



## AGENDA

**MEETING:** Regular Meeting

**TIME:** Wednesday, February 6, 2013, 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 on January 16, 2013**

**D. DISCUSSION ITEMS**

**1. Annual Amendment #2013-01 Drive-through Regulations**

- Review proposed amendments to the Tacoma Municipal Code related to drive-through facilities; and authorize the distribution of the proposal for public review and comment.
- See "Agenda Item D-1"
- Dustin Lawrence, 591-5845, [dlawrence@cityoftacoma.org](mailto:dlawrence@cityoftacoma.org)

**2. Annual Amendment #2013-09 Sign Code Revisions**

- Review proposed amendments to the Tacoma Municipal Code related to onsite digital signs; and authorize the distribution of the proposal for public review and comment.
- See "Agenda Item D-2"
- Dustin Lawrence, 591-5845, [dlawrence@cityoftacoma.org](mailto:dlawrence@cityoftacoma.org)

**3. Annual Amendment #2013-06 Development Intensity Designations**

- Review the proposed framework for revisions to the Comprehensive Plan's land use designations and a first phase of map changes based on that framework; and authorize the distribution of the proposal for public review and comment.
- See "Agenda Item D-3"
- Brian Boudet, 573-2389, [bboudet@cityoftacoma.org](mailto:bboudet@cityoftacoma.org)

**4 Annual Amendment #2013-12 Minor Amendments and Refinements**

- Review proposed amendments to the Tacoma Municipal Code that are intended to address inconsistencies, correct minor errors, and improve clarity; and authorize the distribution of the proposal for public review and comment.
- See "Agenda Item D-4"
- Brian Boudet, 573-2389, [bboudet@cityoftacoma.org](mailto:bboudet@cityoftacoma.org)

**E. COMMUNICATION ITEMS & OTHER BUSINESS**

1. Announcement: "2013 Urban Studies Forum: Transportation for the Next Economy", Thursday, February 7, 2013, 8:00 a.m. to 2:30 p.m., William W. Philip Hall, University of Washington Tacoma (UWT), hosted by the UWT's Urban Studies Program; free and open to the public; advanced registration required. (<http://tacoma.uw.edu/events/urban>) – See "Agenda Item E-1"
2. Announcement: "Regional Short Course on Local Planning", Wednesday, February 20, 2013, 6:30 to 9:30 p.m., Tacoma Public Utilities Auditorium, 3628 S. 35<sup>th</sup> Street; sponsored by the State Department of Commerce and cosponsored by the City of Tacoma and the Planning Commission; free and open to the public; no registration required. ([www.commerce.wa.gov/shortcourseplanning](http://www.commerce.wa.gov/shortcourseplanning)) – See "Agenda Item E-2"
3. Preview of the February 20, 2013 meeting:
  - Proposed changes – location: Tacoma Public Utilities Auditorium; starting time: 4:30 p.m.
  - Agenda includes: 2013 Annual Amendment Package – authorization for public review
  - Also for the Commission's consideration: Should a separate public hearing be held for the proposed amendments to the Tacoma Municipal Code Chapter 13.02?

**F. ADJOURNMENT**



City of Tacoma  
Planning Commission

Donald Erickson, Chair  
Tina Lee, Vice-Chair  
Theresa Dusek  
Benjamin Fields  
Mark Lawlis  
Matthew Nutsch  
Erle Thompson  
Scott Winship  
(vacant)

## **MINUTES (draft)**

Time: Wednesday, January 16, 2013, 4:00 p.m.  
Location: Room 16, Tacoma Municipal Building North  
Present: Donald Erickson (Chair), Theresa Dusek, Benjamin Fields, Mark Lawlis, Tina Lee, Matthew Nutsch, Erle Thompson, Scott Winship

### **CALL TO ORDER**

Chair Erickson called the meeting to order at 4:02 p.m. and declared a quorum present.

### **APPROVAL OF MINUTES**

The minutes of the December 19, 2012 were approved as submitted.

### **DISCUSSION ITEMS**

#### **1. Tacoma Waterfront Design Guidelines**

Stephen Atkinson, Comprehensive Planning, provided an overview of the proposed draft of the Tacoma Waterfront Design Guidelines (TWDG), which integrate and update the design elements of the Shoreline Trails Plan, Foss Waterway Design Guidelines and the Ruston Way Plan. Mr. Atkinson discussed the general approach that staff took in developing the draft design guidelines as well as applicability, proposed use of the plan, and specific subject matter addressed in the document.

Mr. Atkinson explained that the TWDG are intended to both carry forward the design elements of past shoreline related plan documents, but also to address concerns that were raised during the Shoreline Master Program public process, primarily that new public access facilities needed to be designed appropriately for the anticipated uses and users as well as to be compatible with adjacent uses. Therefore, the TWDG apply in several ways: 1. The Public Realm and Site Elements are intended to apply to all public access within the shoreline; whereas, 2. The Building Site guidelines are intended to apply strictly to the "Dome to Defiance" shoreline area as defined in the guidelines. The TWDG is expected to be used as part of the City's administration of shoreline permits as well as by the Foss Waterway Urban Design Review Committee in their review of Foss Waterway Development Authority projects. In addition, project proponents should use and consider the TWDG in permit applications. Mr. Atkinson also provided a brief summary of the overall objectives and subject matter in the guidelines and the Commission discussed each chapter in detail.

Throughout the presentation the Commissioner's provided comments and discussion regarding specific provisions within the guidelines, including a recommendation that the City Council consider establishing a design review committee for shoreline public access or expand the purview of the Foss Waterway UDRC to include projects outside the Foss Waterway. Other comments included a suggestion that project applicants provide a shade diagram, clarifications to the building site guidelines and specific guidelines relating to pedestrian orientation, as well as other examples that could be included in the guidelines to illustrate specific issues. Staff communicated that those suggestions would be reviewed and the guidelines would be amended in accordance with the Commission's suggestions.

## **2. Annual Amendment #2013-06 Development Intensity Designations**

Brian Boudet and Brian Boyd, an intern with the Comprehensive Planning Division, presented the proposed new framework for the Comprehensive Plan's Land Use Designations. The existing designation framework is broken into four basic classifications, based on "intensities," although it also incorporates other classifications such as Mixed-Use Centers and Manufacturing/Industrial Centers in a confusing, overlapping system. With the existing system, determining appropriate zoning within a land use area or if a use fits within an area's vision can be a tricky, confusing, time-consuming and costly process for staff, developers and the community. The proposed framework is intended to establish a more simplified and easily understood classification system, and includes the following designations: Single-Family Residential, Multi-Family, Commercial, Open Space, Industrial, Shoreline, Downtown Mixed-Use Center, Urban Mixed-Use Center, Community Mixed-Use Center, and Neighborhood Mixed-Use Center.

The Commissioners generally concurred with the proposed approach, and provided some comments and suggestions, such as:

- The "Intensity" designation has merits; it shows activity and character of land uses; and the concept of allowing limited flexibility based on the intended character of an area (not simply on the title of a designation) is important to retain.
- Consider rewording "Single Family Residential" to "Low Density Residential" or "Single Family/Low Density Residential".
- Consider changing "Multi-Family" to "High Density Residential" or "Multi-Family/High density Residential", or replacing them with "Low, Medium and High Density Residential" or something that breaks down the wide range of density in that category but still gives flexibility around edges.
- Consider breaking "Industrial" into two levels to better recognize the additional flexibility is probably appropriate for lighter industrial uses, including some of the newer clean industries.
- Consider adding a "Medical" or "Institutional" designation.
- Provide before-and-after maps for the comparison of the existing and the proposed designation systems.

## **3. Election of Vice-Chair**

The Commission conducted an election to fill the Vice-Chair position vacated by Mr. Sean Gaffney who resigned in December 2012. Commissioner Winship nominated Commissioner Lee and Commissioner Thompson nominated himself. With a vote of 6 to 1, Commissioner Lee was elected the Vice-Chair and will serve through June 30, 2013.

## **COMMUNICATION ITEMS AND OTHER BUSINESS**

- (a) The Commission acknowledged the receipt of the announcement regarding the vacant position representing District No. 2 and the article of "The Suburbs Are Dead."
- (b) Lihuang Wung briefly reviewed the tentative agenda for the February 6, 2013 meeting.
- (c) Chair Erikson has subscribed to the on-line Planning Commissioners Journal using the honorarium he had received from participating in the "Conversation Re: Tacoma" lecture series and his own contribution. The subscription is accessible to all Commissioners plus one staff. Mr. Wung, as the assigned Group Administrator, will establish the access protocol with the Journal and make it available to the Commissioners.
- (d) Mr. Wung provided an update on the planning for the Short Course on Local Planning to be held by the Department of Commerce's Growth Management Services in Tacoma on February 20, 2013.

- (e) Commissioner Nutsch inquired about when the Building Codes are amended and how citizens may get involved in the review. Staff clarified that updates to the Building Codes occur on a 2-to-3-year cycle and are essentially adoptions of relevant State Building Code requirements through administrative procedures, where the opportunities for public review are somewhat limited. Staff can provide additional information at the Commission's request.
- (f) Vice-Chair Lee indicated that Pierce Transit will be implementing a 35% service reduction in September 2013, due to the loss of Proposition 1 in November 2012.
- (g) Commissioner Winship encouraged the Commissioners to attend the "2013 Urban Studies Forum: Transportation for the Next Economy", on February 7, 2013, sponsored by the University of Washington Tacoma.
- (h) Mr. Boudet announced that the deadline for providing comments on the Draft MLK Subarea Plan and Draft EIS has been extended from January 17 to February 1, 2013.

**ADJOURNMENT**

The meeting was adjourned at 6:05 p.m.





**Agenda Item  
D-1**

**City of Tacoma**  
Planning and Development Services

TO: Planning Commission  
FROM: Dustin Lawrence, Comprehensive Planning Division  
SUBJECT: Annual Amendment #2013-01 Drive-through Regulations  
DATE: January 31, 2013

At the February 6, 2013 meeting, the Planning Commission will review proposed amendments to the Tacoma Municipal Code related to drive-through facilities. At its November 7<sup>th</sup> meeting, the Commission provided direction on a preliminary draft and directed staff to conduct additional stakeholder outreach. Staff have now incorporated both into a revised draft for the Commission's consideration.

The key issues raised by the Commission include a general intent to craft code requirements that allow drive-throughs while preventing potential impacts, rather than prohibiting them outright. Standards should be most stringent in mixed-use districts and downtown, but should still allow drive-throughs. The Commission directed staff to consider revisions that would achieve these intents. Another key point was to develop a consistent approach for driveways.

Since the Commission meeting, staff went to the various stakeholder groups to gather more feedback. Issues raised by the stakeholder groups were often in line with those raised by the Commission. In addition, key points included focusing more on impacts than on the drive-throughs themselves.

After hearing the issues raised by the Commission and key stakeholders and with additional recommendations provided by the City's Traffic Engineering Division, staff have provided revised draft code and the amendment staff report (Attachment "A") for the Commission's review. Additionally, an informational handout on the proposed amendment (Attachment "B") has been provided with this packet.

If you have any questions, please contact me at (253) 591-5845 or  
[dlawrence@cityoftacoma.org](mailto:dlawrence@cityoftacoma.org).

c: Peter Huffman, Interim Director

Attachments (2)





**2013 Annual Amendment Application No. 2013-01**  
***Drive-Through Regulations***

STAFF REPORT

<b>Application #:</b>	2013-01
<b>Applicant:</b>	Jori Adkins , Dome District Development Group
<b>Contact:</b>	Dustin Lawrence, Comprehensive Planning Division
<b>Type of Amendment:</b>	Regulatory Code Text Change
<b>Current Land Use Intensity:</b>	N/A
<b>Current Area Zoning:</b>	N/A
<b>Size of Area:</b>	Citywide
<b>Location:</b>	Citywide
<b>Neighborhood Council Area:</b>	All
<b>Proposed Amendment:</b>	Amend the Regulatory Code related to drive-throughs

**General Description of the Proposed Amendment:**

This proposal would significantly strengthen the code restrictions on drive-through facilities in order to prevent or reduce their potential impacts. Specifically, it would add to the existing Zoning Code requirements placed on drive-throughs in order to establish a regulatory baseline for them in all zoning districts where they are permitted; create additional, more stringent requirements for drive-throughs in Downtown and the City's Mixed-Use Districts; and would provide continuity with how driveways and drive-through regulations are already administered under the Public Works Chapter of the Tacoma Municipal Code. The intent of this approach is to address issues with general applicability on a citywide basis, while heightening requirements within X Districts, and heightening to a greater extent the requirements Downtown.

The Zoning Code already contains a range of requirements applicable to drive-throughs in X Districts and Downtown. However, there are currently no requirements applicable specifically to drive-throughs in the other zoning districts where they are permitted. The approach is to build on the existing requirements; extend those which have general applicability beyond the zones where they currently apply; and, add some new requirements to address the issues raised by this application.

In summary, the proposed requirements would have the following affects citywide (where drive-throughs are permitted):

- Reduce impacts to the pedestrian environment on designated pedestrian streets or

- streetcar/light rail streets;
- Require visual screening of drive-through service areas and stacking lanes;
  - Minimize the likelihood of vehicular and pedestrian conflicts;
  - Reduce noise impacts.

In X Districts, drive-throughs would have several additional requirements, including requiring stacking lanes to be located behind the main building.

In Downtown Districts and the UCX-TD District, drive-throughs would need to be located entirely within a building. See Exhibits "A" and "B" for the details.

**Additional Information:**

The proposal was developed to address the issues raised in the Dome District Development Group's application. The applicants assert that Downtown and X Districts are Tacoma's pedestrian priority areas and that drive-throughs are not compatible with the vision for these areas, or with goals including walkability, encouraging foot traffic in commercial areas, implementing Complete Streets principles, reducing bicycle and pedestrian/vehicular conflicts, reducing Tacoma's carbon footprint and improving air quality.

As submitted, the application calls for drive-throughs to be prohibited outright in Downtown and the more urban of the X Districts. Subsequent to the submittal, staff have met several times with Jori Adkins, Secretary of the Dome District Development Group, and have collaboratively developed a different approach, reflected in this proposal. The intent in most zones is to strengthen drive-through regulations, rather than prohibiting them outright.

The proposal recognizes the potential impacts that drive-throughs can have on the pedestrian environment, but also recognizes that there is market interest in developing drive-throughs. The intent is to retain enough flexibility for the development of drive-throughs, while using design requirements to prevent the impacts of concern. The proposal also expands the original scope of the application by taking advantage of an opportunity to update drive-through regulations and driveway standards generally, rather than only within Downtown and X Districts.

Summary of current code regarding drive-throughs:

- Residential Districts: Not Permitted
- Industrial Districts: Permitted
- Shoreline Districts: Permitted
- Commercial Districts: Permitted in C-2 only
  - Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
- X Districts:

- Permitted in UCX, UCX-TD, CCX, CIX, NCX, HMX (limited to hospital/medical related functions);
- Prohibited in RCX, URX, NRX
- TMC 13.06.510 includes development standards for drive-throughs in X Districts (*these were incorporated into the proposal*)
- Downtown: Permitted with restrictions
  - DCC: Drive-throughs must be located entirely within a building
  - DMU, WR: Drive-throughs must be 100 feet from a light rail or streetcar street, or else must be located entirely within a building
  - DR: No specific restrictions
- Driveway standards of Section 13.06.510 and of TMC 13.06A apply
  - Limits the number of driveways and the percentage that can be used as driveways
  - Directs where new driveways may be located, in order to reduce conflicts with pedestrians

#### Benchmarking:

Staff reviewed multiple jurisdictions' approaches to drive-throughs. Many jurisdictions prohibit drive-throughs in Downtown areas, or require them to meet stringent setback, screening, traffic and other standards. Restricting drive-throughs to be within buildings is less common, though Seattle requires this in their Downtown. Finally, many jurisdictions have general requirements for drive-throughs, focusing on reducing vehicular/pedestrian conflicts, screening drive-through service areas and stacking lanes, and limiting impacts, such as noise, on adjacent properties. These requirements are often more stringent in pedestrian-oriented areas.

#### **Public Outreach:**

Over the past few months, staff has discussed the 2013 Annual Amendment package with various stakeholder groups, including the Sustainability Commission, Master Builders Association (MBA), and other development industry representatives. In addition, planning staff have reached out to the Community Council, Neighborhood Councils, the Cross District Association, and Neighborhood Business Districts, informing them of the 2013 Annual Amendment process and offering presentations of the summary of all proposed amendments at their board meetings. In response to requests, staff provided overview presentations to the New Tacoma Neighborhood Council, West End Neighborhood Council, South End Neighborhood Council, and South Tacoma Business District. Additional outreach will occur through and during the Planning Commission and City Council's public hearing and notice processes

In addition to the overall amendment package outreach, staff met with Jori Adkins, the applicant, as well as with a representative of the Chamber of Commerce, with City staff responsible for traffic, and for economic development and business districts, and with commercial real estate brokers employed by a firm which assists corporate clients to find appropriate locations for commercial development (including drive-throughs). The intent was

to get a sense of the issues, while still at the early code drafting stage. Staff intend to do more outreach to key stakeholders once the Planning Commission gives its direction to release a draft for public review.

In these discussions, there was general recognition that it is appropriate for the City to use design standards to ensure drive-throughs are aesthetically attractive and safe for pedestrians, and that interruption of pedestrian activity along streets should be avoided or minimized.

However, several stakeholders expressed concern that placing too much limitation on drive-throughs could become a barrier to economic development. Per the commercial real estate brokers we spoke with, sites with adequate size, access and other characteristics which would make them suitable for drive-throughs, and where they are permitted by zoning, are in short supply. On the commercial side, there is a clear market demand for such sites, and some businesses will not move forward with development (at least not in this market) without a drive-through component. The concern is that adding requirements could slow development and make it more difficult to attract business investment.

Some stakeholders expressed the view that while restricting drive-throughs Downtown and in those X Districts characterized by an established pedestrian street front pattern seems reasonable, such restrictions could be more of a barrier in those X Districts which are currently more auto-oriented.

One stakeholder stated that the biggest issue of concern is ensuring safety where driveways cross the sidewalk. He felt that the emphasis should be on reducing this occurrence by directing drive-through driveways to alleys or side streets, as opposed to prohibiting drive-throughs as a use.

The preliminary outreach suggests there may be broad, though not universal, support for limiting the impacts of drive-throughs through design requirements, rather than through an outright prohibition. Staff communicated these perspectives to Ms. Adkins, who expressed her general concurrence with the approach proposed in this draft.

#### **Applicable Provisions of the Growth Management Act (and other state laws):**

The GMA calls for encouraging economic development that is in harmony with adopted Comprehensive Plans, recognizing regional differences and priorities.

##### **GMA Economic development goal**

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas

experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

This proposal is a community-driven effort to refine our development regulations to be in harmony with the community's vision for our urban core areas. Furthermore, fostering a walkable urban environment is consistent with smart growth principles and their call for a balance of travel modes, and support for compact, walkable and multi-modal urban cores.

#### **Applicable Provisions of the Comprehensive Plan:**

This proposal is consistent with the Comprehensive Plan. The Plan contains multiple policies calling for walkable, compact and multi-modal urban centers; for pedestrian safety and comfort citywide; for discouraging auto-oriented uses downtown and within Mixed-Use Centers; and, for fostering economic development in harmony with the City's growth vision.

##### Citywide:

**Policy LU-UAD-3 – Distinct character and identity of the city.** Emphasizing pedestrian oriented design at all levels.

**Policy LU-UAD- 11- Pedestrian Access and Orientation.** Improve the pedestrian environment by making it easier, safer, and more comfortable to walk in Tacoma.

##### Commercial areas:

##### **Policy LU-CDD-1 Development Standards**

Commercial development standards should address the desired safety, convenience, functionality, and aesthetics of the development itself, as well as effects on adjacent surrounding properties.

##### **Policy LU-CDD-2 Compatibility**

Ensure that new commercial development is compatible with the existing development and/or the desired character of the area in terms of building location and orientation, pedestrian and vehicular access, building massing and scale, light and glare, outdoor storage areas, noise generating activities, service elements and mechanical equipment location and design, landscaping design, and signage. Compatible design is most critical in areas where commercial properties border single-family areas.

##### **Policy LU-CDD-3 Pedestrian-friendly Design**

Site and design commercial areas with safe, convenient, connected and attractive pedestrian access. Specifically:

- Locate and orient buildings towards the street for pedestrian convenience and enhance the spatial definition of the street.

- Provide safe walkways and pedestrian areas that are visible, well-lit, accessible, conveniently located, and buffered from vehicular traffic.
- Provide attractive and well-maintained landscaping along pedestrian routes.
- Design pedestrian routes with sufficient widths to accommodate the anticipated long term pedestrian activity.
- Design buildings along pedestrian routes with attractive and interesting façades including plenty of transparent window areas, weather protection elements, and ground level detailing.
- Design commercial areas with an internal pedestrian circulation system that provides attractive connections between buildings, through large parking areas, connections to the street, and linkages to surrounding properties and neighborhoods, where possible.
- Encourage the development of gathering spaces such as pedestrian malls and plazas in commercial areas to enhance the pedestrian experience and sense of community.

**Mixed-Use Centers:**

**Policy LU-MUCD** – Compact mixed use centers that encourage walking and bicycling comfortably between designations within respective centers.

**Policy LU-MUCD-13-** Restrict Auto-oriented uses that encourage queuing of autos and negatively impact walkability and pedestrian orientation.

**Policy LU-MUD-4-** Encourage uses at street level that generate pedestrian activity and support transit ridership.

**Downtown:**

The Downtown Element emphasizes pedestrian connectivity and pedestrian-oriented urban design as core strategies to fostering development.

**Policy 2.2B.A** Downtown development should be governed by principles that encourage walkability, transportation alternatives and enhanced livability for all users.

**g. Street edge activation, and building ground-orientation:** Building design should promote sociability at street level, with a rich stimulating built form designed at the human scale. Building facades on downtown streets should have frequent, identifiable entrances, appropriate ceiling heights to promote activity, and commercial usable spaces, with a high level of transparency.

**Policy 2.3F.A** Create multi-modal and flexible streets that are designed to increase the mode share of pedestrians, bicyclists and transit use throughout downtown in order to mitigate the impacts of growth, reduce reliance on the single occupancy vehicle and increase the sociability of the walking environment.

**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 eleven 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: Not applicable.

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

Staff Analysis: This policy discussion fits within a continuing community discussion of our growth vision, particularly for our most urban areas, and how to strike the best balance between access for people using all modes of travel. The intent is to update the TMC in order to meet the community's vision.

- 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: As the proponents of this application have asserted, the development of drive-throughs, including recent development activities, are to some degree inconsistent with the City's adopted policies for downtown and mixed-use centers. It can be argued that recent drive-throughs are not meeting these plan objectives. The proposed amendment will better ensure that future drive-throughs are developed in a manner that is more consistent with the goals and policies of the plan.

**8. Transportation 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.

**Economic Impact Assessment:**

It is clear that there remains interest in developing businesses that include drive-throughs and that drive-throughs are used by many members of the community. By placing additional design requirements on drive-throughs where they are permitted, there is the potential that some projects may not move forward and that sites may go longer without being developed. This may have an economic impact on the City.

The proposed requirement Downtown and within the UCX-TD District that drive-throughs must be within buildings could limit some development. The proposed requirements for all other zones could increase the cost of development in some cases. On the other hand, taking a longer view, allowing development that is not consistent with the growth vision for the district may ultimately detract from long term development momentum. It may take longer for a site to develop, but when development does occur it should be more likely to contribute to the desired character of the district. This is the fundamental policy choice posed by this project. However, the proposed approach, which focuses on adding strategic development standards to address potential impacts instead of outright prohibition, as was originally proposed, will have less of an overall economic impact.

**Staff Recommendation:**

Staff recommends that the proposed amendment be forwarded for public review and comment.



**2013 Annual Amendment Application No. 2013-01**  
***Drive Throughs***

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**DRAFT LAND USE REGULATORY CODE CHANGES**  
*February 6, 2013*

\*Note – These amendments show all of the changes to the *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 is deleted is shown in ~~strikethrough~~. New text added since the last Commission meeting is also highlighted.

## 13.06 – Zoning

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### 13.06.200 Commercial Districts.

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Drive-through with any use	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).  <span style="color: red;"><u>Subject to the requirements of TMC 13.06.513.</u></span>

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### 13.06.300 Mixed-Use Center Districts.

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Drive-through with any use	P	P	P	P	N	P	P*	N	N	<span style="color: red;"><u>See Section 13.06.510 Table 2 for additional driveway and drive-through standards and restrictions. Drive-throughs are required to be located entirely within a building, and are subject to the requirements of TMC 13.06.513.</u></span>  * In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses.

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### 13.06.400 Industrial Districts.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Drive-through with any permitted use	P	P	P	<span style="color: red;"><u>Subject to the requirements of TMC 13.06.513.</u></span>

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### 13.06.510 Off-street parking and storage areas.

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**TABLE 2 – Parking in Mixed-Use Center Districts**

**Development Standards – Driveways.** Driveways shall be located and developed in a manner that recognizes the overall goals for promoting pedestrian activity over vehicle orientation. They shall be limited in size and number and located in the preference order described below:

Driveway location	<ol style="list-style-type: none"><li>1. Driveways shall <del>meet the location requirements of TMC 10.14.050, be located from an alley when suitable access is available, such as an abutting right-of-way that is or can practicably be developed.</del></li><li>2. <del>When suitable alley access is not available, driveways shall be limited to the lowest classified roadway adjacent to the site (non-designated street, designated pedestrian street, designated core pedestrian street)</del></li><li>3. <del>Projects that utilize an alley for vehicle access and cannot practicably limit vehicular access only to the alley, shall also be allowed to have additional vehicular access from abutting non-designated pedestrian streets.</del></li><li>4. Driveways shall be located as close as practical to the property line most distant from any street intersections. Location shall be subject to the approval of the City Traffic Engineer.</li></ol>
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**Development Standards – Drive-throughs in Mixed-Use Centers.** The following standards apply to drive-throughs located in Mixed-use Centers. See Section 13.06.300.D for permitted zones.

1. Driveways that directly connect to any drive-through shall not be allowed along a designated pedestrian street or designated core pedestrian street.
2. Drive-through driveways and stacking lanes must be located at least 150 feet from any bus stop or transit center, as measured along the curb line between the driveway and the bus stop or transit center.
3. All vehicle-use areas associated with a drive-through shall be located at the side or rear of the building.
4. Drive-through windows shall not face a designated pedestrian street and stacking areas shall not lie between a building and a designated pedestrian street.
5. Drive-through stacking lane(s) and service window(s) shall be designed and screened from the view of adjacent properties with landscaping and/or structures.
6. Pedestrian paths that cross a drive-through aisle shall use a raised platform and be marked with symbols, signage and/or special painting.
7. Within Mixed Use Centers, drive-throughs shall be limited to 1 stacking lane maximum unless the portion with multiple lanes is fully screened from public view.
8. Drive-through uses that are not located within a building are prohibited from locating within 100 feet of a light rail station or streetcar station.
9. Driveways are also subject to the standards contained in Section 13.06.510

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### **13.06.513 Drive-throughs**

**A. Purpose.** The regulations of this section are intended to allow for drive-through facilities while mitigating potential negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, aesthetics, and queued traffic interfering with on-site and offsite traffic and pedestrian flow. The specific purposes of this section are to:

- Reduce noise and visual impacts on abutting uses, particularly residential uses;
- Promote safer and more efficient on-site vehicular and pedestrian circulation;
- Promote a pedestrian-oriented environment;
- Reduce conflicts between queued vehicles and traffic on adjacent streets.

**B. Applicability.** The regulations of this section apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-throughs are not permitted in some zoning districts—see the permitted uses tables for the applicable zone. Where they are permitted, drive-through facilities are still not a right; the size or dimensions of the site, or the size and location of existing structures may make it impossible to meet the regulations of this section.

**C. Standards.** A drive-through facility is composed of two parts—the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queueing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted.
  - a. Pedestrian streets (includes all TMC pedestrian street designations), and transit stops:
    - (1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.
    - (2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. This distance may be reduced upon a determination by the City Engineer that the reduction will not significantly increase the potential occurrence or severity of conflicts between pedestrians, transit and vehicles.
    - (3) Exterior drive-through windows shall not face a designated pedestrian, light rail or streetcar street, and stacking areas shall not lie between a building and such a street.
  - b. Setbacks and Landscaping.
    - (1) Exterior service areas and stacking lanes, except for vehicle access crossings, must be set back a minimum of 3 feet from all lot lines, and 5 feet from street frontages. In some cases, a greater setback may be necessary to meet other standards such as Landscaping.
    - (2) Exterior stacking lanes and service areas shall provide a minimum 3 foot landscaped buffer along sides which do not abut the building. The buffer must be landscaped with Type D Landscaping. Alternatively, on non-street frontages, the buffer width may be reduced to 1 foot and improved with a vegetated wall at least 6 feet in height. This buffer may be interrupted by structures, seating or gathering areas, or for vehicle or pedestrian access crossings.
    - (3) Where perimeter strips or buffers are otherwise required, they may also satisfy these requirements. The greater of the buffer, setback or perimeter areas shall apply.
  - c. Vehicular and pedestrian circulation.
    - (1) Adequate stacking lane capacity must be provided to serve the proposed development on-site. Stacking spaces shall be a minimum ten (10) feet in width and eighteen (18) feet in length. The City Engineer, or designee, shall make a determination regarding the number of stacking spaces required. In

pedestrian oriented areas including Downtown and X Districts, this determination shall reflect the overall goals of promoting pedestrian activity over vehicle orientation.

- (2) Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation. Stacking lanes must be separated from traffic aisles, other stacking lanes, and parking areas. with striping, curbing, landscaping, or raised medians.
- (3) Pedestrian paths that cross a drive-through aisle shall use a raised platform and be marked with symbols, signage and/or special painting.
- (4) The drive-through shall not impede pedestrian or vehicular movement within the right-of-way. Drive-through driveways shall be designed to ensure adequate pedestrian visibility as vehicles cross sidewalks.
- (5) Driveways are also subject to applicable standards of TMC 10.14, TMC 13.06.510 and TMC 13.06A.070.
  - d. Noise and trash receptacles.
    - (1) Noise from amplified speakers shall be minimized through means such as orientation, volume control, and sound buffers or barriers. In addition, amplified speakers shall not be audible from abutting residential uses.
    - (2) A trash receptacle shall be provided adjacent to the drive-through aisle in order to reduce the potential for littering.
  2. The following additional standard applies in Downtown Districts where drive-throughs are permitted, and within the UCX-TD District.
    - a. Drive-throughs and associated stacking lanes shall be located entirely within buildings.
    - b. Drive-through entrances and exits shall be at least 100 feet from designated pedestrian streets and from light rail/streetcar streets as measured along the curb line between the driveway and the street.
  3. The following additional standards apply in X Districts where drive-throughs are permitted:
    - a. Drive-through service areas and stacking lanes not entirely within a building shall be a minimum of 75 feet from designated pedestrian or light rail/streetcar streets as measured along the curb line between the driveway and the street.
    - b. Drive-through stacking lanes and service windows shall be designed and screened from the view of adjacent properties and the public right-of-way with landscaping and/or structures.
    - c. Drive-throughs shall be limited to one stacking lane maximum unless the portion with multiple lanes is fully screened from public view by landscaping or a combination of landscaping and structures.
    - d. Within NCX Districts, exterior drive-through stacking lanes may be no closer than 25 feet to the property frontage of a designated pedestrian, light rail or streetcar street.
  4. Drive-throughs accessory to existing use. Drive-through eating and drinking establishments (such as coffee stands) that are accessory to an existing use, utilize existing driveways, do not include a permanent foundation or similar permanent improvements, are not required to provide landscaping or separation along the stacking lane(s) as would be required by TMC 13.06.513,1.b.(2) and 1.c.(2.).

\*\*\*\*\*

### **13.06.700 Definitions**

Drive-through. A business or a portion of a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to carry on business in the off-street parking or paved area accessory to the business, while seated in a motor vehicle. This definition does not include uses where the service is not provided while the customer is in the vehicle, such as fueling stations, passenger drop-off/pick-up zones for schools, hospitals, hotels or similar uses.

\*\*\*\*\*

### **13.06A.040 Downtown Districts and uses.**

#### C. Downtown Commercial Core District (DCC).

This district is intended to focus high rise office buildings and hotels, street level shops, theaters, and various public services into a compact, walkable area, with a high level of transit service.

1. Preferred – retail, office, hotel, cultural, governmental.
2. Allowable – residential, industrial located entirely within a building.
3. Prohibited – industrial uses not located entirely within a building, drive-throughs not located entirely within a building, and automobile service stations/gasoline dispensing facilities in addition to those noted in TMC 13.06A.050.

#### D. Downtown Mixed-Use District (DMU).

This district is intended to contain a high concentration of educational, cultural, and governmental services, together with commercial services and uses.

1. Preferred – governmental, educational, office, cultural.
2. Allowable – retail, residential, industrial located entirely within a building.
3. Prohibited – industrial uses not located entirely within a building, movie theaters greater than six screens, automobile service stations/gasoline dispensing facilities, and drive-throughs that are not located entirely within a building but are located within 100 feet of a light rail or streetcar street, in addition to those noted in TMC 13.06A.050.

#### E. Downtown Residential District (DR).

This district contains a predominance of mid-rise, higher density, urban residential development, together with places of employment and retail services.

1. Preferred – residential.
2. Allowable – retail, office, educational.
3. Prohibited-industrial, movie theaters greater than six screens, drive-throughs not located entirely within a building, in addition to those noted in TMC 13.06A.050.

#### F. Warehouse/Residential District (WR).

This district is intended to consist principally of a mixture of industrial activities and residential buildings in which occupants maintain a business involving industrial activities.

1. Preferred – industrial located entirely in a building, residential.
2. Allowable – retail, office, governmental.
3. Prohibited:

- a. Movie theaters greater than six screens, in addition to those noted in TMC 13.06A.050.
- b. Drive throughs-~~s- not located entirely within a building, uses that are not located within a building but are located within 100 feet of a light rail or streetcar street.~~

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#### **13.06A.070 Basic design standards.**

\*\*\*\*\*

7. New driveways shall ~~meet the driveway location requirements of TMC 10.14.050, be located from an alley, court, or street which does not have light rail or streetcar lines or is not designated as a Primary Pedestrian Street. Existing driveways may remain and be maintained. Abandoned driveways shall be removed when required by the Traffic Engineer.~~

~~a. If a driveway is not feasible from a non-designated alley, court, or street, a driveway may be located from a street having light rail or streetcar lines or a designation of Primary Pedestrian Street.~~

~~a. b.~~ Maximum driveway width on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street is 25 feet.

~~b. e.~~ All driveways on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street shall be no closer than 150 feet as measured to their respective centerlines, provided that there will be allowed at least one driveway from each development to each abutting street.

~~c. d.~~ All driveways on a street having light rail or streetcar lines shall be equipped with a sign to warn exiting vehicles about approaching trains.

~~d. e.~~ All driveways located on a Primary Pedestrian Street shall be equipped with audible warning signals to announce exiting vehicles.

~~e. f.~~ No variances shall be granted to this driveway standard.

\*\*\*\*\*

11. See section 13.06.513 for standards pertaining to drive-throughs.





**2013 Annual Amendment Application No. 2013-01**  
***Drive Throughs***

**DRAFT DRIVEWAY CODE CHANGES**  
*February 6, 2013*

These proposed amendments include modifications to Sections of TMC Title 10, the Public Works Code.

\*Note – These amendments show all of the changes to the *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 is deleted is shown in ~~strikethrough~~. New text added since the last Commission meeting is underlined and highlighted.

## **Chapter 10.14 – Driveways**

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### **10.14.050 Rules and regulations for driveways.**

Every driveway hereafter constructed or altered in street right-of-way shall conform to the following regulations. In cases when driveway provisions exist both in this section and in TMC 13.06, 13.06A or other sections of the TMC, the more stringent provisions shall apply.

#### A. Location.

1. No driveway shall be so located as to create a hazard to pedestrians, Pierce Transit bus operations, light rail operations, or motorists, or invite or compel illegal or unsafe traffic movements.
2. Every driveway must provide access to an off-street parking or other vehicular area located on public or private property. Every vehicle entering the driveway must be able to park, stand, or load entirely off the street right-of-way.
3. No driveway shall be allowed to a public or private parking area in conjunction with industrial, commercial, multiple family dwelling, church, or any like use that requires a vehicle to back out on to any street.
4. Unless otherwise approved by the Director of Public Works, all driveways, including the returns, shall be confined within lines perpendicular to the curb line and passing through the property corners.
5. No driveway shall be constructed in such a manner as to be a hazard to any existing street-lighting standard, utility pole, traffic-regulating device, fire hydrant, or other public facility. The cost of relocating any such public facility, when necessary to do so, shall be borne by the applicant. Said relocation of any public facility shall be performed only through the agency holding authority for the particular structure involved.
6. No construction, alteration or repair shall be permitted for any driveway which can be used only as a parking space on street right-of-way or which provides access only to the areas between the street roadway and private property.
7. New driveways shall be located from an alley or court when suitable access is available, such as an abutting right-of-way that is or can practicably be developed. In the event of site redevelopment, existing driveways would need to be reconstructed to meet current standards. Abandoned driveways shall be removed when required by the City Engineer.

8. When suitable alley or court access is not available, driveways shall be limited to the lowest pedestrian-classified roadway adjacent to the site, as designated in TMC 13.06 (non-designated street, designated pedestrian street, designated core pedestrian street, or Primary Pedestrian Street).

9. Projects that utilize an alley or court for vehicle access and cannot practicably limit vehicular access only to the alley or court, shall also be allowed to have additional vehicular access from abutting non-designated pedestrian streets.

10. Driveways shall be located to reduce the possibility of weaving, lane shifts, or other conflicts in the traffic stream. Existing driveways on both sides of the roadway shall be analyzed to determine proper location for a new driveway. New and reconstructed driveways shall be placed outside the functional area of nearby intersections and driveways. The following shall be used for minimum spacing between driveways and intersections, unless special authorization is given by the City Engineer.

