



## AGENDA

**MEETING:** Regular Meeting  
**TIME:** Wednesday, February 19, 2014, 4:00 p.m.  
**LOCATION:** 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 February 5, 2014

### **D. Discussion Items**

#### **1. Temporary Homeless Camp Permitting Process**

Review and consider approving of the Draft Findings of Fact and Recommendations Report and the Draft Letter of Recommendation to the City Council.

(See "Agenda Item D-1"; John Harrington, 279-8950, [jharrington@cityoftacoma.org](mailto:jharrington@cityoftacoma.org))

#### **2. Hilltop Subarea Plan**

Review oral testimony received at the public hearing on January 22, 2104 and written comments received to date, and the corresponding staff responses.

(See "Agenda Item D-2"; Brian Boudet, 573-2389, [bboudet@cityoftacoma.org](mailto:bboudet@cityoftacoma.org))

#### **3. 2014 Annual Amendment Package**

Authorize the distribution of the package (including nine applications) for public review and set March 19, 2014 as the date for a public hearing.

(See "Agenda Item D-3"; Lihuang Wung, 591-5682, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org))

### **E. Communication Items & Other Business**

(a) Infrastructure, Planning and Sustainability Committee's meeting, February 26, 2014, 4:30 p.m., Room 16; agenda includes:

- Transfer of Development Rights
- Planning Commission Accomplishments for 2013 and Proposed Work Plan for 2014
- Transportation Commission Accomplishments for 2013 and Proposed Work Plan for 2014

(b) Planning Commission's meeting on March 5, 2014 will be canceled, and the next meeting on March 19, 2014, at 4:00 p.m., will be held in the Council Chambers and the agenda may include:

- Hilltop Subarea Plan
- Planning Initiatives and Implementation Programs (e.g., Waterfront Design, Public Access, TDRs, ILAs)
- Sustainability Tools for Assessing and Rating (STAR) Communities
- Public Hearing – 2014 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code

### **F. Adjournment**







## **MINUTES** (draft)

**TIME:** Wednesday, February 5, 2014, 4:00 p.m.  
**PLACE:** Room 16, Tacoma Municipal Building North  
733 Market Street, Tacoma, WA 98402  
**PRESENT:** Sean Gaffney, Scott Winship, Chris Beale, Donald Erickson, Tina Lee (excused at 4:50),  
Alexandria Teague, Stephen Wamback  
**ABSENT:** Benjamin Fields, Erle Thompson

### **A. CALL TO ORDER**

Chair Gaffney called the meeting to order at 4:02 p.m.

### **B. QUORUM CALL**

A quorum was declared.

### **C. APPROVAL OF MINUTES**

The minutes of the regular meeting and public hearings on January 22, 2014 were approved as submitted.

### **D. DISCUSSION ITEMS**

The Commission suspended the rules and considered the second item concerning the Temporary Homeless Camp Permitting Process first. It was also noted that Commissioner Lee had submitted written comments on some of the Discussion Items prior to the meeting.

#### **1. Temporary Homeless Camp Permitting Process**

John Harrington, Development Services Division, presented a summary of oral testimony received at the public hearing on January 22, 2014, written comments received through January 24, and staff's responses to those comments. In response to the comment concerning emergency extensions, staff recommends adding a one-time, 40-day extension requested within 30 days of end camp timeframe. In response to the concern that camps are requiring too many regulations (e.g., fencing, background checks, and shower requirement), staff maintains that the proposed requirements are for the health and safety of both the campers and the public. In response to the notion that campers need to be able to have dignity by letting them self-regulate, staff suggests that camp rules are there for the safety of the campers and to keep up a positive image of the camp within the community. In response to the concern of the South Sound Military & Communities Partnership (SSMCP) over locating camps within the Accident Potential Zone II (APZ II), staff recommends that the City work in concert with SSMCP on the Joint Land Use Study to bring about land use regulations that implement the policies in the Comprehensive Plan to limit high density and assembly land uses in APZ II, which a small portion of South Tacoma is located in.

Discussion ensued. The Commissioners raised several issues, including whether camps should be allowed in APZ II, the language of the emergency camp extensions, the option of treating camps as multifamily housing, and camps being restricted to adults only. Upon conclusion of the discussion, the Commission concurred with staff's responses to public comment, suggested minor modifications to the language of the emergency extensions, and requested that the Commission's concerns over the APZ II issue be properly documented in the Commission's recommendation to the City Council.

## **2. Draft Hilltop Subarea Plan**

Brian Boudet, Manager of the Planning Services Division, distributed a copy of the summary of oral testimony received at the public hearing on January 22, 2014, and written comments received to date. He indicated that over 40 letters have come in from the community, some after the January 24<sup>th</sup> closing date, so staff has decided to extend the public comment period for a couple of weeks. The community has expressed a number of issues and concerns regarding the Plan, a majority relating to affordable housing and gentrification. Staff will continue to review public comment and develop appropriate responses, and will report back to the Commission at a future meeting. Chair Gaffney expressed on behalf of the Commission its appreciation for the community's comments and support. Commissioner Wamback shared his thoughts about the general confusion of the community about the geography covered by this plan; he believes that the community is under the impression that this plan covers the residential portions of Hilltop, when it actually covers mainly the Downtown portion of Hilltop. Mr. Boudet acknowledged Commissioner Wamback's comments and also stated that the public's comments are relevant to the part of Hilltop covered in the Plan as well.

## **3. Sustainability Code Amendments (Annual Amendment #2014-09)**

Stephen Atkinson, Planning Services Division, presented the proposed land use regulatory code amendments and a draft staff report for the Sustainability Code Amendments package. The proposal is intended to further advance the City's goals for reducing greenhouse gas emissions and promoting low impact development, active transportation and public health. Mr. Atkinson continued the Commission's discussion of electric vehicle parking and infrastructure requirements and start and end of trip infrastructure to support bicycling, responding to questions and concerns raised at previous meetings. He highlighted changes to the draft code that were made at the Commission's direction. Mr. Atkinson also introduced other minor amendments that will remove barriers to the use of certain low impact development techniques, including the use of pervious pavements and rainfall catchment systems, and setback and height exceptions for exterior insulation.

The Commission raised concerns over the costs associated with bicycle parking facilities and shower and changing facilities and questioned the need for weather protection for bicycle parking. Commissioner Teague requested that staff amend the purpose and intent statement for TMC 13.06.300 to recognize the importance of air quality improvement. Concluding the discussion, the Commission authorized the distribution of the proposal package for public review.

## **4. Plan and Code Clean Up (Annual Amendment #2014-11)**

Cheri Gibbons, Planning Services Division, and Allison Barker, Planning Intern, presented the proposed minor amendments to the Comprehensive Plan and the Tacoma Municipal Code. Amendments to the Comprehensive Plan included updates to the Transportation Element with respect to the community trip reduction program and the cost information of mobility improvement projects. Amendments to the Tacoma Municipal Code involved Chapters 13.04, 13.05, 13.06, 13.06A, 13.11 and 13.12, and included revising development standards for Pipestem lots, an update of the expiration of permits chart, a clarification of the Hearing Examiners authority, a reduction in the process for major modifications to existing conditional use permits, changes in the zoning code, corrections of miscellaneous errors, streamlining and clean ups of the critical areas preservation ordinance, and a clarification of who can hear shoreline substantial development permits. Upon conclusion of the discussion, the Commission authorized the distribution of the proposal package for public review.

## **5. Mixed Use Centers Code Review (MUC-Lite) (Annual Amendment #2014-04)**

Brian Boudet, Manager of the Planning Services Division, facilitated the Commission's continued discussion of proposed amendments to the Zoning Code designed to remove unnecessary barriers and encourage development within the City's Mixed-Use Centers. The proposed amendments addressed five key issues, concerning first level use limitations on core pedestrian streets, yard space standards, upper floor streetfront setbacks, upper story setbacks, and off-street parking. Mr. Boudet highlighted the expanded exemptions, reduced requirements and increased flexibility associated with the proposed

amendments to the yard space standards. He also highlighted the revised upper floor streetfront setback exemption for a “tower” feature to allow it to be located anywhere along the pedestrian street frontage (currently limited to just the corner of the building). Concerning off-street parking, Mr. Boudet provided that the proposal would revise the parking exemption for buildings within ten feet of the right-of-way on designated core pedestrian streets to include projects that provide commercial space within ten feet of the right-of-way on all designated pedestrian streets, and for extra parking provided by a project, would increase the allowed maximum percentage of compact stalls from 30% to 50%.

