. Adding a minor residential component to an existing or historic building does not trigger change of use requirements under the City's Land-use codes.

a. A work/live unit is a combined living and work unit that includes a kitchen and a bathroom. The residential portion of the unit, including the sleeping area, kitchen, bathroom, and closet areas, occupies no more than 33 percent of the total floor area of the legal non-residential use, and the living space is not separated from the work space. It must be located with Downtown or the other mixed-use centers

b. The requirements for the "occupation-home" use permit are as follows:

- i. The residential use must be clearly incidental and subordinate to the work space use
- ii. "Occupation-home" use shall not generate nuisances to any greater extent than what is usually experienced in the surrounding zone
- iii. The Land Use Administrator may attach additional conditions to the occupation-home use permits to ensure that the criteria set forth above are met

c. For the purposes of this chapter, a historic building is defined as follows: _____

Any building or structure that is listed in the State or National Register of Historic Places; or designated as a City Landmark under Chapter 13.07 of the Tacoma Municipal Code; or certified as a contributing resource within a National Register or Tacoma Register historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer, or with an opinion from the Tacoma Historic Preservation Officer that the property appears to meet the criteria for designation as a local landmark listed in Chapter 13.07 of the Tacoma Municipal Code.

d. No additional parking spaces need be added.

e. Up to 10% of new floor area may be added for the purposes of creating living or working space without triggering a change in use.

f. Non-conforming floor area, setbacks, and height are "grandparented in", meaning that a variance is not required.

g. Mezzanine spaces may be added so long as they do not exceed one third the size of the floor below.

h. New roof structures shall not be considered as adding new floor area or to trigger change of use requirements; such structures shall not be used for living or working quarters but must be used solely for accessory uses or open space.

i. Adding an "occupation-home" use is not subject to density requirements in the underlying zone.



Code Streamling 2012

DRAFT LAND USE REGULATORY CODE CHANGES June 20, 2012

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

Chapter 13.12 – Environmental Code

13.12.300 – Purpose of this part and adoption by reference

13.12.310 – Flexible threshold for categorical exemptions

* * *

13.12.300 Purpose of this part and adoption by reference.

This section sets forth the proposed actions which are exempt from SEPA threshold determination and EIS requirements. Certain exemptions apply only to certain state agencies. In addition, the City has the authority to adopt certain flexible thresholds for proposals. This section describes those thresholds. It also incorporates the following sections of the *Washington Administrative Code* by reference:

| | |
|------------|---|
| 197-11-800 | Categorical exemptions. |
| 197-11-810 | Exemptions and non e-exemptions applicable to specific state agencies. |
| 197-11-820 | Department of licensing. |
| 197-11-825 | Department of labor and industries. |
| 197-11-830 | Department of natural resources. |
| 197-11-835 | Department of fisheries. |
| 197-11-840 | Department of game. |
| 197-11-845 | Department of social and health services. |
| 197-11-850 | Department of agriculture. |
| 197-11-855 | Department of ecology. |
| 197-11-860 | Department of transportation. |
| 197-11-865 | Utilities and transportation commission. |
| 197-11-870 | Department of commerce and economic development. |
| 197-11-875 | Other agencies. |
| 197-11-890 | Petitioning DOE to change exemptions. |

* * *

13.12.310 Flexible thresholds for categorical exemptions.

The City of Tacoma establishes the following exempt levels for minor new construction as allowed under WAC 197-11-800(1)(c), and RCW 43.21C.410 except when the action is undertaken wholly or partly on lands covered by water and the action requires a development permit under Chapter 13.11 of this title.

- A. The construction or location of any residential structure of ~~four or less~~ twenty or fewer dwelling units;
- B. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering ~~10,000~~ 30,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots;
- C. The construction of an office, school, commercial, recreational, service, or storage building with 12,000 square feet or less of gross floor area, and with associated parking facilities designed for no more than ~~20~~ 40 automobiles;
- D. The demolition of an office, school, commercial, recreational, service, or storage building with 12,000 square feet or less of gross floor area;
- E. The construction of a parking lot designed for no more than ~~20~~ 40 automobiles;



RESOLUTION NO. 38499

1 A RESOLUTION relating to environmental policy; directing City staff to use the
2 highest levels of categorical exemptions under the State Environmental
3 Policy Act, pursuant to the authorization granted to cities with the
4 passage of 2ESSB 6406 by the Washington State Legislature.