<b>Speed Limit</b>	<b>Functional Classification</b>	<b>Access Spacing (to centerline)*</b>
35-40 miles per hour	All	600 feet
≤30 miles per hour	Principal or Collector	300 feet
	Arterial	
	Minor or Unclassified	150 feet
	Arterial	
	Local Street	50 feet

*\*The spacing standards are for full access. Restricted access (right-in, right-out), shall be half the amount shown in the table above provided that a physical median restricts left turns. No reduction shall be made on local streets, and no reduction shall be made when measuring from highway ramps or existing or planned traffic signals or roundabouts.*



# ***Drive-Through Regulations***

## **2013 Annual Amendment Application No. 2013-01**



### **Overview**

The Planning Commission is considering strengthening restrictions on drive-through facilities, in response to an application from the Dome District Development Group. The group feels that drive-throughs are not compatible with City goals including walkability, reducing bicycle and pedestrian/vehicular conflicts, and reducing environmental impacts. The proposal would add citywide standards for drive-throughs, with heightened standards for Mixed-Use Center (X) and Downtown Districts—the City's priority pedestrian areas.

### **Tacoma's current approach**

Commercial establishments (such as restaurants, banks, pharmacies, and car washes) sometimes include drive-throughs, where customers can conduct transactions while seated within their vehicle. Tacoma's Zoning Code currently allows drive-throughs in Shoreline, Industrial, Commercial, Mixed-Use (X) and Downtown districts. Some specific design requirements apply in Shoreline, Downtown and X Districts.

### **What's being proposed?**

The intent is to continue to allow drive-throughs in most zones, while strengthening design standards to make them more compatible with the pedestrian environment and limit impacts on adjacent properties. The proposal could include:

- Restrictions for drive-throughs near designated (pedestrian/light rail) streets;
- 150 foot distance required from transit stops;
- Visual screening of drive-through service areas and stacking lanes;
- Circulation standards to minimize vehicular and pedestrian conflicts;
- Restriction of noise impacts (from ordering speakers);
- Within X Districts more stringent standards could include:
  - Setbacks from, or other protection for, designated (pedestrian/light rail) streets;
  - Drive-through features must be to the rear of the building;
  - Full screening of double stacking lanes.
- Within Downtown, the most stringent standards could include:
  - Potential prohibition of drive-throughs in the Downtown Commercial Core District;
  - Drive-through windows and stacking lanes to be entirely within buildings;
  - Entrances and exits a minimum of 100 feet from designated (pedestrian/light rail) streets

### **For more information and to provide comments:**

Let us know what you think. The Commission will refine their proposal then release it for public review in early 2013. A public hearing is tentatively scheduled for March 2013.

To learn more, visit [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning), select 2013 Annual Amendments. Or, contact Elliott Barnett, Associate Planner at (253) 591-5389 or [elliott.barnett@cityoftacoma.org](mailto:elliott.barnett@cityoftacoma.org).







**Agenda Item  
D-2**

**City of Tacoma**  
Planning and Development Services

TO: Planning Commission  
FROM: Dustin Lawrence, Comprehensive Planning Division  
SUBJECT: Annual Amendment #2013-09 Sign Code Revisions  
DATE: January 31, 2013

At the February 6, 2013 Planning Commission meeting, staff will recommend that the Commission authorize the sign code amendments for public review and comment. The Commission began review of the amendment back in October of 2012. During the review, the Commission raised various questions and concerns regarding the proposed amendments. These questions and concerns related primarily to sign brightness, hours of operation, height, and minimum sign area.

Following review of the issues brought forward by the Planning Commission, staff conducted additional research, including field visits using sign measuring devices and follow-up discussions with various local sign industry experts. As a result, the draft code has been revised. In addition to the draft code, staff will present to the Commission the staff report for the proposed amendment (see Attachment "A") and a sample of brightness ratings taken of notable existing digital changing message center signs located within the City (see Attachment "B").

Staff will seek authorization from the Commission to move forward with the public hearing notice for the proposed amendment. If you have any questions, please contact me at (253) 591-5845 or [dlawrence@cityoftacoma.org](mailto:dlawrence@cityoftacoma.org).

**Attachments (2)**

c: Peter Huffman, Interim Director





## 2013 Annual Amendment Application No. 2013-09 *Sign Regulations*

### STAFF REPORT

<b>Application #:</b>	2013-09
<b>Applicant:</b>	Planning & Development Services
<b>Contact:</b>	Dustin Lawrence, Comprehensive Planning Division
<b>Type of Amendment:</b>	Regulatory Code Text Changes
<b>Current Land Use Intensity:</b>	Not Applicable
<b>Current Area Zoning:</b>	Not Applicable
<b>Size of Area:</b>	Not Applicable
<b>Location:</b>	City-wide
<b>Neighborhood Council area:</b>	City-wide
<b>Proposed Amendment:</b>	Amend <i>TMC</i> Chapter 13.06 Zoning to add new standards for digital signs

#### **General Description of the Proposed Amendment:**

The proposed amendments to the *Tacoma Municipal Code (TMC)* Chapter 13.06 Zoning would (1) better define digital signs (electronic changing message center); and (2) place standards on digital signs, including those pertaining to hours of operation, height, size limitation, and brightness. The proposed amendment is limited to onsite digital signs and, thus, does not pertain to billboard signs.

A general summary of the proposed amendments are listed below (see details in Exhibit “A”):

1. New Subsection for Electronic Changing Message Center Signs. Under the current sign code, changing message center signs are defined in the definition section of TMC 13.06. Because of the varying styles and options available for such signs, staff has included a new subsection that expands on the definition and includes additional regulations. This is consistent with how different types of signs are arranged in the code, including freestanding, wall mounted, temporary, billboards, and projecting signs.
2. New Standards/Regulations for Electronic Changing Message Center Signs. Under the current sign code, electronic changing message center signs follow the same size limitation as other signs and are only prohibited from having animated features. The current sign code would put a limit on the size, location from residential areas, height, brightness, and the frequency of how long each message would be displayed.
3. Exemption for Pedestrian Friendly Signs in all Mixed-Use Districts. Current sign regulations require that pedestrian friendly signs, such as small signs that hang over sidewalks perpendicular to a

buildings frontage, must use the site's sign area allocation. In recognition that these types of signs add character and vibrancy to district, staff is proposing an outright exemption of these types of signs if they are located in an "X" district or within one of the downtown zoning districts.

#### **Public Outreach:**

Over the past few months, staff has discussed the 2013 Annual Amendment package with various stakeholder groups, including the Sustainability Commission, Master Builders Association (MBA), and other development industry representatives. In addition, planning staff have reached out to the Community Council, Neighborhood Councils, the Cross District Association, and Neighborhood Business Districts, informing them of the 2013 Annual Amendment process and offering presentations of the summary of all proposed amendments at their board meetings. In response to requests, staff provided overview presentations to the New Tacoma Neighborhood Council, West End Neighborhood Council, South End Neighborhood Council, and South Tacoma Business District. Additional outreach will occur through and during the Planning Commission and City Council's public hearing and notice processes. In addition, staff has worked with various local sign industry professionals and has made key interest groups such as Tacoma Public Schools and Metro Parks aware of the amendment.

#### **Applicable Provisions of the Growth Management Act (and other state laws):**

The Growth Management Act (GMA) requires that development regulations shall be consistent with and implement the Comprehensive Plan. Development regulations include, but are not limited to, zoning controls, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances. The proposed amendments are designed to improve consistency and compatibility within the development regulations and between the Comprehensive Plan, zoning classifications and development regulations.

#### **Applicable Provisions of the Comprehensive Plan:**

**LU-UAD-1 Development Standards** - Craft development standards that are easy to use and administer and encourage quality site and building design consistent with the goals and policies herein. Refine development standards as needed to accomplish design goals per changing demographics, development conditions, and community interests.

**LU-UAD-5 Design Quality** - Promote design quality by creating clear and detailed standards that are crafted to encourage desired types of development. Standards should include guidance for: Compatible site design; Attractive pedestrian pathways and spaces; Safe and connected vehicular access; Compatible and attractive building massing and design; Integration of building details; Use of durable, high quality materials; Landscape design; Signage design; and Safety and security.

#### **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 proposed amendments are in direct response to changes in signage technology. Digital changing message center signs have become more affordable, brighter, and provide a more intense display. The proposed amendments will ensure such signs meet the overall vision of the Comprehensive Plan and minimize impacts to the public.

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

Staff Analysis: Not Applicable.

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

Staff Analysis: The proposed amendment would allow the sign code to be better compatible with the zoning code in that impacts to neighboring properties would be minimized while still allowing businesses the opportunity to have on site digital signage.

**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.

**Economic Impact Assessment:**

The proposed amendment would increase the limitations on the size, height, and brightness of digital changing message center signs. It is assumed that some minor economic impacts may result since digital changing message center signs costs can be tied to their size. However, staff has not received any initial comments noting that increased limitations on such signs will result in any significant economic impacts.

**Staff Recommendation:**

Staff recommends forwarding the proposed amendments to *TMC* Chapter 13.06 for public review and comment.

**Exhibit:**

A. Proposed Amendments to *TMC* Chapter 13.06 (January 30, 2013 Draft)



**2013 Annual Amendment Application No. 2013-09**  
***Sign Code Revisions***

**DRAFT LAND USE REGULATORY CODE CHANGES**  
***February 6, 2013***

These proposed amendments include modifications to the following Sections of TMC Title 13, the Land Use Regulatory Code

\*Note – These amendments show all of the changes to the *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 is deleted is shown in ~~strikethrough~~. New text added since the last Commission meeting is underlined and highlighted.

## **Chapter 13.06 - Zoning**

\* \* \*

### **13.06.521 General sign regulations.**

\* \* \*

B. Exempt signs. The following signs shall be exempt from all requirements of this section and shall not require permits; however, this subsection is not to be construed as relieving the user of such signage from responsibility for its erection and maintenance, pursuant to Title 2 or any other law or ordinance relating to the same.

1. Changing of the advertising copy or message on a sign specifically designed for the use of replaceable copy.
2. Repainting, maintenance, and repair of existing signs or sign structures; provided, work is done on-site and no structural change is made.
3. Signs not visible from the public right-of-way and beyond the boundaries of the lot or parcel.
4. Incidental and warning signs.
5. Sculptures, fountains, mosaics, murals, and other works of art that do not incorporate business identification or commercial messages.
6. Signs installed and maintained on bus benches and/or shelters within City right-of-way, pursuant to a franchise authorized by the City Council.
7. Seasonal decorations for display on private property.
8. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
9. Signs of public service companies indicating danger and aid to service or safety.
10. Non-electric bulletin boards not exceeding 12 square feet in area for each public, charitable, or religious institution, when the same are located on the premises of said institutions.
11. Construction signs denoting a building which is under construction, structural alterations, or repair, which announce the character of the building enterprise or the purpose for which the building is intended, including names

of architects, engineers, contractors, developers, financiers, and others; provided, the area of such sign shall not exceed 32 square feet.

12. Window sign.

13. Political signs, as set forth in Title 2.

14. Real estate signs, 12 square feet or less, located on the site. Condominiums or apartment complexes shall be permitted one real estate sign with up to 12 square feet per street frontage. Such sign(s) may be used as a directory sign that advertises more than one unit in the complex.

15. Off-premises open house or directional signs, subject to the following regulations:

a. The signs may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign.

b. Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign.

c. A maximum of three off-premises open house or directional signs will be permitted per single-family home. One additional open house or directional sign identifying the open house shall be permitted at the house being sold.

d. Signage shall not exceed four square feet in area per side (eight square feet total) and three feet in height. Off-premises open house or directional signs shall not be decorated with balloons, ribbons, or other decorative devices.

e. Signage shall only be in place between the hours of 11:00 a.m. and 6:00 p.m., when the seller of the product, or the seller's agent, is physically present at the location of the product.

f. Each off-premises open house or directional sign that is placed or posted shall bear the name and address of the person placing or posting the sign in print not smaller than 12 point font. The information identifying the name and address of the person placing or posting the sign is not required to be included within the content of the speakers' message, but may be placed on the underside of the sign or in any other such location.

g. New plats may have up to a maximum of eight plat directional signs for all new homes within the subdivision. New plat directional signs shall identify the plat and may provide directional information but shall not identify individual real estate brokers or agents. New plat directional signs shall be limited in size and manner of display to that allowed for off-premises open house or directional signs. Off-premises open house or directional signs shall not be permitted for new homes within new plats.

h. A maximum of three off-premises open house or directional signs shall be allowed per condominium or apartment complex.

16. Professional name plates two square feet or less.

17. Changing plex-style faces in existing cabinets; provided, work is done on-site without removing sign.

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

19. One individual blade sign located above sidewalk and under canopy blade signs located above sidewalk up to eight square feet and one foot thick. Shall be illuminated only by indirect lighting, maximum projection of 3 ½ feet, and shall maintain a minimum clearance of eight feet above the sidewalk.

\* \* \*

D. Special regulations by type of sign. In addition to the general requirements for all signs contained in this section, and the specific requirements for signs in each zone, there are special requirements for the following types of signs:

1. Wall signs.

2. Projecting signs.

3. Freestanding signs.

**4. Marquee signs. Electronic changing message center signs.**

5. Under-marquee signs.

6. Canopy and awning signs.
7. Temporary signs.
8. Off-premises directional signs.
9. Billboards.

The special requirements for these signs are contained in subsections E through M of this section.

E. Wall Signs. Special regulations governing wall signs are as follows:

1. A wall-mounted sign shall not extend above the wall to which attached or above the roofline.
2. A wall sign shall not extend more than 18 inches from the wall to which it is attached.
3. No wall sign shall cover wholly or partially any wall opening nor project beyond the corner of the wall to which it is attached.
4. Where a wall sign extends over a public or private walkway, a vertical clearance of eight feet shall be maintained above such walkway.
5. For the purposes of this subsection, any building with an actual or false mansard roof may use such walls or roof for wall sign installation.
6. An architectural blade designed primarily for the placement of signs may be erected on top of a wall, parapet, roof, or building face and shall comply with all applicable height limitations. All supporting structure for such signs shall be completely enclosed.
7. Painted signs, on the building, shall be calculated with the allowed sign area for a business.

F. Projecting signs. Special regulations governing projecting signs are as follows:

1. No projecting sign shall extend nearer than two feet to the face of the nearest curb line, measured horizontally.
2. The maximum projection permitted for any one sign shall be six and one-half feet or two-thirds of the width of the sidewalk below the location of the projecting sign, whichever is less.
3. A projecting sign shall not rise above the roofline or the wall to which it is attached.
4. Minimum clearance. All projecting signs over the public right-of-way shall have a minimum clearance to the ground as follows:
  - a. Over alleys and driveways, 14-1/2 feet; provided, said projection is no more than 12 inches;
  - b. Over automobile parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;
  - c. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet;
  - d. All parts of electric reflector lamps or other illuminating devices extending over the sidewalk space shall be at least ten feet above the sidewalk, and the projection horizontally over the sidewalk space may not be more than six and one-half feet, but no closer than two feet from the curb line.
5. No projecting sign shall be erected in such a position as to completely block visibility of another projecting sign already in place on either side.
6. All projecting signs shall be installed in such a manner that the support structure above a roof, building face, or wall shall be minimally visible.
7. Supporting framework for a projecting sign may rise 12 inches above a parapet; however, where there is a space between the edge of the sign and the building face, such framework must be enclosed.

G. Freestanding signs. Special regulations governing freestanding signs are as follows:

1. No freestanding sign shall be located within 15 feet of a residentially-zoned district, and where the side of a commercially zoned property abuts the side of a residentially-zoned property the first 100 feet of the commercial frontage shall have a sign setback requirement of 15 feet.
2. Minimum clearance. All freestanding signs shall have a minimum clearance to the ground as follows:
  - a. Over parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;
  - b. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet.

3. Signs shall be located upon the frontage for which the sign area is calculated.
4. No freestanding sign shall project over a public right-of-way, unless an adjacent structure or sign is built out to or over the property line that blocks visibility to a freestanding sign on the adjoining property; then, such freestanding sign may be located so that the sign structure is on private property and the sign cabinet may project over the right-of-way, subject to all the provisions regulating projecting signs which project over rights-of-way.
5. Signs placed on public property and/or right-of-way, abutting the business for which they identify, will require a Street Occupancy Permit. Sign regulations shall be determined by the zoning district of the abutting property.

H. (Reserved) Electronic changing message center signs. Electronic changing message center signs may be either "wall signs" or "freestanding signs", and in addition to all other applicable sign regulations the following are special regulations governing electronic changing message center signs:

1. Freestanding electronic changing message center signs cannot exceed 15 feet in height. Signs located on public facility sites over 5 acres and super regional mall sites are exempt from this requirement.
2. The maximum allowed sign area for any electronic changing message center sign shall be limited to 75% of the area that would be allowed outright in the zoning district it is located in, or 30 square feet, whichever is less. Signs located on public facility sites over 5 acres and super regional mall sites are exempt from this requirement.
4. Electronic changing message center signs shall never flash, flicker, scroll, animate, depict movement or provide video. The frequency of picture/message change for an electronic changing message center sign shall not be less than a 5-1-5 (message-blank-message) second minimum.
5. The brightness of an electronic changing message center sign shall not exceed .3 foot candles over ambient light levels at any given time and shall be equipped with an automatic dimmer and/or light adjuments to ensure compliance with this requirement.
6. Electronic changing message center signs shall not operate beyond the hours of operation of the facility for which it serves and shall be equipped with an automatic timer that turns the sign off and on to ensure compliance with this requirement.
7. Electronic changing message center signs shall only provide advertising for goods and services that are available on-site. Advertising for other busineses, goods, and services that are off-site shall be prohibited.

\* \* \*

<b>Section 13.06.522.J</b>	<b>DCC, DMU</b>	<b>WR</b>	<b>DR</b>
<b>Signage Allocation</b>			
Total sign area allocation for signs attached to buildings and freestanding signs	Each business, 1-1/2 square feet per 1 foot building or street frontage on which the sign(s) will be located (area is calculated from frontage occupied by the business it identifies).	Same as DCC.	1 square foot per 1 foot of building frontage occupied by the business.
<b>Signs Attached to Buildings</b>			
Maximum number	Each business allowed 2 signs per frontage, but no more than 3 signs total for the business, no maximum number for public facility over 5 acres.	Same as DCC.	Same as DCC.
Maximum area per sign	Non-residential, 150 square feet per sign. Public facility over 5 acres, 300 square feet. Residential, 20 square feet.	Non-residential, 200 square feet per sign. Residential, 20 square feet.	Non-residential, 100 square feet per sign. Residential, 20 square feet.
Minimum sign area	First floor, 30 square feet. Second floor, 25 square feet.	Same as DCC.	Same as DCC.
Wall	Provisions of Section 13.06.521.E shall apply. Shall not exceed 35 feet above grade level, except for 1 corporate logo sign of 150 square feet allowed per building above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as WR, except no corporate logo allowed.
Awning, canopy, marquee, under marquee	Provisions of Sections 13.06.521.H, I, and J shall apply.	Same as DCC.	Same as DCC.
Projecting	Provisions of Section 13.06.521.F shall apply with one per building allowed if no freestanding sign exists on the same frontage, shall not extend above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as DCC.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as DCC.	Same as DCC.
Rooftop signs	Prohibited.	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.	Prohibited.
<b>Freestanding Signs</b>			
Maximum number	1 per street frontage, per site not use and no more than 2 per site. 1 per street frontage(s) for public facility over 5 acres.	Same as DCC.	Same as DCC.

<b>Section 13.06.522.J</b>	<b>DCC, DMU</b>	<b>WR</b>	<b>DR</b>
Maximum area per sign	30 square feet. 300 square feet for public facility over 5 acres.	100 square feet.	30 square feet.
When not allowed	When building signage exceeds the sign area limit, not allowed on the same frontage as a projecting sign.	Same as DCC.	Same as DCC.
Maximum height	6 feet. 30 feet for public facility over 5 acres.	20 feet.	6 feet.
Directionals	Shall be limited to 4 feet in height.	Same as DCC.	Same as DCC.
Setback	None, but signs shall be on private property.	Same as DCC.	Same as DCC.
Billboards	Prohibited.	Prohibited.	Prohibited.
<b>Sign Features</b>			
Lighting	Indirect, internal illumination, neon, and bare bulb allowed.	Same as DCC.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Same as DCC.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.	Prohibited.
<u>Electronic changing message center</u>	Allowed.	Same as DCC.	Same as DCC.
<b>Temporary Signs</b>			
A-boards	1 permitted each business, shall not exceed 12 square feet in area nor 4 feet in height and shall not be placed on sidewalks less than 12 feet in width.	Same as DCC.	Same as DCC.
Banners	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year.	Not allowed.
Flags	Shall be on private property, no advertising allowed except logos.	Same as DCC.	Same as DCC.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as DCC.	Same as DCC.
Searchlights, beacons	1 allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Same as DCC.	Prohibited.
Temporary off-premises advertising signs	Section 13.06.521.C shall apply, except public facility sites in DCC shall be allowed temporary advertising signs of 32 square feet, including banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.	Prohibited.	Prohibited.

<b>Section 13.06.522.K</b>	<b>C-2, CIX, CCX, UCX, UCX-TD, M-1, M-2, PMI</b>	<b>C-1</b>
<b>Signage Allocation</b>		
Maximum total sign area	Wall signage, 1 square foot per 1 linear foot of the building frontage with the public entrance. Freestanding signage, 1 square foot per 1 linear foot of street frontage(s).	Same as C-2.
<b>Signs Attached to Buildings</b>		
Maximum number	3 per business, 25 percent allocation allowed on building wall(s) without a public entrance. (Note: 50 percent is allowed provided only 2 signs are installed at the business.) No maximum number for public facility over 5 acres.	Same as C-2.
Maximum area per sign	200 square feet. 400 square feet for public facility over 5 acres.	100 square feet.
Minimum sign area	Each business allowed 30 square feet regardless of frontage.	Same as C-2.
Wall	Provisions of Section 13.06.521.E shall apply.	Same as C-2.
Awning, canopy, marquee, under-marquee	Provisions of Section 13.06.521.H, I, and J shall apply.	Same as C-2.
Projecting	Provisions of Section 13.06.521.F shall apply, maximum projection 6-1/2 feet. Single business, in lieu of freestanding sign. Multi-business, not allowed.	Same as C-2.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as C-2.
Roof signs	Prohibited.	Prohibited.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
<b>Freestanding Signs</b>		
Maximum number	1 per street frontage, each 300 feet considered separate street frontage, corner sites require a minimum 300 feet on both frontages for an additional sign.	Same as C-2.
Maximum area per sign	200 square feet (additional 100 square feet allowed for name of shopping center), sites with freeway frontage shall not exceed 75 percent of the maximum allowed. 400 square feet for public facility over 5 acres.	100 square feet.
When not allowed	No freestanding sign shall be on same frontage as a projecting sign.	Same as C-2.
Maximum height	35 feet maximum; signs located 300 feet or less from residential district shall not exceed height of building it identifies. Sign height for site with freeway frontage is prohibited to exceed height of building it identifies. 45 feet for public facility over 5	6 feet for sites with less than 100 feet of frontage, 15 feet for sites with frontage between 100 feet and 300 feet, no sign shall

<b>Section 13.06.522.K</b>	<b>C-2, CIX, CCX, UCX, UCX-TD, M-1, M-2, PMI</b>	<b>C-1</b>
	acres.	exceed the height of the building it identifies.
Directionals	Shall be limited to 4 feet in height, except 15 feet shall be allowed in PMI.	Same as C-2.
Off-premises directionals	Provisions of Section 13.06.521.L shall apply, except 25 square feet shall be allowed in PMI with a maximum height of 15 feet and a maximum number of four per business.	Same as C-2.
Setback	Provisions of Section 13.06.521.G shall apply, minimum 200 feet separation from other freestanding signs, sites with freeway frontage shall locate signs on the abutting parallel frontage, no signs shall be allowed adjacent to the freeway.	Same as C-2.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
<b>Sign Features</b>		
Lighting	Indirect, internal illumination, neon and bare bulb allowed.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.
<u>Electronic changing message center</u>	Allowed.	Same as C-2.
<b>Temporary Signs</b>		
A-boards	1 per business, on private property, 12 square feet per side, 4 feet height.	Same as C-2.
Banners	1 per business, 60 square feet maximum, 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	Prohibited.
Flags, pennants	Shall be on private property, no advertising allowed, except logos.	Same as C-2.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as C-2.
Searchlights, beacons	One allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Prohibited.
Temporary off-premises advertising signs	Provisions of Section 13.06.521.C shall apply, except public facility sites in UCX-TD shall be allowed temporary advertising signs of 32 square feet each, including banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.	Prohibited.

<b>13.06.522.L</b>	<b>T, NCX, URX, Non-Residential Districts with VSD</b>	<b>HM, HMX</b>
<b>Signage Allocation</b>		
Maximum total sign area	1-1/2 square feet per 1 linear feet of building frontage abutting a street frontage, applies to the first 50 feet, with 1/2 square foot per 1 linear foot of building frontage over 50 feet.	HM and HMX sign regulations for use by hospitals only, all other uses in HM and HMX to follow T sign regulations.
<b>Signs Attached to Buildings</b>		
Maximum number	2 per primary frontage (1 may be ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.	One per elevation.
Maximum area per sign	Shall not exceed size allocation on primary frontage, 50 square feet on perpendicular frontage(s), 25 square feet on alley frontage, 10 square feet on upper story or basement uses.	Identification signs at 75 square feet. Directional signs at 25 square feet.
Minimum sign area	30 square feet, except for upper story or basement uses.	
Wall	Provisions of Section 13.06.521.E shall apply.	Same as T.
Awning, canopy	Provisions of Section 13.06.521.J shall apply.	Same as T.
Blade, under-canopy	Provisions of Section 13.06.521.-I shall apply. Indirect illumination only.	Same as T.
Projecting	40 square feet with frontage of at least 25 feet and not allowed on alleys, provisions of Section 13.06.521.F shall apply.	Provisions of Section 13.06.521.G shall apply.
Roof signs	Prohibited.	Same as T.
Billboards	Prohibited.	Same as T.
<b>Freestanding Signs</b>		
Maximum number	1 per site, sign area shared with building sign allocation (not allowed on an alley).	1 per right-of-way frontage or 1 per access, regardless the number of major accesses on one right-of-way frontage.
Maximum area per sign	30 square feet.	Identification or directory signs at 50 square feet. Directional signs at 25 square feet.
When not allowed	When the building signage has utilized the allowed sign area for wall signage or when a projection sign exists on the site.	N/A.
Maximum height	6 feet.	Identification or directory signs at 15 feet.
Directionals	Shall be limited to 4 feet in height.	Shall be limited to 6 feet in height.
Setback	None, but signs shall be on private property.	Same as T.
Billboards	Prohibited.	Same as T.

<b>13.06.522.L</b>	<b>T, NCX, URX, Non-Residential Districts with VSD</b>	<b>HM, HMX</b>
<b>Sign Features</b>		
Lighting	Indirect, or internal illumination allowed. No bare bulb illumination allowed. All external lighting to be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as T.
Rotating, mechanized	Prohibited.	Same as T.
Flashing, animated	Prohibited.	Same as T.
<u>Electronic changing message center</u>	<u>Allowed.</u> <u>Prohibited.</u>	<u>Same as T.</u> <u>Allowed.</u>
<b>Temporary Signs</b>		
A-boards	1 per business, on private property, 12 square feet per side, 4 feet height.	Prohibited.
Banners, pennants	Prohibited.	Banners allowed at 30 square feet.
Flags	Prohibited, except for the national flag, state flag, flags of other political subdivisions.	Same as T.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as T.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as "no parking," "exit," "entrance," etc.	Same as T.
Searchlights, beacons	Prohibited.	Same as T.

<b>Section 13.06.522.M</b>	<b>PDB</b>	<b>RCX</b>
<b>Signage Allocation</b>		
Maximum total sign area	Single business (wall signs), $\frac{1}{2}$ square foot per 1 linear foot of building frontage.	1 square foot per 1 linear foot of building frontage abutting a street frontage, applies to the first 50 feet, with $\frac{1}{2}$ square foot per 1 linear foot of building frontage over 50 ft.
<b>Signs Attached to Buildings</b>		
Maximum number	Single business, 1 per elevation, 2 total. Multi-business, 1 per business.	2 per primary frontage (1 may be a ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.
Maximum area per sign	Single business, 75 square feet per elevation, total 150 square feet for all signs. Multi-business, 20 square feet.	30 square feet maximum on perpendicular frontage(s), but not to exceed size area allocation, 10 square feet on alley frontage, upper story and basement uses.
Minimum sign area	Single business, 30 square feet each business regardless of frontage.	20 square feet each business regardless of frontage.

<b>Section 13.06.522.M</b>	<b>PDB</b>	<b>RCX</b>
	Multi-business, 20 square feet each business regardless of frontage.	
Wall	Provisions of Section 13.06.521.E shall apply.	Same as PDB.
Awning, canopy, under-canopy	Provisions of Section 13.06.521. I and J shall apply.	Same as PDB.
Roof signs	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.
<b>Freestanding Signs</b>		
Maximum number	1 per site (single or multi-business) located in landscaped area.	1 per site (not allowed on an alley).
Maximum area per sign	30 square feet.	25 square feet.
Maximum height	6 feet.	4 feet.
Directionals	Shall be limited to 4 feet in height.	Same as PDB.
Setback	Minimum 5 feet from property lines.	None, but signs shall be on private property.
Billboards	Prohibited.	Prohibited.
<b>Sign Features</b>		
Lighting	Indirect or internal illumination allowed. No bare bulb or neon illumination allowed. All external lighting shall be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as PDB.
Rotating, mechanized	Prohibited.	Same as PDB.
Flashing	Prohibited.	Same as PDB.
<u>Electronic changing message center</u>	Allowed.	Prohibited.
<b>Temporary Signs</b>		
A-boards	Prohibited.	1 per business, on private property, 12 square feet per side, 4 feet in height.
Banners, pennants	Prohibited.	Prohibited.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as PDB.
Flags	Prohibited, except the national flag, state flag, flags of other political subdivisions.	Same as PDB.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as "no parking," "exit," "entrance," etc.	Same as PDB.
Searchlights, beacons	Prohibited.	Prohibited.



# Existing Signs Survey (brightness included)

Business	Location	Timing	Dimension approx.(ft)	Height (ft)	Animation	Candle Rating (brightness)	Photo
Tacoma Dome	2727 East D Street Tacoma, WA 98421	5 sec	6x 20	18	Flashing animated	.65	
Grays Lumber	3800 6th Avenue	8 sec	6x10	20	n/a	.45	
Gold Masters	3710 6th Avenue	3 sec	3x8	15	Scroll, flash, animated	.40	
Walgreens	4315 6th Avenue	5 sec	2x7	6	n/a	<.30	





**Agenda Item  
D-3**

## City of Tacoma Planning and Development Services Department

TO: Planning Commission  
FROM: Brian Boudet, Comprehensive Planning Division  
SUBJECT: Annual Amendment #2013-06: Development Intensity Designations  
DATE: January 31, 2013

At the February 6th meeting, the Commission will continue its discussion regarding the Comprehensive Plan's land use designations and potential modifications thereto. The intent for this project is to revise and update the Plan's land use designation approach, from the current Land Use Intensities to a more simplified and easily understood classification system.

As discussed previously, since this project will result in the modification of the Comprehensive Plan's land use designations for all properties within the City, it will be necessary to complete this work in multiple phases. The first phase, intended to be completed this year, would include general approval of the new designation framework and some limited redesignations on the Generalized Land Use Plan map. The second phase, to be completed next year, would involve a comprehensive review of the existing and proposed land use patterns against the new designation framework.

At the January 16<sup>th</sup> meeting, the Commission reviewed a conceptual designation framework and provided initial feedback. In particular, the Commission directed staff to consider revisions that would subdivide some of the proposed designations to provide additional and more specific policy direction regarding the intended character and vision for various while still maintaining limited flexibility. In addition, the Commission requested a map showing the first phase of redesignations that are proposed to happen this year.

In response to the Commission's direction, staff have revised the proposed designation framework and prepared the amendment staff report, which includes the proposed text changes to the Comprehensive Plan and the revised Generalized Land Use Map reflecting the first phase of redesignations. Staff intend to seek authorization from the Commission to move the proposal forward for public review as part of the Annual Amendment package.

If you have any questions, please contact me at (253) 573-2389 or [bboudet@cityoftacoma.org](mailto:bboudet@cityoftacoma.org).

c: Peter Huffman, Interim Director

Attachments





## 2013 Annual Amendment Application No. 2013-06 *Land Use Intensity Designations*

### STAFF REPORT

<b>Application #:</b>	2013-06
<b>Applicant:</b>	Community & Economic Development Department
<b>Contact:</b>	Brian Boudet, Comprehensive Planning Division
<b>Type of Amendment:</b>	Comprehensive Plan Text and Map Changes
<b>Current Land Use Intensity:</b>	All
<b>Current Area Zoning:</b>	All
<b>Size of Area:</b>	Citywide
<b>Location:</b>	Citywide
<b>Neighborhood Council Area:</b>	All
<b>Proposed Amendment:</b>	Amend the Land Use Designations in the Comprehensive Plan

### General Description of the Proposed Amendment:

This proposal would amend the Comprehensive Plan's land use designations to provide additional guidance and more specific direction. The intent for this project is to revise and update the Plan's land use designation approach, from the current Land Use Intensities to a more simplified and easily understood classification system.

However, recognizing that this will involve an evaluation not only of the appropriate designations but of how and where they apply throughout the City, this project has been divided into multiple phases. This application represents the first phase of this overall project. This first phase involves review of the existing land use designations ("intensities") and the creation of a new land use designation framework, the adoption of portions of this new framework into the Plan, and some limited redesignations based on the new framework.

The specific amendments proposed as part of this application include:

- Creating separate land use designations for the four different types of mixed-use centers (neighborhood, community, urban and downtown)
- Adding a new land use designation for Shoreline areas
- Modifying the land use designation for properties within the mixed-use centers and shoreline areas based on these new designations (this will effectively remove the "underlying" intensity designations in these areas, recognizing the more detailed and specific policy guidance already provided for the shoreline areas and mixed-use centers)

The second phase, to be completed next year, would involve complete incorporation of the new framework into the Plan. This will necessitate a comprehensive review of the existing and proposed land use patterns against the new designation framework, as well as substantial redesignation of properties in the City based on the new framework.

### **Additional Information:**

The overall intent of this project is a complete overhaul of the land use designations contained in the Comprehensive Plan, which provide the basic structure for and policy guidance regarding the distribution of different land uses and zoning classifications within the City. Tacoma's Comprehensive plan currently breaks down the city into four basic classifications, although it also incorporates other classifications such as Mixed-Use Centers and Manufacturing/Industrial Centers in a confusing, overlapping system. This can be tricky when determining appropriate zoning within a land use area. Determining if a use fits within an area's vision can also be a time consuming and costly process for staff, developers and the community when the Plan does not make a single, unified statement about the desired character and uses in an area. The existing Comprehensive Plan land use designations are:

#### Basic Designations:

- Single-Family
- Low Intensity
- Medium Intensity
- High Intensity

#### Additional Designations:

- Mixed-Use Centers
- Manufacturing/Industrial Centers

The proposed new land use designation framework is based on the goal of providing understandable and intuitive designations that give policy-makers the ability to more clearly communicate the overarching goals and intended character for the various areas within the City. This revised framework will also provide a more detailed guide for determining appropriate zoning classifications for properties while ensuring reasonable flexibility exists to address unique circumstances. The proposed land use designation framework incorporates the following designations (additional information is provided in Exhibit "B"):

#### Proposed Land Use Designations:

- Single-Family Residential
- Multi-Family (low-density)
- Multi-Family (high-density)
- Neighborhood Commercial
- General Commercial
- Downtown Mixed-Use Center
- Urban Mixed-Use Center
- Community Mixed-Use Center
- Neighborhood Mixed-Use Center

- Light Industrial
- Heavy Industrial
- Parks and Open Space
- Shoreline

#### Benchmarking

As part of this project staff have examined the approach that various jurisdictions within the region take with regards to Comprehensive Plan land use designations. This review demonstrated that the approach varies significantly by jurisdiction, with some cities utilizing relatively simple schemes with few designations and some cities using very detailed and complex systems with many, very detailed designations. However, none of the cities examined have as few designations as Tacoma currently has. Most jurisdictions have between 10 and 20 designations, while some have more than 30. Additionally, all of the surveyed jurisdictions use more intuitive terminology for their land use designations, generally based on more common land use terms like residential, commercial, industrial, open space, etc.

#### **Public Outreach:**

Over the past few months, staff have discussed the 2013 Annual Amendment package with various stakeholder groups, including the Sustainability Commission, Master Builders Association (MBA), and other development industry representatives. In addition, planning staff have reached out to the Community Council, Neighborhood Councils, the Cross District Association, and Neighborhood Business Districts, informing them of the 2013 Annual Amendment process and offering presentations on the proposed amendments at their board meetings. In response to requests, staff provided overview presentations to the New Tacoma Neighborhood Council, West End Neighborhood Council, South End Neighborhood Council, and South Tacoma Business District. Additional outreach will occur through and during the Planning Commission and City Council's public hearing and notice processes.

#### **Applicable Provisions of the Growth Management Act (and other state laws):**

Washington cities and counties have prepared comprehensive plans for many years; however, growth management in Washington took on new meaning with the passage of the Growth Management Act (GMA) by the Washington Legislature in 1990. The GMA was enacted in response to rapid population growth and concerns with suburban sprawl, environmental protection, quality of life, and related issues. The GMA has been amended several times, and is codified in many chapters, but primarily in Chapter 36.70A RCW.

The GMA requires the fastest growing counties and the cities within them to plan extensively in keeping with state GMA goals on:

- sprawl reduction
- concentrated urban growth
- affordable housing
- economic development
- open space and recreation
- regional transportation
- environmental protection
- property rights
- natural resource industries
- historic lands and buildings
- permit processing
- public facilities and services
- early and continuous public participation
- shoreline management

The GMA establishes the importance and primacy of the comprehensive plan. The comprehensive plan is the starting point for any planning process and the centerpiece of local planning. The comprehensive plan is the guiding policy document for all land use and development regulations in the jurisdiction, and for local and/or regional services including transit, sewers, parks, trails and open space.