Discussion ensued. Clarification was requested regarding towers on buildings, why a work-live use is not allowed in an NRX zone, and a suggestion was made to require a minimum amount of compact stalls rather than a maximum. Upon conclusion of the discussion, the Commission authorized the distribution of the proposal package for public review.

#### **E. COMMUNICATION ITEMS AND OTHER BUSINESS**

Lihuang Wung, Planning Services Division, provided the following information:

- Transportation Commission’s Letter of Recommendation to the City Council concerning Tacoma Link Light Rail Expansion, dated January 24, 2014;
- The City Council to review the “Container Port Element” at the Study Session on February 11, 2014;
- Agenda for the Infrastructure, Planning & Sustainability Committee’s meeting on February 12, 2014;
- Agenda for the Planning Commission’s meeting on February 19, 2014.

#### **F. ADJOURNMENT**

The meeting was adjourned at 6:12 p.m.





City of Tacoma  
Planning and Development Services

**Agenda Item  
D-1**

**To:** Planning Commission  
**From:** John Harrington, Development Services Division  
**Subject:** **Temporary Homeless Camp Permitting Process**  
**Meeting Date:** February 19, 2014  
**Memo Date:** February 13, 2014

At the next meeting on February 19, 2014, the Planning Commission will consider making a recommendation to the City Council concerning the Proposed Land Use Regulations for the Temporary Homeless Camp Permitting Process.

Attached is a draft Findings of Fact and Recommendations Report that documents the Commission's review and decision process for the matter. The report includes Exhibit "A" which depicts the text of the proposed regulations. Also attached is a draft Letter of Recommendation.

If you have any questions, please contact me at 279-8950 or [jharring@cityoftacoma.org](mailto:jharring@cityoftacoma.org).

Attachment

c: Peter Huffman, Director





City of Tacoma  
Planning Commission

Draft for Review  
Planning Commission  
February 19, 2014

February 19, 2014

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL,

On behalf of the Planning Commission, I am forwarding our recommendations regarding the proposed Land Use Regulations for Temporary Homeless Camp Permitting Process, as outlined in the *Planning Commission's Findings of Fact and Recommendations Report, February 19, 2014* (attached).

The Planning Commission supports the City Council's intent to develop regulations in response to the State Legislature's passing of RCW 36.01.290, which grants broad authority to religious organizations to host temporary homeless camps for individuals experiencing homelessness. The proposed regulations endeavor to protect the health and safety of the public and camp residents.

The Planning Commission believes the proposed regulations support the City's strategic goals for a safe, clean, attractive, and environmentally sustainable city and foster economic diversity.

It is with that understanding and intent that the Planning Commission respectfully requests the City Council adopt the proposed regulations for the Temporary Homeless Camp Permit Process, as recommended.

Sincerely,

SEAN GAFFNEY  
Chair

Enclosure





**LAND USE REGULATIONS CONCERNING  
TEMPORARY HOMELESS CAMP PERMITTING PROCESS**

Draft for Review  
Planning Commission  
February 19, 2014

**TACOMA PLANNING COMMISSION  
FINDINGS OF FACT AND RECOMMENDATIONS  
FEBRUARY 19, 2014**

**A. SUBJECT:**

Proposed Land Use Regulations for the Temporary Homeless Camp Permitting Process.

**B. SUMMARY OF PROPOSED AMENDMENT:**

The proposed regulations, as shown in Exhibit “A”, would amend the Tacoma Municipal Code, Chapters 13.05 Land Use Permitting Procedures and Chapter 13.06 Zoning, with the following provisions:

- Maximum occupancy of each camp is 100 residents.
- No more than two camps may operate within the City at any given time.
- Minimum site area for each camp: 7,500 square feet for first 50 residents, plus 150 square feet for each additional resident, up to 100 residents.
- Maximum time on ground for each camp: 93 days (or 123 days for hard surface or non-residential sites). An emergency 40-day extension is also provided for.
- Minimum time to return to site or neighborhood: 2 years from previous camp start date (or 18 months for hard surface or non-residential sites)
- Camp must be located within ¼ mile of a transit stop
- Perimeter fencing: 6-foot sight-obscuring materials
- One shower for each 33 residents
- Warrant or background checks are required
- Parking: 2 spaces for every 25 residents.
- 14-day public notice to 400 feet of site
- Crime Prevention Through Environmental Design (CPTED) principles will be applied to the camps during the site plan review
- Perimeter setback: 10 feet from property line
- Shelter/tent separation: 2 feet on sides and rear of shelter; 4 feet from entrance; and 10 feet between group shelters

**C. BACKGROUND:**

In 2010, the Washington Legislature passed Ch. 175 (ESHB 1956), codified as RCW 36.01.290 which granted broad authority to religious organizations to host temporary homeless camps for individuals experiencing homelessness on property owned or controlled by such organizations. It

prohibits local governments from enacting an ordinance or regulation that imposes conditions other than those necessary to protect the public health and safety and that do not substantially burden the decisions or actions of a religious organization with respect to the provision of temporary homeless camps. It also prohibits the imposition of permit fees in excess of the actual costs associated with the review and approval of the required permit applications for temporary homeless camps.

It is the intent of the City of Tacoma to regulate temporary tent camps to protect public health and safety for such camps within the City that are associated with a religious organization as provided for in RCW 36.01.290. There is organized interest in the community to address homelessness and to provide options for persons in this life situation.

Within the scope of state law, there are some significant standards that are at the discretion of the local jurisdictions. Some of these issues include: number of people permitted in the camp, length of time the camp may operate, number of camps permitted at any one time in the city, and restrictions for demographic of persons allowed in the camp. The Planning Commission is proposing these measures to protect the health and safety of persons in the camp, our neighborhoods and the community and to encourage the efficient provision of camps in the City to support the homeless.

#### **D. FINDINGS OF FACT:**

1. In 2010, the Washington Legislature passed Ch. 175 (ESHB 1956), codified as RCW 36.01.290 which granted broad authority to religious organizations to host temporary homeless camps for individuals experiencing homelessness on property owned or controlled by such organizations.
2. Under RCW 36.01.290 cities may enact regulations to protect the public health and safety in the operation of the temporary homeless camps.
3. There are a number of non-governmental organizations and governmental agencies in the Greater Tacoma/Pierce County area that have been engaged for some time assisting the homeless. City staff sought the experience and expertise of these groups, and the public-at-large, at a number of public meetings to elicit feedback and to hear concerns regarding the operation of temporary homeless camps in the City.
4. Staff held outreach meetings with Tent City Tacoma, Associated Ministries, Downtown Business Association, Ministerial Alliance, Tacoma-Pierce County Coalition to End Homelessness, The Tacoma Community Council and the Cross District Association.
5. The following City departments as well as Tacoma Public Utilities and the Tacoma-Pierce County Health Department provided expertise and comment to the process and proposal: Community and Economic Development, Environmental Services, Legal, Neighborhoods and Community Services, Planning and Development Services, Public Works, Tacoma Fire, and Tacoma Police.
6. Staff conducted benchmarking of eleven jurisdictions across the state that adopted land use regulations to control the permitting and operation of temporary homeless camps.