4 WHEREAS, in spring 2012, the Washington State Legislature passed
5 and Governor Gregoire signed the Second Engrossed Substitute Senate
6 Bill 6406 ("2ESSB 6406"), which amends the state's environmental and natural
7 resources laws, including the State Environmental Policy Act ("SEPA"), and
8

9 WHEREAS SEPA establishes thresholds at which certain development
10 projects are exempt from environmental review, and individual jurisdictions may
11 adopt flexible thresholds at the local level in order to raise those thresholds, and
12

13 WHEREAS 2ESSB 6406 directs the Department of Ecology ("DOE") to
14 revise various SEPA thresholds and applicability by the end of 2012, which
15 includes raising the SEPA review threshold for new construction, and
16

16 WHEREAS 2ESSB 6406 authorizes cities and counties to use the
17 maximum threshold levels for review until DOE completes its work, and
18

18 WHEREAS the City, in Section 13.12.310 of the Tacoma Municipal Code
19 ("TMC"), entitled "Flexible thresholds for categorical exemptions," has already
20 adopted the maximum thresholds under SEPA regulations for commercial and
21 institutional buildings, and for landfill and excavation, and
22

23 WHEREAS TMC 13.12.310 uses the minimum thresholds permitted
24 under SEPA regulations for dwelling units and parking, currently granting
25 exemptions only to residential structures of four or fewer dwelling units, parking
26



1 facilities associated with buildings designed for no more than 20 automobiles,
2 and parking lots designed for no more than 20 automobiles, and

3 WHEREAS, pursuant to 2ESSB 6406, the City may use the maximum
4 thresholds of 20 dwelling units and 40 parking spaces, respectively, to grant
5 exemptions, which will: (1) streamline the City's building and SEPA review
6 processes; (2) allow City staff to focus greater attention on a smaller number of
7 projects in need of review; (3) be well received by private business and
8 development interests in the City; and (4) enhance economic development, and
9

10 WHEREAS said maximum thresholds will be used on an interim basis
11 while DOE completes its review, and during that same time City staff will work
12 with the Planning Commission and the public to review TMC 13.12.310 and adopt
13 changes thereto through the standard legislative process, and
14

15 WHEREAS the City Council finds that, during said interim period, existing
16 City regulations will adequately address the impacts created by residential
17 projects that qualify for exemptions under the raised thresholds; Now, Therefore,
18

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

20 That the proper officers of the City are hereby directed to use the
21 maximum thresholds of 20 dwelling units and 40 parking spaces for categorical
22 exemptions available under Second Engrossed Substitute Senate Bill 6406, for
23
24
25
26



1 the purposes hereinabove enumerated, a copy of which will be on file in the
2 office of the City Clerk.