Development regulations (zoning, subdivision, and other controls) must be consistent with comprehensive plans. State agencies are also required to comply with comprehensive plans and development regulations of jurisdictions planning under the GMA.

#### Required Components

Local comprehensive plans must include the following elements: land use, housing, capital facilities, utilities, transportation, and, for counties, a rural element. Shoreline master program policies are also an element of local comprehensive plans. Other elements, such as parks and economic development are optional.

The first listed component required of a comprehensive plan is to include a land use element that designates various land uses and shows, generally through maps, the geographic distribution of those planned land uses.

#### **RCW 36.70A.070(1): Comprehensive Plans – Mandatory Elements**

Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound. (*emphasis added*)

The intent of this proposed amendment is to ensure that the Comprehensive Plan continues to meet this GMA goal, but does so in a manner that allows the Plan and policy-makers to more clearly express the desired character, appropriate uses, and suitable zoning classifications for all of the various parts of the City. The new designation framework will improve the community's understanding of and ability to use and implement the Plan's policies.

This process will also improve alignment between the Comprehensive Plan's land use designations and the applied zoning classifications, as required by the GMA. Currently, there are many areas of the City where the existing zoning classifications do not match up with the Plan's land use designation, such as having R-2 Single-Family zoning in Medium Intensity designated areas (which is not uncommon). One of the key goals of this project is to have, at the end of the second phase, zoning and Plan designations that are aligned throughout the City.

## **Applicable Provisions of the Comprehensive Plan:**

The current Comprehensive Plan land use designations are based on a development “intensity” concept. The following excerpts from the Growth Strategy & Development Concept and Generalized Land Use Elements describe the various land use intensity designations and the type of future land uses that those designations represent.

### **Development Intensities**

The amount and type of development allowed in an area is determined by designating development intensities on the Generalized Land Use Plan Map. Development intensities are an indication of how much influence a development has over the surrounding area. Conventional land use plans separate developments according to categories of uses such as residential, commercial and industrial. The development intensities approach in the comprehensive plan recognizes that different types of land use may be located in the same area as long as the character of the area remains consistent. This approach permits greater flexibility in land use arrangements and encourages innovative techniques of land development.

Factors that determine the intensity level of a development include size, scale, bulk, nuisance level, amount of open space and traffic generation. For example, a ten-story apartment complex and high traffic generation would be viewed as a high intensity use while a typical, single-family detached home is regarded as a low intensity development.

Although land use intensity and density are somewhat related, they are not the same concept. Density is the number of people or housing units per unit of land. The type and size of housing units and the number of occupants in these units can widely vary; therefore, density does not accurately indicate the degree of impact a given development asserts over surrounding land uses. The concept of density is further limited in that it only applies to residential development and cannot be used to assess the impacts of commercial or industrial development. Development intensities, on the other hand, apply to all land uses and provide a more accurate account of the character and nature of a given development.

Development intensities are classified as high intensity, medium intensity and low intensity.

As noted above, the overall intent of this project is a complete overhaul of the land use designations contained in the Comprehensive Plan, to shift from this “intensity” based designation scheme to a system based on more traditional and understandable land use categories. The proposed new land use designation framework will provide the ability for policy-makers and the community to more clearly express the overarching goals and intended character for the various areas while still maintaining some of the important flexibility that the existing intensity scheme provides.

### **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 eleven 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 land use designation system currently in place in the Comprehensive Plan was originally created in the 1980's. Despite the continued use of this "intensity" based system for more than 20-years it remains one of the most confusing and difficult for staff, community members, and policy-makers to understand, interpret, and implement. This confusion makes it very difficult to relate the current growth strategy to the public and for the development community to clearly understand the vision for various parts of the City.

Additionally, the existing designation framework does not reflect the substantial policy work that has been completed over the past 20+years, particularly in the areas of the City designated as Mixed-Use Centers and its shoreline districts and open space and recreation areas. Over the past 20+ years the Comprehensive Plan has been modified substantially to incorporate more detailed policy guidance regarding these areas, but the Plan's land use map still underlies them with intensities that provide very general and often unnecessary or in some cases contrary guidance. The proposed changes will remove these unnecessary complexities and provide a designation system that can better communicate to the public the desired character, appropriate uses, and acceptable zoning classifications for all parts of the City, saving both the public and the City time and money.

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

Staff Analysis: The City is in need of a clearer and more intuitive system to better communicate the growth strategy and long-range land use goals of the community.

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

Staff Analysis: The removal of the intensity designations from the Mixed-Use Centers and Shoreline areas is compatible because the Plan already contains more detailed and specific policy guidance for both of these types of areas. This proposed amendment will help remove confusion involved with the overlapping classifications that exist currently in these areas.

- 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: This amendment will remove the existing intensity designations from the Mixed-Use Centers and Shoreline areas. The intensity designations are being replaced with designations that are more specific to these areas – either one of the four new Mixed-Use Center designations or the new Shoreline designation. However, this change will not significantly affect the policies applicable to these areas. The policies and boundaries associated with the Mixed-Use Centers are already applied in the Growth Strategy & Development Concept and Generalized Land Use Elements and through TMC Chapter 13.17 Mixed-Use Centers, and they are not being modified by this amendment. The policies and boundaries associated with the Shoreline designation are already applied through the Shoreline Master Program, including TMC Chapter 13.10 Shoreline Management, and are also not being modified through this amendment. While this amendment will modify how these areas are classified on the Generalized Land Use Plan Map, it will not significantly alter the actual policies that apply to them.

**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 that the proposed amendment be forwarded for public review and comment as part of the 2013 Annual Amendment package. This would include review of the specific map and text amendments proposed to occur this year, as well as review of the overarching land use designation framework that will guide these and future changes to the Plan.

**Exhibits:**

- A. Proposed Amendments to the Comprehensive Plan (includes text changes and revised land use map)
- B. Proposed Land Use Designation Framework





**2013 Annual Amendment Application No. 2013-06**  
***Development Intensity Designations***

DRAFT COMPREHENSIVE PLAN CHANGES  
February 6, 2013

\*Note – These amendments show all of the changes to the *existing* Comprehensive Plan. The sections included are only those portions of the plan that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

## **Growth Strategy and Development Element**

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## **Section I – Background**

For some residents, continued growth means prosperity and a healthy city. For others, any amount of growth is undesirable. It is unrealistic to think that growth will not occur in our city. In the past several years, increasing numbers of people have been attracted to the Pacific Northwest area. With so many coming to our area, the problem the city faces is how much, when and where should growth take place.

The comprehensive plan for growth and development adopted by the City of Tacoma addresses managed, desirable growth and development and, as such, can be considered a major force for shaping and reshaping the city's urban form. The Plan is a means of managing growth in a way that is physically, socially and environmentally acceptable, while at the same time providing for the preservation, redevelopment and improvement of the City's established residential neighborhoods.

## **Section II – Assumptions**

Various trends and influences affect growth, development, and redevelopment. Certain assumptions helped form the basis for the overall growth strategy and development concept. The goals, policies and recommendations found in the comprehensive plan provide direction to implement the development concept.

## **Growth and Development Pattern**

The underlying development pattern for the city has been established. Past development will continue to influence, and to some extent determine, the pattern of future development. Future development and redevelopment will further shape the city's form. A mix of uses and higher densities concentrated in mixed-use centers will encourage more overall urbanization of the city while retaining the residential

character of established neighborhoods. Some areas will experience population and density increases that will increase demand for the improvement and expansion of public facilities and services.

Emphasis will be placed on concentrating growth and development rather than expansion. Growth will be directed toward compact mixed-use centers and in nodes along major transportation corridors including primary transit routes. The greatest concentrations of growth can be expected in regionally designated growth centers that emphasize a greater mix of land use types and regional transit access. Future development and redevelopment will be dependent on the ability to provide adequate facilities and services. The City will influence development outside of its boundaries and within its urban growth area to ensure compatible development is achieved.

## **Growth Center**

Tacoma will continue to be the major city and focal point of growth for the Tacoma/Pierce County metropolitan area. The City will accommodate a greater share of regional population and employment growth than in the past. The City's sphere of influence extends beyond its own boundaries and affects development of adjacent and nearby urban communities and the region. An efficient transportation system will be important to link Tacoma with surrounding areas and other centers throughout the region.

Expansion of the city's boundaries to adjacent areas within Tacoma's urban growth area where City services are provided or where such services can be provided efficiently may occur. Such expansion may occur over an extended period of time.

## **Population Growth and Change**

The population of the City of Tacoma is projected to increase at a slightly higher rate than the slow, steady growth experienced since 1950. The population allocation for the year 2022 is 255,240, an increase of 61,676 from the 2000 census. The populations of both Pierce County and the State of Washington are expected to increase at a higher rate than population growth within the city. The population

is expected to continue getting older and more diverse. The percentage of the non-white population will continue to increase.

## **Development Timing**

Development will be dependent on the availability and adequacy of necessary facilities and services to support development. Growth will occur first where facilities and capacities are available. Development will occur next in areas that are developed or partially developed and that can be served by a combination of existing facilities and the concurrent development of needed facilities and services. Development of a "fill-in" nature will occur on vacant lots throughout the city.

## **Residential Development**

The single-family detached house will continue to be the preferred type of housing structure. Nevertheless, the demand for multifamily residential development, including duplexes and triplexes, townhouses, condominiums and apartments, will increase due to the projected growth in population, increased housing costs, and the need for other housing options for some segments of the population.

Housing will continue to be developed in the urban growth area outside the city's boundaries where adequate facilities and services are available. Residential density is likely to increase in mixed-use centers, along some major transportation routes, near transit centers, and within or near employment and shopping centers. Preservation of existing housing stock will be emphasized. Accommodating the projected population growth will be achieved through a variety of strategies including infill housing, multifamily housing development and innovative techniques such as clustering and adding second units to existing homes.

## **Commercial Development**

Pressure can be expected for additional retail and service uses to support the growing population. It is anticipated that this demand can be accommodated through redevelopment and intensification of uses within established commercial areas. The downtown area will

continue to be a major office, financial, governmental, educational, cultural, retail and residential center. As redevelopment continues, supportive and specialty retail establishments will become more important in the downtown area. The Tacoma Mall urban center area will remain as the city's major retail center and pressure for expansion is likely. Pressure will also be exerted for development of office, supporting retail and multifamily residential uses near the Mall complex. Neighborhood shopping districts will continue to be important in meeting neighborhood needs and serving as a focal point for surrounding residential areas. Development and redevelopment will emphasize a concentration of a mix of uses including specialty retail, neighborhood services and some residential uses. Such development will be particularly likely to concentrate around major transit facilities. Increased sensitivity to neighborhood character, the pedestrian environment and design will be necessary to maintain the economic health of older shopping areas.

## **Economic Development**

Tacoma will continue to grow as an economic center. Much of this growth can be attributed to steadily increasing activity in the Port of Tacoma as it pursues a greater share of the national and international trade market. The downtown area will also continue to be a major employment center for the city. The revitalization of the downtown area depends on both public and private investment. Healthy economic growth entails not only attracting a mix of businesses in the downtown, but also encouraging diverse development throughout the city, especially within neighborhood business districts. Attention to environmental concerns will also play a major role in economic development and redevelopment.

## **Industrial Development**

The Port Manufacturing/Industrial Center will remain as one of the city's and region's major employment centers. Continued growth in marine import-export activities will cause the Port of Tacoma to increase its prominence in the local, regional, state and national economy. The South Tacoma Manufacturing/Industrial area will be designated as a Regional

Manufacturing/Industrial Center, and as such will become a priority location for future manufacturing and industrial development. Other industrial areas will continue to be viable and will undergo some expansion and redevelopment. The rate of employment growth for manufacturing will be less than for other sectors of the economy, such as retail, service industries, government, transportation, trade and education.

## Transportation

The automobile will continue to be the primary means of transportation for most people. However, other methods of transportation including transit, bicycling, and walking will be more prevalent. The movement of people and goods rather than vehicles will be emphasized in determining transportation improvements. The past dispersal of housing and employment will continue to impact travel patterns that will affect transit ridership and the ability to resolve traffic congestion in some areas. Increases in the use of public transportation will occur for daily travel between home and work as well as for travel between activity centers within the city, to other communities in Pierce County and to other cities in the region. Support of the high-capacity transit system, including light rail and commuter rail, will be a top priority of the City. Energy concerns, higher transportation-related costs, transportation demand management controls and concerns for improved air quality will curtail the use of the private automobile. New transportation facilities will be compatible with planned land use and will be developed concurrently with new growth or within six years. Since transportation problems do not respect jurisdictional boundaries, more intergovernmental coordination as well as public-private cooperation will be needed to address transportation issues in a consistent, integrated and cost-effective manner.

## Open Space/Shorelines

The City's more than 45 miles of shorelines and its many natural features are essential to defining the city's character. As development increases and certain areas within the city become denser, accessible open space will be of even greater importance. Demand for open space and land for recreational needs, such as

parks and other outdoor recreational areas, will continue to increase, as will the need for urban public spaces such as plazas and courtyards. Protection and preservation of shorelines and other natural features of the environment will be necessary to maintain the present quality of life and to protect the function and values of critical areas. Public acquisition of open space and shoreline areas will continue to be important. The identification and protection of corridors that link open spaces will be essential to ensure their continual viability. Corridors of regional significance will require multi-jurisdictional planning and protection. Environmentally sensitive lands such as geologically hazardous and steep slope areas, wetlands and stream corridors will require protection from urbanization, growth and development demands. Provision of opportunities for appropriate water-dependent or water-related development along the City's shorelines will continue. It is anticipated that pressures for development of privately owned shoreline property with non-water dependent uses will increase.

## Environment

Air, noise and water pollution will continue to be of special concern to the region. Maintaining the quality of the air we breathe, the quiet of our residential neighborhoods, and the quality of the water we drink, live around and use for recreation is essential for assuring the health and welfare of the region. The region's economic development is dependent upon water-related commerce and trade. Maintaining pollution-free waters is vital to present and future economic interests. Ensuring that the region's water resources remain relatively pollution free is paramount to its survival and continual growth and development.

Measures to control suspended particulates (dust, smoke, fumes and other liquid or solid matter) will continue to be needed to maintain air quality in the region. Reduction of the level of transportation related emissions will continue to be important in addressing air pollution problems. Transportation plans and policies concerned with traffic congestion and related air and noise pollution will focus on a multi-modal transportation system and the curtailment of single-occupancy vehicle use.

## **Urban Design**

Design will influence the degree to which development is attractive and appealing, comfortable and safe, whether it is compact, efficient, and encourages natural and social interaction, discourages environmentally disruptive influences, and is well connected to other areas. Greater awareness and appreciation of the value of design will continue and the demand for development that demonstrates design excellence will increase. Public participation and interest in design will continue to increase with greater emphasis on design in city projects. With increasing density in some areas, particularly within mixed-use centers, design will become an important factor in providing stylistic compatibility and privacy.

## **Capital Facilities**

Increased growth makes heavy demands on all forms of capital facilities and infrastructure. As growth continues, the demand for developing new facilities and maintaining and improving existing facilities will increase. Private investment will be necessary to continue to provide adequate services to growing urban areas. Growth is dependent on the provision of necessary services and facilities. Services and facilities in urban areas will need to be provided at a consistent level of service and new growth will occur only with the provision of adequate facilities and services. Tacoma must plan closely with other providers of capital facilities to coordinate the provision of services.

## **Utilities**

The city, for the most part, is adequately served by all utilities. As growth and development occurs, the expansion or upgrading of existing facilities may be necessary. The expansion or upgrading of utilities and services will be accomplished concurrently with new development. Extension of service areas will occur consistent with growth management goals for phasing of urban development. Many utilities have system reliability and conservation programs to efficiently use existing resources and reduce the need for new facilities that will be more aggressively pursued through governmental regulations and programs.

## **Joint City/County Planning**

Joint planning will be important to successfully guide orderly and timely growth within urban growth areas. Prior to any annexation, areas within the city's urban growth area will be planned jointly by the City, other jurisdictions and Pierce County to discourage sprawl, inappropriate development and to ensure the adequacy and concurrent development of public facilities and services.

## **Section III – Growth Strategy and Development Concept**

Tacoma's growth and development concept is derived from consideration of state goals, regional policies, factors affecting land use, the assumptions about future trends, and public opinion. The concept is entitled *Concentrations and Corridors - Designated Centers* and is shown in Maps and Figures.

The *Concentrations and Corridors - Designated Centers* concept directs future development to specified areas of the city. The concept directs new development to occur in three types of areas: mixed-use and manufacturing/industrial centers, in concentrations of similar uses, or in concentrated nodes along major transportation corridors. These elements are defined as:

### **Mixed-use Centers**

Mixed-use centers are compact, self-sufficient areas, identifiable as the focus of the surrounding area. The mixed-use center is a dense, well-integrated variety of development types, combined in such a way that it is pedestrian-oriented and transit supportive.

### **Manufacturing/Industrial Centers**

Manufacturing/industrial centers are concentrations of manufacturing, industrial and related uses and are major employment areas.

These areas need good access to local and regional transportation systems.

## Concentrations

Concentrations are broad areas of moderate to high levels of development. Various housing types, employment opportunities or commercial and industrial development may be included within these areas.

## Corridors

Corridors are major transportation routes consisting of freeways, highways, principal arterial streets and transit routes that provide access into and out of the city, act as travel ways between designated centers and concentrations and/or support high levels of transit service.

Increased growth and development in the metropolitan area has made the daily movement of people and goods a complex problem, requiring a sophisticated system of multimodal transportation facilities and services. The predominant characteristics of this system are the major transportation routes, primarily the interstate freeways and higher traffic volume arterials and the regional transit system including local feeder service. This system provides for the movement of people and goods via rail, bus, automobile, ferry, bicycle, walking and other modes at the neighborhood, community, regional and interstate levels. Major arterial streets link residential neighborhoods to the regional system and to other neighborhoods, as well as expediting movement between centers.

Transportation corridors can act as boundaries, providing a physical separation between different types of land use and as corridors for joint use activities such as public utility lines and communication networks. Compatible land use development along major corridors is important. Higher intensity development is appropriate to take advantage of access and visibility.

In addition to directing where and how growth should occur, the concept is intended to guide when growth should occur. It is intended that growth occur only when adequate needed public facilities and services are in place at the time of development. The timing of growth and development will be consistent with growth tiers

that delineate areas in the city and within its urban growth area based on the availability and adequacy of facilities and services.

## Advantages

The concept, policies, and strategies included in the comprehensive plan will guide the orderly development of Tacoma. Encouraging growth into concentrations and designated centers where development already exists will limit sprawl, reduce environmental impacts, and efficiently use land and infrastructure.

The concept and attendant policies will guide more intensive growth and development to concentrate in compact and well-defined centers. The centers will be easily accessible by both transit and pedestrian means, thereby improving convenience for residents, employees and visitors within centers and nearby areas. Growth will also be encouraged within concentrations and in nodes along transportation corridors.

Concentrating growth within mixed-use centers will alter the manner in which development has occurred in the past. It will strengthen the existing development pattern, protect neighborhoods and the environment and create attractive urban living and working environments which encourage walking, cycling and public transit.

Encouraging growth where development already exists and where adequate capacity for utilities such as sewer lines, water mains and other public facilities are in place can significantly reduce public investment costs.

The use of transit as a travel alternative will be encouraged. A well-developed transportation system will be necessary to provide efficient travel between homes and employment or retail centers.

## **Section IV – Development Intensities**

The amount and type of development allowed in an area is determined by designating development intensities on the Generalized Land Use Plan Map. Development intensities are an indication of how much influence a development has over the surrounding area. Conventional land use plans separate developments according to categories of uses such as residential, commercial and industrial. The development intensities approach in the comprehensive plan recognizes that different types of land use may be located in the same area as long as the character of the area remains consistent. This approach permits greater flexibility in land use arrangements and encourages innovative techniques of land development.

Factors that determine the intensity level of a development include size, scale, bulk, nuisance level, amount of open space and traffic generation. For example, a ten-story apartment complex and high traffic generation would be viewed as a high intensity use while a typical, single-family detached home is regarded as a low intensity development.

Although land use intensity and density are somewhat related, they are not the same concept. Density is the number of people or housing units per unit of land. The type and size of housing units and the number of occupants in these units can widely vary; therefore, density does not accurately indicate the degree of impact a given development asserts over surrounding land uses. The concept of density is further limited in that it only applies to residential development and cannot be used to assess the impacts of commercial or industrial development. Development intensities, on the other hand, apply to all land uses and provide a more accurate account of the character and nature of a given development.

Development intensities are classified as high intensity, medium intensity and low intensity.

### **High Intensity Development**

High intensity development generates high activity patterns and high traffic generation. High-density residential development, major employment centers and commercial and industrial developments of regional significance are all examples of high intensity development. ~~These include two of the City's designated mixed use centers: Downtown and the Tacoma Mall area and the regionally designated Port Manufacturing/Industrial Center.~~

### **Medium Intensity Development**

Medium intensity development generates moderate activity patterns and traffic generation. Commercial or industrial activity of community-wide significance and medium density residential development are examples of medium intensity development. ~~Mixed use centers other than Downtown and the Tacoma Mall area are further examples of medium intensity areas.~~

### **Low Intensity Development**

Low activity patterns and traffic generation characterize low intensity development. Low intensity development is predominantly single-family residential development, but can include duplexes, triplexes, and small-scale multifamily development. Supportive neighborhood convenience commercial establishments and community facilities such as churches, schools, libraries and fire stations also are considered low intensity uses. Open space areas may also be considered a low intensity use and can include recreational areas and parks. To better differentiate the range of uses within low intensity areas, single-family detached housing areas are delineated separately.

The relationship of intensity and density is shown below.

Intensity Designation	Allowable Density (min – max) (dwelling units/net acre)
<u>Single-family Detached Housing Areas</u>	<u>0 – 8</u>
Low Intensity	0 – 15
<u>Single family Detached Housing Areas</u>	<u>0 – 8</u>
Medium Intensity	0 – 45
<u>Medium Intensity in Mixed-Use Centers</u>	<u>25 – unlimited</u> <u>Minimum site densities should range from 25 to 60 dwelling units per net acre, with minimum densities of 25 units per net acre envisioned for areas near single family zones where building height should be limited to ensure compatibility. Higher minimum densities are envisioned in other parts of the mixed-use centers depending on the established height limit.</u>
High Intensity	0 – unlimited
<u>Mixed Use Centers</u>	<u>25- unlimited</u>
<u>High Intensity in Mixed-Use Centers</u>	<u>25 – unlimited</u> <u>Minimum site densities should range from 25 to 80 dwelling units per net acre, with minimum densities of 25 units per net acre envisioned only for areas near single family zones where building height should be limited to ensure compatibility. Higher minimum densities are envisioned in other parts of the mixed-use centers depending on the established height limit.</u>

## Section V – Concentrations

Areas where medium to high intensity development is focused are identified as concentrations. Concentrations are generally areas of existing medium to high intensity development and are, therefore, appropriate for further infill development and redevelopment. Concentrations may be most distinguishable by their separateness from low intensity areas.

### High Intensity Concentrations

High density residential development, employment opportunities, industrial activity, entertainment-cultural centers, and office, government, shopping and medical facilities are all characteristic of developments that can be found in a high intensity area. ~~Within the mixed-use centers, there are at least two levels of residential density that are possible within high intensity areas: densities located along commercial corridors will be higher than densities found in other areas of the mixed-use centers.~~ The degree of activity generated in a high intensity area necessitates convenient access to regional transit facilities and major transportation facilities such as the interstate and principal arterial streets.

Commercial and industrial developments in high intensity areas are usually of regional scale. They are linked to the communities and neighborhoods of the immediate urban area as well as to other cities. High intensity commercial and industrial developments draw their labor force from the city's residential communities as well as provide service to these areas. Linkages outside the urban area are important for the importing of raw materials and shipping of finished goods. These same activities require strong linkages within the urban area among other manufacturers, suppliers, distributors and transportation facilities. A central location and access to major transportation facilities are crucial for high intensity commercial and industrial development due to the high volume of traffic moving into and out of the area.

## **Medium Intensity Concentrations**

Medium intensity areas include developments that attract people from several neighborhoods within the urban area and, in some cases, from areas outside the city. Commercial and industrial developments within these areas have a community-wide service level and are linked to both neighborhood and regional activity centers. Within medium intensity areas, office, light industrial and other medium intensity uses may be located adjacent to single-family residential uses so long as adverse impacts to residential uses are appropriately mitigated.

The business, retail and industrial establishments found in medium intensity areas usually draw their labor force from the areas that they serve. Although many business establishments may have direct linkages outside the city, linkages are stronger within the city, particularly to the surrounding neighborhoods and to nearby support activities such as suppliers, distributors and wholesalers.

Residential development in these areas consists of middle density apartments located in concentrated centers or in nodes along transportation corridors. ~~Within the mixed-use centers, there are at least two levels of residential density that are possible within Medium Intensity areas: densities located along commercial corridors will be higher than densities found in other areas of the mixed-use centers.~~ Medium intensity residential areas are strongly linked by major transportation and transit routes to community shopping centers, employment centers and other community facilities that require frequent visits.

## **Low Intensity Areas**

Although not a focus for growth, identification of low intensity areas is important in order to insure separation from higher intensity development. Low intensity areas are primarily characterized by single-family detached housing. Some duplexes, triplexes, and low-intensity apartments may also be present. These areas are found throughout the city and are usually referred to by particular neighborhoods such as Westgate,

Fern Hill and South Tacoma. Low intensity areas are strongly linked to neighborhood-serving commercial establishments. Linkages with the industrial area and other employment centers are present, supporting a substantial daily home-to-work movement by car and public transit.

Residential neighborhoods are also linked directly to neighborhood community facilities such as elementary schools, middle schools and parks and recreational areas. Some of these linkages involve daily movements of large numbers of people. Movement to other areas, such as parks and recreational areas, occur less frequently but periodically can involve large numbers of people. However, major parks or recreational areas that contain unique or outstanding facilities are usually linked to several neighborhood communities, sometimes drawing people from the entire urban area.

Internal linkages in low intensity residential areas involve movement between homes and local commercial establishments, libraries, neighborhood parks and playgrounds, churches and homes of friends and neighbors. Many of these internal linkages are for pedestrian travel, cycling, and public transit.

## **Section VI – Mixed-use Centers**

Mixed-use centers are compact, defined areas ~~of medium to high intensity development.~~ Generally, mixed-use centers are located within a larger concentration. They are distinguishable from the concentration, however, by their focus on mixed-use development, pedestrian-orientation and support of public transit.

Mixed-use centers have been designated with the following objectives in mind:

- Strengthen and direct growth with a concentrated mix of diverse uses (work, housing, and amenities) and development toward centers;
- Create a range of safe, convenient, and affordable housing opportunities and choices;

- Create walkable and transit-supportive neighborhoods;
- Build on and enhance existing assets and neighborhood character and identity;
- Foster efficient provision of services and utility;
- Reduce dependence on cars and enhance transportation connectivity;
- Support neighborhood business development; and
- Encourage sustainable development, including green building techniques, green/plant coverage, and low impact development.

The City has defined eighteen (18) mixed-use centers including one located in the urban growth area, outside of the city's limits and two manufacturing/industrial centers. The mixed-use centers have been placed into a hierarchy of different types of centers depending upon the size, scale and character of development, mix of uses, and the potential for increases in employment and resident population.

The downtown center and Tacoma Mall urban center have been additionally designated as regional growth centers in *Vision 2040*, the Central Puget Sound's growth, economic and transportation strategy. The Port Industrial Area also has been additionally designated as a regional Manufacturing/Industrial Area in *Vision 2040*.

There are four types of mixed-use centers. The Four types of Mixed-use centers and the specific centers that fit within each designation are listed below.

## Downtown Center

The downtown center is the highest concentration of urban growth found anywhere in the city. It is the focal point for the city, the center of government, cultural, office, financial, transportation and other activities. This variety of day and night activities attracts visitors from throughout the city and region. The interstate freeway, major arterials, provides access and the center has both local and regional transit connections. Larger, often historic, buildings fronting on the sidewalk characterize the area.

Pedestrian orientation is high. Parking is found along the street and within structures.

### Designated Downtown Center:

- Downtown Tacoma Mixed-Use Center

## Urban Center

The urban center is a highly dense concentration of urban development. Buildings can range from one to twelve stories and activity is greater than in most areas of the city. It is an area of regional attraction and a focus for both the local and regional transit systems. Many major city arterials connect to the urban center and nearby freeway access is present. Parking is provided both in surface lots and within structures. Internal streets and pathways provide connections among the developments within the center.

### Designated Urban Center:

- Tacoma Mall Mixed-Use Center

## Community Center

The community center is a concentration of commercial and/or institutional development that serves many nearby neighborhoods and generally includes a unique attraction that draws people from throughout the city. Some residential development may already be present, and there is a goal to have more residential development. It is directly accessible by arterials and local transit. Pedestrian accessibility is important within the center, but because of its focus on larger scale commercial development, the community center continues to provide for automobile parking, preferably within structures.

### Designated Community Centers:

- Tacoma Central Plaza/Allenmore (Tacoma Central)
- S. 72nd and Pacific Avenue
- S. 72nd and Portland Avenue
- TCC/James Center
- Westgate
- Lower Portland Avenue
- S. 34th and Pacific Avenue

- S. 121st and Pacific Avenue (Outside the city within the urban growth area)

## Neighborhood Center

The neighborhood center is a concentrated mix of small- to medium-scale development that serves the daily needs of center residents, the immediate neighborhood, and areas beyond. Development contains a mix of residential and commercial uses, and the majority of parking is provided within structures. Buildings are generally up to six stories along the commercial corridors, up to three stories at the periphery of the centers near single-family districts, and up to four stories in areas between the core and the periphery. They are designed with a compatible character to adjacent residential neighborhoods. The design of the neighborhood center encourages pedestrians and bicyclists and its location on a major arterial makes it a convenient and frequent stop for local transit. The regional transit network also may directly serve some neighborhood centers.

### Designated Neighborhood Centers:

- 6th Avenue and Pine Street
- N. 26th and Proctor (Proctor)
- S. 38th and 'G' Street (Lincoln)
- S. 56th and S. Tacoma Way
- S. 11th and Martin Luther King Jr. Way (MLK)
- N. 1st and Tacoma Avenue (Stadium)
- 6th Avenue and S. Jackson (Narrows)
- E. 34th and McKinley (McKinley)

## Section VII – Manufacturing/Industrial Centers

Employment concentrations within designated manufacturing/industrial centers are intended to be well-served by major transportation facilities including rail, interstate and transit systems. These employment concentrations are important to the local and regional economy and are priority locations for future manufacturing and industrial development and public investments in infrastructure. Many of the industrial uses are

land intensive in nature. To preserve land at these centers, large retail, residential or non-related office uses are discouraged.

### Designated Manufacturing/Industrial Centers:

- Port Industrial Area
- South Tacoma Industrial Area

## Section VIII – Shoreline

The city's shoreline areas provide great social, ecological, recreational, cultural, economic and aesthetic value, both at the local and regional level. It is the community's intent to use the full potential of these areas in a manner that is both ordered and diversified, supports the community's ability to enjoy the water and the unique setting it creates, and which integrates water and shoreline uses while achieving a net gain of ecological functions. In addition, these areas are intended to balance the overarching goals outlined in the State Shoreline Management Act:

- To ensure an adequate land supply for water-dependent uses;
- To promote and enhance the public's opportunities to access and enjoy the water; and
- To protect and preserve natural resources.

This designation includes areas that support deepwater port and industrial sites, habitat for a variety of fish and wildlife, archaeological and historical sites, open space, recreation and community activities, and some commercial and residential development. Recognizing the limited nature of this important resource, use and development of the shoreline areas must be carefully planned and regulated to ensure that these values are maintained over time.

The Shoreline Master Program has been developed to provide additional and more detailed policy direction regarding the city's shoreline areas, along with specific zoning and development standards. The Shoreline Master Program utilizes a system of "environment designations" which further guide the character, intensity and use of individual shoreline

segments. These classifications include Natural, Shoreline Residential, Urban Conservancy, High Intensity, Aquatic, and Downtown Waterfront and are based on the existing development patterns, natural capabilities and goals and aspirations of the community for its shoreline areas.

## **Section IXVIII— Generalized Land Use Plan Map**

The *Generalized Land Use Plan Map* applies the *Concentrations and Corridors – Designated Centers* concept and its components. The land use intensity and centers configuration shown would allow for a population of about 300,000 to 350,000, if fully developed. This estimate is based on past trends, future projections, and certain assumptions and is not an absolute number.

The *Generalized Land Use Plan Map* illustrates the City's intended future land use pattern, through the geographic distribution of three levels of land use intensities, and the designation of mixed-use and manufacturing/industrial centers as well as shoreline and single family detached designations. This illustrated form was a result of analysis of the development concept, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the intensity areas. The focus on intensities of land use supports the belief that perceived nuisances, impacts and other concerns are to a significant degree a product of the intensity of land use rather than the type of land use. The *Generalized Land Use Plan Map* is not a land use map in the normal sense in that it does not differentiate between the various uses of land, but rather depicts the intended future development pattern through the geographic distribution of three levels of land use intensities. A fourth level for established single-family areas also is depicted on the map for areas that are predominately developed with single-family residences. The map is to be used in conjunction with the adopted policies of the Comprehensive Plan for any land use decision.

The designation and boundaries of the land use intensity areas, shoreline designation, and the designations and boundaries for the mixed-use and manufacturing/industrial centers are established by adoption of the Comprehensive Plan and amendments thereof. The *Generalized Land Use Plan Map* is the official land use map of the City, and is maintained as such by the Community and Economic Development Department in an electronic format to facilitate its accurate use and implementation. The *Generalized Land Use Plan Map* depicted in this document, on a citywide basis and by Neighborhood Council area, is generated from the official, *Generalized Land Use Plan Map* electronic map file.

The *Generalized Land Use Plan Map* is intended to provide a firm basis for land use and zoning decisions. Policies should be considered and interpreted in accordance with the geographic characteristics of the mapped areas.

Areas of the city should develop and redevelop in accordance with the intensity configuration depicted on the *Map*. Generalized intensities have also been developed for Tacoma's urban growth areas. These designations are based on current information and reflect anticipated future patterns of development. However, as more detailed planning efforts take place, these urban growth area intensities may be modified. Land use intensities and a generalized intent for the City's urban growth area can be found in the Land Use chapter of this plan.

Development both in and out of the city should be consistent with these designations; however, in some instances lower intensity developments may occur in higher intensity areas. Some supporting reasons for such lower intensity development include physical site limitations, surrounding area characteristics, environmental constraints and prematurity of higher intensity development.

The boundaries of the intensity areas were located on the map based upon existing and proposed land use and zoning patterns. These boundaries often correspond with readily identifiable features such as freeways, streets, alleys, topographic breaks, land use changes, and other physical features normally associated with land use separation. Where no readily identifiable feature was available, a determination was made to locate the boundary edge to provide

a logical separation and transition of intensity areas. The boundary edge could coincide with the boundary of a zoning classification, the pattern of adjacent development or the extension of an imaginary line representing the logical and desired pattern of future development.

It is recognized that some areas of the city may not be zoned to support the intensity levels shown on the map. Areas that may need to be rezoned will undergo separate study to determine the appropriate zone changes. The Planning Commission or City Council will normally initiate these studies with the actual zone changes accomplished by established area-wide rezoning procedures. Private property owners or developers also may initiate rezone requests. Such requests must be consistent with the *Generalized Land Use Plan Map* and adopted policies of the Comprehensive Plan and will be subject to appropriate development controls as determined in established site specific rezone procedures.

The following chart depicts the relationship between intensity designations, designated mixed-use and manufacturing/industrial centers and zoning classifications. Some zoning classifications may be appropriate in more than one intensity designation.

(Chart shown on next page)

## **Section IX— Center Designations**

The City has defined eighteen (18) mixed-use centers including one located in the urban growth area, outside of the city's limits and two manufacturing/industrial centers. The mixed-use centers have been placed into a hierarchy of different types of centers depending upon the size, scale and character of development, mix of

uses, and the potential for increases in employment and resident population. The downtown center and Tacoma Mall urban center have been additionally designated as regional growth centers in *Vision 2040*, the Central Puget Sound's growth, economic and transportation strategy. The Port Industrial Area also has been additionally designated as a regional Manufacturing/Industrial Area in *Vision 2040*.