7. Staff conducted three site visits to active homeless camps in Renton, Sammamish and Olympia and interviewed camp support organization officials and numerous residents of the camps to determine best practices and effective approaches.
8. Updates regarding the progress of outreach efforts and the proposed regulations were presented to, and feedback solicited from, the City Council's Neighborhoods and Housing Committee on October 21<sup>st</sup> and December 2<sup>nd</sup> in 2013.
9. The Planning Commission reviewed various iterations of the proposed regulations for the Temporary Homeless Camp Permitting Process at the meetings on September 18<sup>th</sup>, November 20<sup>th</sup>, and December 18<sup>th</sup> in 2013. All meetings were open to the public.
10. The Planning Commission conducted a public hearing on January 22, 2014 on the proposed regulations. The public hearing notice was distributed to the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, the Tacoma Public Library, and other known stakeholders and interested entities. An advertisement was placed in The News Tribune on January 6, 2014; a legal notice regarding the environmental determination was placed on the Tacoma Dailey Index on January 6, 2014; and an e-mail news release, "Tacoma News", was issued through the City's Media and Communications Office on January 10, 2014.
11. Environmental Review – Pursuant to WAC 197-11-340(2) and the City's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) for the proposed regulations was issued on December 30, 2013 (SEPA File Number SEP2013-40000215160), based upon a review of an environmental checklist. The DNS and the environmental checklist have been provided or made available to appropriate entities that had received the Planning Commission's public hearing notice. The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. This determination was not modified by the City, and became final on February 7, 2014.
12. A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was filed with the State Department of Commerce on January 2, 2014 (per RCW 36.70A.106). A notification was sent to Joint Base Lewis-McChord on January 6, 2014 (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney's Office, requesting for legal opinions on whether the City Council's adoption of the proposed amendments might result in an unconstitutional taking of private property (per RCW 36.70A.370).
13. Three citizens testified at the Planning Commission's public hearing on January 22, 2014, and two written comments were received by the record closing dated of January 24, 2014. The Planning Commission reviewed oral and written comments at its meeting on February 5, 2014, and concurred with staff's suggestion that one modification be made to the proposed regulations to allow a one-time emergency extension of camps of up to 40 days.
14. All information relating to this project is posted on the City's website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) and linked to "Temporary Homeless Camps".

## **E. CONCLUSIONS:**

The Planning Commission concludes that:

- (a) Given the provisions of state law allowing for religious organizations to host homeless camps and local interest to provide this service for the homeless, there is a need to implement regulations to protect the public health and safety in the development and operation of temporary homeless camps in Tacoma;
- (b) The proposed regulations are the minimum standards to provide for a healthy and safe living environment for camp residents and allow for a camp size and rotation that will accommodate the perceived need for the camps and not adversely impact the environment at the camp sites or in the surrounding neighborhoods;
- (c) The proposed regulations are consistent with the best practices of existing homeless camps in the Puget Sound area;
- (d) The proposed permitting process is designed to provide an efficient, consistent administrative review process for religious organizations planning to operate camps;
- (e) The proposed regulations for the Temporary Homeless Camp Permitting Process support the City's strategic goals for a safe, clean, attractive, and environmentally sustainable city and foster economic diversity; and
- (f) The proposed regulations for the Temporary Homeless Camp Permitting Process are consistent with state law (RCW 36.01.290), will benefit the City as a whole, will not adversely affect the City's public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

## **E. RECOMMENDATION:**

The Planning Commission recommends that the City Council adopt the proposed regulations for the Temporary Homeless Camp Permitting Process (Amendments to Tacoma Municipal Code, Chapters 13.05 and 13.06) as set forth in Exhibit "A".

## **F. EXHIBITS:**

- "A": Proposed regulations for the Temporary Homeless Camp Permitting Process (Amendments to the Tacoma Municipal Code, Chapters 13.05 and 13.06)

# Exhibit A

## Proposed Amendments to the Tacoma Municipal Code (TMC) pertaining to the Temporary Homeless Camp Permitting Process

**Proposed amendments address Permit Process (TMC 13.05) and Development Standards (TMC 13.06), and are shown in red underlines.**

### Permit Process – TMC 13.05

#### **13.05.010 Application requirements for land use permits.**

A. Purpose. The purpose of this section is to outline land use permit and application requirements.

B. Applicability. The regulations identified in this section apply to land use permits for which the Director and/or Hearing Examiner have decision-making authority. The applicant for a land use permit requested under this title shall have the burden of proving that a proposal is consistent with the criteria for such application.

C. Application Requirements.

1. Predevelopment Conference. A predevelopment conference may be scheduled at the request of the Department or the applicant. The predevelopment conference is intended to define the project scope and identify regulatory requirements of Title 13, prior to preparing a land use proposal.

2. Pre-Application Meeting. The pre-application meeting is a meeting between Department staff and a potential applicant for a land use permit to discuss the application submittal requirements and pertinent fees. A pre-application meeting is required prior to submittal of an application for rezoning, platting, height variances, conditional use permit, shoreline management substantial development (including conditional use, variance, and revision), wetland/stream/Fish and Wildlife Habitat Conservation Area (FWHCA) development permits, wetland/stream/FWHCA minor development permits, and wetland/stream/FWHCA verifications. This requirement may be waived by the Department. The pre-application meeting is optional for other permits.

3. Applications Form and Content. The Department shall prescribe the form and content for complete applications made pursuant to this title. The applicant is responsible for providing complete and accurate information on all forms as specified below.

Applications shall include the following:

- a. The correct number of completed Department application forms signed by the applicant;
- b. The correct number of documents, plans, or maps identified on the Department Submittal Requirements form which are appropriate for the proposed project;
- c. A demonstration by the applicant of consistency with the applicable policies, regulations, and criteria for approval of the permit requested;
- d. A completed State Environmental Policy Act checklist, if required; containing all information required to adequately determine the potential environmental impacts of the proposal;
- e. Payment of all applicable fees as identified in Section 2.09.170 – Required Filing Fees for Land Use Applications; and
- f. Additional application information which may be requested by the Department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, noise studies, air quality studies, visual analysis, and transportation impact studies.

D. Initiation of Review Process. The Department shall review a submitted application to determine its completeness, but will not begin permit processing of any application until the application is found to be complete.

“Completeness” means the appropriate documents and reports have been submitted. Accuracy and adequacy of the application is not reviewed as a part of this phase.

E. Notice of Complete or Incomplete Application.

1. Within 28 days after receiving a development permit application, the Department shall provide in writing to the applicant either:

- a. A notice of complete application; or
- b. A notice of incomplete application and what information is necessary to make the application complete.

The 28-day time period shall be determined by calendar days from the date the application was filed to the postmarked date on the written notice from the Department.

2. An application shall be found complete if the Department does not, within 28 days, provide to the applicant a notice of incomplete application.

3. If the application is determined to be incomplete, and/or additional information is requested, within 14 days after an applicant has submitted the requested additional information, the Department shall notify the applicant whether the information submitted adequately responds to the notice of incomplete application, thereby making the application complete, or what additional information is still necessary.

4. An application is complete for purposes of this section when it meets the submission requirements of the Department as outlined in Section 13.05.010.C and TMC Section 13.11.250 for projects that may affect wetlands, streams, or their regulated buffers, even though additional information may be required or project modifications may be made later. The determination of a complete application shall not preclude the Department from requesting additional information or studies, either at the time of the notice of complete application or subsequently if new information is required or substantial changes in the proposed action occur, or should it be discovered that the applicant omitted, or failed to disclose, pertinent information.

F. Inactive Applications. If an applicant fails to submit information identified in the notice of incomplete application or a request for additional information within 120 days from the Department’s mailing date, or does not communicate the need for additional time to submit information, the Department may consider the application inactive and, after notification to the applicant, may close out the file and refund a proportionate amount of the fees collected with the application.

G. Modification to Application. Proposed modifications to an application which the Department has previously found to be complete will be treated as follows:

1. Modifications proposed by the Department to an application shall not be considered a new application.
2. If the applicant proposes modifications to an application which would result in a substantial increase in a project’s impacts, as determined by the Department, the application may be considered a new application. The new application shall conform to the requirements of this title which are in effect at the time the new application is submitted.

H. Limitations on Refiling of Application.

1. Applications for a land use permit pursuant to Title 13 on a specific site shall not be accepted if a similar permit has been denied on the site within the 12 months prior to the date of submittal of the application. The date of denial shall be considered the date the decision was made on an appeal, if an appeal was filed, or the date of the original decision if no appeal was filed.

2. The 12-month time period may be waived or modified if the Director finds that special circumstances warrant earlier reapplication. The Director shall consider the following in determining whether an application for permit is similar to, or substantially the same as, a previously denied application:

- a. An application for a permit shall be deemed similar if the proposed use of the property is the same, or substantially the same, as that which was considered and disallowed in the earlier decision;
- b. An application for a permit shall be deemed similar if the proposed application form and site plan (i.e., building layout, lot configuration, dimensions) are the same, or substantially the same, as that which was considered and disallowed in the earlier decision; and

c. An application for a variance or waiver shall be deemed similar if the special circumstances which the applicant alleges as a basis for the request are the same, or substantially the same, as those considered and rejected in the earlier decision.