3
4 Adopted _____

5
6 _____
Mayor

7 Attest:
8 _____
9 City Clerk

10 Approved as to form:
11 _____
12 Deputy City Attorney

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Code Streamling 2012

DRAFT LAND USE REGULATORY CODE CHANGES June 20, 2012

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

Chapter 13.06 - Zoning

13.06.510 – Off-Street Parking and Storage Areas

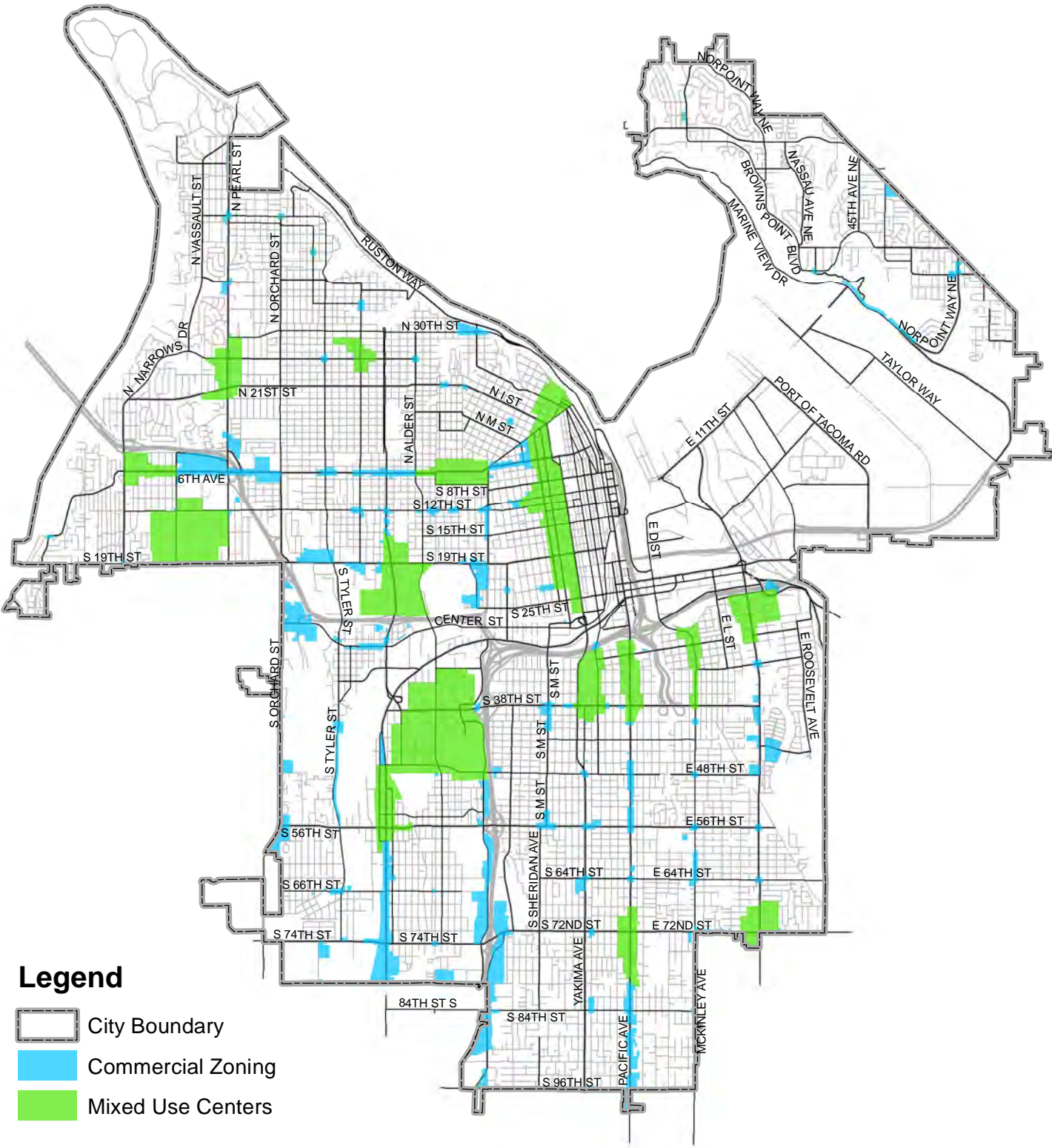
13.06.510 Off-street parking and storage areas.

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.

* * *

f. In Commercial Districts (T, C-1, C-2, HM, and PDB), no additional parking shall be required for a change of use in a structure that existed prior to XXX, 2012. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

* * *



PARKING STANDARDS FOR NEW AND EXISTING BUILDINGS

| | Definition of an Existing Building | Parking Required for a Change of Use in an Existing Building | Parking for an Existing Building can Be Removed | Parking Required for a New Building |
|--|--|--|---|--|
| Reduced Parking Area (RPA) in Downtown Districts | Not Applicable | No | Yes | No |
| Downtown Districts Outside Of the RPA | Built prior to 2000 | No | Yes | Yes – Applies to buildings constructed after 2000 |
| Mixed-Use Districts – Core Streets | Built prior to the establishment of the X-District (commonly 1996) | No | Yes | No |
| Mixed-Use Districts – Non-Core Streets | Built prior to the establishment of the X-District (commonly 1996) | No | Yes | Yes – Applies to buildings constructed after the establishment of the District |
| Commercial Districts | Proposed – Pre 2012~ | Proposed – No~ | No (unless it is surplus parking) | Yes |
| Residential and Industrial Districts | Built prior to 1953 | No | No (unless it is surplus parking) | Yes |

~ Proposed change under Code Streamline 2012