The centers are listed below and designated on the *Generalized Land Use Plan Map*:

**Downtown Tacoma Center**

**Tacoma Mall Urban Center**

**Community Centers:**

- ~~Tacoma Central Plaza/Allenmore (Tacoma Central)~~
- ~~S. 72<sup>nd</sup> and Pacific Avenue~~
- ~~S. 72<sup>nd</sup> and Portland Avenue~~
- ~~TCC/James Center~~
- ~~Westgate~~
- ~~Lower Portland Avenue~~
- ~~S. 34<sup>th</sup> and Pacific Avenue~~
- ~~S. 121<sup>st</sup> and Pacific Avenue (Outside the city within the urban growth area)~~

**Neighborhood Centers:**

- ~~6<sup>th</sup> Avenue and Pine Street~~
- ~~N. 26<sup>th</sup> and Proctor (Proctor)~~
- ~~S. 38<sup>th</sup> and 'G' Street (Lincoln)~~
- ~~S. 56<sup>th</sup> and S. Tacoma Way~~
- ~~S. 11<sup>th</sup> and Martin Luther King Jr. Way (MLK)~~
- ~~N. 1<sup>st</sup> and Tacoma Avenue (Stadium)~~
- ~~6<sup>th</sup> Avenue and S. Jackson (Narrows)~~
- ~~E. 34<sup>th</sup> and McKinley (McKinley)~~

**Manufacturing/industrial centers:**

- ~~Port Industrial Area~~
- ~~South Tacoma Industrial area~~

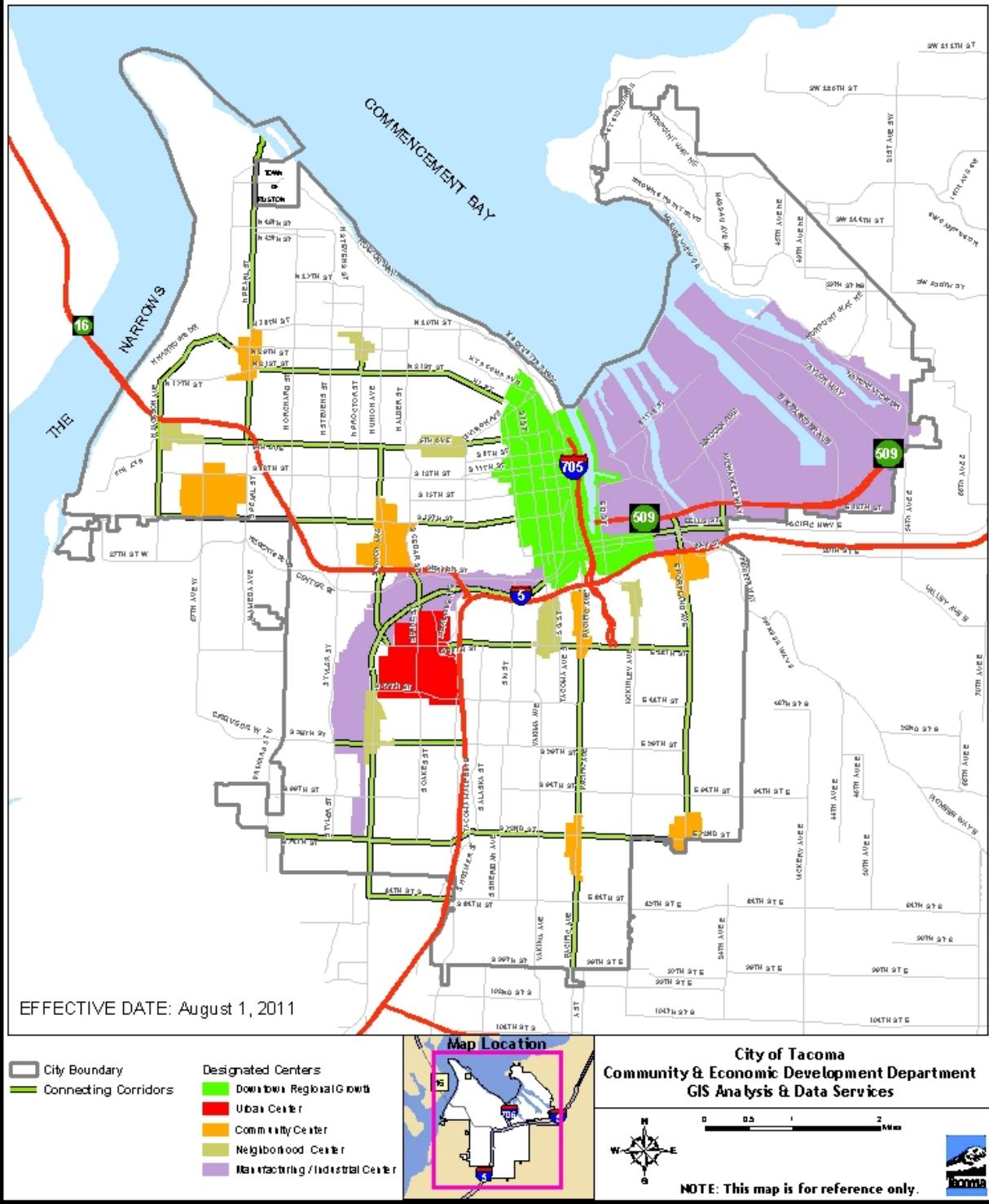
## Relationship of Comprehensive Plan Designations and Zoning Classifications

<b>Comprehensive Plan Designations</b>	<b>Typical Zoning Classifications*</b>	
High Intensity <i>(outside mixed-use centers)</i>	R-5 HM	Multiple Family Dwelling District Hospital Medical District
Medium Intensity <i>(outside mixed-use centers)</i>	R-4L R-4 C-2 PDB M-1 M-2	Low-Density Multiple Family Dwelling District Multiple Family Dwelling District General Community Commercial District Planned Development Business District Light Industrial District Heavy Industrial District
Low Intensity	R-3 R-4L HMR-SRD T C-1	Two Family Dwelling District Low-Density Multiple Family Dwelling District Historic Mixed Residential District Transitional District General Neighborhood Commercial District
Single Family Detached Housing Area	R-1 R-2 R-2SRD	One-Family Dwelling District One-Family Dwelling District Residential Special Review District
Downtown Mixed-Use Center	DR DMU WR DCC UCX-TD	Downtown Residential Downtown Mixed-Use Warehouse Residential Downtown Commercial Core Urban Center Mixed-Use District – Tacoma Dome
Urban Mixed-Use Center	UCX RCX URX	Urban Center Mixed-Use District Residential Commercial Mixed-Use District Urban Residential Mixed-Use District
Community Mixed-Use Center	CCX RCX HMX URX	Community Commercial Mixed-Use District Residential Commercial Mixed-Use District Hospital Medical Mixed-Use District Urban Residential Mixed-Use District
Neighborhood Mixed-Use Center	NCX RCX CIX HMX URX NRX	Neighborhood Commercial Mixed-Use District Residential Commercial Mixed-Use District Commercial Industrial Mixed-Use District Hospital Medical Mixed-Use District Urban Residential Mixed-Use District Neighborhood Residential Mixed-Use District
Manufacturing / Industrial Center	PMI M-2 M-1	Port Maritime and Industrial District Heavy Industrial District Light Industrial District
<u>Shoreline</u>	S1- S14	<u>Shoreline Zoning Districts</u>

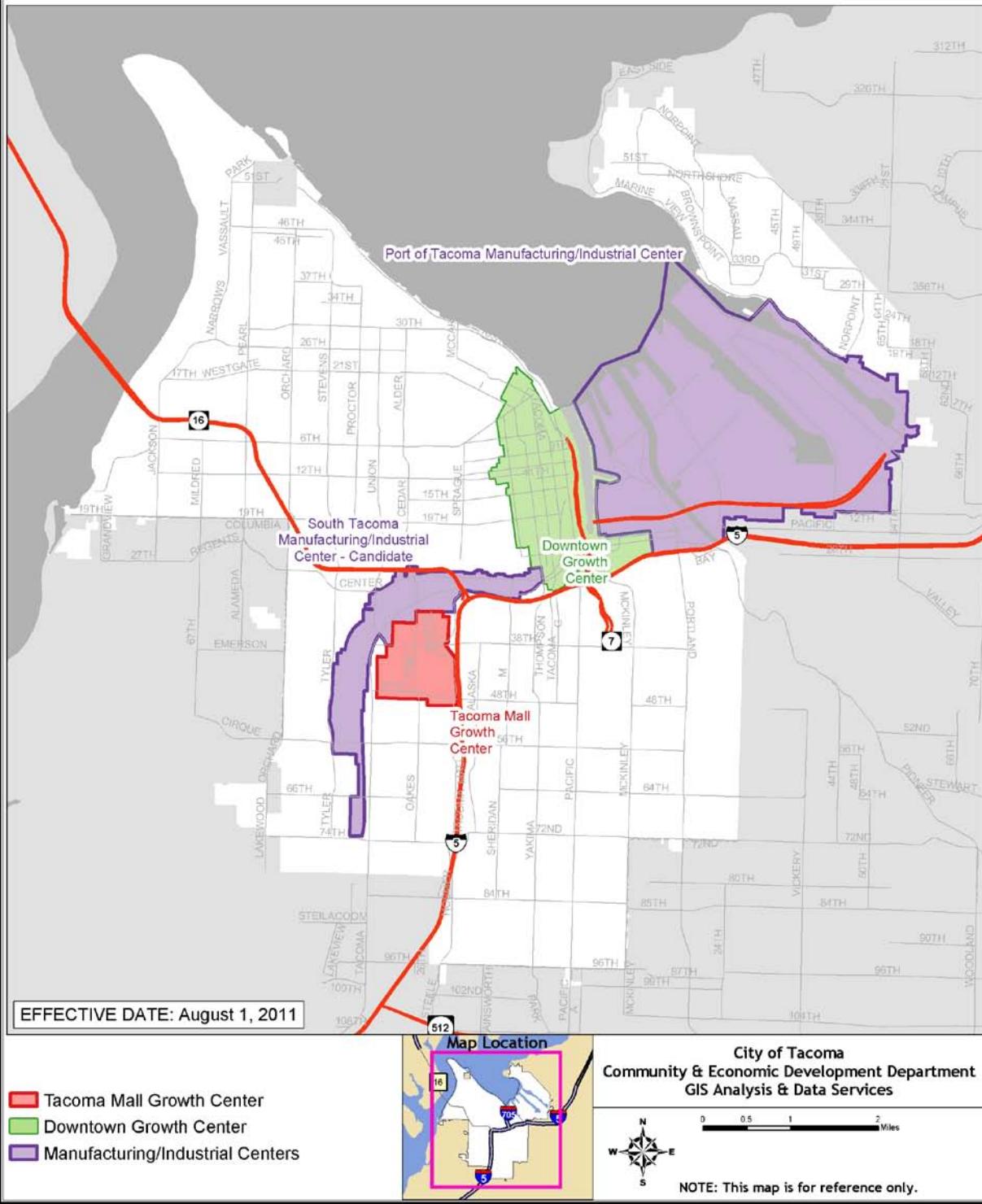
\* This chart does not include ~~shoreline and~~ overlay zoning districts. Other zoning classifications may be present in the designated areas due to a number of factors including non-conforming use rights.

# Tacoma Growth Concept

## Concentrations and Corridors - Designated Centers



# Regional Centers



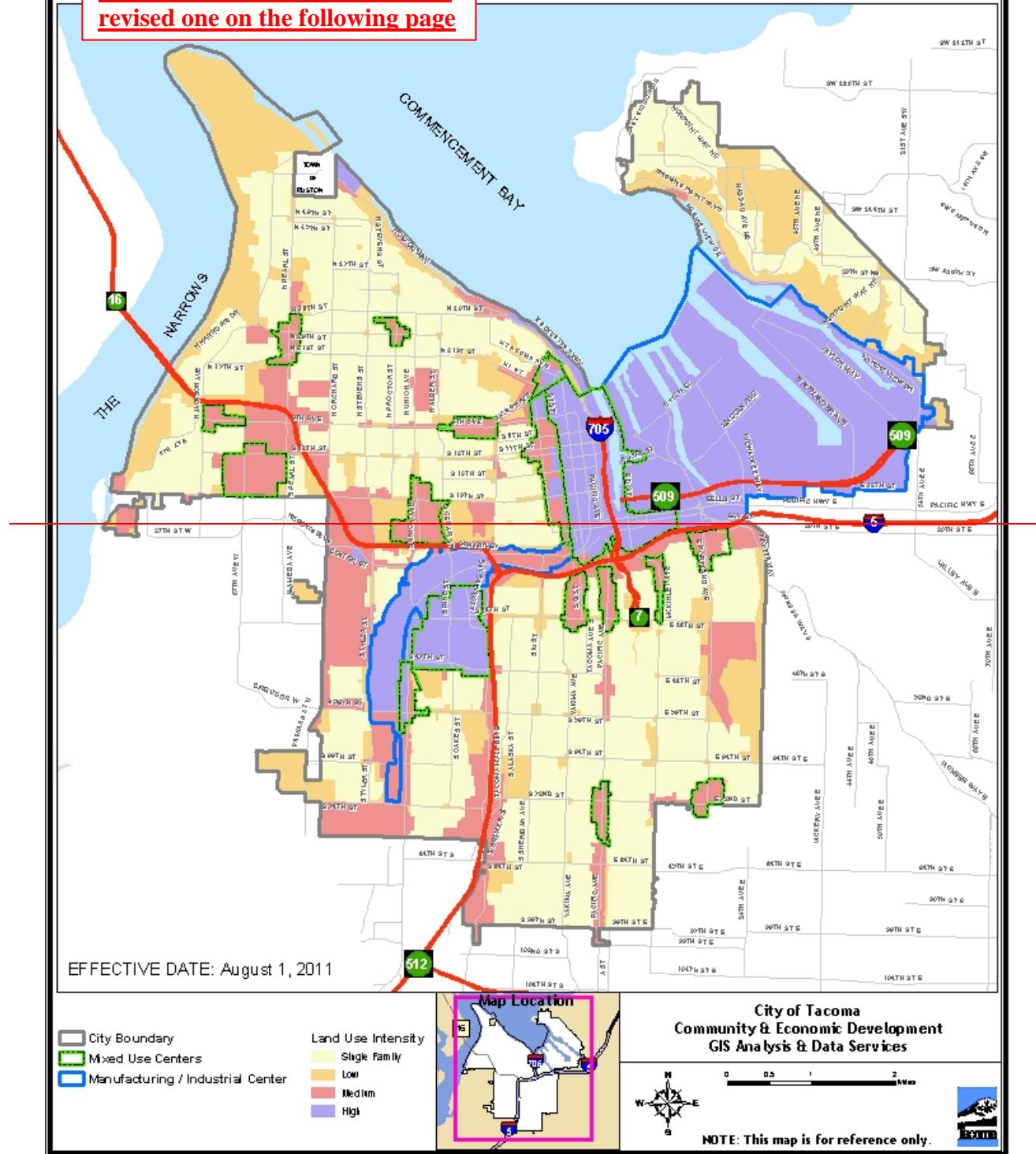
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Created By: CEDD, GIS ANALYSIS & DATA SERVICES

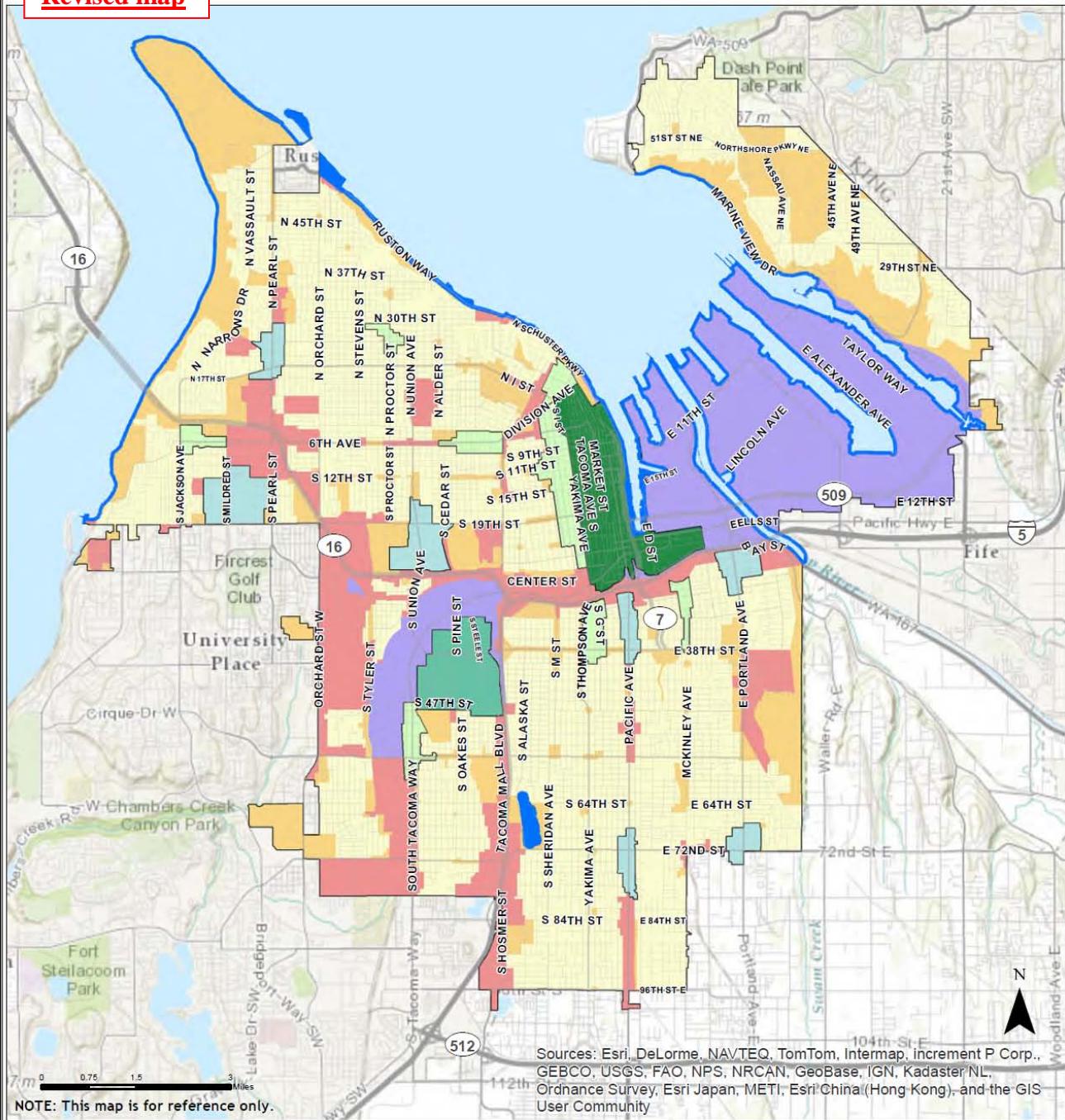
# Generalized Land Use Plan Map

This map to be replaced with the revised one on the following page



# Proposed Generalized Land Use Plan Map

## Revised map



- City Boundary
- Shoreline

- Mixed Use Centers
  - Neighborhood Center
  - Community Center
  - Urban Center
  - Downtown Center

**Land Use Intensity**

- Single Family
- Low
- Medium
- High

Plot Date: 1/30/2013

File Name: \\Geobase-win\GEO\GADS\B2013\B029\GI\_UIP.mxd

Created By: City of Tacoma | Community & Economic Development | GIS Analysis & Data Services





**2013 Annual Amendment Application No. 2013-06**  
*Development Intensity Designations*

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DRAFT COMPREHENSIVE PLAN LAND USE DESIGNATION FRAMEWORK  
*February 6, 2013*

**Existing Comprehensive Plan Land Use Designations:**

Basic Designations:

- Single-Family
- Low Intensity
- Medium Intensity
- High Intensity

Additional Designations:

- Mixed-Use Centers
- Manufacturing/Industrial Centers

**Proposed Comprehensive Plan Land Use Designations:**

- Single-Family Residential
- Multi-Family (low-density)
- Multi-Family (high-density)
- Neighborhood Commercial
- General Commercial
- Downtown Mixed-Use Center
- Urban Mixed-Use Center
- Community Mixed-Use Center
- Neighborhood Mixed-Use Center
- Light Industrial
- Heavy Industrial
- Parks and Open Space
- Shoreline

The following chart outlines the proposed Comprehensive Plan Land Use Designation framework, along with the general intent statement for each of the proposed designations and the corresponding zoning classifications that would commonly fit within each plan designation.

Comprehensive Plan Land Use Designations (proposed)	Corresponding Zoning
<p><b>Single Family Residential</b></p> <p>Qualities associated with single-family residential neighborhoods that are desirable include: low noise levels, limited traffic, large setbacks, private yards, small scale buildings, and low-density development. Much of the city's land is strongly committed to single-family development and has been determined to be deserving of special protection from incompatible land uses. Community facilities, such as parks, schools, day cares, and religious facilities are also desirable components of single-family neighborhoods. Limited allowances for other types of residential development are also provided with additional review to ensure compatibility with the desired, overarching single-family character.</p>	<p><b>R-1</b> Single-Family Dwelling District  <b>R-2</b> Single-Family Dwelling District  <b>R-2SRD</b> Residential Special Review District</p>
<p><b>Multi-Family (low-density)</b></p> <p>This district enjoys many of the same qualities as single-family neighborhoods such as low traffic volumes and noise, larger setbacks, and small-scale development, while allowing for multi-family uses and increased density (generally up to 15 dwelling units/net acre) along with community facilities and institutions. The Multi-Family (low-density) district can often act as a buffer between the single-family designation and the greater density and higher intensity uses that can be found in the Multi-Family (high density designation) or commercial or mixed-use designations.</p>	<p><b>R-3</b> Two-Family Dwelling District  <b>R-4L</b> Low-Density Multiple-Family Dwelling District  <b>HMR-SRD</b> Historic Mixed Residential Special Review District</p>
<p><b>Multi-Family (high-density)</b></p> <p>This designation allows for a wide range of residential housing types at medium and higher density levels, along with community facilities and</p>	<p><b>R-4</b> Multiple-Family Dwelling District  <b>R-5</b> Multiple-Family Dwelling District</p>

<p>institutions, and some limited commercial uses and mixed-use buildings. It is characterized by taller buildings, higher traffic volumes, reduced setbacks, limited private yard space, and greater noise levels. These areas are generally found in the central city and along major transportation corridors where there is increased access to public transportation and to employment centers.</p>	
<p><b>Neighborhood Commercial</b></p> <p>This designation is characterized primarily by small-scale neighborhood businesses with some residential and institutional uses. Uses within these areas have low to moderate traffic generation, shorter operating hours, smaller buildings and sites, and less signage than general commercial or mixed-use areas. There is a greater emphasis on small businesses and development that is compatible with nearby, lower intensity residential areas.</p>	<p><b>C-1</b> General Neighborhood Commercial District  <b>T</b> Transitional District</p>
<p><b>General Commercial</b></p> <p>This designation encompasses areas for medium to high intensity commercial uses which serve a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, often with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.</p>	<p><b>PDB</b> Planned Development Business District  <b>HM</b> Hospital Medical District  <b>C-2</b> General Community Commercial District</p>
<p><b>Downtown Mixed-Use Center</b></p> <p>The downtown center is the highest concentration of urban growth found anywhere in the city. It is the focal point for the city, the center of government, cultural, office, financial, transportation and other activities. This variety of day and night activities attracts visitors from throughout the city and region. The interstate freeway, major arterials, provides access and the center has both local and regional transit connections. Larger, often historic, buildings fronting on the sidewalk characterize the area.</p>	<p><b>DR</b> Downtown Residential District  <b>DMU</b> Downtown Mixed-Use District  <b>WR</b> Warehouse/Residential District  <b>DCC</b> Downtown Commercial Core District  <b>UCX-TD</b> Downtown Mixed-Use District</p>

Pedestrian orientation is high. Parking is found along the street and within structures.	
<b>Urban Mixed- Use Center</b>  The urban center is a highly dense self-sufficient concentration of urban development. Buildings can range from one to twelve stories and activity is greater than in most areas of the city. It is an area of regional attraction and a focus for both the local and regional transit systems. Many major city arterials connect to the urban center and nearby freeway access is present. Parking is provided both in surface lots and within structures. Internal streets and pathways provide connections among the developments within the center.	<b>UCX</b> Urban Center Mixed-Use District <b>RCX</b> Residential Commercial Mixed-Use District <b>URX</b> Urban Residential Mixed-Use District
<b>Community Mixed- Use Center</b>  The community center is a concentration of commercial and/or institutional development that serves many nearby neighborhoods and generally includes a unique attraction that draws people from throughout the city. Some residential development may already be present, and there is a goal to have more residential development. It is directly accessible by arterials and local transit. Pedestrian accessibility is important within the center, but because of its focus on larger scale commercial development, the community center continues to provide for automobile parking, preferably within structures.	<b>CCX</b> Community Commercial Mixed-Use District <b>RCX</b> Residential Commercial Mixed-Use District <b>HMX</b> Hospital Medical Mixed-Use District <b>URX</b> Urban Residential Mixed-Use District
<b>Neighborhood Mixed- Use Center</b>  The neighborhood center is a concentrated mix of small- to medium-scale development that serves the daily needs of center residents, the immediate neighborhood, and areas beyond. Development contains a mix of residential and commercial uses, and the majority of parking is provided within structures. Buildings are generally up to six stories along the commercial corridors, up to three stories at the periphery of the centers near single-family districts, and up to four stories in areas between the core and the periphery. They are designed with a compatible character to adjacent residential	<b>NCX</b> Neighborhood Commercial Mixed-Use District <b>RCX</b> Residential Commercial Mixed-Use District <b>CIX</b> Commercial Industrial Mixed-Use District <b>HMX</b> Hospital Medical Mixed-Use District <b>URX</b> Urban Residential Mixed-Use District <b>NRX</b> Neighborhood Residential Mixed-Use District

<p>neighborhoods. The design of the neighborhood center encourages pedestrians and bicyclists and its location on a major arterial makes it a convenient and frequent stop for local transit. The regional transit network also may directly serve some neighborhood centers.</p>	
<p><b>Light Industrial</b></p> <p>This designation allow for a variety of industrial uses that are moderate in scale and impact, with lower noise, odors and traffic generation than heavy industrial uses. This designation may include various types of light manufacturing and warehousing and newer, clean and high-tech industries, along with commercial and some limited residential uses. These areas are often utilized as a buffer or transition between heavy industrial areas and less intensive commercial and/or residential areas.</p>	<p><b>M-1</b> Light Industrial District</p>
<p><b>Heavy Industrial</b></p> <p>This designation is characterized by higher levels of noise and odors, large-scale production, large buildings and sites, extended operating hours, and heavy truck traffic. This designation requires access to major transportation corridors, often including heavy-haul truck routes and rail facilities. Commercial and institutional uses are limited and residential uses are generally prohibited.</p>	<p><b>M-2</b> Heavy Industrial District  <b>PMI</b> Port Maritime &amp; Industrial District</p>
<p><b>Parks and Open Space</b></p> <p>This designation is intended to conserve and enhance open, natural and improved areas valuable for their environmental, recreational, green infrastructure and scenic character and the benefits they provide. The designation encompasses public and private parks and open space lands, with lands set aside for these purposes by the City of Tacoma and the Metropolitan Parks District forming the core of the designation. As more land is placed in conservation status by these agencies as well as other public and private entities, the extent of the designation will be expanded to include them.</p> <p>The designation supports Tacoma's vision of an</p>	<p>This designation is appropriate in all zoning classifications.</p>

<p>integrated parks and open space system that defines and enhances the built and natural environment, supports and nurtures plant and wildlife habitat, enhances and protects trees and the urban forest, preserves the capacity and water quality of the stormwater drainage system, offers recreational opportunities, and provides pedestrian and bicycle connections. Lands within this designation include both natural open space areas and active use parks and recreational areas. Natural open space is intended to be conserved and enhanced through habitat restoration and vegetation management to maximize its environmental and stormwater benefits, along with low-impact public access such as natural area trails and viewpoints, when appropriate. Parks and recreation lands are intended to provide opportunities for active recreation such as playfields and sports facilities, and urban amenities such as plazas, pocket parks and community gardens.</p> <p>Additional, more specific policy direction regarding these types of areas is contained within the Open Space Habitat and Recreation Element</p>	
<p><b>Shoreline</b></p> <p>The city's shoreline areas provide great social, ecological, recreational, cultural, economic and aesthetic value, both at the local and regional level. It is the community's intent to use the full potential of these areas in a manner that is both ordered and diversified, supports the community's ability to enjoy the water and the unique setting it creates, and which integrates water and shoreline uses while achieving a net gain of ecological functions. In addition, these areas are intended to balance the overarching goals outlined in the State Shoreline Management Act:</p> <ul style="list-style-type: none"> <li>• To ensure an adequate land supply for water-dependent uses;</li> <li>• To promote and enhance the public's opportunities to access and enjoy the water; and</li> <li>• To protect and preserve natural resources.</li> </ul> <p>This designation includes areas that support</p>	<p><b>S1-S14</b> Shoreline Zoning Districts</p>

deepwater port and industrial sites, habitat for a variety of fish and wildlife, archaeological and historical sites, open space, recreation and community activities, and some commercial and residential development. Recognizing the limited nature of this important resource, use and development of the shoreline areas must be carefully planned and regulated to ensure that these values are maintained over time.

The Shoreline Master Program has been developed to provide additional and more detailed policy direction regarding the city's shoreline areas, along with specific zoning and development standards. The Shoreline Master Program utilizes a system of "environment designations" which further guide the character, intensity and use of individual shoreline segments. These classifications include Natural, Shoreline Residential, Urban Conservancy, High Intensity, Aquatic, and Downtown Waterfront and are based on the existing development patterns, natural capabilities and goals and aspirations of the community for its shoreline areas.





**Agenda Item  
D-4**

**City of Tacoma**  
Planning and Development Services

TO: Planning Commission  
FROM: Brian Boudet, Comprehensive Planning Division  
SUBJECT: Annual Amendment #2013-12 Code Clean-up  
DATE: January 30, 2013

At the February 6, 2013 meeting, staff will present the proposed minor and “clean-up” amendments staff has compiled for inclusion in this year’s annual amendment process. These amendments are generally designed to address inconsistencies, correct minor errors, and improve provisions that, through administration and applications of the Zoning Code, are found to be unclear or not fully meeting their intent.

The amendments for this year include numerous changes to the code, including:

- Establishment of a new Administrative Determination permit type
- Creation of a new level of variance, the Minor Variance permit
- Clarification of the ability for the Director of Planning and Development Services to approve equivalent approaches as part of the interpretation and application of the code
- Creation of a new Use Category – Craft Production

Attached for your discussion at the next meeting is a staff report concerning the proposed amendments, with “Exhibit A” showing the draft Code changes. Staff intends to seek the Commission’s authorization of the staff report and draft Code and Plan amendments.

If you have any questions, please contact me at (253) 573-2389 or [bboudet@cityoftacoma.org](mailto:bboudet@cityoftacoma.org).

c: Peter Huffman, Interim Director

Attachment





**2013 Annual Amendment Application No. 2013-12**  
***Minor Amendments and Refinements***

STAFF REPORT

<b>Application #:</b>	2013-12
<b>Applicant:</b>	City of Tacoma, Planning and Development Services
<b>Contact:</b>	Brian Boudet, Comprehensive Planning Division
<b>Type of Amendment:</b>	Regulatory Code Text Changes
<b>Current Land Use Intensity:</b>	Various
<b>Current Area Zoning:</b>	Various
<b>Size of Area:</b>	Not Applicable
<b>Location:</b>	City-wide
<b>Neighborhood Council area:</b>	City-wide
<b>Proposed Amendment:</b>	Various amendments to the Land Use Regulatory Code to address inconsistencies, correct minor errors, and provide additional clarity.

**General Description of the Proposed Amendment:**

The proposed amendments involve general text corrections to the Regulatory Code. These minor amendments are intended to address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the Zoning Code, are found to be unclear or not fully meeting their intent.

A general summary of the proposed amendments is as follows:

**Changes to Chapter 1.37 Transfer of Development Rights Program Administrative Code, including:**

- This change corrects the TDR exchange ratio for Pierce County sending areas to be consistent with the final ratio agreed to by the City and County and reflected in the implementing Inter-local Agreement entered to by both parties. The updated ratio is based on the latest economic analysis conducted on the program and was intended to be an amendment in the ordinance adopted by City Council, but unfortunately was not correctly reflected in the final code exhibit.

**Changes to Chapter 13.05 Land Use Permit Procedures, including:**

- The creation of an Administrative Determination permit type which will provide a more clearly defined process for Determinations of the Director such as reasonable accommodation requests, zoning verification requests, minor variance requests and information requests.
- Adding provisions for a one-year, one-time permit extension for certain Land Use Permits.

- Updating the Notice, Comment, and Expiration for Land Use Permits chart to correct minor inaccuracies.

**Changes to Chapter 13.06 Zoning, including:**

**Section 13.06.100 – Residential Zoning and Development Standards**

- Clarification that the usable yard space required for residential lots may be located within the functional rear yard for through lots.
- Providing an allowance for accessory buildings on lots greater than  $\frac{1}{2}$  acre to exceed 85% of the square footage of the main structure and the 1,000/1,500 square foot limit.

**Section 13.06.200 – Commercial Districts**

- The addition of a new use category “Craft Production” which will replace “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited.”

**Section 13.06.300 – Mixed-Use Center Districts Zoning and Development Standards**

- Changes have been made to the Mixed-Use Center Pedestrian Streets for the Lincoln Mixed-Use Center in order to fix inaccuracies relating to street vacations and locations.
- Removal of the Open Space Fund Contribution Bonus Feature from the Level 2 Height Bonus Palette in the Mixed-Use Center District regulations.
- The addition of a new use category “Craft Production” which will replace “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited.”

**Section 13.06.400 – Industrial Districts**

- The addition of a new use category “Craft Production” which will replace “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited.”

**Section 13.06.501 – Building Design Standards**

- Clarification that the X-District Façade Surface Standards, Building Details requirement applies to all Facades facing Core Pedestrian Streets.

**Section 13.06.645 - Variances**

- The creation of a minor variance permit which is a variance in which the relief requested is within 10 percent of the quantified standard contained in the code. These would be processed in accordance with the procedures for the previously mentioned Administrative Determinations.

**Section 13.06.700 – Definitions**

- The definition of “Building, height of” has been modified. Through this proposal the height of all buildings that are not located within a View-Sensitive Overlay District will be measured in accordance with the applicable Building Code. Buildings located within a View-Sensitive Overlay District will use the method currently provided in the definition found in *TMC 13.06*.
- The definition of a new use category, “Craft Production,” has been added and will replace the uses categories of “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited.” It is the intent that the new “Craft Production” category combines the intent and purposes of the three eliminated categories while allowing for the craft production of alcoholic beverages in quantities of up to 5,000 gallons a year. Craft Production is a commercial use that allows for the production of arts, crafts, foods, and beverages with on-site production of goods using hand tools and small-scale equipment.

## **Changes to Chapter 13.06A – Downtown Tacoma, including:**

- The addition of provisions to allow variances in all of the Downtown Districts. Presently, variances are not allowed to certain standards and this change would allow more flexibility in the application of the code in Downtown Tacoma.

### **Project Background:**

These amendments are being brought forward as part of staff's efforts to improve the clarity and effectiveness of the Zoning Code by addressing inconsistencies, incorporating legislative revisions, correcting minor errors, and improving confusing or ineffective standards. The proposed amendments include issues that have been identified by staff as well as issues identified by the public and Planning and Development Services Department's customers. While many of the code changes associated with this application are relatively minor, addressing things like code organization, terminology, and internal consistency, a few of the proposed changes are worth highlighting:

#### The Establishment of an Administrative Determination Permit Type

The changes to the code would add a new process for permits that do not currently require public notification but in which certain cases it may be desirable to do so. As proposed, notification of an Administrative Determination will be mailed to the property owner and applicant while the discretion to extend the notice to neighbors, community groups, or agencies will be determined on a case-by-case basis by the Director. Administrative Determinations are typically written in the form of a letter to the property/owner and appeal provisions are provided. Examples of Administrative Determinations are reasonable accommodations, review of non-conforming rights, zoning verifications, and minor variances.

#### Creation of a Minor Variance Permit Type

This would include a variance in which the relief requested is within 10 percent of the quantified standard contained in the code and carries a lighter public notice requirement. Rather than require a determination of complete application, public notice to qualified parties within 100 feet, and notice of a decision, as required through a the full variance process, the reduced variance permit will be an Administrative Determination issued by the Director. While design guidelines generally allow for staff discretion during the plan review process, many of the basic standards do not provide leeway for discretion. Minor variances provide a tool to allow for more efficient review of de minimis requests. Minor variances may be granted for development regulations (bulk, area), accessory building height, design, sign regulations, and off street parking quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.

#### Equivalency Discretion to Director of Planning and Development Services

An increasing challenge for current planning and plan review staff is the administration of the new design standards, some of which are unique to specific mixed-use centers or other districts. Many of the standards are quite explicit, presumably to ensure that specific design goals are met by new developments. While design *guidelines* generally allow for staff discretion during the plan review process, many of the *standards* do not provide much leeway for discretion. In cases where the deviation from code is not substantial and there are design alternatives that may provide equal or superior results in terms of quantity, quality, location and function the variance process can be overly time-consuming and costly for the applicant and city alike. It is with the intent to expedite the permit review time that the Director has been provided the discretion to determine that an alternative design proposed by the applicant meets the intent of the regulation and is therefore equivalent. However, the Director may determine that an equivalency has not been proposed and may deny the request, and the applicant may then choose to apply for a variance or redesign the project.

### New Use Category – Craft Production

The new use category of “Craft Production” consolidates and expands upon the three existing use categories of “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited,” which will be eliminated. This use category encompasses such uses as bakeries, confectionaries, butchers, candle making, jewelry production, glass working, and will be extended to craft alcoholic beverage production such as craft wineries, craft breweries, and craft distilleries.

The craft alcoholic beverage producers will be limited to the production 5,000 gallons of product per year and will be required to provide an eating/drinking/tasting component to their operations. Additionally, while previously prohibited or dependent upon the approval of a Conditional Use Permit in the commercial districts, alcoholic beverage production will now be a permitted use in all of the commercial districts save for the Transitional District where it will become a conditional use due to the low intensity nature of the district. “Craft Production” will be a permitted use in all of the Mixed-Use Districts save for the HMX, URX, and NRX Districts, in which, similar to the Transitional District, a lower intensity of uses is desired.

### **Public Outreach:**

Over the past few months, staff have discussed the 2013 Annual Amendment package with various stakeholder groups, including the Sustainability Commission, Master Builders Association (MBA), and other development industry representatives. In addition, planning staff have reached out to the Community Council, Neighborhood Councils, the Cross District Association, and Neighborhood Business Districts, informing them of the 2013 Annual Amendment process and offering presentations on the proposed amendments at their board meetings. In response to requests, staff provided overview presentations to the New Tacoma Neighborhood Council, West End Neighborhood Council, South End Neighborhood Council, and South Tacoma Business District. Additional outreach will occur through and during the Planning Commission and City Council’s public hearing and notice processes.

### **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. Development regulations include, but are not limited to, zoning controls, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances. The proposed amendments are designed to improve consistency and compatibility within the development regulations and between the Comprehensive Plan, zoning classifications and development regulations.

### **Applicable Provisions of the Comprehensive Plan:**

The following provisions of the City’s Comprehensive Plan relate to the proposed amendment:

#### Generalized Land Use Element

General Growth and Development Goal: To achieve orderly, timely, desirable, planned growth and development that enhances the quality of life for the citizens of Tacoma.

#### General Growth and Development Policies:

- LU-GGD-1 Intergovernmental Coordination - Manage growth and development in an orderly and desirable manner consistent with the expressed goals of the City, local governmental jurisdictions, regional and federal agencies, and the State of Washington.