In every instance, the burden of proving that an application is not similar shall be upon the applicant.

I. Filing Fees. The schedule of fees for land use permits is established in Chapter 2.09 of the Tacoma Municipal Code.

J. Time Periods for Decision on Application.

1. A decision on applications considered by the Director shall be made within 120 days of complete application. Applications within the jurisdiction of the Hearing Examiner shall be processed within the time limits set forth in Chapter 1.23. The notice of decision on a land use permit shall be issued (and postmarked) within the prescribed number of days after the Department notifies the applicant that the application is complete or is found complete as provided in Section 13.05.010.D.3. The following time periods shall be exempt from the time period requirement:

a. Any period during which the applicant has been requested by the Department to correct plans, perform required studies, or provide additional required information due to the applicant's misrepresentation or inaccurate or insufficient information.

b. Any period during which an environmental impact statement is being prepared; however, in no case shall the time period exceed one year, unless otherwise agreed to by the applicant and the City's responsible official for SEPA compliance.

c. Any period for administrative appeals of land use permits.

d. Any extension for any reasonable period of time mutually agreed upon in writing between the applicant and the Department.

2. The 120-day time period established in Section 13.05.010.J.1 for applications to the Director shall not apply in the following situations:

a. If the permit requires approval of a new fully contained community as provided in RCW 36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

b. If, at the applicant's request, there are substantial revisions to the project proposal, in which case the time period shall start from the date on which the revised project application is determined to be complete, per Section 13.05.010.E.3.

3. Decision when effective. A decision is considered final at the termination of an appeal period if no appeal is filed, or when a final decision on appeal has been made pursuant to either Chapter 1.23 or Chapter 1.70. In the case of a zoning reclassification, the first reading of the reclassification ordinance by the City Council shall be considered the final decision. First reading shall be considered a tentative approval, and does not constitute final rezoning of the property. However, first reading of the ordinance shall assure the applicant that the reclassification will be approved, provided that the application complies with all requirements and conditions for reclassification as may have been imposed by the Hearing Examiner or the City Council.

4. If unable to issue a final decision within the 120-day time period, a written notice shall be made to the applicant, including findings for the reasons why the time limit has not been met and the specified amount of time needed for the issuance of the final decision.

5. Time Computation. In computing any time period set forth in this chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. Legal holidays are described in RCW 1.16.050.

(Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 28070 Ex. A; passed May 8, 2012; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27771 Ex. B; passed Dec. 9, 2008; Ord. 27728 Ex A; passed Jul. 1, 2008; Ord. 27431 § 5; passed Nov. 15, 2005; Ord. 27245 § 1; passed Jun. 22, 2004; Ord. 26843 § 2; passed Aug. 21, 2001; Ord. 26645 § 4; passed Jun. 27, 2000; Ord. 25852 § 1; passed Feb. 27, 1996)

### **13.05.020 Notice process.**

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

B. 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, [temporary homeless camp permits](#), 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.G.

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 Administrator shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Administrator 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.G; 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 (Section 13.05.020.G), 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.

C. 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.G. 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.G 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 (Section 13.05.020.G), 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 G of this section.

#### D. 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.E, 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.G. 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.G 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.

E. 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.G. 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.

G. Notice and Comment Period for Specified Permit Applications. Table G 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 – 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/determination 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***
Binding site plan	Required	No	No	No	No	Director	No	No	5 years***
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*	No	5 years
Open space classification	Required	400 feet	No	Yes	**	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA**	Hearing Examiner	Yes	Final Plat	5 years***
Plats 5-9 lots	Required	400 feet	Yes	Yes	20 days	Director	No*	Final Plat	5 years***
Rezones	Required	400 feet	No	Yes	21 days SEPA**	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days*** **	Director	No*	No	2 years/ maximum 6
Short plat	Required	No	No	No	No	Director	No	No	5 years***
Site approval	Optional	400 feet	No	Yes	30 days*** **	Director	No*	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days*** **	Director	No*	No	5 years****
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days**	Hearing Examiner	Yes	No	5 years
<b><u>Temporary Homeless Camp Permit</u></b>	<b><u>Required</u></b>	<b><u>400 feet</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>14 days</u></b>	<b><u>Director</u></b>	<b><u>No</u></b>	<b><u>No</u></b>	<b><u>1 year</u></b>
Variance	Optional	100 feet	No	Yes	14 days	Director	No*	No	5 years
Waiver	Optional	100 feet	No	Yes	14 days	Director	No*	No	Condition of permit
Wetland/Stream/ FWPCA development permits	Required	400 feet	No	Yes	30 days	Director	No*	No	5 years with 5 year renewal option to a maximum of 20 years total
Wetland/Stream/ FWPCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No*	No	5 years with 5 year renewal option to a maximum of 20 years total
Wetland/Stream/ FWPCA verification	Required	100 feet	No	Yes	14 days	Director	No*	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.

(Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 28070 Ex. A; passed May 8, 2012; Ord. 28050 Ex. B; passed Feb. 14, 2012; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. C; passed Jun. 30, 2009; Ord. 27771 Ex. B; passed Dec. 9, 2008; Ord. 27728 Ex. A; passed Jul. 1, 2008; Ord. 27631 Ex. A; passed Jul. 10, 2007; Ord. 27431 § 6; passed Nov. 15, 2005; Ord. 27245 § 2; passed Jun. 22, 2004; Ord. 27158 § 1; passed Nov. 4, 2003; Ord. 26195 § 1; passed Jan. 27, 1998; Ord. 25852 § 1; passed Feb. 27, 1996)

### **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;
2. Applications for conditional use permits;
3. Applications for site plan approvals;
4. Applications for 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;
15. Applications for temporary homeless camps

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.

E. Permitted Uses – Uses Not Specifically Classified. In addition to the authorized permitted uses for the districts as set forth in this title, any other use not elsewhere specifically classified may be permitted upon a finding by the

Director that such use will be in conformity with the authorized permitted uses of the district in which the use is requested. Notification of the decision shall be made by publication in a newspaper of general circulation.

F. Reasonable Accommodation. Any person claiming to have a handicap, or someone acting on his or her behalf, who wishes to be excused from an otherwise applicable requirement of this Land Use Code under the Fair Housing Amendments Act of 1988, 42 USC § 3604(f)(3)(b), or the Washington Law Against Discrimination, Chapter 49.60 RCW, must provide the Director with verifiable documentation of handicap eligibility and need for accommodation. The Director shall act promptly on the request for accommodation. If handicap eligibility and need for accommodation are demonstrated, the Director shall approve an accommodation, which may include granting an exception to the provisions of this Code.

1. Purpose. This section provides a procedure for requests for reasonable accommodations made by persons with disabilities, their representative or any entity, when the application of a land use regulation acts as a barrier to fair housing opportunities.

2. Application. Requests for reasonable accommodation shall be submitted in the form of a letter to the Development Services Division of the Planning and Development Services Department and shall include the following:

- a. The applicant's name, address, and telephone number;
- b. Address of the property for which the request is being made;
- c. The current use of the property;
- d. The basis for the claim that the individual is considered disabled under the fair housing laws: identification and description of the disability which is the basis for the request for accommodation, including current, written medical certification and description of disability and its effects on the person's medical, physical or mental limitations;
- e. The code provision, regulation or policy from which reasonable accommodation is being requested, including all applicable material necessary to reach a decision regarding the need for and reasonableness of the accommodation, such as drawings, pictures, plans, correspondence or any other background information relevant to the request;
- f. The type of accommodation being sought and why the reasonable accommodation is necessary to make the specific property accessible to the individual; and
- g. Other supportive information deemed necessary by the Department to facilitate proper consideration of the request, consistent with the Acts.

3. No application fee shall apply to a request for reasonable accommodation (unless the request is being made concurrently with an application for some other Land Use discretionary permit, in which case the applicant shall pay only the required application fee for that other discretionary permit).