#### **Urban Aesthetics and Design Policies:**

- LU-UAD-1 Development Standards - Craft development standards that are easy to use and administer and encourage quality site and building design consistent with the goals and policies herein. Refine development standards as needed to accomplish design goals per changing demographics, development conditions, and community interests.
- LU-UAD-3 Distinct Character and Identity of the City - Enhance the distinct character and identity of Tacoma by:
  - Emphasizing pedestrian-oriented design at all levels of design (city, neighborhood, site, and building).
  - Recognizing and retaining existing scale, proportion and rhythm and using compatible materials in new development and redevelopment.
  - Embracing the natural setting and encouraging regional character in new development.
  - Balancing the historic, working-class character of the community and its physical development with the community's desire to be progressive, innovative and accepting of new ideas and methods.

**Mixed-Use Centers Goal:** To achieve concentrated centers of development with appropriate multimodal transportation facilities, services and linkages that promote a balanced pattern of growth and development, reduce sprawl, foster economies in the provision of public utilities and services, and yield energy savings.

#### **Mixed-Use Centers Policies:**

- LU-MU-2 Variety of Development - Encourage as broad and as balanced a range of development as possible including shopping, housing, offices, restaurants, hotels, recreational facilities, entertainment, public facilities and others, to meet the needs of all segments of the community, especially youth, seniors, the disabled, and families.

**Residential Development Goal:** To provide fair and equitable distribution of a variety of housing types and living areas as well as protect and enhance already established neighborhoods.

#### **Residential Development Policies:**

- LU-RDG-2 Prohibit Incompatible Land Uses - Prohibit incompatible land uses from situating within or adjacent to existing or future residential developments and gradually eliminate existing incompatible uses from existing residential areas.
- LU-RDG-3 Housing Opportunities - Encourage the development of residential areas that offer a variety of housing opportunities for all segments of the population within all areas of the city.

**Commercial Development Goal:** To achieve an attractive, convenient and well-balanced system of commercial facilities, which serve the needs of the citizens, are appropriate to their relative service areas and are compatible with adjacent land use.

#### **Commercial Development Policies:**

- LU-CDLA-4 Locate in Existing Commercial Areas and in Mixed-use Centers - Encourage new commercial development to locate within existing commercial areas and in mixed-use centers in order to maximize the use of the land and maintain the economic viability of established commercial developments.

- LU-CDLA-5 Citizen Needs and Land Use Capabilities - Consider population needs and land use compatibilities when planning the development of neighborhood, community or regional commercial facilities in order to insure minimal adverse influences on surrounding or adjacent land uses.

The proposed amendments to the zoning code are designed to further many of the goals and policies outlined in the Comprehensive Plan, to address inconsistencies and ambiguities in the code and to better reflect current development trends and techniques. Proposed changes to the standards will bring the City in-line with current standards and provide additional flexibility in code application.

**Amendment Criteria:**

*Applications for amendments to the 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: The general purpose of this application is to address technical errors that have been identified through administration and application of the code. The proposed amendments are intended to address inconsistencies, correct minor errors, and improve provisions that are found to be unclear or not fully meeting their intent.

**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: Not applicable

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

Staff Analysis: Not applicable.

**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: The proposed amendments will improve consistency within the Land Use Regulatory Code and between the Comprehensive Plan and Code.

**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 and comment.

**Exhibits:**

- A. Draft Land Use Regulatory Code Amendments





## **2013 Annual Amendment Application No. 2012-12 Code Clean-up**

**DRAFT ADMINISTRATIVE AND LAND USE REGULATORY CODE CHANGES**  
*February 6, 2013*

### **Chapter 1.37– Transfer of Development Rights Program Administrative Code**

1.37.060 – Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR

### **Chapter 13.05 – Land Use Permit Procedures**

13.05.020 – Notice Process

13.05.030 – Director Decision Making Authority

13.05.070 – Expiration of Permits

### **Chapter 13.06 - Zoning**

13.06.100 – Residential Development

13.06.200 – Commercial Districts

13.06.300 – Mixed-Use Center Districts

13.06.400 – Industrial Districts

13.06.700 – Definitions and Illustrations

13.06A – Downtown Tacoma

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 1.37**

### **TRANSFER OF DEVELOPMENT RIGHTS PROGRAM ADMINISTRATIVE CODE**

Sections:

- 1.37.010 Purpose.
- 1.37.020 Definitions.
- 1.37.030 Sending Areas.
- 1.37.040 Sending Area Development Limitations.
- 1.37.050 Sending Area TDR Allocation.
- 1.37.060 Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR.
- 1.37.070 Sending Area Process / TDR Certification.
- 1.37.080 Receiving Area Process.
- 1.37.090 TDR Manager Responsibilities.

#### **1.37.010 Purpose.**

The Transfer of Development Rights (TDR) Administrative Code establishes procedures for the operation of the City's TDR Program. The TDR Program is designed to advance the goals of the State's Growth Management Act by providing a tool to advance the City's conservation goals, historical preservation goals, and built environment goals by encouraging the voluntary redirection of development potential away from areas where the City wants less or no development potential, called sending areas, toward areas that the City has designated as suitable for bonus development potential, called receiving areas.

\* \* \*

#### **1.37.060 Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR.**

In zones where Title 13 TMC expresses bonus development in terms of height, the number of TDRs required to obtain a development bonus shall be calculated using square feet of bonus floor area.

As provided in Title 13 TMC, the relevant zoning regulations for each TDR receiving area establish the property's base height limit development potential and the ability to use TDRs to achieve the property's maximum development potential. TDRs may be used as follows to achieve the height bonus as provided in Title 13 TMC:

- A. For sending areas situated in unincorporated Pierce County: one TDR allows ~~3,750~~ 5,000 square feet of bonus floor area.
- B. For sending areas situated in unincorporated King County: one TDR allows 10,000 square feet of bonus floor area.
- C. For Tacoma Habitat sending areas: one TDR allows 15,000 square feet of bonus floor area.
- D. For Tacoma Landmarks sending area: one TDR allows 10,000 square feet of bonus floor area.
- E. In addition to, or as an alternative to acquiring TDRs, a developer can achieve one (1) square foot of bonus floor area for every two dollars (\$2.00) deposited into the City's open space fund. Revenue accrued for TDRs must be used for TDR purchases from In-city and/or Regional TDRs.

Project applicants may use TDRs from one or more sending sites for an individual project. If the project results in unused TDRs, the City's TDR Manager shall, upon the project applicant's request, mark the TDR certificate as having a fractional TDR value. Fractional TDRs may be transferred to third parties.

\* \* \*

## Chapter 13.05

### LAND USE PERMIT PROCEDURES

Sections:

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

\* \* \*

#### **13.05.020 Notice process.**

A. Purpose. The purpose of this section is to provide notice requirements for land use applications.

B. Administrative Determination

1. A notice of application is not required for Administrative Determinations. Examples of Administrative Determinations are minor variances, reasonable accommodation requests, review of non-conforming rights, zoning verification requests, and information requests.

2. Determinations of the Director shall be mailed to the applicant and the property owner (if different than the applicant) by first class mail.

3. At the discretion of the Director, notice of the Determination and/or summary of Determination may be provided to the other qualified or potentially interested parties.

C. Process I – Minor Land Use Decisions

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.E. Examples of minor land use decisions are waivers, variances, wetland/stream/FWHCA Verifications, and wetland/stream/FWHCA Minor Development Permits.

2. Notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.**GH**.

3. Parties receiving notice of application shall be given 14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department. The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 14 days of the mailing of such notice, or who requests receipt of a copy of the decision.

4. Decisions of the Land Use AdministratorDirector shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the AdministratorDirector requiring environmental review pursuant to the State Environmental Policy Act, WAC 197-11, and the provisions of TMC Chapter 13.12, shall also include a Threshold

Determination by the Responsible Official for the Department. A decision shall be mailed by first-class mail to: owners of property and/or taxpayers of record as indicated by the Pierce County Assessor/Treasurer's records within the distance identified in Section 13.05.020.GH; neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; and the Puyallup Indian Tribe for "substantial action" as defined in the "Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners," dated August 27, 1988.

5. A neighborhood or community organization shall be qualified to receive notice under this section upon a finding that the organization:

(a) has filed a request for a notification with the City Clerk in the form prescribed by rule, specifying the names and addresses of its representatives for the receipt of notice and its officers and directors;

(b) includes within its boundaries land within the jurisdiction of the permit authority;

(c) allows full participating membership to allow property owners/residents within its boundaries;

6. More than one neighborhood or community organization may represent the same area.

7. It shall be the duty of the neighborhood group to advise the City Clerk's office in writing of changes in its boundaries, or changes in the names and addresses of the officers and representatives for receipt of notice.

8. A public information sign (or signs), provided by the Department for applications noted in Table G-H (Section 13.05.020.GH), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

ED. Process II – Administrative Decisions Requiring an Environmental Determination and Height Variances, Shoreline Permits, Conditional Use, Special Development Permits, Wetland/Stream/Fish & Wildlife Habitat Conservation Area (FWHCA) Development Permits.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.E.

2. Notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations consistent with the requirements set forth for Process I land use permits; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); the Puyallup Indian Tribe for "substantial action" as defined in the "Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners," dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.GH. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.GH, from the boundary of the PRD District.

3. Parties receiving notice of application shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 20 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department, unless a Public Meeting is held, as provided by Section 13.05.020.F. The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 30 days of the mailing of such notice, or who requests receipt of a copy of the decision.

4. A public information sign (or signs), provided by the Department for applications noted in Table G-H (Section 13.05.020.GH), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection GH of this section.

DE. Process III – Decisions Requiring a Public Hearing.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.C.
2. Notice of application, including the information identified in Section 13.05.020.EF, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.GH. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.GH from the boundary of the PRD District.
3. The notified parties shall be allowed 21 days from the date of mailing to comment on the pre-threshold environmental determination under provisions of Chapter 13.12, after which time the responsible official for SEPA shall make a final determination. Those parties who comment on the environmental information shall receive notice of the environmental determination. If an appeal of the determination is filed, it will be considered by the Hearing Examiner at the public hearing on the proposal.
4. A public information sign (or signs), provided by the Department, indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The notice shall contain, at a minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.
5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection G of this section.

EF. Content of Public Notice of Application. Notice of application shall contain the following information, where applicable, in whatever sequence is most appropriate for the proposal:

1. Date of application;
2. Date of notice of completion for the application;
3. Date of the notice of application;
4. Description of the proposed project action;
5. List of permits included in the application;
6. List of studies requested;
7. Other permits which may be required;
8. A list of existing environmental documents used to evaluate the proposed project(s) and where they can be reviewed;
9. Public comment period (not less than 14 nor more than 30 days), statement of right to comment on the application, receive notice of and participate in hearings, request a copy of the decision when made, and any appeal rights;
10. Date, time, place and type of hearing (notice must be provided at least 15 days prior to the open record hearing);
11. Statement of preliminary determination of development regulations that will be used for project mitigation and of consistency;
12. A provision which advises that a “public meeting” may be requested by any party entitled to notice;
13. Any other information determined appropriate, e.g., preliminary environmental determination, applicant’s analysis of code/policy applicability to project.

F. Public Comment Provisions. Parties receiving notice of application shall be given the opportunity to comment in writing to the department. A “public meeting” to obtain information, as defined in Section 13.05.005, may be held on applications which require public notification under Process II when:

1. The Director determines that the proposed project is of broad public significance; or

2. The neighborhood council in the area of the proposed project requests a “public meeting”; or
3. The owners of five or more parcels entitled to notice for the application make a written request for a meeting; or
4. The applicant has requested a “public meeting.”

Requests for a meeting must be made in writing and must be in the Planning and Development Services office within the comment period identified in the notice. One public meeting shall be held for a permit request regardless of the number of public meeting requests received. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting. Notice of the “public meeting” shall be mailed at least 14 days prior to the meeting to all parties entitled to original notice, and shall specify the extended public comment period; however, if the Director has determined that the proposed project is of broad public significance, or if the applicant requests a meeting, notification of a public meeting may be made with the notice of application, and shall allow the standard 30-day public comment period.

The comment period for permit type is identified in Section 13.05.020.**GH**. When a proposal requires an environmental determination under Chapter 13.12, the notice shall include the time within which comments will be accepted prior to making a threshold determination of environmental significance or non-significance.

**GH.** Notice and Comment Period for Specified Permit Applications. Table-**GH** specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

**Table G-H – Notice, Comment and Expiration for Land Use Permits**

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation <del>determination</del> of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years*** <sup>3</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years*** <sup>3</sup>
Environmental SEPA DNS/EIS	Optional	Same as case type	Yes if no hearing required	Yes for EIS	Same as case type	Director	No	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	*** <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA *** <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years*** <sup>6</sup>
Plats 5-9 lots	Required	400 feet	Yes	Yes	20 days	Director	No <sup>1</sup>	Final Plat	5 years*** <sup>6</sup>
Rezones	Required	400 feet	No	Yes	21 days SEPA *** <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/variance	Required	400 feet	No	Yes	30 days*** <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/maximum 6

<sup>1</sup> When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

<sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.

<sup>3</sup> Must be recorded with the Pierce County Auditor within five years.

<sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

<sup>5</sup> If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

<sup>6</sup> Refer to Section 13.05.070 for preliminary plat expirations dates.

Short plat	Required	No	No	No	No	Director	No	No	5 years*** <sup>3</sup>
Site approval	Optional	400 feet	No	Yes	30 days*** <sup>2</sup> *** <sup>5</sup>	Director	No*	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days*** <sup>2</sup> *** <sup>5</sup>	Director	No*	No	5 years*** <sup>4</sup>
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days*** <sup>2</sup>	Hearing Examiner	Yes	No	5 years
<u>Minor Variance</u>	<u>Optional</u>	<u>100 feet<sup>7</sup></u>	<u>No</u>	<u>No</u>	<u>14 Days~</u>	<u>Director</u>	<u>No<sup>1</sup></u>	<u>No</u>	<u>5 Years</u>
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Waiver	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	Condition of permit
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years with 5 year renewal option to a maximum of 20 years total
Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years with 5 year renewal option to a maximum of 20 years total
Wetland/Stream/ FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

\* When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

\*\* Comment on land use permit proposal allowed from date of notice to hearing.

\*\*\* Must be recorded with the Pierce County Auditor within five years.

\*\*\*\* Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

\*\*\*\*\* If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

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<sup>7</sup> Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

### **13.05.030 Director Decision Making Authority.**

A. Authority. The Director shall have the authority to act upon the following matters:

1. Interpretation, enforcement, and administration of the City's land use regulatory codes as prescribed in this title, including the approval of equivalencies for projects wherein the deviation from code is not substantial and there are alternatives provided that achieve the intent of the code by providing equal or superior results in terms of quantity, quality, location and/or function;
2. Applications for conditional use permits;
3. Applications for site plan approvals;
4. Applications for minor variances and variances;
5. Applications for waivers;
6. Applications for preliminary and final plats as outlined in Chapter 13.04, Platting;
7. Applications for Wetland/Stream/FWHCA Development Permits, Wetland/Stream/FWHCA Verifications, and Wetland/Stream/FWHCA Minor Development Permits as outlined in Chapter 13.11;
8. Applications for Shoreline Management Substantial Development Permits/conditional use/ variances as outlined in Chapter 13.10;
9. Modifications or revisions to any of the above approvals;
10. Approval of landscape plans;
11. Extension of time limitations;
12. Application for permitted use classification for those uses not specifically classified;
13. Boundary line adjustments, binding site plans, and short plats;
14. Approval of building or development permits requiring Land Use Code and Environmental Code compliance.

D. Interpretation and Application of Land Use Regulatory Code. In interpreting and applying the provisions of the Land Use Regulatory Code, the provisions shall be held to be the minimum requirements for the promotion of the public safety, health, morals or general welfare. It is not intended by this code to interfere with or abrogate or annul any easements, covenants or agreements between parties. Where this code imposes a greater restriction upon the use of buildings or premises or upon the heights of buildings or requires larger yards or setbacks and open spaces than are required in other ordinances, codes, regulations, easements, covenants or agreements, the provisions of this code shall govern. An interpretation shall be utilized where the factual basis to make a determination is unusually complex or there is some problem with the veracity of the facts; where the applicable code provision(s) is ambiguous or its application to the facts unclear; or in those instances where a person applying for a license or permit disagrees with a staff determination made on the application. Requests for interpretation of the provisions of the Land Use Regulatory Code shall be processed in accordance with the requirements of Section 13.05.040.

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### **13.05.040 Decision of the Land Use AdministratorDirector.**

A. Effect of Director's Land Use Decision. The Director's decision shall be final; provided, that pursuant to subsection H of this section, an appeal may be taken to the Hearing Examiner. The Director's decision shall be based upon the criteria set forth for the granting of such permit, the policies of the Comprehensive Plan, and any other applicable program adopted by the City Council. The decision of the Director shall be set forth in a written summary supporting such decision and demonstrating that the decision is consistent with the applicable criteria and standards contained in this title and the policies of the Comprehensive Plan. The decision shall include the environmental determination of the responsible official.

B. Conditioning Land Use Approvals. When acting on any land use matter, the Director may attach any reasonable conditions found necessary to make the project compatible with its environment, to carry out the goals and policies of the City's Comprehensive Plan, including its Shoreline Master Program, or to provide compliance with applicable criteria or standards set forth in the City's Land Use Regulatory Codes. Such conditions may include, but are not limited to:

1. The exact location and nature of the development, including additional building and parking area setbacks, screening in the form of landscape berms, landscaping or fencing;

2. Mitigating measures, identified in applicable environmental documents, which are reasonably capable of being accomplished by the project's sponsor, and which are intended to eliminate or lessen the environmental impact of the development;
3. Provisions for low- and moderate-income housing as authorized by state statute;
4. Hours of use or operation, or type and intensity of activities;
5. Sequence in scheduling of development;
6. Maintenance of the development;
7. Duration of use and subsequent removal of structures;
8. Dedication of land or granting of easements for public utilities and other public purposes;
9. Construction of, or other provisions for, public facilities and utilities. In regard to the conditions requiring the dedication of land or granting of easements for public use and the actual construction of or other provisions for public facilities and utilities, the Director shall find that the problem to be remedied by the condition arises, in whole or significant part, from the development under consideration, the condition is reasonable, and is for a legitimate public purpose.
10. Wetland/stream/FWHCA development permits, wetland/stream/FWHCA minor development permits, and wetland/stream/FWHCA verifications shall be subject to TMC Chapter 13.11.

Refer to Section 13.05.100 and TMC Chapter 13.11 for procedures to enforce permit decisions and conditions.

C. Timing of Decision. After examining all pertinent information and making any inspections deemed necessary by the Director, the Director shall issue a decision within 120 days from the date of notice of a complete application, unless additional time has been agreed to by the applicant, or for other reasons as stated in Section 13.05.010.

In the event the Director cannot act upon a land use matter within the time limits set forth, the Director shall notify the applicant in writing, setting forth reasons the matter cannot be acted upon within the time limitations prescribed, and estimating additional time necessary for completing the recommendation or decision.

D. Mailing of Decision.

1. A copy of the decision shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. A copy of the decision shall be mailed to those who commented in writing or requested a copy of the decision within the time period specified in Section 13.05.020 and a summary of the decision shall also be mailed by first-class mail to owners of the property, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances specified in Section 13.05.020.~~GH~~; the Puyallup Indian Tribe for "substantial actions" as defined in the "Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners," dated August 27, 1988; neighborhood councils in the vicinity of the proposal; and qualified neighborhood or community organizations.
2. Notice to the State of Washington on Shoreline Permit Decisions/Recommendations. Copies of the original application and other pertinent materials used in the final decision in accordance with this section, State regulations, and, pursuant to RCW 90.58 or 43.21C, the permit and any other written evidence of the final order of the City relative to the application, shall be transmitted by the Director to the Attorney General of the State of Washington and the Department of Ecology in accordance with WAC 173-27-130 and RCW 90.58.140(6).
3. Notice shall be provided to property owners affected by the Director's decision that such owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. Notice of the Director's decision shall also be provided to the Pierce County Assessor/Treasurer's Office.

E. Consolidated Review of Multiple Permit Applications and of Environmental Appeals with the Underlying Land Use Action. Applications which require an open-record hearing shall be considered by the Hearing Examiner. When an open-record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently. Therefore, in this situation, applications for which the Director has authority shall be transferred to the jurisdiction of the Hearing Examiner to allow consideration of all land use actions concurrently.

F. Consolidated Review of Land Use Permitting on Multi-Jurisdictional Projects. Applications for projects that require land use permits from the City of Tacoma as well as from a neighboring jurisdiction, and where such neighboring jurisdiction's land use permitting processes require a pre-decision public hearing, the application for the City of Tacoma's land use permit shall be transferred to the jurisdiction of the Hearing Examiner for the purpose of conducting a joint hearing with the other permitting jurisdiction. Should a joint hearing not be arranged by agreement of the permitting jurisdictions, the matter shall be returned to the jurisdiction of the Director.

G. Reconsideration. A request for reconsideration may be made on any decision or ruling of the Director by any aggrieved person or entity having standing under this chapter. A request seeking reconsideration shall be in writing and shall set forth the alleged errors of procedure, fact, or law. The request for reconsideration shall be filed with Planning and Development Services within 14 calendar days of the issuance of the Director's decision, not counting the day of issuance of the decision. If the last day for filing the request for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. It shall be within the discretion of the Director to determine whether the opposing party or parties will be afforded an opportunity to respond. After review of the matter, the Director shall take such further action deemed proper, which may include the issuance of a revised decision.

H. Appeal to the Hearing Examiner. Any aggrieved person having standing under this chapter shall have the right, within 14 calendar days of the issuance of the Director's decision to appeal the Director's decision to the Hearing Examiner. Such appeal shall be in accordance with Section 13.05.050 of this chapter.

I. Compliance with Permit Conditions. Compliance with conditions established in a permit is required. Any departure from the conditions of approval or approved plans constitutes a violation of this title and shall be subject to enforcement actions and penalties. See Sections 13.05.100 and 13.05.110 for enforcement and penalties.

\* \* \*

### **13.05.070 Expiration of permits.**

(Refer to Table G in Section 13.05.020).

A. Expiration Schedule. The following schedule indicates the expiration provisions for land use permits within the City of Tacoma.

	<b>Type of Permit</b>	<b>Maximum Duration</b>
1.	Conditional Use Permit	5 years, <u>possible 1-year extension</u> <sup>1</sup>
2.	Variance	5 years, <u>possible 1-year extension</u>
3.	Site Approval	5 years, <u>possible 1-year extension</u>
4.	Waiver	5 years, <u>possible 1-year extension</u>
5.	Wetland/Stream/FWHCA Development Permits and Wetland/Stream/FWHCA Minor Development Permits	5 years with 5 year renewal option to a maximum of 20 years
6.	Wetland Delineation Verifications	5 years
7.	<u>Preliminary Plat</u>	<u>5 years, 7 years, or 9 years to submit a final plat permit application, dependent on preliminary plat approval date per RCW 58</u> <sup>2</sup>
78.	<u>Preliminary Plats</u> , Binding Site Plans, Short Plats, Boundary Line Adjustments	5 years to record with Pierce County Auditor
89.	Shoreline Permits	2 years to commence construction; 5 years maximum, possible one- year extension

Conditional use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

The Hearing Examiner or Director may, when issuing a decision, require a shorter expiration period than that indicated in subsection A of this section. However, in limiting the term of a permit, the Hearing Examiner or Director shall find that the nature of the specific development is such that the normal expiration period is unreasonable or would adversely affect the health, safety, or general welfare of people working or residing in the area of the proposal. The Director may adopt appropriate time limits as a part of action on shoreline permits, in accordance with WAC 173-27-090.

B. Commencement of Permit Term. The term for a permit shall commence on the date of the Hearing Examiner's or Director's decision; provided, that in the event the decision is appealed, the effective date shall be the date of decision on appeal. The term for a shoreline permit shall commence on the effective date of the permit as defined in WAC 173-27-090.

<sup>1</sup> Conditional use permits for wireless communication facilities, including towers, shall expire to two years from the effective date of the Director's decision and are not eligible for a one-year extension.

<sup>2</sup> If the preliminary plat was approved on or before December 7, 2007, the final plat must be submitted within nine years of the preliminary plat approval. If the preliminary plat was approved after December 7, 2007, but on or before December 31, 2014, the final plat must be submitted within seven years of the preliminary plat approval. A preliminary plat approved after January 1, 2015, must be submitted for final plat within five years of the preliminary plat approval.

C. When Permit Expired. A permit under this chapter shall expire if, on the date the permit expires, the project sponsor has not submitted a complete application for building permit or the building permit has expired, with the exception of projects that qualify for a programmatic restoration project extension. Programmatic restoration projects shall be allowed to be renewed every five (5) years for a maximum total of 20 years to allow implementation of long-term habitat recovery that may be utilized as advanced mitigation for future impacts associated with public access and enjoyment.

In order to renew every 5 years, the applicant is required to submit a status report explaining the progress of a minor development permit or development permit and shall identify the remaining items requiring additional permitting, including building permits. The applicant shall provide copies of any monitoring reports that were required as part of the permit conditions. The renewal application shall be submitted prior to the termination of the five year limit with the appropriate renewal fees.

D. Extension of Permits (excluding those permits subject to RCW 58 Boundaries and Plats and those permits subject to 13.05.070.E). The Director may authorize a permit extension for up to one (1) year if a written request for an extension has been filed prior to the permit expiration date and has been determined to comply with the following criteria:

1. No significant changes in the site, proposal, or surrounding area have occurred which would result in the modification of a special condition of approval or could significantly alter a finding made in the original decision;
2. No changes have been made to the proposal which would necessitate additional review or permitting;
3. No changes have occurred on the site which would necessitate additional review or permitting;
4. If changes to the proposal or site have occurred, they do not exceed the standards found in 13.05.080.B Minor Modifications.

The Director may place conditions upon the permit extension request and notice of the approved extension shall be mailed to parties of record and required agencies pursuant to section 13.05.020.H. The extension of Shoreline permits shall be authorized in accordance with WAC 173-27-090 and notice of the extension shall be provided to the Department of Ecology.

D. Extension of Shoreline Permits. In accordance with WAC 173-27-090, the Director may authorize a single extension before the end of the time limit for up to one year if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and the Department of Ecology. The extension must be based on reasonable factors.

\* \* \*

## Chapter 13.06

### ZONING<sup>2</sup>

Sections:

#### **13.06.100 Residential Districts.**

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

#### **13.06.200 Commercial Districts.**

- 13.06.200.A District purposes.
- 13.06.200.B Districts established.
- 13.06.200.B.1 T Transitional District.
- 13.06.200.B.2 C-1 General Neighborhood Commercial District.
- 13.06.200.B.3 C-2 General Community Commercial District.
- 13.06.200.B.4 HM Hospital Medical District.
- 13.06.200.B.5 PDB Planned Development Business District.
- 13.06.200.C Land use requirements.
- 13.06.200.D Building envelope standards.
- 13.06.200.E Maximum setback standards on designated streets.
- 13.06.200.F Common requirements.

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

- 13.06.300.A District purposes.
- 13.06.300.B Districts established.
- 13.06.300.B.1 NCX Neighborhood Commercial Mixed-Use District.
- 13.06.300.B.2 CCX Community Commercial Mixed-Use District.
- 13.06.300.B.3 UCX and UCX-TD Urban Center Mixed-Use District.
- 13.06.300.B.4 RCX Residential Commercial Mixed-Use District.
- 13.06.300.B.5 CIX Commercial Industrial Mixed Use District.
- 13.06.300.B.6 NRX Neighborhood Residential Mixed-Use District.
- 13.06.300.B.7 URX Urban Residential Mixed-Use District
- 13.06.300.B.8 HMX Hospital Medical Mixed-Use District
- 13.06.300.C Applicability and pedestrian streets designated.
- 13.06.300.D Land use requirements.
- 13.06.300.E Building envelope standards.
- 13.06.300.F Maximum setback standards.
- 13.06.300.G Residential X-District Yard Space Standards.
- 13.06.300.H Common requirements.

#### **13.06.400 Industrial Districts.**

- 13.06.400.A Industrial district purposes.

<sup>2</sup> Rezone ordinances are on file in the office of the City Clerk.

- 13.06.400.B Districts established.
- 13.06.400.B.1 M-1 Light Industrial District.
- 13.06.400.B.2 M-2 Heavy Industrial District.
- 13.06.400.B.3 PMI Port Maritime & Industrial District.
- 13.06.400.B.4 ST-M/IC South Tacoma Manufacturing/Industrial Overlay District.
- 13.06.400.C Land use requirements.
- 13.06.400.D Building envelope standards.
- 13.06.410 *Repealed.*
- 13.06.420 *Repealed.*
- 13.06.430 *Repealed.*
- 13.06.500 Requirements in all preceding districts.**
- 13.06.501 Building design standards.
- 13.06.502 Landscaping and/or buffering standards.
- 13.06.503 Residential transition standards.
- 13.06.510 Off-street parking and storage areas.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.
- 13.06.521 General sign regulations.
- 13.06.522 District sign regulations.
- 13.06.525 Adult uses.
- 13.06.530 Juvenile community facilities.
- 13.06.535 Special needs housing.
- 13.06.540 Surface mining.
- 13.06.545 Wireless communication facilities.
- 13.06.550 Work release centers.
- 13.06.555 View-Sensitive Overlay District.
- 13.06.560 Parks, recreation and open space.
- 13.06.600 Zoning code administration – General purposes.**
- 13.06.601 Public Facility Sites – Development Regulation Agreements Authorized.
- 13.06.602 General restrictions.
- 13.06.603 Mineral resource lands.
- 13.06.605 Interpretation and application.
- 13.06.610 *Repealed.*
- 13.06.620 Severability.
- 13.06.625 *Repealed.*
- 13.06.630 Nonconforming parcels/uses/structures.
- 13.06.635 Temporary use.
- 13.06.640 Conditional use permit.
- 13.06.645 Variances.
- 13.06.650 Application for rezone of property.
- 13.06.655 Amendments to the zoning regulations.
- 13.06.700 Definitions and illustrations.**

### **13.06.100 Residential Districts.**

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

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

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

1. Implement the goals and policies of the City's Comprehensive Plan.

2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.
  3. Provide a fair and equitable distribution of a variety of housing types and living areas.
  4. Protect and enhance established neighborhoods.
  5. Provide for predictability in expectations for development projects.
  6. Allow for creative designs while ensuring desired community design objectives are met.
  7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.
  8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.
- B. Districts established.
1. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in established areas with a relatively quiet and stable neighborhood environment.
  2. R-2 Single-Family Dwelling District. This district is intended primarily for low-density, single-family detached housing but may also allow limited lodging uses and uses such as limited holiday sales for Christmas and Halloween. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.
  3. R-2SRD Residential Special Review District. This district is intended primarily for low-density, single-family detached housing, but it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area and enhance the area's overall quality.
  4. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the buildings within reflect significant aspects of Tacoma's early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.
  5. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.
  6. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.
  7. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. Other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.
  8. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.
- C. Land use requirements.
1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the

Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.046.

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

3. Use table abbreviations.

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

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

<b>Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>	<b>Additional Regulations<sup>1</sup></b>
Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.F
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535
Adult retail and entertainment	N	N	N	N	N	N	N	N	
Agricultural uses	CU	CU	CU	CU	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.
Airports	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	N	N	N	N	N	N	N	
Animal sales and service	N	N	N	N	N	N	N	N	
<b>Art/craft production</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Prohibited except as provided for in Section 13.06.100.E.</b>
Assembly facility	N	N	N	N	N	CU	CU	CU	
Brewpub	N	N	N	N	N	N	N	N	
Building materials and services	N	N	N	N	N	N	N	N	
Business support services	N	N	N	N	N	N	N	N	
Carnival	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.635.
Cemetery/internment services	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.
Commercial parking facility	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.510.
Commercial recreation and entertainment	N	N	N	N	N	N	N	N	
Communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Antennas for such facilities are subject to the additional requirements contained in Section 13.06.545.
Confidential Shelter	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Continuing care retirement community	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Correctional facility	N	N	N	N	N	CU	CU	CU	Side yards shall be provided as specified in Section 13.06.602.
<b>Craft food and non-alcoholic beverage production</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	
<b>Craft Production</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Prohibited except as provided for in Section 13.06.100.E</b>
Cultural institution	N	N	N	N	N	N	N	N	
Day care, family	P	P	P	P	P	P	P	P	Must be licensed by the State of Washington.

<b>Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>	<b>Additional Regulations<sup>1</sup></b>
Day care center	CU	CU	CU	CU	CU	P/CU	P	P	Subject to additional requirements contained in Section 13.06.155. For R-4L, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.
Detoxification center	CU	CU	CU	CU	CU	CU	CU	CU	
Drive-through with any use	N	N	N	N	N	N	N	N	
Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one-dwelling unless each dwelling complies with the use regulations, height regulations, area regulations, and parking regulations of the district.
Dwelling, two-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit. See Section 13.06.640.
Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit. See Section 13.06.640. For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district.
Dwelling, multiple-family	N	N	N	P/N	N	P	P	P	In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005.
Dwelling, townhouse	N	N	CU	N	P	P	P	N	Subject to additional requirements contained in Section 13.06.100.G.
Dwelling, accessory (ADU)	P/N	P/N	P/N	P/N	P	P	P	P	In the R-1, R-2, R-2SRD and HMR-SRD districts, <i>detached</i> ADUs are prohibited while <i>attached</i> ADUs are permitted. Subject to additional requirements contained in 13.06.150.
Eating and drinking	N	N	N	N	N	N	N	P	For R-5, minor eating and drinking establishments are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities, are designed primarily to serve on-site residents, and are consistent with a restaurant use per Section 13.06.700.E.

<b>Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>	<b>Additional Regulations<sup>1</sup></b>
Emergency and transitional housing	N	N	N	N	N	CU	CU	CU	Subject to additional requirements contained in Section 13.06.535.
Extended care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Foster home	P	P	P	P	P	P	P	P	
Fueling station	N	N	N	N	N	N	N	N	
Funeral home	N	N	N	N	N	N	N	N	
Golf course	P	P	P	P	P	P	P	P	
Group housing	P	P	P	P	P	P	P	P	In the R-1, R-2, R-2SRD, and HMR-SRD districts, group housing is limited to 6 or fewer unrelated adults. In the R-3 district, group housing is limited to 15 or fewer unrelated adults. In the R-4L, R-4 and R-5 districts, there is no limit to the allowed number residents in a group housing facility.
Heliport	CU	CU	CU	CU	CU	CU	CU	CU	
Home occupation	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E.
Hospital	N	N	N	N	N	CU	CU	CU	
Hotel/motel	N	N	N	N	N	N	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	N	N	N	N	N	
Intermediate care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Juvenile community facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.530.
Lodging house	N	P	P	P	P	P	P/CU	P/CU	For R-2, R-2SRD, and HMR-SRD lodging is limited to one guest room only, provided such use shall not be in connection with a foster home for children or foster home for adults which may otherwise be authorized. For R-3 and R-4-L, lodging is limited to two guest rooms, provided such use shall not be in connection with a foster home for children, a foster home for adults, or lodging which may otherwise be authorized. For R-4 and R-5, lodging is limited to two guest rooms, provided that lodging with for more than two guest rooms may be allowed subject to the approval of a conditional use permit.
Master plans for any conditional use	CU	CU	CU	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
Microbrewery/winery	N	N	N	N	N	N	N	N	
<b><i>Microwinery, limited</i></b>	<b><i>N</i></b>								
Mobile home/trailer court	N	N	N	N	N	CU	N	N	Subject to additional requirements contained in Section 13.06.502
Nursery	N	N	N	N	N	N	N	N	
Office	N	N	N	N	N	N	N	N	
Parks, recreation and open space	P/CU	<p>Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit:</p> <ul style="list-style-type: none"> <li>• Destination facilities</li> <li>• High-intensity recreation facilities</li> <li>• High-intensity lighting</li> <li>• Development of more than 20 off-street parking spaces</li> </ul> <p>Parks, recreation and open space uses are subject to the requirements of Section 13.06.560, where the above features are defined.</p>							
Passenger terminal	N	N	N	N	N	N	N	N	
Personal services	N	N	N	N	N	N	N	P	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	CU	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. See Section 13.06.640.							
Religious assembly	CU								
Repair services	N	N	N	N	N	N	N	N	
Research and development industry	N	N	N	N	N	N	N	N	
Residential care facility for youth	N	N	N	N	P	P	P	P	Subject to additional requirements contained in 13.06.535.
Residential chemical dependency facility	N	N	N	N	N	P	P	P	Subject to additional requirements contained in 13.06.535.
Retail	N	N	N	N	N	N	N	P	For R-5, minor retail businesses such as drug stores and newsstands are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Retirement home	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.

<b>Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>	<b>Additional Regulations<sup>1</sup></b>
School, public or private	CU	CU	CU	CU	CU	CU	CU	CU	
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to additional requirements contained in Section 13.06.635.
Self-storage	N	N	N	N	N	N	N	N	
Staffed residential home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Student housing	CU	CU	CU	CU	CU	CU	CU	CU	
Surface mining	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.540.
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.635
Theater	N	N	N	N	N	N	N	N	
Transportation/freight terminal	N	N	N	N	N	N	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	
Vehicle rental and sales	N	N	N	N	N	N	N	N	
Vehicle service and repair	N	N	N	N	N	N	N	N	
Vehicle service and repair, industrial	N	N	N	N	N	N	N	N	
Vehicle storage	N	N	N	N	N	N	N	N	
Warehouse, storage	N	N	N	N	N	N	N	N	
Wholesale or distribution	N	N	N	N	N	N	N	N	
Wireless communication facility	CU	CU	CU	N	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.545 and the time limitations set forth in Chapter 13.05, Table G.
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	

**Footnotes:**

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

D. Lot size and building envelope standards.

	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
<b>Minimum Lot Area (in square feet, unless otherwise noted)</b>								
single-family dwellings	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
two-family dwellings			6,000	6,000	6,000	6,000	6,000	6,000
three-family dwellings			9,000	9,000	9,000	6,000	6,000	6,000

	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
multiple-family dwellings						6,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of four	6,000	6,000
Townhouse dwellings	-	-	3000	-	3000	1500	1000	-
Mobile home/trailer court						3.5 acres, provided at least 3,500 sq. ft. is provided for each mobile home		
Pre-existing lots	A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single-family dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards (see Sections 13.06.145 and 13.06.630).							
Exceptions to Minimum Lot Area Requirements	Reductions to minimum lot area requirements may be allowed pursuant to Section 13.06.145.							
<b>Lot Measurements (in feet)</b>								
Minimum Average Lot Width	50	50	50	50	50	50	50	50
	16 for townhouse dwellings							
Minimum Lot Frontage	25	25	25	25	25	50	50	50
	The minimum lot frontage requirement does not apply to townhouse dwellings. Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.							
Exceptions to Minimum Lot Width	Reductions to minimum lot width may be allowed pursuant to Section 13.06.145.							
<b>Lot Coverage (percentage)</b>								
Maximum lot coverage	-	-	-	-	-	35	-	-
<b>Max. Height Limits (in feet)</b>								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	<del>18-feet for buildings with sloped roofs with a minimum pitch of 3:12 15-feet for other accessory structures, buildings with flat roofs or with roofs with a pitch of less than 3:12 and for buildings in View Sensitive Overlay Districts.</del>							
Exceptions	Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.							

	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
<b>Setbacks (in feet)</b>	These residential setback requirements are designed to provide yard areas that help to minimize impacts between neighboring uses, allow space for recreational activities, allow access to light and air, serve as filtration areas for storm water run-off, provide a level of privacy and comfort, provide emergency and utility access around and into buildings, provide public view corridors, create a pleasing, rhythmic streetscape, promote consistency with existing development patterns, and promote the desired character of residential neighborhoods. Certain conditional uses may require different minimum setbacks. See Section 13.06.640.							
Minimum Front Setback	25	20	20	20	20	20	15	10
	For townhouse dwellings, the minimum front yard setback shall apply only along the front property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							
	Vehicular doors that face the front property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front property line or private road easement.							
	Pipestem lots shall provide the required front setback along one of the property lines that abut or are nearest to the accessway/lot extension. The accessway/lot extension shall not be included when measuring the setback. The front yard setback will determine the orientation of the other required setbacks.							

	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
Front Setback Averaging								

For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less.

Front yard averaging allows for this front yard to be the average of the front yards provided by the two abutting homes:  
 $20 \text{ ft.} + 10 \text{ ft.} / 2 = 15\text{-foot front yard required}$

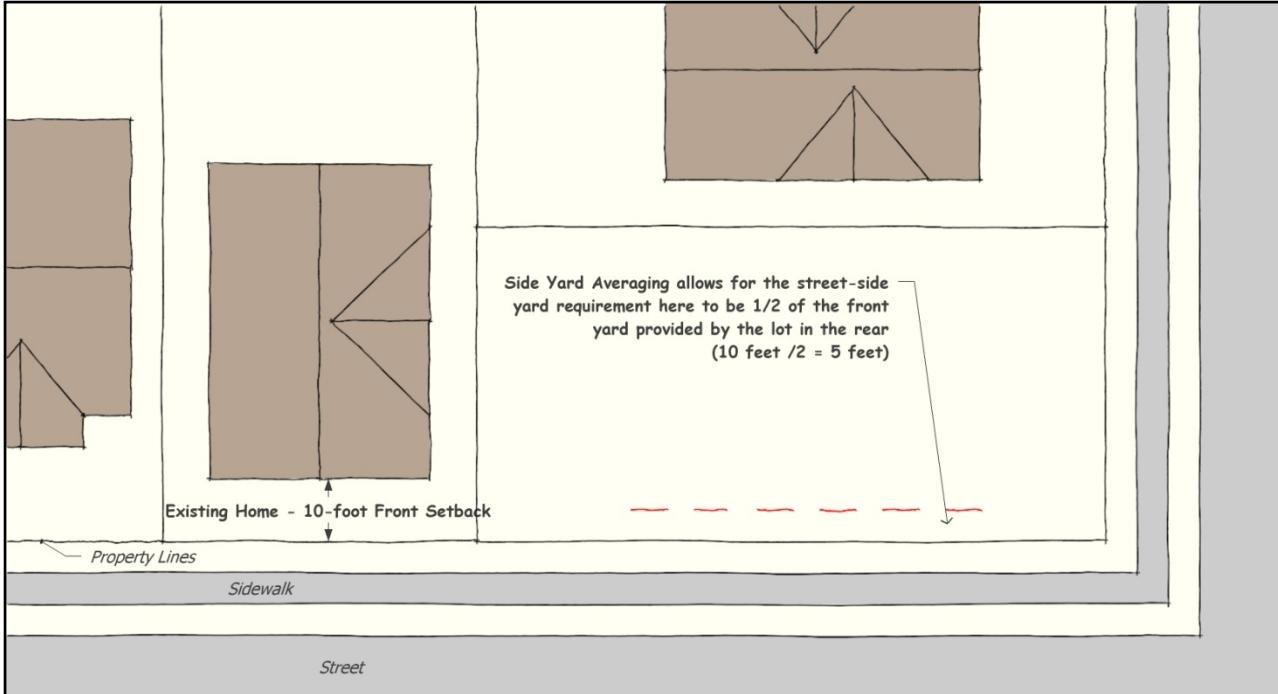
20-foot front setback

10-foot front setback

Sidewalk

Street

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
	(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.							
	<p>Front yard averaging allows for this front yard to be the average of the front and corner-side yards provided by the two abutting homes:  <math>5 \text{ ft.} + 10 \text{ ft.} / 2 = 7.5\text{-foot front yard required}</math></p> <p>5-foot Front Setback</p> <p>10-foot Side Setback</p> <p>Sidewalk</p> <p>Street</p> <p>Property Lines</p>							
	(2) For properties where one side abuts an undeveloped lot, a street or an alley, averaging shall be calculated by adding the setback provided on the adjacent developed lot and the minimum setback of the district in which it is located and dividing by two. (3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.							
Minimum Side Setback (Interior Lots)	7.5	5	5	5	5	5	5	5 ft. for buildings less than 6 stories Each side yard setback shall be increased 1-ft. in width for each story, or part thereof, above 6 stories.
	For townhouse dwellings, the minimum side yard setback shall apply only along the side property lines of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Minimum Side Setback (Corner Lots)								
	<p>On corner lots, the side yard setback regulations shall be the same as for interior lots, except where the rear lot line of a corner lot abuts the side lot line of a lot in the rear (see example below). In this case, there shall be a side yard setback on the street-side of such corner lot of not less than one-half of the front yard setback provided on the lot in the rear, but such side yard setback need not exceed half the standard front yard setback requirement for the district. In no case, however shall the side yard setback be less than five feet.</p> 							
Minimum Rear Setback	25	25	25	25	25	20	25 20 ft. for mobile home parks	20
	For townhouse dwellings, the minimum rear yard setback shall apply only along the rear property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							



\* \* \*

F. Accessory building standards. Accessory buildings permitted per Section 13.06.100.C.4, such as garages, sheds, common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-family uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85% of the square footage of the main building footprint and no more than 15% of the square footage of the lot. In addition, the total building footprint square footage of structures accessory to a single-family dwelling shall not exceed 1,000 square feet, except where properties contain a detached accessory dwelling unit, in which case, the total square footage of accessory building footprints (including the detached ADU) shall be no more than 1,500 square feet. See Section 13.06.150 for ADU standards. For lots greater than 1/2 acre (21,780 square feet), the total square footage of all accessory buildings shall be no more than 10 percent of the square footage of the lot (the 85 percent main building and 1,000/1,500 square foot limitations for smaller properties shall not apply).
2. A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.
3. Except for an approved Accessory Dwelling Unit (ADU – see Section 13.06.150), an accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.
4. Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.
5. Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.
  - a. For through lots, if there is an established pattern of “functional front and rear yards,” detached accessory buildings shall be allowed in the “functional rear yard.” A “functional rear/front yard” shall be defined by the established pattern of the block, based on the orientation of existing dwellings and location of existing detached buildings. If there is no defined pattern, a locational variance shall be required. The required front setback for such an accessory building shall be either the standard front yard setback for the zoning classification or the average of the accessory and/or main building setbacks provided on the adjacent lots, whichever is smaller. However, if such accessory building includes vehicular doors facing and accessing the adjacent street, the building or portion of the building with such doors shall be setback at least 20 feet.
  6. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front property line or private road easement.
  7. Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line.
  8. Commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district. Such storage containers may only be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.
  9. Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.510, including subsection 13.06.510.A.6.

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### **13.06.200 Commercial Districts.**

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

1. Implement goals and policies of the City’s Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide, and multi-county planning policies.
3. Create a variety of commercial settings matching scale and intensity of use to location.
4. Attract private investment in commercial and residential development.
5. Provide for predictability in the expectations for development projects.

6. Allow for creative designs while ensuring desired community design objectives.

B. Districts established.

1. T Transitional District. This district is intended as a transition between commercial or institutional areas and residential areas. It may also provide a transition between residential districts and commercial districts on arterial street segments supported by the Comprehensive Plan. It primarily consists of office uses with negligible off-site impacts. It is characterized by lower traffic generation, fewer operating hours, smaller scale buildings, and less signage than general commercial areas. Residential uses are also appropriate. A T Transitional District may, in limited circumstances, also be applied to locations that meet the unique site criteria of the Comprehensive Plan. This classification is not appropriate inside a designated mixed-use center.

2. C-1 General Neighborhood Commercial District. This district is intended to contain low intensity land uses of smaller scale, including office, retail, and service uses. It is characterized by less activity than a community commercial district. Building sizes are limited for compatibility with surrounding residential scale. Residential uses are appropriate. Land uses involving vehicle service or alcohol carry greater restriction. This classification is not appropriate inside a plan designated mixed-use center or single-family intensity area.

3. C-2 General Community Commercial District. This district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

4. HM Hospital Medical District. This district is intended for limited areas that contain hospitals and/or similar large scale medical facilities with limitations on non-medical uses to only allow uses which may serve typical needs of medical centers such as food and lodging. It is not intended for introduction into areas not containing or non-contiguous to a hospital or similar facility. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated low-intensity areas.

5. PDB Planned Development Business District. This district is intended to provide limited areas for a mix of land uses that includes warehousing, distribution, light assembly, media, education, research, and limited commercial. The developments in this district are intended to have fewer off-site impacts than would be associated with industrial or community commercial areas. Retail uses are size limited and signage is reduced. These areas should be designed for improved residential compatibility on boundaries by landscaping and other design elements. Sites should have reasonably direct access to a highway or major arterial. This district is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

[See next page for table.]

3. Use table abbreviations.

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

4. District use table.

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Adult family home	P	P	P	P	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	N	N	Prohibited except as provided for in Section 13.06.525.
Agricultural uses	CU	CU	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area. Livestock is not allowed.
Airport	CU	CU	CU	CU	CU	
Ambulance services	N	P	P	P	P	
Animal sales and service	N	P	P	N	N	Must be conducted entirely within an enclosed building. See Table 13.06.200.D for setback requirements specific to animal sales and service.
<b>Art/craft production</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>N</b>	<b>P</b>	<b>Contained entirely within a building</b>
Assembly facility	CU	P	P	N	P	
Brewpub	N	N	P	N	N	2,400 barrel annual brewpub production maximum, equivalent volume wine limit.
Building materials and services	N	N	P	N	N	
Business support services	N	P	P	N	P	
Carnival	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Cemetery/internment services	N	N	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.
Commercial parking facility	P	P	P	P	P	
Commercial recreation and entertainment	N	N	P	N	P	
Communication facility	N	N	P	N	P	
Confidential shelter	P	P	P	P	P	See Section 13.06.535. Limit: 15 residents in T District.
Continuing care retirement community	P	P	P	P	P	See Section 13.06.535.
Correctional facility	N	N	N	N	N	
<b>Craft food and non-alcoholic beverage production</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>N</b>	<b>P</b>	<b>See Section 13.06.700.C for use definition, which includes certain size limitations. In C-1 Districts, all production, processing, and distribution activities are to be conducted within an enclosed building.</b>

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
<b>Craft Production</b>	<b>CU</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.C. All production, processing and distribution activities are to be conducted within an enclosed building.</b>
Cultural institution	P	P	P	N	N	
Day care, family	P	P	P	P	P	
Day care center	P	P	P	P	P	Subject to regulations set forth in Section 13.06.155.
Detoxification center	N	N	N	CU	N	
Drive-through with any use	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Dwelling, single-family detached	P	P	P	P	P	
Dwelling, two-family	P	P	P	P	P	
Dwelling, three-family	P	P	P	P	P	
Dwelling, multiple-family	P	P	P	P	P	
Dwelling, townhouse	P	P	P	P	P	
Dwelling, accessory (ADU)	P	P	P	P	P	Subject to additional requirements contained in 13.06.150.
Eating and drinking	N	P/CU	P	P*	P*/CU*	In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See Section 13.06.700.E for the definitions of restaurants and drinking establishments.  In the C-2 district, live entertainment is limited to that consistent with either a Class "B" or Class "C" Cabaret license as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a Class "C" cabaret license as designated in Section 6B.70.  *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts
Emergency and transitional housing	CU	CU	P	CU	CU	See Sections 13.06.535 and 13.06.640.
Extended care facility	P	P	P	P	P	See Section 13.06.535.
Foster home	P	P	P	P	P	
Fueling station	N	P	P	N	N	
Funeral home	P	P	P	P	N	
Golf course	P	P	P	P	P	
Group housing	P	P	P	P	P	
Heliport	N	N	N	CU	N	
Home occupation	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	N	CU	CU	P	N	

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Hotel/motel	N	N	P	P	P	
Industry, heavy	N	N	N	N	N	
Industry, light	N	N	N	N	N	
Intermediate care facility	P	P	P	P	P	See Section 13.06.535.
Juvenile community facility	N	N	N	N	N	Prohibited except as provided for in Section 13.06.530.
Lodging house	P	P	P	P	P	
Master plans for any conditional use	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	N	N	
<b>Microwinery, limited</b>	<b>N</b>	<b>CU</b>	<b>P</b>	<b>N</b>	<b>CU</b>	<b>Must include a retail component that occupies a minimum of 500 gross square feet of usable space, fronts the street at sidewalk level or has a well marked and visible entrance at sidewalk level, and is open to the public a minimum of forty (40) hours per week.</b> <b>All production activities must be conducted within an enclosed building. Within C-1 districts, no outside storage is allowed. Outside storage is allowed in all other districts where this use is permitted provided screening and/or buffer landscape areas are planted in accordance with Section 13.06.502.B.</b>
Mobile home/trailer court	N	N	CU	N	N	
Nursery	N	N	P	N	N	
Office	P	P	P	P	P	
Parks, recreation and open space	P	P	P	P	P	Subject to the requirements of Section 13.06.560,D.
Passenger terminal	N	N	P	N	N	
Personal services	N	P	P	P*	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	
Religious assembly	P	P	P	P	P	
Repair services	N	P	P	N	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Research and development industry	N	N	N	N	P	
Residential care facility for youth	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.

<b>Uses</b>	<b>T</b>	<b>C-1</b>	<b>C-2<sup>1</sup></b>	<b>HM</b>	<b>PDB</b>	<b>Additional Regulations<sup>2,3</sup> (also see footnotes at bottom of table)</b>
Residential chemical dependency treatment facility	P	P	P	P	P	See Section 13.06.535.
Retail	N	P	P/CU~	P*	P*	<p>~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640.J.</p> <p>*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.</p>
Retirement home	P	P	P	P	P	See Section 13.06.535.
School, public or private	P	P	P	P	P	
Seasonal sales	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Self-storage	N	N	P	N	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.503.B.
Staffed residential home	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Student housing	P	P	P	P	P	
Surface mining	CU	CU	CU	CU	CU	See specific requirements in Section 13.06.540.
Temporary uses	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Theater	N	P	P	N	N	Movie theaters are limited to 4 screens. This does not include adult entertainment.
Transportation/freight terminal	N	N	P	P	P	
Utilities	CU	CU	CU	CU	CU	
Vehicle rental and sales	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Vehicle service and repair	N	P*	P	N	N	<p>*In the C-1 District, car washes are allowed with a limit of 2 washing bays. Washing bays shall be enclosed on at least 2 sides and covered with a roof. No water shall spray or drain off-site.</p> <p>Subject to development standards contained in Section 13.06.510.E.</p> <p>Prohibited in any commercial district combined with a VSD View Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).</p>
Vehicle service and repair, industrial	N	N	N	N	N	
Vehicle storage	N	N	N	N	N	
Warehouse, storage	N	N	N	N	N	
Wholesale or distribution	N	N	N	N	P	
Wireless communication facility	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/C U**	<p>*Wireless communication facilities are also subject to Section 13.06.545.D.1.</p> <p>**Wireless communication facilities are also subject to Section 13.06.545.D.2.</p>
Work release center	N	N	N	N	N	Prohibited except as provided for in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
<b>Footnotes:</b>						
1.	Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30 <sup>th</sup> Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and customer service offices.					
2.	For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.					
3.	Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.					

\* \* \*

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

A. District Purposes. The specific purposes of the Mixed-Use Center Districts regulations are to:

1. Increase the variety of development opportunities in Tacoma by encouraging greater integration of land uses within specific districts in a manner consistent with the Growth Management Act, the Regional Plan: Vision 2020, the County-Wide Planning Policies for Pierce County, and the City's Comprehensive Plan.
2. Strengthen the City's economic base by encouraging more efficient use of existing infrastructure and limited land supply through mixed-use, density, and design, as well as transit and pedestrian orientation in specified centers.
3. Allow and encourage a variety of housing options within mixed-use centers, including residences over businesses that can promote live-work arrangements which reduce demands on the transportation system.
4. Help provide employment opportunities closer to home and reduce vehicular trips for residents of the City and surrounding communities by encouraging mixed-use development.
5. Create a variety of suitable environments for various types of commercial and industrial uses, and protect them from the adverse effects of inharmonious uses.
6. Allow commercial and industrial growth in specified centers and/or districts while minimizing its impact on adjacent residential districts through requirements of buffering, landscaping, compatible scale, and design.
7. Accommodate and support alternative modes of transportation, including transit, walking, and bicycling, to reduce reliance on the automobile by making specified centers more "pedestrian-oriented" and "transit-oriented" through the provision of street amenities, landscaping, windows, continuous building frontages, limited curb cuts, and direct pedestrian entrances adjacent to the right-of-way and/or public sidewalk.
8. Locate and design parking to be consistent with the overall intent of providing a pedestrian and transit-supportive environment that encourages human-oriented design instead of vehicle-oriented design and promotes alternatives to single-occupancy vehicles. Examples include building location at the street, parking location behind or within buildings, adequate screening, avoidance of pedestrian-vehicle conflicts, and conveniently located transit stops.
9. Within Centers, the core areas of the district are the central hub and focus for the greatest level of growth and activity. Within these core areas, enhanced standards and design flexibility is appropriate to ensure that they are developed consistent with the community vision and goals for these areas, as outlined in the Comprehensive Plan.

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

1. NCX Neighborhood Commercial Mixed-Use District. To provide areas primarily for immediate day-to-day convenience shopping and services at a scale that is compatible and in scale with the surrounding neighborhood, including local retail businesses, professional and business offices, and service establishments. This district is intended to enhance, stabilize, and preserve the unique character and scale of neighborhood centers and require, where appropriate, continuous retail frontages largely uninterrupted by driveways and parking facilities with street amenities and direct pedestrian access to the sidewalk and street. Residential uses are encouraged as integrated components in all development.
2. CCX Community Commercial Mixed-Use District. To provide for commercial and retail businesses intended to serve many nearby neighborhoods and draw people from throughout the City. These areas are envisioned as evolving from traditional suburban development to higher density urban districts. Walking and transit use are facilitated through designs which decrease walking distances and increase pedestrian safety. Uses include shopping centers with a wide variety of commercial establishments; commercial recreation; gas stations; and business, personal, and financial services. Residential uses are encouraged in CCX Districts as integrated development components.
3. UCX and UCX-TD Urban Center Mixed-Use District. To provide for dense concentration of residential, commercial, and institutional development, including regional shopping centers, supporting business and service uses, and other regional attractions. These centers are to hold the highest densities outside the Central Business District. An urban center is a focus for both regional and local transit systems. A TD designation is used for the Urban Center Mixed-Use District in the Tacoma Dome area to provide specific transit-oriented development, consistent with the Tacoma Dome Area Plan. Walking and transit use is facilitated through designs which decrease walking distances and increase pedestrian safety. Residential uses are encouraged in UCX Districts as integrated development components.
4. RCX Residential Commercial Mixed-Use District. To provide sites for medium- and high-intensity residential development in centers, with opportunities for limited mixed use. This district is primarily residential in nature and provides housing density on the perimeter of more commercial mixed-use zones. Commercial uses in this district are small in scale and serve the immediate neighborhood. These uses provide opportunities for employment close to home. This district frequently provides a transition area to single-family neighborhoods.
5. CIX Commercial Industrial Mixed-Use District. To provide sites for a mix of commercial establishments and limited industrial activities, including light manufacturing, assembly, distribution, and storage of goods, but no raw materials processing or bulk handling. Larger scale buildings are appropriate. Residential uses are permitted.
6. NRX Neighborhood Residential Mixed-Use District. To provide for a predominantly residential neighborhood, to discourage removal of existing single-family residential structures; and to encourage in-fill residential development of appropriate size and design. This district is designed for areas characterized by an established mix of housing types and limited neighborhood commercial uses, in areas which were formerly zoned to permit residential development at densities greater than single-family, where redevelopment removed many existing single-dwelling structures and where there is continued development pressure that threatens single-family dwellings. Adaptive reuse of existing single-family detached structures as duplexes or triplexes is permitted with special review. Multiple-family dwellings in existence at the time of reclassification to NRX are conforming uses.
7. URX Urban Residential Mixed-Use District. To provide sites for medium intensity residential development, such as townhouses, condos and apartments. This district is residential in nature and provides housing density in proximity to more commercial mixed use zones. This district serves as a transition between more intensive MUC uses and surrounding residential areas.
8. HMX Hospital Medical Mixed-Use District. This district is intended for limited areas that contain hospitals and/or similar large-scale medical facilities along with a dense mix of related and supportive uses, such as outpatient medical offices, care facilities, counseling and support services, medical equipment and support facilities, food and lodging. Residential uses are also appropriate. The district includes limitations on non-medical and non-related uses. It is not intended for introduction into areas not containing or non-contiguous to a hospital or similar facility. Walking and transit use is facilitated through designs which decrease walking distances and increase pedestrian safety. This classification is not appropriate inside Comprehensive Plan designated low-intensity areas.

C. Applicability and pedestrian streets designated.

Applicability. The following tables compose the land use regulations for all Mixed-Use Center Districts. All portions of Section 13.06.300 and applicable portions of Section 13.06.500, apply to all new development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts, unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.300.A through 13.06.300.D are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

**TABLE C.1: MIXED-USE CENTER PEDESTRIAN STREETS ESTABLISHED**

The following pedestrian streets are considered key streets in the development and utilization of Tacoma's mixed-use centers, due to pedestrian use, traffic volumes, transit connections, and/or visibility. They are designated for use with certain provisions in the mixed-use zoning regulations, including use restrictions and design requirements, such as increased transparency, weather protection and street furniture standards. In some centers, these "pedestrian streets" and/or portions thereof are further designated as "core pedestrian streets" for use with certain additional provisions. The "core pedestrian streets" are a subset of the "pedestrian streets," and thus, those provisions that apply to designated "pedestrian streets" also apply to designated "core pedestrian streets."

<b>Mixed-Use Center</b>	<b>Designated Pedestrian Streets</b> (All portions of the streets within Mixed-Use Centers, unless otherwise noted.)	<b>Designated Core Pedestrian Streets</b> (All portions of the streets within Mixed-Use Centers, unless otherwise noted)
6th Avenue and Pine Street	6th Avenue	6 <sup>th</sup> Avenue
Narrows (6 <sup>th</sup> Avenue and Jackson)	6 <sup>th</sup> Avenue	6 <sup>th</sup> Avenue
Downtown Tacoma (Tacoma Dome Area)	Puyallup Avenue; East 25th Street*; East 26th Street; East D Street	N/A
McKinley (East 34 <sup>th</sup> and McKinley)	McKinley Avenue from Wright Avenue to East 39 <sup>th</sup> Street*	McKinley Avenue from Wright Avenue to East 36 <sup>th</sup> Street
Lower Portland Avenue	Portland Avenue*, East 32 <sup>nd</sup> Street, East 29 <sup>th</sup> Street	Portland Avenue
Proctor (North 26th Street and Proctor Street)	North 26th Street; North Proctor Street*	North 26 <sup>th</sup> Street; North Proctor Street
Stadium (North 1st Street and Tacoma Avenue)	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue*; North 1st Street; North I Street	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue; North 1st Street
Martin Luther King Jr. (South 11th Street and Martin Luther King Jr. Way)	Martin Luther King Jr. Way*; South 11th Street; Earnest S. Brazill Street; 6th Avenue	Martin Luther King Jr. Way from S. 9th to S. 15th, South 11th Street; Earnest S. Brazill Street
Lincoln (South 38th Street and G Street)	South 38th Street*, <del>South G and</del> Yakima Avenue from South <del>36th</del> <sup>37th</sup> -Street to South 39th Street; <del>and South G Street south of 36th Street</del>	South 38th Street, <del>South G Street north of Division Avenue</del>
South 34th and Pacific	Pacific Avenue	Pacific Avenue
South 56th Street and South Tacoma Way	South Tacoma Way*; South 56th Street	South Tacoma Way
East 72nd Street and Portland Avenue	East 72nd Street*; Portland Avenue	East 72nd Street, Portland Avenue
South 72nd Street and Pacific Avenue	South 72nd Street; Pacific Avenue*	Pacific Avenue
Tacoma Central/Allenmore	Union Avenue*; South 19th Street between South Lawrence Street and South Union Avenue	Union Avenue south of South 18th Street; South 19th Street between South Lawrence Street and South Union Avenue
Tacoma Mall Area	South 47th/48th Transition Street; Steele Street*	N/A
TCC/James Center	Mildred Street*; South 19th Street	Mildred Street south of South 12th Street; South 19th Street
Westgate	Pearl Street*; North 26th Street	Pearl Street

\* Indicates primary designated pedestrian streets. In centers where multiple streets are designated, one street is designated the Primary Pedestrian Street. This is used when applying certain provisions, such as the maximum setback requirements for projects that abut more than one pedestrian street.

D. Land use requirements.

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

2. Use table abbreviations.

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

3. District use table.

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Adult family home	P	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E.
Adult retail and entertainment	N	N	N	N	N	N	N	N	N	Prohibited, except as provided for in Section 13.06.525.
Agricultural uses	N	N	N	N	N	N	N	N	N	
Airport	CU	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	CU	CU	CU	N	P	P	N	N	
Animal sales and service	P	P	P	P	N	P	N	N	N	Except in the CIX District, must be conducted entirely within an enclosed structure. Must be set back 20 feet from any adjacent residential district or use.
<i>Art/craft production</i>	P	P	P	P	P	P	N	N	N	
Assembly facility	P	P	P	P	CU	P	N	N	N	Prohibited at street level along designated pedestrian streets in NCX. <sup>2</sup>
Brewpub	P	P	P	P	P	P	N	N	N	Brewpubs located in NCX, CCX, UCX, and RCX shall be limited to producing, on-premises, a maximum of 2,400 barrels per year of beer, ale, or other malt beverages, as determined by the annual filings of barrelage tax reports to the Washington State Liquor Control Board. UCX-TD is limited to 5,000 barrels in the same manner. Equivalent volume winery limits apply.
Building materials and services	N	P	P	CU	N	P	N	N	N	Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Business support services	P	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. Customer service offices must be located at building fronts on designated pedestrian streets in NCX.
Carnival	TU	TU	P	TU	N	TU	TU	TU	N	Subject to Section 13.06.635.
Cemetery/internment services	N	N	N	N	N	N	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.
Commercial parking facility	P	P	P	P	N	P	P	N	N	In UCX-TD, only permitted if provided in a structure or below ground facility. Prohibited at street level along frontage of designated pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Commercial recreation and entertainment	P	P	P	P	N	P	N	N	N	

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Communication facility	CU	CU	P	P	N	P	N	N	N	Prohibited at street level along frontage of designated pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Confidential shelter	P	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX. <sup>2</sup> Not subject to minimum densities founding Section 13.06.300.E.
Continuing care retirement community	P	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX. <sup>2</sup>
Correctional facility	N	N	N	N	N	N	N	N	N	
<b>Craft food and non-alcoholic beverage production</b>	P	P	P	P	P	P	N	N	N	<p>See Section 13.06.700.C for use definition, which includes certain size limitations.</p> <p>In NCX, CCX, and RCX Districts, all production, processing, and distribution activities are to be conducted within an enclosed building.</p>
<u>Craft Production</u>	P	P	P	P	P	P	N	N	N	<p>Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public.</p> <p>Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.D.</p> <p>All production, processing and distribution activities are to be conducted within an enclosed building.</p>
Cultural institution	P	P	P	P	N	P	N	N	N	
Day care, family	P	P	P	P	P	N	P	P	P	
Day care center	P	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. <sup>1</sup>
Detoxification center	N	N	N	N	N	CU	CU	N	N	
Drive-through with any use	P	P	P	P	N	P	P*	N	N	<p>See Section 13.06.510 Table 2 for additional driveway and drive-through standards and restrictions.</p> <p>* In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses.</p>
Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities.
Dwelling, two-family	P	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities.

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Dwelling, three-family	P	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities.
Dwelling, multiple-family	P	P	P	P	P	P	P	P	N	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities. In the NRX District, multiple-family dwellings lawfully in existence on August 31, 2009, the time of reclassification to this district, shall be considered permitted uses; said multiple-family dwellings may continue and may be changed, repaired, replaced or otherwise modified, provided, however that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling at the time of reclassification to this district.
Dwelling, townhouse	P	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities.
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.150 for specific Accessory Dwelling Unit (ADU) Standards.
Eating and drinking	P	P	P	P	P	P	P*	N	N	Outdoor seating is permitted with a 12-seat maximum in RCX. In RCX live entertainment is limited to that consistent with a Class "C" Cabaret license, as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with either a Class "B" or Class "C" Cabaret license, as designated in Chapter 6B.70. *Limited to 7,000 square feet of floor area, per business, in the HMX District.
Emergency and transitional housing	CU	P	P	P	CU	N	CU	CU	CU	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Extended care facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Foster home	P	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Fueling station	N	P	P	P	N	P	N	N	N	Prohibited along frontage of designated pedestrian streets within the UCX and CCX Districts. <sup>2</sup> Fueling station pump islands, stacking lanes and parking areas shall be located at the side or rear of the building.
Funeral home	P	P	P	P	N	P	P	N	N	
Golf course	N	N	N	N	N	N	N	N	N	
Group housing	P	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Heliport	N	N	N	N	N	CU	CU	N	N	
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 Sections 13.06.100.E and 13.06A.050.
Hospital	N	CU	CU	CU	N	P	P	N	N	
Hotel/motel	P	P	P	P	N	P	P	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	P	N	P	N	N	N	In UCX-TD, only permitted if 50 percent of site contains an enclosed building.
Intermediate care facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Juvenile community facility	P	P	P	P	P/CU	P	N	P/CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.530 for additional information about size limitations and permitting requirements.
Lodging house	P	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Master plan for any conditional use	CU	CU	CU	CU	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	P	N	P	N	N	N	Microbreweries shall be limited to 15,000 barrels per year of beer, ale, or other malt beverages, as determined by the filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.
Microwinery, limited	P	P	P	P	N	P	N	N	N	<p style="color:red">Must include a retail component that occupies a minimum of 500 gross square feet of usable space, fronts the street at sidewalk level or has a well marked and visible entrance at sidewalk level, and is open to the public a minimum of forty (40) hours per week.</p> <p style="color:red">All production activities must be conducted within an enclosed building. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.D.</p>
Mobile home/trailer court	N	N	N	N	N	N	N	N	N	
Nursery	P	P	P	N	N	P	N	N	N	
Office	P	P	P	P	P	P	P	N	N	Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street. <sup>1</sup>

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Parks, recreation and open space	P	P	P	P	P	P	P	P	P	Not subject to RCX residential requirement. <sup>1</sup> Subject to the requirements of Section 13.06.560.D.
Passenger terminal	P	P	P	P	N	P	N	N	N	
Personal services	P	P	P	P	P	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	P	P	P	CU	In the NRX District, unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. See Section 13.06.640. Not subject to RCX residential requirement. <sup>1</sup>
Religious assembly	P	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. <sup>1</sup>
Repair services	P	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited.
Research and development industry	N	N	N	N	N	P	N	N	N	
Residential care facility for youth	P	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In CCX and NCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Retail	P	P/CU~	P/CU~	P/CU~	P	P/CU~	P*	N	N	~ A conditional use permit is required for retail uses exceeding 45,000 square feet. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HMX District.
Retirement home	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
School, public or private	P	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement. <sup>1</sup>
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	TU	Subject to Section 13.06.635.

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Self-storage	N	P	P	P	N	P	N	N	N	See specific requirements in Section 13.06.503.B. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Staffed residential home	P	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX and CCX Districts. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E.
Student housing	P	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Surface mining	CU	CU	CU	CU	CU	CU	CU	CU	N	
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.635
Theater	P	P	P	P	N	P	N	N	N	Theaters only permitted up to 4 screens in NCX and CCX. Theaters only permitted up to 6 screens in CIX.
Transportation/freight terminal	P	P	P	P	N	P	P	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Not subject to RCX residential requirement. <sup>1</sup>
Vehicle rental and sales	N*	P	P	P	N	P	N	N	N	In UCX-TD, only permitted if 50 percent of site contains an enclosed building. In CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> *Use permitted in the 56th Street and South Tacoma Way Mixed-Use Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited.
Vehicle service and repair	N*	P	P	P	N	P	N	N	N	All activities must occur within buildings; outdoor storage and/or repair is prohibited. Subject to development standards contained in Section 13.06.510.E. In UCX-TD, only permitted if 50 percent of site contains an enclosed building. In CCX Districts, prohibited along frontage of designated core pedestrian streets. <sup>2</sup> *Use permitted in the 56th Street and South Tacoma Way Mixed-Use Center NCX only, provided all activities occur entirely within buildings; outdoor storage and/or repair is prohibited.
Vehicle service and repair, industrial	N	N	P	P	N	P	N	N	N	Subject to additional development standards contained in Section 13.06.510.E.
Vehicle storage	N	N	N	N	N	P	N	N	N	Subject to development standards contained in Section 13.06.510.D.
Warehouse, storage	N	N	N	N	N	P	N	N	N	
Wholesale or distribution	N	N	N	N	N	P	N	N	N	

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Wireless communication facility	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work release center	N	N	CU	N	N	CU	N	N	N	Permitted with no more than 15 residents in the UCX and no more than 25 residents in the CIX, subject to a Conditional Use Permit and the development regulations found in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	N	

**Footnotes:**

1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.
2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.300.C. for the list of designated pedestrian and core pedestrian streets.
3. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.
4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.
5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.510.A.1 Table 2

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

a. Applicability. Where applicable in the Mixed-Use Centers, the height bonus provision allows for projects to be eligible to increase the standard maximum height limit through the incorporation of one or more public benefit features into the development of the project. These public benefit features are divided into two levels, each of which is outlined below (see graphic on the next page). The following table details the areas within the various neighborhood centers that are eligible for this height bonus program and the maximum additional height allowed through each of the two bonus levels:

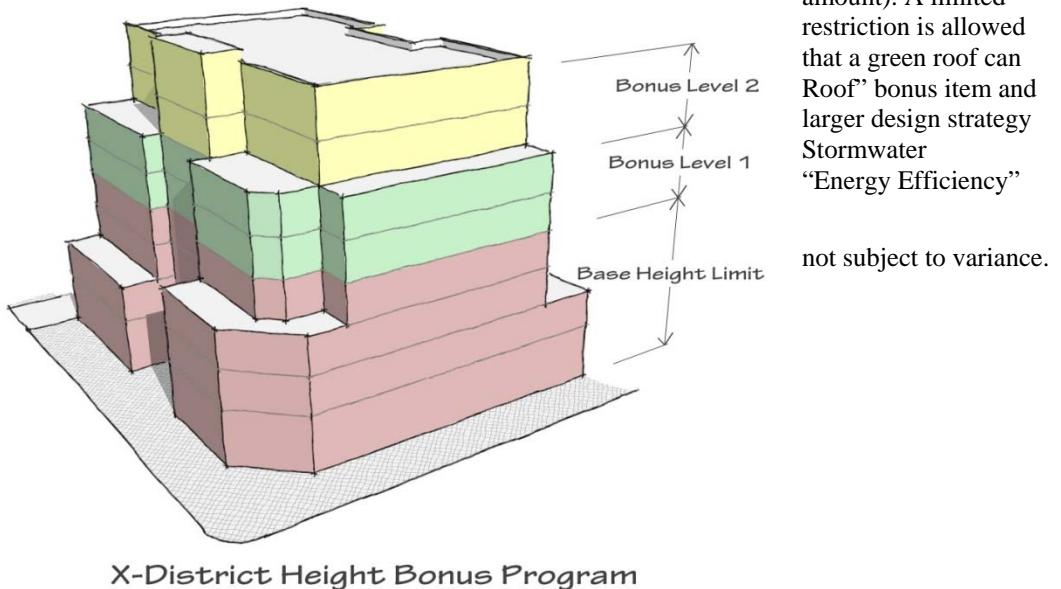
<b>Zoning District &amp; Center</b>	<b>Base Height Limit (allowed without any bonus items)</b>	<b>Maximum Height Allowed Through Level 1<sup>3</sup></b>	<b>Maximum Height Allowed Through Level 2<sup>3</sup></b>
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Proctor, Lincoln, 6 <sup>th</sup> & Pine, McKinley, and Narrows Centers)	45 feet	65 feet	Not Available
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Stadium Center)	65 feet	75 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (56 <sup>th</sup> & South Tacoma Way Center)	45 feet	65 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (MLK Center – property within 200 ft of Core Pedestrian Street) <sup>1</sup>	45 feet	65 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (MLK Center – property not within 200 ft of core pedestrian street) <sup>1</sup>	45 feet	65 feet	Not Available
<b>RCX – Residential Commercial Mixed-Use District</b> (MLK Center – east of MLK Jr. Way and between 9 <sup>th</sup> and 13 <sup>th</sup> Streets)	60 feet	70 feet <sup>2</sup>	80 feet
<b>CIX – Commercial-Industrial Mixed-Use District</b> (56 <sup>th</sup> & South Tacoma Way Center)	75 feet	90 feet	100 feet

**Footnotes:**

1. The 200-foot depth used to define some of the areas eligible for the height bonus program shall be extended to encompass an entire development site when at least 60% of the development site is within the standard 200-foot deep bonus area. For purposes of this provision, the “development site” can include multiple parcels as long as they are part of the same project proposal and are abutting or separated by no more than an alley right-of-way.
2. Within the RCX-zoned area, the “Residential Use” item that is provided within the Level 1 bonus palette is not available.
3. Projects that qualify for this program are still subject to the upper-story stepback restrictions found in Section 13.06.503.A.