4. Review Authority and Review Procedure.

a. Review Authority. Requests for reasonable accommodation shall be reviewed by the Director, or his/her designee.

b. Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another Land Use discretionary application shall be reviewed by the authority reviewing the discretionary land use application; further, a reasonable accommodation cannot waive a requirement for a Conditional Use Permit when otherwise required or result in approval of uses otherwise prohibited by the City's land use and zoning regulations.

c. Review Procedure. The Director, or his/her designee, shall grant, grant with conditions, or deny a request for reasonable accommodation in accordance with 13.05.030.F.5 (Findings and Decision).

d. The Director may require a Concomitant Zoning Agreement (CZA) be recorded with the Pierce County Auditor to ensure conditions of approval are met. The City will be responsible for creating the CZA and will provide it to the applicant. The CZA must be recorded prior to issuance of Certificate of Occupancy or Certificate of Completion for the associated building permit;

e. A notice of the Director's decision will be mailed to all property owners/taxpayers located within 100 feet of the site where the accommodation is requested.

5. Findings and Decision. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors, with or without conditions:

- a. The requested accommodation is necessary to make specific housing available to a disabled person;
- b. The housing will be used by a disabled person;
- c. The requested accommodation would not require a fundamental alteration in the nature of a City program or law, including land use and zoning; and
- d. The requested accommodation would not impose an undue financial or administrative burden on the City;

6. Reasonable Conditions. In granting a request for reasonable accommodation, the reviewing authority may further impose conditions of approval that are deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required under 13.05.030.F.5 above, such as removal of the improvements, where removal would not constitute an unreasonable financial burden and when the need for which the accommodation was granted no longer exists.

(Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 28077 Ex. B; passed Jun. 12, 2012; Ord. 28070 Ex. A; passed May 8, 2012; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. C; passed Jun. 30, 2009; Ord. 27728 Ex. A; passed Jul. 1, 2008; Ord. 27539 § 1; passed Oct. 31, 2006; Ord. 27466 § 35; passed Jan. 17, 2006; Ord. 27431 § 7; passed Nov. 15, 2005; Ord. 27245 § 3; passed Jun. 22, 2004; Ord. 27017 § 5; passed Dec. 3, 2002; Ord. 26195 § 2; passed Jan. 27, 1998; Ord. 25852 § 1; passed Feb. 27, 1996)

## Development Standards – TMC Chapter 13.06

### 13.06.635 Temporary use.

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

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

B. Temporary uses.

1. General. A temporary use shall be subject to the standards of development specified in this section.
2. Duration and/or frequency. Where permitted as a temporary use, the following uses may be authorized for the time specified in Table 1, and subject to Section 13.06.635.B.

**Table #1: TEMPORARY USES ALLOWED – NUMBER OF DAYS ALLOWED**

Temporary Use Type	Days Allowed Per Year
Seasonal sales	45
Carnival	14
Temporary housing	See Section 13.06.635.B.3.a
Temporary office space	See Section 13.06.635.B.3.b
Temporary storage	See Section 13.06.635.B.3.d
<a href="#">Temporary homeless camps</a>	See Section 13.06.635.B.4

a. The duration of the temporary use shall include the days the use is being set up and established, when the event actually takes place, and when the use is being removed.

b. A parcel may be used for no more than three temporary uses within a calendar year; provided, the time periods specified in Table 1 are not exceeded. Multiple temporary uses may occur on a parcel concurrently; provided, the time periods in Table 1 are not exceeded.

3. Temporary structure standards.

a. Temporary housing.

(1) Such use shall be placed on a lot, tract, or parcel of land upon which a main building is being in fact constructed. The applicant shall have a valid building permit approved by Planning and Development Services;

(2) Such uses are of a temporary nature not involving permanent installations, including structures and utilities;

(3) That such a house trailer or mobile home shall be located at least 25 feet away from any existing residences;

(4) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said house trailer or mobile home shall be observed.

(5) The temporary housing shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

b. Temporary office space.

(1) Such use shall be in accordance with the use regulations of the zoning district within which the temporary office is located.

(2) Such use is appropriate due to the construction or reconstruction of a main building or the temporary nature of the use.

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

(4) Such a temporary building shall be located at least 25 feet away from any existing structure or structures under construction unless it can be demonstrated that a lesser distance will be adequate to safeguard adjacent properties and provide a safe distance from any construction occurring on the site.

(5) Such temporary building shall not be required to comply with the design standards found in Section 13.06.501.

(6) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said temporary building shall be observed.

(7) The temporary office shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

c. Carnival.

(1) Such uses are of a temporary nature not involving permanent installations, including both structures and utility services, except those already existing on the premises.

(2) Proper regard shall be given to the controlling of traffic generated by the use with respect to ingress and egress to the given site and the off-street parking of automobiles attracted by the use.

(3) That any structures, buildings, tents, or incidental equipment shall be located at least 200 feet from existing residences;

(4) That off-street parking for the primary use on the site shall not be reduced below the required parking for that use.

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

(1) Temporary storage units shall be allowed as part of an active construction project or active moving process.

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

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be removed within 30 days after final inspection of the project.

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

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

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.500-.522.

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

#### 4. Temporary Homeless Camps

a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious organizations to use property they own or control for temporary homeless camps, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.

b. Application. In order to allow sponsoring religious organizations to establish a temporary homeless camp on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC 13.05 Land Use Permit Procedures and the following:

(1) The director of Planning and Development Services is authorized to issue permits for temporary homeless camps only upon demonstration that all public health and safety considerations have been adequately addressed and may administratively adjust standards upon providing findings and conclusions that justify the requirements.

(2) An application for a temporary homeless camp shall include the following:

(a) The dates of the start and termination of the temporary homeless camp;

(b) The maximum number of residents proposed;

(c) The location, including parcel number(s) and address

(d) The names of the managing agency or manager and sponsor

(e) A site plan showing the following shall be prepared and reviewed by staff which will make recommendations for best practices, including Crime Prevention Through Environmental Design (CPTED) principles:

(i) Property lines,

(ii) Property dimensions,

(iii) Location and type of fencing/screening (must be minimum ten (10) feet from property lines),

(iv) Location of all support tents/structures (administrative, security, kitchen, and dining areas)

(v) Method of providing and location of potable water,

(vi) Method of providing and location of waste receptacles,

(vii) Location of required sanitary stations (latrines, showers, hygiene, hand-washing stations),

(viii) Location of vehicular access and parking,

(ix) Location of tents and dwellings for each person (must meet Tacoma Pierce County Health Department requirements),

(x) Entry/exit control points, and

(xi) Internal pathways, access routes for emergency services

(f) A statement from the sponsoring religious organization regarding its commitment to maintain during the existence of any sponsored temporary homeless camp liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity.

c. Safety and health requirements. A temporary homeless camp shall be established in accordance with the following standards:

(1) No more than 100 residents shall be allowed per camp location. The City may further limit the number of residents as site conditions dictate.

(2) A minimum seven thousand five hundred (7,500) square feet of site area shall be required for camps of up to fifty (50) people. Site area may be proportionally reduced if adjacent existing church buildings are used for support facilities such as kitchen, dining hall, showers and latrines, and

(3). For a camp of more than 50 residents, the minimum 7,500 square feet camp area shall be increased by 150 square feet for each additional resident, up to a total of 100 residents.

(4) The maximum duration of a homeless camp shall be ninety-three (93) consecutive days. Gravel or paved camp sites and sites not zoned for residential use may extend the maximum duration of the camp to 123 consecutive days.

(a) A one-time extension of up to 40-days may be granted by the Director if unforeseen problems arise regarding camp relocation. An extension must be requested before the last 30-days of the temporary permit and will not be granted if violations of the camp permit had occurred.

(5) A camp may only return to the same church owned site after two years has lapsed since the start date of the previous camp. Gravel or paved camp sites and sites not zoned for residential use may decrease the relocation time to 18 months from the start date of the previous camp.

(6) In no event shall more than two (2) homeless camp sites be permitted within the City at any given time.

(7) The encampment shall be enclosed on all sides with a minimum six foot tall site obscuring fence.

(8) Permanent structures are prohibited from being constructed within the camp.