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

- (1) In no case, regardless of how many bonus features are incorporated, can the additional maximum height limits outlined above be exceeded.
- (2) In cases where the bonus height associated with a feature exceeds the maximum bonus height available, that bonus feature can be incorporated but shall only be worth the maximum amount available. For example, if the maximum amount available is 10 feet and a project incorporates the “Affordable Housing” bonus feature (which is normally worth 20 feet), that feature would only be worth 10 feet in that case.
- (3) Within each level, projects can include any combination of the available features to achieve the additional allowed height. In those areas where the maximum height bonus available is divided into two steps, the bonus features in the Level 2 palette cannot be utilized for the first step of additional height and the bonus features in the Level 1 palette cannot be utilized for the second step of additional height.
- (4) The bonus palettes identify the minimum of what must be incorporated in order to achieve each feature and qualify for the associated bonus height. Bonus features must be provided in full in order to qualify and partial credit is not available. For example, the “Residential Use” bonus feature requires that at least 50% of the project be residential in order to receive 10 feet of additional height – providing 25% of the project as residential is not worth 5 feet.
- (5) Bonus features cannot be counted more than once toward the additional allowed height or be worth more than the maximum height identified for that feature, even if the project provides more than the minimum amount required to qualify (providing a bonus twice the level twice the bonus exception to this for green roofs, such count as the “Green also be one part of a to achieve the “LID Management” or bonus items.
- (6) Bonus features are



(7) Height Bonus Palette – Level 1:

HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
<b>PEDESTRIAN-ORIENTED ENVIRONMENT</b>		
Ground Floor Retail or Restaurant	At least 70% of ground floor project street frontage along the designated core pedestrian street designed to accommodate retail and/or restaurant uses. Retail space(s) shall be a minimum of 1,000 square feet and have a minimum depth and width of 25 feet. Restaurant space(s) shall be a minimum of 2,000 square feet and shall incorporate necessary venting and sewer facilities. The space shall have a minimum interior height of 12 feet from the finished floor to the finished ceiling above and have direct visibility and accessibility from the public sidewalk. Projects not fronting on a core pedestrian street are ineligible to use this palette item.	5 feet
Public Art (1%)	A feature worth 1% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council), to be installed on-site, exterior to the building with a location and design that benefits the streetscape, or in an approved off-site location within the same Mixed-Use Center and within 1,000 feet of the project site. Art features shall be coordinated with the City's Arts Administrator and approved by the Arts Commission.	5 feet
Structured Parking (50%)	At least 50% of the required parking is provided within the building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be based on the amount of parking that would be required for the proposed development if it were not exempted.	10 feet
Structured Parking (100%)	All parking is provided within building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be at least the amount of parking that would be required for the proposed development if it were not exempted.	20 feet
<b>TRANSIT-ORIENTED DEVELOPMENT</b>		
Transit Stop/Station Improvement	Provide twice the level of improvements that are required by code. If no improvements are required, provide the first level of required improvements. Only applicable to transit stops located within 500 feet of the project site. Must coordinate with Pierce Transit. See Section 13.06.511, Transit Support Facilities.	5 feet
Residential Use	Residential use for at least 50% of a mixed-use project's floor area.	10 feet
<b>SUSTAINABILITY</b>		
LID Stormwater Management	Manage stormwater through an integrated system and management plan that utilizes various low impact development techniques, such as permeable surfaces, roof rainwater collection systems, bioretention/rain gardens, etc. System shall be designed to result in no net increase in the rate and quantity of stormwater runoff from existing to developed conditions or, if the amount of existing imperviousness on the project site is greater than 50%, the system shall be designed to result in a 25% decrease in the rate and quantity of stormwater runoff. The system shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.	10 feet
Green Roof	Provide a green roof that covers at least 60% of the building footprint. Green roofs shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities. Green roofs shall conform to best available technology standards, such as those published by Leadership in Energy and Environmental Design (LEED).	10 feet

HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
Solar Energy Collection	Install a solar energy collection system on the site that is designed to provide at least 15% of the expected annual operating energy for the building. The system shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such systems.	10 feet
Adjacent Historic Rehabilitation	Retention, renovation and incorporation of a designated or listed City Landmark adjacent to new construction. Renovation must qualify as a “substantial rehabilitation” as defined in RCW 84.26.020(2). Incorporation and renovation shall be coordinated with the City’s Historic Preservation Officer and approved by the Landmarks Preservation Commission.	10 feet
Landmark Designation	Voluntary placement of any significant, historic building in the same Mixed-Use Center on the Tacoma Register of Historic Places. Notice of intent to utilize incentive required in writing prior to submittal of Landmark Nomination. Listing is subject to the approval of the Landmarks Preservation Commission and City Council.	10 feet
Historic Façade Retention	Retention and incorporation of an existing façade that is 50 or more years in age. The project shall retain 100% of the original front wall surface, window and door configurations, cornice line, parapet and any original architectural ornamentation. New construction exceeding the height of the original façade must be setback behind the street-side plane of the original façade. Subject to the approval of the Historic Preservation Officer.	10 feet
Energy Efficiency	Design the structure to reduce energy usage beyond the prerequisite standards by at least 20% for new structures and 10% for existing structures or existing portions of structures. Project shall utilize an energy cost budget analysis to demonstrate energy savings over current standards.	10 feet
QUALITY OF LIFE		
Affordable Housing	At least 20% of residential units provided for households making less than 80% of area median income. In order to qualify, the affordable units shall meet all of the standards prescribed through the City’s Multi-family Property Tax Incentive program.	20 feet
Affordable Housing Trust Fund	Contribution to the City’s Housing Trust Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). This contribution would be made available in loans or grants to public or private developers for the development of housing for households making less than 80% of area median income. First priority for the use of the contribution would be within the mixed-use center where the project contribution is being made.	10 feet
Open Space Fund Contribution (0.5%)	Contribution to the City’s Open Space Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). These funds would be utilized for acquisition and management of open spaces within the City, with a particular focus, when appropriate, on acquiring and managing open spaces within and in close proximity to the subject Mixed-Use Center.	10 feet
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area. <i>This feature shall become effective as of the date of adoption of a TDR program by the City.</i>	10 feet

(8) Height Bonus Palette – Level 2:

HEIGHT BONUS PALETTE – LEVEL 2		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
<b>QUALITY OF LIFE</b>		
Open Space Fund Contribution (0.5%)	Contribution to the City's Open Space Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). These funds would be utilized for acquisition and management of open spaces within the City, with a particular focus, when appropriate, on acquiring and managing open spaces within and in close proximity to the subject Mixed Use Center.	10 feet (Stadium Center and MLK Center RCX-zoned area); 20 feet (MLK and 56 <sup>th</sup> & South Tacoma Way Centers)
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area. <del>This feature shall become effective as of the date of adoption of a TDR program by the City.</del>	10 feet (Stadium Center and MLK Center RCX-zoned area); 20 feet (MLK and 56 <sup>th</sup> & South Tacoma Way Centers)

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#### **13.06.400 Industrial Districts.**

The 400 series contains regulations for all industrial classifications, including the following:

- M-1 Light Industrial District
- M-2 Heavy Industrial District
- PMI Port Maritime & Industrial District

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### **13.06.400.C Land use requirements.**

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.400. All portions of Section 13.06.400 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use Requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

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

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
Agricultural uses	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area.
Airport	CU	CU	CU	
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
<b>Art/craft production</b>	<b>P</b>	<b>P</b>	<b>P</b>	
Assembly facility	P	P	N	
Brewpub	P	P	P	
Building material and services	P	P	P	
Business support services	P	P	P	
Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District
Cemetery/internment services	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.
Commercial parking facility	P	P	P	
Commercial recreation and entertainment	P/CU*	P/CU*	N	*Within the South Tacoma M/IC Overlay District, a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district.
Communication facility	P	P	P	

<b>Uses</b>	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>	<b>Additional Regulations<sup>1</sup></b>
Confidential shelter	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Continuing care retirement community	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Correctional facility	P	P	P	
<u>Craft food and non-alcoholic beverage production</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 13.06.700.C for use definition, which includes certain size limitations.</u>
<u>Craft Production</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Cultural institution	P/CU*	P/CU*	N	*Conditional use within the South Tacoma M/IC Overlay District, unless an accessory use.
Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Day care center	P	P	N	Subject to development standards contained in Section 13.06.155.
Detoxification center	CU	CU	N	
Drive-through with any permitted use	P	P	P	
Dwelling, single-family detached	P/N*~	N*~	N*~	In M-1 districts, single-, two- and three-family and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision.
Dwelling, two-family	P/N*~	N*~	N*~	
Dwelling, three-family	P/N*~	N*~	N*~	
Dwelling, multiple-family	P/N*~	N*~	N*~	
Dwelling, townhouse	P/N*~	N*~	N*~	In M-1 districts, new multi-family residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District except for quarters for caretakers and watchpersons and temporary worker housing, as noted above.
Dwelling, accessory (ADU)	P/N~	N	N	Subject to additional requirements contained in 13.06.150. ~Not permitted within the South Tacoma M/IC Overlay District.
Eating and drinking	P	P	P	
Emergency and transitional housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008 the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.

<b>Uses</b>	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>	<b>Additional Regulations<sup>1</sup></b>
Extended care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Fueling station	P	P	P	
Funeral home	P	P	N	
Golf course	P/N*	P/N*	N	*Not permitted within the South Tacoma M/IC Overlay District.
Group housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Heliport	CU	CU	CU	
Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District. ~Not permitted within the South Tacoma M/IC Overlay District.
Hotel/motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Industry, heavy	N	P	P	Animal slaughter, fat rendering, acid manufacture, smelters, and blast furnaces allowed in the PMI District only.
Industry, light	P	P	P	
Intermediate care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.

<b>Uses</b>	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>	<b>Additional Regulations<sup>1</sup></b>
Lodging house	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Master plan for any conditional use	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	P	P	P	
<b>Microwinery, limited</b>	<b>P</b>	<b>P</b>	<b>P</b>	
Mobile home/trailer court	N	N	N	
Nursery	P	P	N	
Office	P*	P*	P	*Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district.
Parks, recreation and open space	P	P	P	Subject to the requirements of Section 13.06.560.D.
Passenger terminal	P	P	P	
Personal services	P	P	P	
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	P*	*Preferred use.
Public safety and public service facilities	P	P	P	
Religious assembly	P	P	P	
Repair services	P	P	P	
Research and development industry	P	P	N	
Residential care facility for youth	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Residential chemical dependency treatment facility	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.

<b>Uses</b>	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>	<b>Additional Regulations<sup>1</sup></b>
Retail	P~	P~	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District. ~Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per use, unless approved with a conditional use permit. See Section 13.06.640.J.
Retirement home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
School, public or private	P/N*	P/N*	P/N*	*General K through 12 education not permitted in the PMI District or in the South Tacoma M/IC Overlay District.
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.635.
Self-storage	P	P	P	See specific requirements in Section 13.06.503.B.
Staffed residential home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Student housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Surface mining	CU	CU	CU	
Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.635.
Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Transportation/freight terminal	P	P	P	
Utilities	P	P	P	
Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.510.

<b>Uses</b>	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>	<b>Additional Regulations<sup>1</sup></b>
Warehouse/storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
Wholesale or distribution	P	P	P	
Wireless communication facility	P*/CU**	P*/CU**	P*/CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work release center	CU	CU	P	Subject to development standards contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	P	
<b>Footnotes:</b>				
1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.				

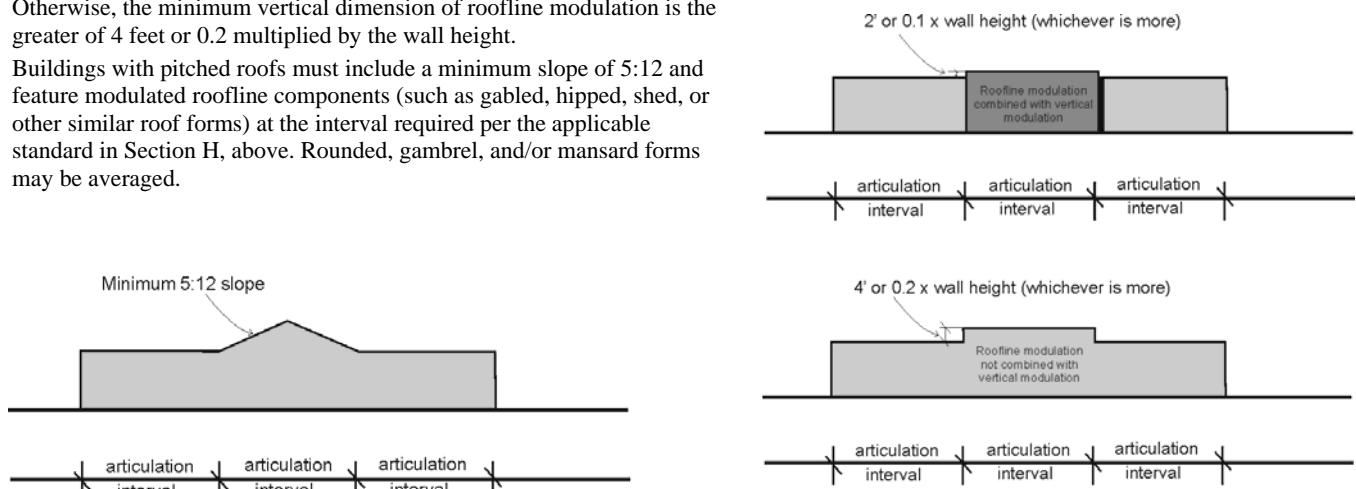
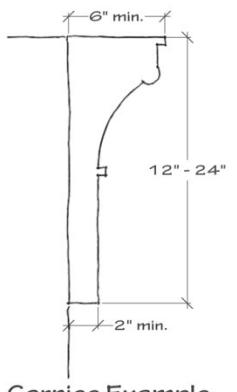
E. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.400 by reference.

Refer to Section 13.06.500 for the following requirements for development in Industrial Districts:

- 13.06.502 Landscaping and/or buffering standards.
- 13.06.503 Residential transition standards.
- 13.06.510 Off-street parking and storage areas.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.
- 13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area)

\* \* \*

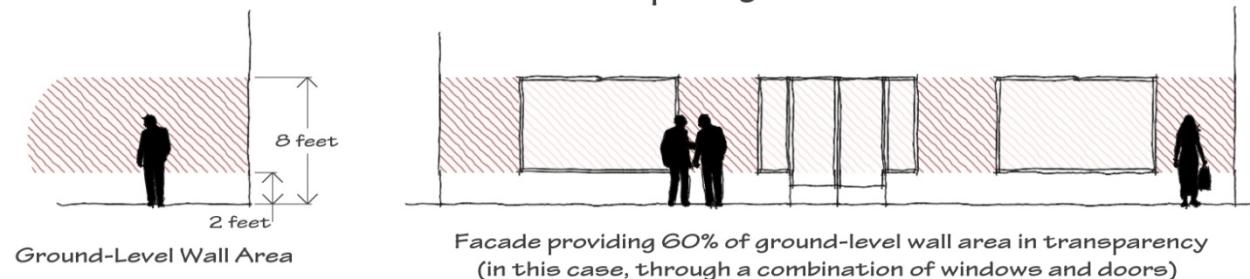
**I. X-District Roofline Standards.** The following requirements apply to all development located in any X-District, unless specifically exempted. They are intended to ensure that roofline is addressed as an integral part of building design to discourage flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with human scale development.

<p>1. Roofline modulation. Roofline modulation is not required of all buildings. However, in order to qualify as a façade articulation element in other mass reduction standards herein, the roofline shall meet the following modulation requirements along façades facing a street:</p>	<p>a. For flat roofs or facades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.</p> <p>b. Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components (such as gabled, hipped, shed, or other similar roof forms) at the interval required per the applicable standard in Section H, above. Rounded, gambrel, and/or mansard forms may be averaged.</p> 
<p>2. Flat roof standards. Buildings or portions thereof featuring flat roofs (horizontal roofs with either no slope or only a slope sufficient to effect drainage, often which incorporate surrounding parapets) that do not incorporate roofline modulation, as described above, shall employ decorative roofline treatments incorporating one or more of the following design elements along façades facing a street:</p>	<p>a. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. See graphic at right. The height of the cornice shall be at least 12-inches high for buildings 10 feet or less in height; 18-inches for buildings greater than 10 feet and less than 30 feet in height; and 24-inches for buildings 30 feet and greater in height. The cornice must extend along at least 75 percent of the façade.</p> <p>b. A one-piece cornice element that projects at least 18 inches from the façade for buildings four stories or less or at least 2 feet from the façade for buildings taller than 4 stories. The cornice line must extend along at least 75 percent of the façade.</p> <p>c. Use of balcony/deck railings that function as a visual roofline element. Such railings must be at least 2 feet in height and extend along at least 75 percent of the facade and shall be visible from the adjacent street centerline.</p> <p>d. Use of contrasting building materials on the top floor or top two floors for buildings five stories or taller, for at least 75 percent of the facade.</p> 
3. Roofline elements shall not project over property lines, except where permitted on property lines abutting public right-of-way.	
4. Canopy Exemption. Fueling station canopies, drive through canopies, or similar canopies are exempt from roofline requirements.	

**J. X-District Windows and Openings: Façade Transparency and Solar Access.** The following requirements apply all development in any X District, unless specifically exempted. These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, to provide for natural lighting to buildings interiors to conserve energy, and to provide architectural detailing and variety to building elevations on each story.

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|---|---|
| <p>1. Street level transparency standards for non-residential uses:</p> | <ul style="list-style-type: none"> <li>a. Facades facing a designated Core Pedestrian Street shall have transparent windows or openings for at least 60 percent of the ground level wall area.</li> <li>b. Facades facing a designated Pedestrian Street shall have transparent windows or openings for at least 50 percent of the ground level wall area.</li> <li>c. Facades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater shall have transparent windows or openings for at least 40 percent of the ground level wall area.</li> <li>d. Flexibility for sloping properties. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for building elevations where the finished grade level adjacent to the building is four feet above or below the level of the sidewalk. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades running parallel to the elevation and crossing the floor plates of the building.</li> <li>e. Flexibility for industrial uses. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for the facades of industrial uses located along designated Pedestrian Streets and reduced to 20 percent of the ground level wall area for the facades of industrial uses facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater.</li> <li>f. Flexibility for structured parking. For structured parking or portions of a building containing structured parking that is located at the ground level and subject to these requirements, the window and opening requirement for that portion of the ground-level wall area shall be reduced to 30 percent along façades facing designated Pedestrian Streets and 20 percent along façades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater. Additionally, alternatives such as decorative grilles, art work, display windows, or similar features can be substituted for the transparency required in that portion of the ground-level façade.</li> <li>g. Required view. Required windows or openings must provide either views into building work areas, sales areas or lobbies. Art or display windows may substitute for transparent elements for up to 25% of the requirement on facades facing designated Pedestrian Streets and up to 50% on all other applicable facades. Art and display windows shall be at least 2 feet deep, recessed and integrated into the façade of the building (tack on display cases do not qualify).</li> <li>h. The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.</li> <li>i. This standard shall apply on a maximum of 2 such building elevations, and shall apply in the order provided above. As an example, for a building that faces a Core Pedestrian Street, a non-pedestrian street, and a qualifying parking lot, the requirements would apply to the façade facing the Core Pedestrian and either the façade facing the non-designated street or the façade facing the parking lot.</li> <li>j. Rough openings are used to calculate this requirement.</li> </ul> |
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### *Development Requirements for Facades Windows/Openings*



2. Upper level transparency standards for non-residential uses:	<ul style="list-style-type: none"> <li>a. Exterior walls facing streets or containing a customer entrance and facing customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor.</li> <li>b. Upper level windows shall be a different type than the ground level windows on the same elevation.</li> <li>c. For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.</li> </ul>								
3. Residential buildings and residential portions of mixed-use buildings shall incorporate transparent windows and doors equal to at least 15% of all vertical façade surfaces facing the street and equal to at least 10% of all vertical surfaces facing alleys, courtyards, plazas and surface parking lots.									
4. Solar access for residential units.	<ul style="list-style-type: none"> <li>a. Buildings or portions thereof containing dwelling units whose solar access is only from the side or rear of the building (facing towards the side or rear property line) shall be set back from the applicable side or rear property lines at least 15 feet. This standard shall not apply in cases where the rear or side property line abuts an alley. Examples are provided below.</li> </ul>								
	 								
5. Window/Trim Detailing. Building facades shall employ techniques to recess or project individual windows or groupings of windows above the ground floor at least two inches from the surrounding facade or incorporate window trim at least four inches wide surrounding the windows. Windows on façades that face the rear property line or alleys are exempt from this standard.									
Examples:	<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 25%;">Recessed window OK</th> <th style="text-align: center; width: 25%;">Projected window OK</th> <th style="text-align: center; width: 25%;">Window with trim OK</th> <th style="text-align: center; width: 25%;">Unacceptable</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">  </td><td style="text-align: center;">  </td><td style="text-align: center;">  </td><td style="text-align: center;">  </td></tr> </tbody> </table>	Recessed window OK	Projected window OK	Window with trim OK	Unacceptable				
Recessed window OK	Projected window OK	Window with trim OK	Unacceptable						
									

**K. X-District Façade Surface Standards.** The following requirements apply to all development in any X-Districts, unless specifically exempted. These requirements are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of facade materials and/or treatment and to encourage more active consideration of the surrounding setting.

1. Blank walls limitation	<ul style="list-style-type: none"> <li>a. Blank wall definition: A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door</li> <li>b. Blank walls facing a street, internal pathway, or customer parking lot of 20 stalls or greater must be treated in one or more of the following ways:           <ul style="list-style-type: none"> <li>(1) Transparent windows or doors.</li> <li>(2) Display windows at least 2 feet in depth and integrated into the façade (tack-on display cases do not qualify).</li> <li>(3) Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years.</li> <li>(4) Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.</li> </ul> </li> </ul>
2. Building face orientation	<ul style="list-style-type: none"> <li>a. The building elevation(s) facing street public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</li> <li>b. For buildings that have more than 2 qualifying elevations, this requirement shall only be applied to two of them.</li> </ul>
3. Building Details <u>for Core Pedestrian Streets</u>	<p><b>Storefront details for designated Core Pedestrian Streets.</b> All <u>buildings fronting on facades facing</u> designated Core Pedestrian Streets shall be enhanced with appropriate details. All new buildings shall employ at least one detail element from each of the three categories below. To qualify as an element, features must be used continuously along the façade or at 30-foot intervals.</p> <ul style="list-style-type: none"> <li>a. Window and/or entry treatment:           <ul style="list-style-type: none"> <li>(1) Display windows divided into a grid of multiple panes.</li> <li>(2) Transom windows.</li> <li>(3) Roll-up windows/doors.</li> <li>(4) Recessed entry.</li> <li>(5) Decorative door.</li> <li>(6) Arcade.</li> <li>(7) Landscaped trellises or other permanent decorative elements that incorporate landscaping near the building entry.</li> </ul> </li> <li>b. Decorative facade attachments:           <ul style="list-style-type: none"> <li>(1) Decorative weather protection element(s) such as a steel canopy or glass, fixed-fabric, or retractable awning.</li> <li>(2) Decorative building-mounted light fixtures.</li> </ul> </li> </ul>

	<p>c. Decorative building materials and other facade elements:</p> <ol style="list-style-type: none"> <li>(1) Use of brick, stonework, and architectural pre-cast concrete for at least 10 percent of siding material on the façade.</li> <li>(2) Incorporating a decorative mix of building materials.</li> <li>(3) Decorative kick-plate, pier, or belt course.</li> </ol>
	<p>Decorative elements referenced above must be distinct and unique elements or unusual designs that require a high level of craftsmanship. The examples below include a decorative door, use of materials, transom windows, and a retractable awning (left image), decorative lights, arcade, use of brick, and decorative planters near the entry (center image), and decorative canopies, decorative windows, and use of brick (right image).</p> 

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**O. Townhouse Standards.** The following requirements apply to all townhouse dwellings in all districts. These requirements are intended to provide façade articulation that emphasizes individual units and reduces the apparent mass of structures, minimize impacts of vehicular access and service elements, and emphasize pedestrian access and building orientation to the street.

1. Building Mass: <ol style="list-style-type: none"><li>The maximum number of units in one building is six, with minimum spacing between clusters of buildings of 10 feet.</li><li>Unit articulation. Facades with more than two townhouses facing a street, alley, common open space or common parking area shall be articulated to emphasize individual units. This can be accomplished by either roofline modulation consistent with Section 13.06.501.I.1 and/or vertical building modulation. To qualify for vertical building modulation, the minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.</li></ol>	
2. Garage Orientation & Vehicular Access: <ol style="list-style-type: none"><li>Garages shall not face any street</li><li>Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as abutting right-of-way that is or can be developed, is available.</li><li>Where street-front vehicular access is necessary, driveway approaches shall be limited to no more than one for every 9 units in the development.</li><li>Driveway approaches shall also be consistent with the standards in Section 13.06.510.</li></ol>	 <p>The diagram illustrates a row of three townhouses. The first townhouse features a balcony on its upper level. The second townhouse has a taller gable end with a window. The third townhouse also has a taller gable end. Labels indicate 'Private balconies' pointing to the balcony on the first townhouse, and 'Roofline modulation to emphasize individual units' pointing to the different gable heights of the three houses.</p>
3. Pedestrian Orientation: <ol style="list-style-type: none"><li>All townhouses on lots with street frontage must have an individual entry that faces and is accessible from the street/sidewalk. Townhouses on corner lots only need to provide such an entry to one of the two adjacent streets/sidewalks.</li><li>A continuous pedestrian walkway, which can be a shared walkway, must be provided between the front entrance of each unit and the nearest public sidewalk. Walkways shall be either a raised sidewalk or composed of materials different from any adjacent vehicle driving or parking surfaces. Walkways accessing individual units shall be a minimum of 4 feet wide and walkways accessing multiple units shall be a minimum of 5 feet wide.</li></ol>	
4. Windows on the street. At least 15 percent of the facade (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.	
5. Utilities: <ol style="list-style-type: none"><li>Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.</li><li>Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.</li></ol>	

6. Fencing.
- a. Chain link fencing, with or without slats, is prohibited for required screening.
  - b. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.
  - c. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.
  - d. Electrified. The use of electrified fencing is prohibited in all zoning districts.
  - e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment.

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### **13.06.535 Special needs housing.**

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E. Facilities allowed by conditional use permit. Applications for conditional use permits for special needs housing facilities shall be processed in accordance with the standard procedures and requirements for conditional use permits, as outlined in Chapter 13.05 and Section 13.06.640, with the following additional requirements.

1. Pre-application community meeting. Prior to submitting an application for a conditional use permit to the City, the applicant shall hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed facility. The meeting should acquaint the neighbors of the proposed facility with the operators and provide for an exchange of information about the proposal and the community, including the goals, mission, and operation and maintenance plans for the proposed facility; the background of the operator, including their capacity to own, operate, and manage the proposed facility; and the characteristics of the surrounding community and any particular issues or concerns of which the operator should be made aware. The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 400 feet of the project site.
2. Pre-application site inspection. Prior to submitting an application for a conditional use permit to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.
3. Required submittals. Applications for conditional use permits for special needs housing facilities shall include the following:
  - a. A Land Use Permit Application containing all of the required information and submissions set forth in Section 13.05.010 for conditional use permits.
  - b. Written confirmation from the applicant that a pre-application public meeting has been held, as required under subsection E.1 above.
  - c. Demonstration of inspection by the appropriate Fire Marshal and Building Inspector, as required under subsection E.2 above, to include a description of any necessary building modifications identified during the inspection.
  - d. An Operation Plan that provides information about the proposed facility and its programs, per the requirements of Planning and Development Services.
4. Review criteria. Applications for conditional use permit for special needs housing facilities shall be subject to the specific review criteria contained in Section 13.06.640.ED.

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### **13.06.555 View-Sensitive Overlay District.**

A building, structure, or portion thereof, hereafter erected, shall not exceed a height of 25 feet, except as provided in Sections 13.06.602, 13.06.640 and 13.06.645.B.3. This section shall not apply to any building, structure, or portion thereof within any development or subdivision which is greater than 30 acres in size and which has an approved site plan or residential plat; provided, such site plans must have established the height or elevation of buildings, and such residential plats must have active architectural control committees, of which a resident or property owner of the plat shall be a member, and recorded covenants which give consideration to protection of views, and the architectural control committee must have reviewed and approved the plans of the building or structures before submittal to the City.

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### **13.06.645 Variances.**

A. Administration.

1. All variances shall be processed in accordance with provisions of Chapter 13.05. Certain regulatory relief may be sought consistent with sections below that provide for potential variances in specified development situations.
2. A minor variance is one in which the code relief requested is within 10 percent of the quantified standard contained in the code and shall be processed in accordance with 13.05.020.B. Minor variances may be granted for quantitative development

regulations (bulk, area), accessory building height, design, sign regulations, and off street quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.

3. A variance is one in which the code relief requested is beyond the threshold outlined above for minor variances and shall be processed in accordance with 13.05.020.C.

4. Both types of variances shall be subject to the same decision criteria found in this section. Minor variances shall not be granted for height in the View Sensitive District and for qualitative standards to which a 10 percent threshold would not apply.

25. In the exercise of his or her powers to grant variances to, or interpret, the regulations contained in this chapter, the Director and Hearing Examiner may not, by any act or interpretation, change the allowed use of a structure or land, change the boundaries of a zoning district, or change the zoning requirements regulating the use of land.

## B. Specified variances.

### 1. Variance to development regulations (bulk, area).

a. Applicability. These shall include variances to building setbacks, building location, lot coverage, lot area, lot width, lot frontage, yard space, and minimum-density requirements. These shall not include variance to sign development standards, to design standards, height, parking lot development standards, or off-street parking quantity standards.

b. Criteria. The Director may, in specific cases, authorize a variance to the development regulations, subject to the criteria set forth below. In granting a variance, the Director or Hearing Examiner may attach thereto such conditions regarding the location, character and other features of the proposed structure as may be deemed necessary to ensure consistency with the intent of the Code and Comprehensive Plan and to ensure that the use of the site will be as compatible as practicable with the existing development on the site and surrounding uses. All of the following facts and circumstances must exist:

(1) The restrictive effect of the specific zoning regulation construed literally as to the specific property is unreasonable due to unique conditions relating to the specific property, and which do not result from the actions of the applicant, such as: parcel size; parcel shape; topography; location; documentation of a public action, such as a street widening; proximity to a critical area; location of an easement; or character of surrounding uses.

(2) The requested variance does not go beyond the minimum necessary to afford relief from the specific hardship affecting the site.

(3) The grant of the variance would allow a reasonable use of the property and/or allow a more environmentally sensitive site and structure design to be achieved than would otherwise be permitted by strict application of the regulation, but would not constitute a grant of special privilege not enjoyed by other properties in the area.

(4) The grant of the variance will not be materially detrimental or contrary to the Comprehensive Plan and will not adversely affect the character of the neighborhood and the rights of neighboring property owners.

(5) The grant of the variance will not cause a substantial detrimental effect to the public interest.

(6) Standardized corporate design and/or increased development costs are not cause for variance.

### 2. Accessory buildings – height.

a. Applicability. The construction of an accessory building which exceeds the height limit may be authorized upon a lot in the following instances; provided, in no instance shall the height of an accessory building be allowed to exceed 25 feet, as defined in Section 13.06.700.H:

(1) Additional height is necessary to accommodate building door clearance to allow for the storage of a recreational vehicle or trailered boat.

(2) The subject property is affected by steep topography, which precludes development of detached garages for personal vehicles.

(3) The subject property is affected by a hardship situation where the rear yard area of a site abuts an alley and the topography of such area is affected by a slope of such severity as to preclude development under this subsection. In this instance, the height of the structure shall be measured from the grade of the abutting alley right-of-way to the highest point of the roofline.

(4) The additional height is necessary to provide architectural compatibility between the accessory building and the main building, for features such as roof pitch and style.

b. Criteria. The Director may, in specific cases, authorize a variance to the height of accessory buildings, subject to the criteria set forth below. All of the following facts and circumstances must exist:

(1) Additional height shall be the minimum necessary to afford relief.

- (2) The variance is in the interest of the general public.
- (3) The variance is in the general interest of the particular neighborhood.
- (4) For purposes of this variance, the interest of the general public and the general interest of the particular neighborhood are indicated, in part, by the Comprehensive Plan.

3. View-Sensitive Overlay District – height.

- a. Applicability. In the View-Sensitive Overlay District, the construction of a building above the 25-foot height limit will be allowed if approved by the Director; provided, however, the height of a building cannot exceed the height of the underlying zoning district from existing grade or, when applicable, the grade approved by the Director.
- b. It is intended that the Director balance the interests of the applicant who wishes to build or remodel and the interests of the surrounding property owners who wish to preserve their view. There should be an awareness by all parties involved that every property owner does have the right to build on their property and that the proposed construction will have an impact on neighboring parties. Any negative view impact should be minimized.
- c. For purposes of this variance, the interest of the general public and the general interest of the particular neighborhood are indicated, in part, by the Comprehensive Plan.
- d. Criteria. In reviewing requests for this variance, the Director shall consider, but shall not be limited to, the following:
  - (1) the extent of the view;
  - (2) the impact of the proposed construction on the view from adjacent properties;
  - (3) the effect of any possible restrictions on the proposed construction, the character of the area;
  - (4) the topography of the site and surrounding properties;
  - (5) the variance is in the interest of the general public; and
  - (6) the variance is in the general interest of the particular neighborhood.

- e. Mitigation. The following factors shall be considered as mitigating circumstances which may make approval of this variance more appropriate:

- (1) orientation of the ridgeline to minimize view impairment;
  - (2) style of roof;
  - (3) increased setback from the street and/or the side lot line; and
  - (4) the placement of the structure(s) on the site.

4. Design.

- a. Applicability. These shall include variances to design standards, including those set forth in Sections 13.06.100.G, 13.06.501, 13.06.502, 13.06.503, 13.06.510.B, and 13.06.512.
- b. Criteria. The Director or Hearing Examiner may, in specific cases, authorize variances to design standards upon the finding that the variance request meets one of the criteria listed below. Standardized corporate design and/or increased development costs are not cause for variance. Failure to meet an appropriate test shall result in denial of the variance request. The Director or Hearing Examiner may issue such conditions as necessary to maximize possible compliance with the intent of the regulation from which relief is sought. The applicant carries the burden of proof to demonstrate applicability of the appropriate test(s):
  - (1) Unusual shape of a parcel established prior to 2002 creates practical difficulties in achieving compliance with the design standard sought to be varied.
  - (2) Preservation of a critical area, unique natural feature, or historic building and/or feature creates practical difficulties in achieving compliance with the design standard sought to be varied.
  - (3) Widely varied topography of the building site creates practical difficulties in achieving compliance with the design standard sought to be varied.
  - (4) Documentation of a pending public action, such as a street widening, creates practical difficulties in achieving compliance with the design standard sought to be varied.

(5) A proposed alternative design that departs from a requirement that can be demonstrated to provide equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.

5. Variance to sign regulations.

a. Applicability. These variance criteria in subsection b apply to any variance for regulations found in Section 13.06.520, 13.06.521, and 13.06.522, governing signs; except that:

(1) Sign setback. Variance to sign setback shall be subject to the criteria found in Section 13.06.645.B.1.

(2) Sign height. Variances to sign height shall, in no instance, allow the height of a sign to exceed 35 feet or allow the height of a sign on a site with freeway frontage to exceed the height of the building on the same site, whichever is lower. A variance to sign height also requires a finding by the Director that special circumstances exist relating to one or more of the following: property location; topography; parcel shape and size; site distance; or limited view to property and sign in question.

(3) General restriction. The Director may not grant a variance in any instance to allow a sign to exceed an additional 25 percent of the permitted sign size or height. This limitation applies when more restrictive than subsection 5.a.2 above. Standardized corporate design and/or increased development costs are not cause for variance.

b. Criteria. The Director may approve a sign variance for one or more of the following reasons:

(1) The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.

(2) The proposed signage will preserve a desirable existing design or siting pattern for signs in an area, including, but not limited to, size, materials, color, lettering, and location.

(3) The proposed signage will minimize view obstruction or preserve views of historically or architecturally significant structures.

(4) In a shopping center or mixed-use center, the proposed sign plan provides an integrated sign program consistent with the overall plan for the center.

(5) In a shopping center or mixed-use center, the variance is warranted because of the physical characteristics of the center, such as size, shape, or topography, or because of the location of signs in existence on the date of passage of this section.

6. Variance to parking lot development standards.

a. Applicability. These shall include variances to the parking lot development standards contained in Sections 13.06.510.B, C, D, and E and the additional Mixed-Use Centers parking development standards in Section 13.06.510.A.

b. Criteria. The Director may authorize a variance for one or more of the following reasons:

(1) Reasonable alternatives are to be provided to said standards which are in the spirit and intent of this chapter; or

(2) Strict enforcement of the standards would cause undue or unnecessary hardship due to the unique character or use of the property.