(9) Temporary homeless camps are prohibited in Shoreline Districts, critical areas, and their buffers.

(10) The sponsoring religious organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the camp during its operation.

(11) One security/office/operations tent for the purposes of having the manager overseeing the camp must be onsite at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the camp and be ready and able to alert police and/or other emergency responders if the need arises.

(12) The minimum age for camp inhabitants is 18-years-old.

(13) Each resident shall be pre-screened for warrants and a background check completed by the sponsor religious organization. No sex offenders will be permitted as camp residents.

(14) The temporary homeless camp must be located within one- quarter (¼) mile of a bus route that is in service seven (7) days-a-week.

(15) The following facilities and provisions must be made available on site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

(a) Potable water as approved or provided by local utilities. Estimated usage is four to five (4-5) gallons per day per resident.

(b) One sanitary portable toilet per twenty (20) residents with service as required.

(c) Hand-washing stations with warm water, soap and paper towels and covered garbage cans at the following locations:

(i) One (1) per fifteen (15) residents next to the portable toilets

(ii) One (1) at the entrance to the dining area, and

(iii) One (1) at the food preparation area.

(d) One (1) showering facility per thirty-three (33) residents on-site. Fractions will be rounded to nearest whole number. This requirement may be reduced depending on reasonable access to off-site shower facilities.

(e) At least one food preparation area/tent with refrigeration, sinks and cooking equipment. If food is prepared on site, adequate dishwashing facilities must be available.

(f) Food preparation, storage and serving. No children under age of ten (10) in food preparation or storage areas

(g) An adequate water source must be made available to the camp

(h) Sleeping shelters must meet the following standards:

(i) Minimum two (2) feet separation on side and rear of tents is required from other tents and a clear area of four (4) feet is required at the entrance to all tents. All tents will be flame retardant.

(ii) Minimum thirty (30) square feet per resident in group tents.

(iii) Minimum forty to fifty (40-50) cubic feet of air space per resident in group tents.

(iv) Beds arranged at least three (3) feet apart in group tents.

(i) Waste water disposal including mop sink which drains to sanitary sewer, and

(j) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Estimate 30 gallon capacity per 10 residents. Infectious waste/sharps disposal shall be made available.

(k) Premises must be maintained to control insects, rodents, and other pests

(16) Fire safety shall be provided as approved by the Tacoma Fire Department (TFD), including:

(a) Approval letter from the Tacoma Fire Department, should the camp contain structures in excess of 200 square feet or canopies in excess of 400 square feet.

(b) Provide at least one fire extinguisher as specified by TFD within seventy-five (75) feet from every tent and at least one (1) in the kitchen facility and security office/tent.

(c) Adequate access for fire and emergency services, with a minimum of two access points.

(d) No smoking or open flames allowed in tents.

(e) Electrical inspection in coordination with Planning and Development Services electrical inspector to ensure safe provision of power to support tents and facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and individual living tents.

(f) Security plan. The security plan shall:

(i) List the contact name and phone number of the on-site manager.

(ii) Contain an evacuation plan for the camp.

(iii) Contain a controlled access plan for residents, and

(iv) Contain a fire suppression and emergency access plan.

(17) Parking Standards.

(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.

(b) A minimum of two (2) off-street parking spaces per 25 residents are required for all temporary homeless camps, and

(c) Any required parking for the principal/existing use on site shall not be displaced as a result of the temporary homeless camp.

(18) Refuse and recycling containers shall be provided on site, with service provided by Solid Waste Management and paid for by the applicant.

(Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27079 § 48; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002)

DRAFT



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** Brian Boudet, Manager, Planning Services Division  
**Subject:** **Hilltop Subarea Plan**  
**Meeting Date:** February 19, 2014  
**Memo Date:** February 13, 2014

The Planning Commission conducted a public hearing on January 22, 2014, and kept the record open until January 24, 2014, to receive public comment concerning the draft Hilltop Subarea Plan.

At the previous meeting on February 5, 2014, staff handed out a summary of oral testimony received at the public hearing, copies of written comments received to date (many of them were received after the closing date of January 24), and a list of key issues identified from the public comments received. The handout is posted on [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) (and linked to "Planning Commission" > "Agendas and Minutes" > "Handouts" under February 5, 2014).

At the next meeting on February 19, 2014, staff will facilitate the Commission's review and discussion of the major issues and concerns reflected in the public comment and the corresponding staff responses, as summarized in the Public Comments and Staff Responses Report (attached).

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

Attachment

c: Peter Huffman, Director





## Public Comments and Staff Responses Report

February 11, 2014

The Planning Commission conducted a public hearing on January 22, 2014, and kept the record open until January 24, 2014, to receive public comment concerning the draft Hilltop Subarea Plan. Eight citizens testified at the public hearing, and 35 written comments were received (copies were provided to the Planning Commission at the February 5 meeting). While some of the testimony was very supportive of the Plan, summarized below are the major issues and concerns reflected in the public comment and the corresponding staff responses.

### Affordable Housing and Gentrification

- Concern about the availability of affordable housing within the subarea and potential displacement of existing residents due to the desired re-development of Hilltop.
- The Plan should include the establishment of an affordable housing monitoring system for the Hilltop Mixed-Use Center.
- Concern that the Plan does not reflect the Hilltop community as a whole and instead favors only a small selection of residents.

**Staff Response:** *The Hilltop Subarea Plan is designed to support the further development of this historic business district as a vibrant, compact, connected, mixed-income, diverse community. To address this, the Plan includes new, specific housing affordability goals as well as goals and strategies for expanding economic opportunity for existing and future residents (through job growth, enhanced educational achievement, transportation options, etc.). While the attached document provides a more detailed discussion of the Plan's and City's efforts, it is important to recognize that the Plan includes the following specific goal (and supporting actions) regarding affordable housing:*

**GOAL NR-7** At least twenty-five percent of the total housing units in Hilltop shall be affordable to households earning up to 80 percent of the countywide median income.

**ACTION NR-7.1** Establish an affordable housing monitoring system for the Hilltop Mixed-Use Center.

**ACTION NR-7.2** Explore the creation of a system that activates policies and regulations designed to promote the production of new affordable housing when affordability trends project a future shortfall.

*This goal is designed to respond to the community concern about housing affordability in this area as it redevelops, an issue that was raised by community members at the beginning stages of this process and continuously over the past two years of the Plan's development. While this proposed goal is significant, in that it reflects recognition of the community concern and a direct (and unusual) commitment to track and address this issue proactively when necessary, recent testimony has questioned whether this goal appropriately reflects the Hilltop community. In particular, concern has been expressed that the goal's tie to the "countywide median income" is not appropriate.*

The following table (which is based on information contained in the Plan) clarifies the difference between median household incomes in the Hilltop area as compared to Pierce County:

Area Median Household Income (AMI) 2010 Data			
	100% AMI	80% AMI	50% AMI
Pierce County	\$57,869	\$46,295	\$28,934
Tacoma	\$47,862	\$38,290	\$23,931
Hilltop	\$35,090	\$28,072	\$17,545

The current goal in the Plan reflects the commonly used definition of “affordable housing” – affordable for households earning no more than 80% of AMI (it is also important to note that this is based on combined household income, and not necessarily based on the incomes of individual). The current goal also reflects the standard AMI measurement used by most federal, state and local agencies that fund and otherwise support affordable housing – based on a countywide income figure. However, as the table clearly indicates, the Hilltop median household income is approximately 60% of the countywide median household income.

While staff recognizes their inherent limitations, utilizing the standard measurements are important as they are well-established, vetted, regularly updated to reflect changing conditions, and closely tied to the supportive funding sources that are often key to creating sub-market rate housing. However, staff also recognizes the gap between what is considered “affordable” based on a countywide standard and what is considered “affordable” within the Hilltop subarea, and concurs that the Plan’s goal should better address this difference. Therefore, staff recommends that GOAL NR-7 in the draft Plan be revised as follows:

**GOAL NR-7** At least twenty-five percent of the total housing units in Hilltop shall be affordable to households earning up to 80 percent of the countywide median income, and at least half of that (12.5 percent) shall be affordable to households earning up to 50 percent of the countywide median income.

As noted above, the Plan also established a companion goal to maintain a local housing affordability monitoring program, which would be used to assess housing affordability issues on a regular basis and support the implementation of additional, more proactive measures in the future (which could even include modification of this goal) if redevelopment of this area does not occur as intended.

## Community Outreach

- Many of the letters express concern that the Plan was not developed with sufficient outreach, and that the Plan thus overly reflects the interests of “outsiders” instead of the current residents.

**Staff Response:** As described on pages 6-12 of the draft Plan, this Plan was put together over the past two years with substantial public input from a wide variety of stakeholders. The plan was drafted through a Community Working Group made up of representatives of numerous organizations that have and continue to work in the Hilltop area. Over the past two years, outreach has included multiple open houses and scoping meetings, numerous community charrettes, stakeholder focus groups, numerous surveys, and multiple presentations to neighborhood groups and organizations. The project and opportunities for public input have been widely publicized with posters, flyers, thousands of direct mailers, the website for the project ([www.cityoftacoma.org/HilltopPlan](http://www.cityoftacoma.org/HilltopPlan)), and TV and newspaper coverage. Through all of these various means, community input has been substantial and that community input has guided the development of this draft Plan.

In addition, the specific quote provided in many of the letters (which seems to portray that the Plan is based only on comments from folks who don't live in the area) is taken out of context and mischaracterized in the letter. What is provided is only part of a sentence from the notes of the 11/28/12 Community Working Group meeting (a complete copy of the meeting notes are attached). The meeting included discussion about some of the survey results and the comment made was that it is important to recognize that the hospital worker survey was completed primarily by employees that do not live in the area. This was and still is a correct statement, but is not a reflection that the survey (which was one of multiple surveys completed) did not have merit. To the contrary, from the beginning of this project one of the important community discussions has revolved around trying to better understand why so many of the people who work in the district seem to have little interest in also living in the district (or shopping or eating in the district).

## Transit Review Requirements

- The requirement for developers to complete a transit services analysis for both Level 1 and Level 2 project should be included. As currently proposed, only Level 2 would be required to provide the analysis.

**Staff Response:** The proposed traffic mitigation analysis is addressed in a new code section (provided in Appendix A of the Plan). Following the model established as part of the South Downtown Subarea Plan, the mitigation approach divides projects into “small” and “large” projects and assigns different levels of analysis based on the project size, requiring more detailed analysis of larger projects that may be more likely to have notable safety or circulation impacts. However, Pierce Transit points out that even at the lower level the review should include analysis of any project impacts to existing transit services and stops. Staff agrees and will modify the proposed code language to address this issue.

## Toxics Cleanup

- Concern about toxics cleanup and water quality issues, how the State will be apprised of new projects in this area, and how projects will be assured to address these issues.

**Staff Response:** *The Washington State Department of Ecology (DOE) has expressed concern that they will no longer receive SEPA notices on larger projects, notices that they routinely use to formally notify applicants of toxic cleanup issues that DOE is aware of and to advise applicants of current cleanup regulations. PDS staff has met with DOE representatives and advised them that the City can: (1) attach notification language to all permits of a particular type(s), and (2) consider using the new permit tracking system (ACCELA) to "push" notifications of permit applications of specified types to DOE for review and comment. DOE is addressing the issues involved and will communicate a proposal for the City to consider in the near future. DOE's concern is a statewide one as SEPA thresholds continue to be raised in order to encourage infill development; Tacoma will be at the forefront in developing new approaches to replace SEPA notifications and review.*

### **Attachments:**

- A. Additional information about affordable housing in the draft Hilltop Subarea Plan and some other supportive efforts currently existing and/or being further developed by the City
- B. Meeting notes from 11/28/12 Hilltop Community Working Group meeting



## Hilltop Subarea Plan – Affordable Housing Components Summary

### **VISION**

The proposed Community Vision includes numerous explicit components that relate to affordable housing and inclusiveness:

- A brand – that establishes a positive Hilltop image and identity that reflects the community’s past and potential.
- Diverse populations – including employment, housing, and community services to support all racial, ethnic, and religious populations.
- Diverse ages - providing housing and community services to support of all age groups including youth, young adults, family starters, middle families, empty nesters, and seniors.
- Diverse households – providing housing and community services to support all household types including single individuals, couples, single-headed families, and nuclear family households.
- Mixed income – with employment and housing opportunities to support all income levels.
- Mixed use – with sufficient retail, commercial, services, offices, and other land uses to support the Hilltop population and serve as a destination for surrounding neighborhoods.
- Sustainable – limiting the impacts on the environment from human activities using, and creating a community that is ecologically and economically self-sufficient.
- Respectful – preserving Hilltop history, significant landmarks, and culture as the community continues to develop and evolve.

### **GOAL**

The Plan includes the following specific goal (and supporting actions) regarding affordable housing, designed to ensure the area achieves the goal of being a mixed-income community (including a significant affordable housing component):

**GOAL NR-7** At least twenty-five percent of the total housing units in Hilltop shall be affordable to households earning up to 80 percent of the countywide median income.

**ACTION NR-7.1** Establish an affordable housing monitoring system for the Hilltop Mixed-Use Center.

**ACTION NR-7.2** Explore the creation of a system that activates policies and regulations designed to promote the production of new affordable housing when affordability trends project a future shortfall.

### **OTHER ACTION STRATEGIES**

In addition to the ones outlines above, the Plan includes numerous other action strategies specifically designed to support affordable housing, preservation, opportunity, and inclusiveness:

**ACTION NR-1.3** Economic sustainability: Recruit businesses that employ technical, professional, and managerial skills offered by and/or able to be developed for Hilltop residents to facilitate live/work sustainability in Hilltop.

**ACTION NR-1.5** Education sector: Retain and recruit businesses that can support and expand on the opportunities created by the association of UW Tacoma, Evergreen State College Tacoma, and Bates Technical College with Hilltop Subarea business and employment development potentials.

**ACTION NR-3.2** Design: Redefine the Hilltop brand to include arts and historical based themes and install artworks, gateways, way-finding signage, walking tours, maps, and streetscape at the entrances into and of significant landmarks in Hilltop.

**ACTION NR-4.1** Art and history walking tours: Sign and create audio and phone apps for walking tours of Hilltop historical sites, buildings, and other visually interesting and significant landmarks for local recognitions as well as for historical tourist attractions.

**ACTION NR-4.2** Preservation of key historic resources: Complete the ongoing city-wide historic resources inventory and then conduct a focused evaluation of and community discussion about historic buildings within the Hilltop district to identify the most critical buildings to be retained and explore incentives, such as historical transfer of development rights (TDR), and regulatory tools to support their preservation and continued use.

**ACTION NR-5.1** Education: Expand school/community relations to include volunteer mentor and peer group support with the participation of the Tacoma Public Schools, Tacoma Housing Authority, UW Tacoma, Evergreen State College Tacoma, Bates Technical College, and others to improve educational opportunities, test scores, and the reputation of McCarver School in the community and marketplace.

**ACTION NR-5.2** Employment: Create a youth job placement service offering part and full-time internships and employment opportunities with Hilltop businesses and organizations for area youth.

**ACTION NR-5.3** Civic participation: Create youth civic participation opportunities where youth can mentor children or adults, promote events or social outreach, construct projects or enhance the environment, network careers or occupations, or create fine and performance art as youth members of Hilltop public and private organizations.

**ACTION NR-5.4** Social activities: Expand youth social and recreation oriented activities and facilities that offer evening and after school peer group interactions and events.

**ACTION NR-6.2** Affordable housing: Award additional density, reduced parking requirements, reduced permit fees, and/or other measures for new housing projects that promote rental and sale workforce housing for moderate income working households employed or resident within Hilltop.

**ACTION NR-6.3** Distribution affordable housing: Incorporate moderate and low income housing opportunities in mixed use and mixed income building and project developments to avoid concentrating too much subsidized housing in one building or area.

**ACTION NR-6.4** Special populations: Continue to provide social services and housing assistance for homeless, addicted, mentally ill, disabled or otherwise medically challenged, and domestic violence individuals and households by MLK social service agencies and organizations.

**ACTION M-5.1** Continue to support the selection of the North Downtown Central Corridor (E1) alternative for the Sound Transit LINK light rail extension.