7. Variance to off-street parking quantity standards.

a. Applicability. These shall include variances to the required off-street parking quantity standards contained in Section 13.06.510.A.1

b. Criteria. The Director may, in specific cases, authorize a variance to the off-street parking quantity standards. Except under extraordinary circumstances, the standard shall not be reduced by more than 50 percent. The Director or Hearing Examiner may issue such conditions as necessary to maximize possible compliance with the intent of the regulations. The applicant carries the burden of proof to demonstrate applicability of the appropriate criteria. The Director may authorize a variance upon finding that the application is consistent with each of criteria 1 through 3 and at least one of criteria 4 through 7.

(1) The grant of the variance would allow a reasonable use of the property;

(2) The grant of the variance will not be materially detrimental or contrary to the Comprehensive Plan and will not adversely affect the character of the neighborhood and the rights of neighboring property owners; and

(3) The grant of the variance will not cause a substantial detrimental effect to the public interest.

(4) Approval of the variance would not constitute a grant of special privilege not enjoyed by other properties in the vicinity and/or would allow for a more environmentally sensitive site and structure design to be achieved than would otherwise be permitted by strict application of the standard; or

- (5) The restrictive effect of the specific zoning regulation as it applies to the specific property is unreasonable due to unique conditions relating to the specific property, such as: parcel size; parcel shape; topography; location; proximity to a critical area; location of an easement; or character of surrounding uses; or
- (6) Reasonable alternatives are to be provided to said standards which are in the spirit and intent of this chapter; or
- (7) The likelihood of a decreased need for off-street parking for the use at that location due to site-specific circumstances, such as:
  - (a) A parking study demonstrating that the individual characteristics of the use at that location require less parking than is generally required for a use of this type and intensity;
  - (b) An approved carpooling/vanpooling or commute trip reduction program consistent with TMC Chapter 13.15;
  - (c) Availability of private, convenient transportation services to meet the needs of the use;
  - (d) Accessibility to and frequency of public transportation; or
  - (e) For residential uses, availability of pedestrian access due to proximity to health and medical facilities, shopping facilities and other services providing for everyday needs and amenities.

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### **13.06.700 Definitions and illustrations.**

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

#### 13.06.700.A

~~Art/craft production. The production of arts and/or crafts with on-site production/assembly of goods by hand manufacturing involving the use of hand tools and/or small-scale equipment, often operated in conjunction with a retail use. This category includes such uses as ceramic art, glass art, candle making, and custom jewelry manufacture. All activity must be conducted totally within the structure with no outdoor storage or significant emissions of odor, smoke, fumes, or sound that extend beyond the site. Individual tenant spaces or units within a building may constitute the site.~~

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#### 13.06.700.B

Building, height of. In ~~commercial, mixed-use, industrial, and downtown districts~~ ~~all districts except those containing a View-Sensitive Overlay District, per Section 13.06.555~~, building height shall be measured consistent with the applicable Building Code, Height of Building. ~~In residential districts For buildings located within a View-Sensitive Overlay District (those addressed in Section 13.06.100)~~, the method provided below shall be used:

1. The height limit shall be the vertical distance between existing grade and a plane essentially parallel to the existing grade. The corners of such plane shall be located above the base points.
2. The base points shall be located at the four corners of the foundation or, if the foundation of the structure does not form a rectangle, at the four corners of the smallest rectangle which surrounds the foundation.
3. The base points shall be located on existing grade, unless determined otherwise by the Director in accordance with the provisions of Section 13.06.645.B.3.a.
4. Additional height at the rate of one foot for each 6 percent of the slope shall be allowed. This additional height shall not be allowed on the uphill portion of the structure. For the purpose of this provision, the slope shall be the difference between the elevation of the highest base point and the elevation of the lowest base point divided by the distance between those two base points.
5. No portion of a structure, including the highest gable, unless specifically excepted, shall extend above the height limit; provided, however, that a legal structure that existed before June 18, 1989, that was destroyed by fire, natural disaster, explosion, or other calamity or act of God or the public enemy may be rebuilt to its previous height within the building's prior actual dimensions, including, but not limited to, height, roof pitch, depth, and width. Such a structure cannot be enlarged, expanded, or otherwise increased in size without the enlargement or expansion meeting the zoning regulations in effect at the time of the expansion.

The height of a stepped or terraced building is the maximum height of any segment of the building.

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#### 13.06.700.C

~~Craft food and non-alcoholic beverage production. An establishment of no more than 4,000 square feet that is engaged in the production of food and/or non-alcoholic beverage products and which, due to the nature and limited scale of the activities, is compatible with retail sales and service uses and produces minimal off site impacts. Such establishments must include an accessory and related on-site retail sales and/or eating and drinking component which occupies at least 10% of the total gross floor area. This classification allows wholesale and/or off-premises sales and includes, but is not limited to, bakeries, confectionaries, butchers, and coffee roasting establishments, but excludes microbrewery/winery uses and/or light industrial uses.~~

Craft Production. A commercial use that involves the production of arts, crafts, foods, beverages or other product with on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, they are compatible, and are often co-located with, retail sales and service uses. This use category includes but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, bakeries, confectionaries, butchers, coffee roasting establishments, food production and beverage production.

Establishments engaged in the craft production of alcoholic beverages including craft wineries, craft breweries, and craft distilleries shall be limited to no more than 5,000 gallons of product per year. The following regulations also apply to the craft production of alcoholic beverage:

1. An occupancy that is below an "H" Hazard as defined by the current version of the adopted International Building Code (IBC) shall be maintained and not exceeded. Accessory "H" uses may be allowed provided the accessory use does not exceed 10 percent of the site's floor area.
2. Retail sale and onsite tasting of beverages and/or the ability for producers to act as wholesaler of its own production for off-site consumption are subject to the appropriate state and local licenses.
3. Individual tenant spaces or units within a building may constitute the site.

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#### 13.06.700.M

~~Microwinery, limited. An establishment engaged primarily in the production, including crushing, fermentation, aging, and bottling, and distribution of no more than 1,000 cases of wine per year. This classification allows a "Microwinery, limited" to sell wine at retail and provide wine tasting onsite and/or to act as wholesaler for wine of its own production for off-site consumption with appropriate state licenses.~~

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#### 13.06.700.V

Variance. The procedure by which the strict application of the provisions of this title relating to height, area, setbacks, parking, design and other such development standards may be modified for a particular project based on special circumstances applicable to the specific property and/or project. Variances cannot change the underlying zoning or allow for uses that are otherwise prohibited. Since variances are an adjustment to the standards, projects that have received approval of a variance shall be considered to be conforming to that standard.

Variance, minor. A variance in which the relief requested is within 10 percent of the quantified standard contained in the code.

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## Chapter 13.06A

### DOWNTOWN TACOMA

Sections:

- 13.06A.010 Purpose.
- 13.06A.020 Applicability.
- 13.06A.030 Definitions.
- 13.06A.040 Downtown Districts and uses.
- 13.06A.050 Additional use regulations.
- 13.06A.052 Primary Pedestrian Streets.
- 13.06A.055 Nonconforming Development.
- 13.06A.060 Development Standards.
- 13.06A.065 Parking Standards.
- 13.06A.070 Basic design standards.
- 13.06A.080 Design standards for increasing allowable FAR.
- 13.06A.090 Special features required for achieving maximum Floor Area Ratio.
- 13.06A.100 Downtown Master Planned Development (DMPD).
- 13.06A.110 Variances.
- 13.06A.120 *Repealed.*
- 13.06A.130 Severability.

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#### **13.06A.060 Development Standards.**

~~A. No variances shall be granted to these development standards unless otherwise indicated.~~

~~B.~~A. Buildings lawfully in existence on January 10, 2000, the time of reclassification to the above districts, do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity.

~~C.~~B. Development Standards Table.

Districts	Maximum Allowable Floor Area Ratio (FAR)						Height Limits
	“As of Right”		With Design Standards		With Special Features		
	Non-Res	Res	Non-Res	Res	Non-Res	Res	
DCC	3	3	6	6	12	12	400'
DMU	2	3	4	5	6	7	100'
DR	1	2	2	4	4	6	90'
WR	3	4	4	5	6	7	100'

~~D.~~C. Floor Area Ratio – Additional Standards

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

~~E.~~D. Building Height – Additional Standards

1. Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.

2. Maximum Building Height within 150' east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.

### **13.06A.065 Parking Standards**

A. Purpose and Applicability. The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land in downtown that is currently dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environment.

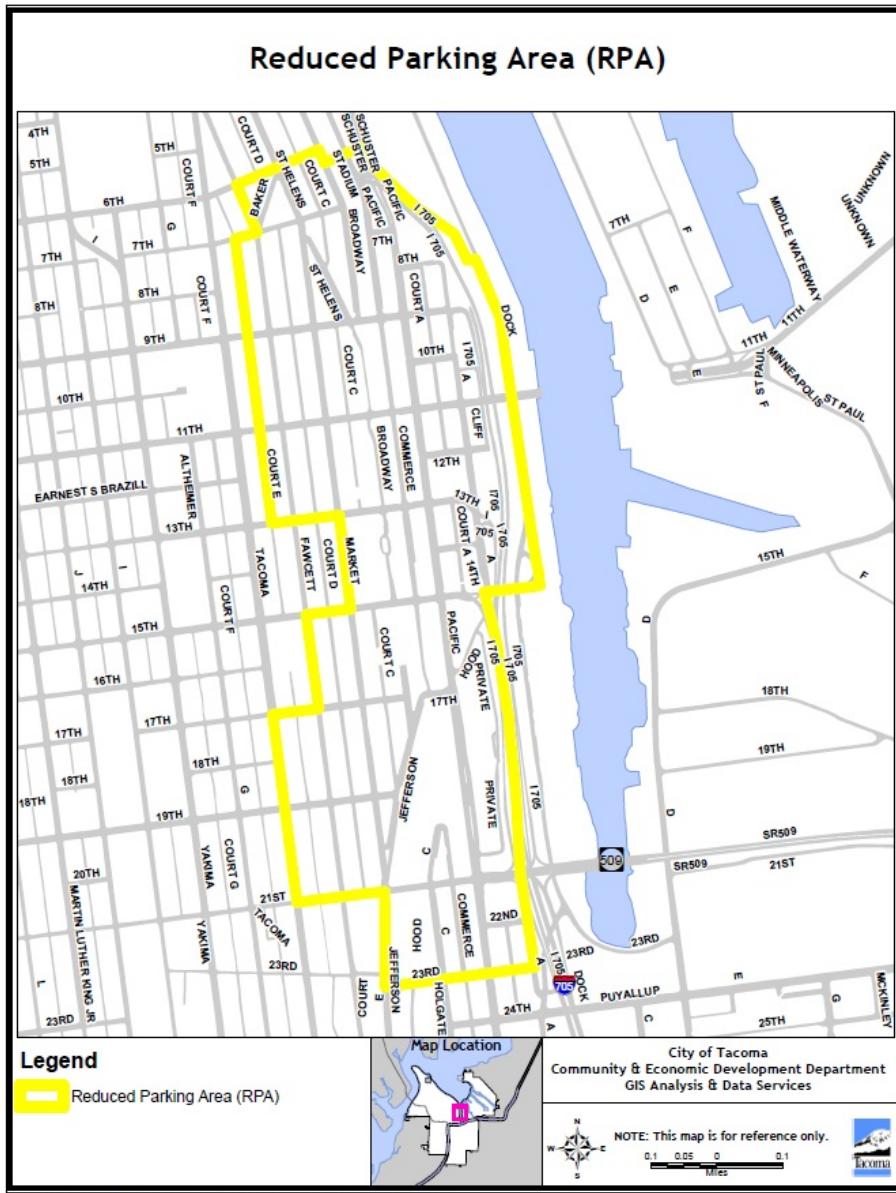
1. ~~With the exception of Sections 13.06A.065.D.3 and 13.06A.065.D.4, no variances shall be granted to these parking standards unless otherwise indicated. Variances to the required standards may be authorized pursuant to Section 13.06A.110.~~
2. No parking is required for structures lawfully in existence on January 10, 2000, the time of reclassification to the above districts; however, new development and additions shall provide parking as required. No addition to a building or parking area can increase nonconformity to these standards or create new nonconformity.
3. Maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of any building. Ample signage at the facility must be provided to inform users that the excess parking stalls are available for public use at no charge or by fee.
4. For buildings that contain multiple types of uses, the required number of parking spaces shall be equal to the total number of spaces determined by computing each use type separately, except where specifically stated otherwise herein.
5. Development shall also comply with the requirements of 13.06.510.C Loading Spaces.
6. Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

#### B. Reduced Parking Area (RPA) – Parking Quantity Standards

<b>Residential Parking</b>		<b>Non-Residential Parking</b>	
	(stalls/ unit)		(stalls/ floor area sf)
Minimum	Maximum	Minimum	Maximum
RPA	Not Applicable	Not Applicable	Not Applicable

1. Minimum off-street parking stall quantity requirements do not apply within the Reduced Parking Area (RPA), which is located generally between 6th Avenue and South 23rd Street, and between Dock Street and Tacoma Avenue (the specific boundary of the area is shown in Figure 1, below).
2. Accessible parking shall be provided for people with physical disabilities as part of all new buildings and additions to existing buildings in accordance with the standards set forth in the building code as adopted by the City of Tacoma in TMC Chapter 2.02, based on the parking provided, but not less than the following:
  - a. The minimum number of accessible parking stalls to be provided shall be based on the following criteria:
    - (i) For non-residential development, accessible parking shall be calculated as if one general parking space were provided for each 1,000 square-feet of gross floor area of the development, minus the first 3000 square-feet of each street level establishment.
    - (ii) For hotels, accessible parking shall be calculated as if one-half (0.5) a general parking space was provided for each guest room, inclusive of all accessory uses.
    - (iii) For residential development, accessible parking shall be calculated as if one general parking space was provided for each dwelling unit.
  - b. After consulting with the City's ADA Coordinator, the Building Official may approve an alternate to providing on-site accessible parking, as outlined in 2(a), above, when it is determined that the alternate is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.

Figure 1: Reduced Parking Area (RPA)



#### C. Parking Quantity Standards Outside of the RPA

##### Residential Parking

(stalls/unit)

	Minimum	Maximum	Minimum	Maximum
DMU	1	Not Applicable	2/1000	3/1000
DR	1	Not Applicable	1/1000	3/1000
WR	1	Not Applicable	1/1000	3/1000

##### Non-Residential Parking

(stalls/ floor area sf)

1. Minimum parking ratios for non-residential development located east of Jefferson Avenue from South 23rd to South 28th Street shall be reduced by 50 percent in recognition of the availability of transit.
2. The first 3,000 square feet of each street level establishment is exempt from parking requirements.
3. Special needs housing, including, but not limited to, seniors, assisted living, congregate care, licensed care, or group care homes may provide less than one stall per residence upon a showing that a lesser parking requirement will reasonably provide adequate parking for residents, staff, and visitors, subject to the approval of the City Engineer.

4. Required parking for hotels shall be .5 stalls per room inclusive of all accessory uses.
  5. Telecommunications exchange facilities may provide less than the required parking stalls upon a showing that a lesser parking requirement will reasonably provide adequate parking for operational, vendor, and transient service staff, subject to the approval of the City Engineer.
- D. General Parking Design Standards Applicable to the RPA and All Downtown Zones
1. Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.510, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.
  2. Tandem parking is permitted only for residential development subject to approval of the City Engineer.
  3. All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees and shrubs.
    - a. In no case shall fewer than three trees per 100 linear feet of frontage be provided.
    - b. Masonry walls no lower than 15" and no higher than 30" may be substituted for shrubs.
    - c. For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees and shrubs.
    - d. All trees shall have a minimum caliper of 2 1/2-inch at the time of planting.
    - e. Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.
  4. Parking Garages. The ground-level facades of new or substantially altered parking garages and additions shall be designed to obscure the view of parked cars. Where commercial or residential space is not provided to accomplish this, features such as planters, decorative grilles, architectural elements, or works of art shall be used. Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate such elements in a manner that effectively reduces the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20 percent transparent but not more than 80 percent transparent. Vehicular access openings shall be exempt from this standard. This standard also shall apply when 50 percent or more of the sidewalk level facade is altered.

- E. Surface parking lots on Primary Pedestrian Streets within the RPA boundary
1. The following regulations are intended to promote a walkable, dense, urban environment on Primary Pedestrian Streets which is both aesthetically pleasing and commercially vibrant. The use of landscaping and publicly accessible amenities should be used to create harmony between vehicle and pedestrian areas.
  2. Construction of a new surface parking lot to serve as commercial parking facility is prohibited.
  3. Dedicated surface parking areas shall be located on the same site as the principle use.
  4. The location of on-site surface parking areas is limited to the area behind the front wall line of the structure, within, or under the structure; and for corner sites surface parking shall not be located at the corner.
  5. The maximum width of on-site surface parking areas along the frontage of Primary Pedestrian Streets, including driveways, is limited to 60 feet. Portions of surface parking that are more than 40 feet back from the property line along a Primary Pedestrian Street can exceed this width limitation. If the remaining area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
  6. The expansion of an existing surface parking area located along the frontage of a Primary Pedestrian Street is prohibited. However, surface parking areas can be expanded as long as any such expansion is located at least 40 feet back from the property line along the Primary Pedestrian Street. If this remaining setback area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
  7. At a minimum, the required setback area shall be landscaped consistent with Landscape Type B found in Section 13.06.502.F. Alternatively, a minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; public art as approved by appropriate City Commissions; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City.

- a. The setback area shall be clearly identified with signage placed at a visible location with lettering visible to passersby indicating the nature of the setback area and, if appropriate, its availability to the general public.
- b. The maintenance of the setback area shall be the responsibility of the property owner for the life of the associated building or the parking area, or until such time as the setback area is developed with a structure that is in conformance with this chapter.
- c. If intended to be publicly accessible, the area shall be clearly and directly connected from the adjacent sidewalk meeting Accessibility Standards.

#### **13.06A.070 Basic design standards.**

- A. ~~No variances shall be granted to the following basic design standards and the additional standards applicable to the DCC and DR districts.~~ A variance to the required standards may be authorized, pursuant to Section 13.06A.110, ~~unless otherwise prohibited.~~
- B. If a building is being renovated in accordance with the Secretary of Interior's Standards for Treatment of Historic Properties, and a conflict between the basic design standards or additional standards and the Secretary's Standards occurs, then the Historic Preservation Criteria and Findings made by the Tacoma Landmarks Preservation Commission shall prevail.
- C. Standards Applicable to Development in All Districts.
  - 1. The basic design standards and additional standards applicable to the DCC and DR districts, except as otherwise noted, shall apply to all new construction, additions, and substantial alterations.
  - 2. All rooftop mechanical for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form, or equivalent architectural feature that is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. If the project proponent demonstrates that the function and integrity of the HVAC equipment would be compromised by the screening requirement, it shall not apply. This standard shall not apply to existing buildings undergoing substantial alteration.
  - 3. One street tree shall be provided per each 25 linear feet of frontage, with tree grates covering the pits, in conformance with City requirements. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. One street tree shall be provided, consistent with the requirements of this standard, for each 25 linear feet of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees and grates should conform to the *Tacoma Downtown Streetscape Study and Design Concepts*.
    - a. The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc. To achieve consistency with the existing pattern of tree spacing, the quantity of required street trees may be modified.
    - b. The use of tree grates will be determined by the presence of existing grates in the district, and the width and function of the sidewalk.
    - c. Residential development may substitute plantings for grates.
    - d. Where existing areaways, vaults or insufficient sidewalk widths prevent this form of planting, trees may be planted in planters that are generally in conformance with the *Tacoma Downtown Streetscape Study and Design Concepts*.
    - e. All trees shall have a minimum caliper of 2 1/2-inch at the time of planting.
    - f. This standard is not applicable in the WR district.
  - 4. Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below:
    - a. At least 25 percent of the linear sidewalk level frontage shall consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations; or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.

b. The floor area abutting at least 25 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above, and may be occupied by any use allowed in the zoning district. The area designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.

- (1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.
- (2) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade.
- (3) The sidewalk level façade must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above.
- (4) At least 25 percent of the sidewalk level facade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities.

5. Any sidewalk level facade of a new building, an addition to a building, or a substantially altered building that faces a street shall have at least 20 percent of the area located between 2 feet above grade and 12 feet above grade in transparency through the use of windows, doors, or window displays. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, residential, or commercial uses at the sidewalk level. A decorative grille, work of art, or a similar treatment may be used to meet this standard on those portions of the sidewalk level façade where it can be demonstrated that the intrusion of natural light is detrimental to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms. In no instances shall the amount of transparency present in existing buildings be decreased below this standard. This standard shall also apply when 50 percent or more of the sidewalk level facade is altered.

A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities.

6. Development shall also comply with the requirements as established in Section 13.06.511, Transit Support Facilities.

7. New driveways shall be located from an alley, court, or street which does not have light rail or streetcar lines or is not designated as a Primary Pedestrian Street. Existing driveways may remain and be maintained. Abandoned driveways shall be removed when required by the Traffic Engineer.

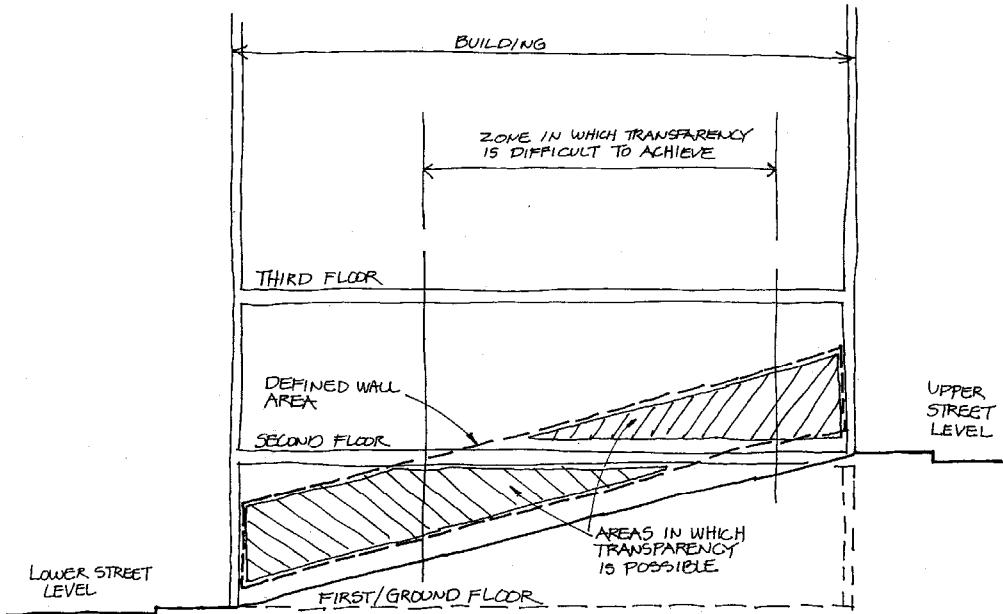
- a. If a driveway is not feasible from a non-designated alley, court, or street, a driveway may be located from a street having light rail or streetcar lines or a designation of Primary Pedestrian Street.
- b. Maximum driveway width on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street is 25 feet.
- c. All driveways on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street shall be no closer than 150 feet as measured to their respective centerlines, provided that there will be allowed at least one driveway from each development to each abutting street.
- d. All driveways on a street having light rail or streetcar lines shall be equipped with a sign to warn exiting vehicles about approaching trains.
- e. All driveways located on a Primary Pedestrian Street shall be equipped with audible warning signals to announce exiting vehicles.
- f. ~~No variances shall be granted to this driveway standard. Variances to the required standards may be authorized pursuant to Section 13.06A.110.~~

8. Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.
9. Where pedestrian light standards or parking lot light standards are provided, they shall be placed a minimum of 10 feet from trees. However, limited flexibility in the placement of light standards shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.
10. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture.

**D. Additional Standards Applicable to Development Within the Downtown Commercial Core.**

1. The maximum square feet of setback area for new and substantially altered structures and additions fronting on a Primary Pedestrian Street shall be determined by multiplying 75 percent of the linear sidewalk level frontage by a factor of 10. The setback area or areas can only be used for entrance areas and space devoted to exterior public spaces, pedestrian amenities, landscaping, or works of art. Parking is prohibited in the setback areas.
2. Any new building, or any substantially altered structure located along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below.
  - a. At least 50 percent of the linear sidewalk level façade shall be occupied by any of the following uses: retail; restaurants; cultural or entertainment uses; hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations, or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.
  - b. The floor area abutting at least 50 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above and may be occupied by any use allowed in the zoning district. The areas designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.
    - (1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.
    - (2) The area must have a minimum average depth of 25 feet measured from the sidewalk level facade.
    - (3) The sidewalk level façade must include an entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above.
    - (4) At least 25 percent of the sidewalk level facade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.
- A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities
3. The sidewalk level facade of any new or substantially altered structure and/or of an addition along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall include the following. This standard shall also apply when 50 percent of the sidewalk level facade is altered.
  - a. At least 60 percent of the facade area between 2 feet above grade and 12 feet above grade shall consist of transparency through the use of windows, doors, or window displays except that the transparency standard shall be reduced to 50 percent if at least 50 percent of the sidewalk level façade is occupied with uses listed in subparagraph 2 a. above. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard may be reduced for buildings located on a sloping site by eliminating application of this standard to that portion of the building façade where the slope makes application of the requirement impracticable as shown in the illustration below. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, or commercial uses at the sidewalk level. A decorative grille, work of art, or similar treatment may be used to meet this standard on those portions of the façade where it can be demonstrated that the intrusion of natural light is detrimental

to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories and classrooms. In no instance shall the amount of transparency present in existing buildings be decreased below this standard.



A parking structure lawfully in existence on January 10, 2000, the time of reclassification to the above districts, and which is substantially altered, may provide pedestrian amenities or enhancements along the sidewalk level frontage equal to 1 percent of the total project cost in lieu of meeting this standard. Such amenities or enhancements will be in addition to those otherwise required and may include works of art, landscaping, exterior public spaces, pedestrian safety improvements, weather protection, pedestrian scale lighting, seating or sitting walls, planters, unit paving in the sidewalk, street furniture, architectural features, refined surface materials, decorative lighting, or other amenities.

b. Weather protection over the public or private pedestrian walkway in the form of a flat or sloped canopy or marquee along at least 75 percent of the building frontage. Weather protection must project a minimum of 3 feet. Marquees must meet the requirements specified in the applicable Building Code used by the City. Canopies shall also conform to TMC 13.06.521.J.

#### E. Additional Standards Applicable to Development Within the Downtown Residential (DR) District.

1. Roofs of all new or substantially altered buildings shall incorporate one or more of the following features:

- a. Pitched roof form(s) with a minimum slope of 3:12.
- b. Terraced roof forms that step back at the uppermost floors.
- c. Exaggerated parapets, with overhanging cornices.

2. Where new or substantially altered development is adjacent to structures or districts that are designated historic, the design shall make use of similar attributes such as massing, roofline, setbacks from the property lines, window types, and materials to ensure visual continuity between the older and the newer development and be subject to the approval of the Historic Preservation Officer.

#### **13.06A.080 Design Standards for Increasing Allowable FAR.**

At least four of the following standards shall be incorporated into each development to increase allowable FAR as shown in the Development Standards Table. For each standard that is additionally met, the maximum allowable FAR indicated in the Development Standards Table may be increased by .5.

These standards suggest the result to be achieved. It is expected that the review process would allow for flexibility and creativity in meeting the intent. These standards shall be in addition to the basic design standards and, if applicable, the additional standards specified for the DCC and DR districts.

No variances shall be granted to the following:

1. Architectural expression of the base of buildings through more refined materials such as stone or brick, and details such as cornice lines and belt courses. The base of the building is the first full floor above grade.
2. Architectural delineation of the tops of buildings through devices such as pyramids, domes, spires, projecting cornices, and other similar, visually distinctive roof forms.
3. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
4. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:
  - a. Seating in the amount of one sitting space for each 100 sf of area.
  - b. Trees and other plantings.
  - c. Solar exposure during the summer.
  - d. Visibility from the nearest sidewalk.
  - e. Within 3' of the level of the nearest sidewalk.
5. Incorporation of works of art into the public spaces, exterior facade, or entrance lobby.
6. Landscaping covering at least 15 percent of the surface of the roof and/or the use of "green roofs" which reduce storm water runoff. Access by building occupants is encouraged.
7. Including a Public Benefit Use within the development.
8. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.
9. Retention and renovation of any designated or listed historic structure(s) located on the site.
10. Parking contained entirely within structures or structures on the site.
11. Include mixed-rate housing in a housing or mixed-use project.

### **13.06A.090 Special features required for achieving maximum Floor Area Ratio.**

In order to attain the maximum allowable Floor Area Ratio, special features shall be included with a development. Each special feature provides an additional FAR of 2 towards achieving the maximum allowable FAR as indicated in the Development Standards Table.

Using FAR credits for a special feature shall be permitted only after a development has met the Basic Design Standards, Additional Standards as required, and at least four of the Design Standards for Increasing Allowable FAR.

No variances shall be granted to the following:

1. Provide a "hill climb assist" in the form either of a landscaped public plaza or an interior public lobby with an escalator or elevator. Such space shall be open to the public at least 16 hours per day.
2. Provide works of art or water features equivalent in value to at least 1 percent of construction costs within publicly accessible spaces on site or off site within the downtown zoning district where the development is located.
3. Build an off-site park, open space, or community gardens with a value equivalent to at least 1 percent of construction costs within the downtown zoning district where the development is located. Alternatively, a payment may be paid to the City in lieu of actual park development. Payments shall be used by the City for developing and improving park space within the same downtown zoning district.
4. Provision of public rest rooms, open to the public at least 12 hours each weekday.
5. Contribution to a cultural, arts organization or to the Municipal Art Fund for a specific development or renovation project located downtown, in an amount equal to at least 1 percent of the construction cost of the development.
6. Provide public parking, in addition to that required by this code, at a ratio of at least 0.25 stalls per 1000 gsf.
7. Include residential use with non-residential uses in the same development, with the residential use in an amount that is at least 20 percent of the total floor area of the development. (The increase in FAR applies to the non-residential portion; the residential portion is governed by the maximum allowable residential FAR as indicated in the Development Standards Table.)

### **13.06A.100 Downtown Master Planned Development (DMPD).**

Any development meeting the following criteria may qualify as a Downtown Master Planned Development; ~~No variances shall be granted to the following criteria:~~

- A. The development site is at least 50,000 square feet. Development sites that have lot area located on both sides of a street are considered contiguous for the purposes of calculating site size; however, right-of-way may not be included in the calculation unless its air rights are vacated.
- B. The development meets the Basic Design Standards and Additional Standards as required.
- C. The development complies with at least four of the Design Standards for Increasing Allowable FAR.
- D. The development provides one Special Feature.
- E. The development is governed by a master plan that describes, in detail, building footprints, massing, heights, public spaces and pedestrian connections, and architectural characteristics.
- F. The development includes particular buildings or portions of buildings exceeding the maximum height limits specified in Section 13.06A.060, provided that other buildings or portions of buildings on the site are built at least 25 percent below the allowable maximum height limit of the zoning district.
- G. In no case can the maximum allowable FAR for the zoning district be exceeded except as otherwise provided.

### **13.06A.110 Variances.**

Unless otherwise indicated, the Director shall not grant a variance by act or interpretation of the regulations contained in Sections 13.06A.~~060, 13.06A.065, 13.06A.080, 13.06A.090, and 13.06A.100~~, as specified herein, or to change the use of a structure or land.

The Director may grant a variance ~~only for the basic design standards of TMC 13.06A.070, to the regulations contained in Sections 13.06A~~ upon the finding that the variance meets one of the tests below. Standardized corporate design and/or increased development costs are not cause for a variance. Failure to meet an appropriate test shall result in denial of the variance request. The Director may issue such conditions as necessary to maximize possible compliance with the intent of the regulation from which relief is sought. The applicant carries the burden of proof to demonstrate applicability of the appropriate test.

1. Unusual shape of a parcel established prior to the reclassification of property to the downtown districts.
2. Preservation of a critical area, unique natural feature, or historic building/feature restricts possible compliance.
3. Widely varied topography of the building site restricts possible compliance.
4. Documentation of a pending public action such as street widening restricts possible compliance.

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# 2013 URBAN STUDIES FORUM: TRANSPORTATION FOR THE NEXT ECONOMY

Thank you to:  
**Pierce County Regional Council**  
**Port of Tacoma**  
**Puget Sound Regional Council**

**AHBL, Inc.**  
**BCRA**  
**Dwyer Pemberton & Coulson, P.C.**  
**Korsmo Construction**  
**Master Builders Association**  
**Neil Walter Company**  
**TranspoGroup**  
for their sponsorship.

**THURSDAY, FEBRUARY 7, 2013 | 8AM - 2:30PM**  
**WILLIAM W. PHILIP HALL, UNIVERSITY OF WASHINGTON TACOMA**

The goal of this one-day event is to stimulate fresh conversations about national, state and regional challenges in transportation investments, with special attention paid to how these investments can better support emerging economic trends in the overall metropolitan region.

**Robert Puentes** of the Brookings Institution will deliver the keynote address on national economic and transportation trends. Participants representing the four-county Puget Sound Region, UWT Urban

Studies faculty, students, staff, and national transportation experts will explore the trends, challenges, and new possibilities associated with urban transportation policy coordination and institutional leadership both here in the Puget Sound region and across the United States.

All events are free and open to the public; however, advance registration is required. Continental breakfast and box lunch included.

For a detailed schedule and to register go to: [tacoma.uw.edu/events/urban](http://tacoma.uw.edu/events/urban)

# **2013 URBAN STUDIES FORUM: TRANSPORTATION FOR THE NEXT ECONOMY**

**FEBRUARY 7, 2013**

**PHILIP HALL, UW TACOMA CAMPUS**



**WEDNESDAY, FEBRUARY 6, 2013 (PRE-EVENT)**

**5:30PM – 8:00PM**

- Social gathering/dinner for key participants and sponsors

**THURSDAY, FEBRUARY 7, 2013**

**8:00 AM – 8:30 AM**

- Registration, coffee, mingling

**8:30 AM – 8:45 AM**

- Debra Friedman, Chancellor, UW Tacoma welcome
- Brian Coffey, Director, Urban Studies welcome
- Yonn Dierwechter, Associate Professor, Urban Studies, Opening comments

**8:45 AM – 11:00 AM**

## **I. FUNDING TRANSPORTATION FOR THE ‘NEXT’ ECONOMY: PROBLEMS AND PROSPECTS IN THE PUGET SOUND REGION**

**Charlie Howard**, Puget Sound Regional Council, Introductions and context

- **Dave Gossett**, Snohomish County Council and President, Central Puget Sound Economic Development District Board
- **Fred Jarrett**, Deputy King County Executive and former Washington State Senator
- **Josh Brown**, Kitsap County Commissioner and President of the Puget Sound Regional Council

Moderator: **Brian Coffey**, Director, Urban Studies Program



**THURSDAY, FEBRUARY 7, 2013**

**11:20 AM – 12:30 PM**

**II. KEYNOTE ADDRESS AND LUNCH**

**“DRIVING THE ECONOMY: A NEW AGENDA FOR TRANSPORTATION IN METROPOLITAN AMERICA”**

- **Robert Puentes**, Brookings Institution, Washington, D.C.
- 45-50 minute keynote address, with general discussion to follow

Introduced and moderated by: **Yonn Dierwechter**, Urban Studies Program

**12:40 PM – 2:25 PM**

**III. LEARNING FROM OTHERS? THE CALIFORNIA FUNDING EXPERIENCE**

- **Brian Kelly**, California Transportation Undersecretary for Governor Jerry Brown  
“The California Approach to Funding Transportation Projects: Background and History”
- **Steve Heminger**, Executive Director, Metropolitan Transportation Commission  
“Regional Transportation Decision-making in California:  
How the System Supports Regional Community and Economic Development”
- **Suzanne Smith**, Director, Sonoma County Transportation Authority  
“The California Self-Help Approach to Funding Transportation Projects: How the State Allocation Process Provides Resources to Counties to Invest in Needed Transportation Infrastructure”

Moderator: **Fern Tiger**, Professor, Urban Studies Program

Closing comments: **Charlie Howard**, PSRC, and **Yonn Dierwechter**, UWT Urban Studies



**2013 URBAN STUDIES FORUM:**  
**TRANSPORTATION FOR THE NEXT ECONOMY**  
[tacoma.uw.edu/events/urban](http://tacoma.uw.edu/events/urban)





The Planning Association of Washington and  
The Washington State Department of Commerce  
Present

## A Regional Short Course on Local Planning

Hosted by  
**The City of Tacoma**  
**Tacoma Public Utilities Auditorium**  
**3628 South 35th Street, Tacoma**  
*(Driving and Parking Directions on the back)*

**Wednesday, February 20, 2013 from 6:30 – 9:30PM**

The Short Course on Local Planning program provides a great training opportunity for Local and Tribal Governments, Mayors, Council Members, Board and Commission Members, Administrators, Staff, Attorneys, Consultants, Students, Stakeholders and the Community to learn more about the legal framework for local government decision-making, how comprehensive planning shapes community development, and - how to be involved.

City Planning Services Manager Ian Munce, Attorney Phil Olbrechts and AICP certified planners, Ed McGuire and Deborah Munkberg will present current planning efforts and issues in Tacoma, the legal basis of planning in Washington State, comprehensive planning and implementation basics, the roles and relationships in the planning process, a panel discussion and a Q and A time.

**EVERYONE IS WELCOME TO ATTEND, and  
there is NO CHARGE, and NO REGISTRATION.**

For more Short Course information, see  
<http://www.commerce.wa.gov/shortcourseplanning>

Please forward this announcement to others who may be interested.

We hope to see you there!

## Driving and Parking Directions

Tacoma Public Utilities Auditorium  
3628 S. 35<sup>th</sup> Street  
Tacoma, WA 98409

### Driving Directions:

From I-5 take SR-16 Exit (Exit 132)  
Take Union Avenue exit of SR-16  
Head south on Union Avenue  
Turn right on S. 35<sup>th</sup> Street

### Parking:

Park in Lot B1 or Lot C across the street (S. 35<sup>th</sup>) from the building.