**ACTION CP-1.1** Browne's Star Grill/Pochert Building: Subject to feasibility assessments, retain as much of the Browne's Star Grill and Pochert historical buildings as possible and redevelop the remaining city property for mixed use including ground floor retail, upper floor office and/or mixed income housing.

**ACTION CP-1.2** MLK Jr Way and 11th Ave Site: Subject to feasibility assessments, support the redevelopment of the vacant properties on MLK Jr. Way and J Street at 11th Avenue for mixed use with ground floor retail, street level artist live/work housing, an educational center, and/or upper floor office and mixed income housing activities and the possible retention and incorporation of the Tally Ho Tavern building.

**ACTION CP-1.3** Municipal Service Center: Subject to feasibility assessments, redevelop the city property housing the Municipal Services Center at MLK Jr. Way and South 13th Street for mixed use including ground floor retail with upper floor mixed income housing.

**ACTION CP-1.4** Allen Renaissance Center: Promote the sensitive renovation and reuse of the former Valhalla Hall, with the potential for a mix of commercial, residential, institutional, and community spaces.

**ACTION CP-1.5** Other Potential Development Opportunities: Promote the redevelopment of underutilized surface parking lots, vacant lands, or underused buildings for new development projects, that help to create a

dense mix of uses throughout the district, including retail, restaurants, office, personal services, medical facilities, and mixed income housing.

### **Existing Conditions**

- The Plan also recognizes that the Hilltop area is currently very affordable, with a significant number of formal affordable housing projects and market housing rates that generally fall within standard “affordable housing” ranges. Currently, the area is mostly comprised of “affordable housing.”
- For example, median rents in the Hilltop area are approximately \$590 per month, compared to the median Tacoma rent of \$893 per month.
- Based on discussion with both affordable and market-rate housing developers, the current “market” rate for new rental housing in the Hilltop ranges around 50-60% AMI (meaning that new “market-rate housing” in this area will likely also meets the general definition for “affordable housing,” at least for some time).

### **HILLTOP ZONING CODE**

The Mixed-Use Centers Code for Hilltop incorporates numerous features specifically designed to support affordable housing, housing affordability, and preservation, such as:

- Increased density allowances, which reduce the cost of development
- Reduced parking requirements, which is a significant cost for new development
- The Height Bonus Program includes two significant affordable housing bonus features, one tied to providing at least 20% affordable housing in a project and the other tied to contributions to the City’s Affordable Housing Trust Fund
- The Height Bonus Program includes two bonus features supporting preservation, one tied to preservation of historic façades and one tied to designating and protecting historic building
- The code also exempts all existing buildings from parking requirements, a significant factor in supporting their reuse

### **TAX INCENTIVES**

The City also provides a property tax incentive program specifically designed to support the construction of affordable housing

- The Multi-Family Tax Exemption program provides a 12-year property tax exemption for multi-family development projects that include at least 20% affordable units

### **CATALYTIC PROJECTS**

Recent and planned catalytic projects have included components designed to support affordable housing and opportunity

- LINK Light Rail – Expanding transportation access to historically disadvantaged areas was a key factor in the decision to select Hilltop as the next expansion of the Tacoma LINK Light Rail system
- Community Health Care – a large community health center focused on providing enhance health care to low-income individuals and families, along with multiple health care residency programs
- James Walton Renaissance Project – a public/private partnership project that includes both new market rate and affordable housing along with new commercial opportunities, while preserving some of the historic buildings in the community

- McCarver Elementary School - \$30 million remodel/upgrade to this historic elementary school
- People’s Community Center - \$6.5 million upgrade to the existing community center and pool
- Hillside Terrace (multiple-phases) - \$30 million affordable housing project (three phases) including more than 150 affordable housing units and a community center incorporating early childhood education, adult education and job training.
- THA’s McCarver Elementary Special Housing Program – 5-year pilot partnership between THA and the Tacoma School District to provide low-income housing assistance to support housing stability for about 50 local families with children attending McCarver Elementary.

**OTHER POLICY AND EFFORTS**

While not focused only on the Hilltop, the City formed an Affordable Housing Policy Advisory Group, which is moving forward with numerous initiatives designed to expand affordable housing and housing affordability, including:

- New Affordable Housing Policy Principles
- New Affordable Housing incentives and bonuses, such as expedited permits, fee waivers, and density bonuses
- Inclusionary Programs, such as a requirement for properties being rezoned to allow additional density to provide at least 10% affordable housing units
- Expanded Affordable Housing infill development types, such as accessory dwelling units, efficiency units, cottage housing, “great” houses, group housing, and small-lot single-family homes

**MLK Subarea Plan & EIS  
Working Group Meeting**  
November 8<sup>th</sup>, 2012  
5:30 p.m. – 7:00 p.m.  
People's Community Center, 1602 MLK Jr. Way

### **Open House Discussion**

**Brian Boudet (City of Tacoma)** - led with a description of the upcoming Open House on Wednesday December 5th at Evergreen State College Tacoma Campus in Lyceum Hall room 105 from 6:00-8:00 PM.

1. Tom Beckwith of Beckwith Consulting will be presenting the MLK Subarea Plan as well as the Planned Action Environmental Impact Statement (E.I.S.) through a series of poster boards as well as results from previous surveys. He and his staff will be on hand to help give the community a better understanding of what is involved with this process and to field any questions that participants may have.
2. There will also be several posters from interns highlighting different elements of the community, historical timelines, and long time resident's experiences from the Hilltop neighborhood.
3. City interns, in cooperation with McCarver Elementary School, will also be presenting several projects that they have worked on with the students throughout the last year that address community concerns and the needs of the area youth.
4. A survey will again be offered to help gauge the public's reactions to the open house and MLK project as a whole.

**Connie Brown (Affordable Housing Consortium)** - has spoken with TV Tacoma and will be having this event recorded and broadcast. This will involve going to each display and having someone describe the contents as well as general crowd shots. Connie has also generously offered to provide catered food for the open house. It was suggested that Justin Leighton of the Central Neighborhood Council may be able to provide water.

### **Housing Survey**

**Brian Boyd (City of Tacoma)** - gave a summary to date of the MLK Housing Survey. This survey was distributed to students, faculty, and staff at University of Washington Tacoma and Evergreen State College Tacoma Campus. It was also sent out to Employees of MultiCare and St. Joseph Hospital. Bates Technical College will be receiving the survey as well.

Although incomplete certain trends are immediately noticeable. The perception of Hilltop and the MLK business district as a haven for drugs and gang (or gang like) activity is a lingering issue that needs to be addressed. Before positive change can be realized, this image or "Brand", must be addressed and the qualities of the neighborhood. Common comments by respondents so far are that the area is not a desirable place to live because of crime, poor performance in public schools, "decent" housing is too expensive, and general rundown feeling of the neighborhood. A complete summary along with an analysis breaking down the responses to the multiple choice portion of the survey will be available when more data is collected and the survey closes.

**Discussion** – Tom noted that this survey was conducted at hospitals and colleges so the results will reflect more the ideas of people who live outside of the area that the plan is trying to attract than

current residents. The group discussed the current market rate for housing in Pierce County and felt that the MLK district was actually low. They also discussed LID's and suggested that lighting, curbs and sidewalks be an area wide priority. It was felt that this sort of investment would help develop the area while addressing the issue of safety. It was also noted that the various projects working with the area schools be brought to the public's attention.

Other suggestions for addressing this perception of a crime ridden area could be to pull crime statistics from around the city and county or even compare to parts of Seattle. Personal stories were also mentioned as a way to put a human face on the area. Using other media sources like "YouTube" was suggested as a means by which to take ownership of the name "Hill Top". And redefine the brand.

**Rebecca Solverson (SpaceWorks)** – noted that the arts community in the MLK district is growing and a crucial part of the image as of the MLK district. The arts have been used successfully in many cities across the country as a way to help redefine growth and change an area's image. Tacoma's Spaceworks program has been so successful in the MLK area in fact that they are out of vacancies and looking for more property owners willing to fill vacancies. The program has a very strong track record and she asks that any interested parties or those that may know property owners with vacancies contact her at [rsolverson@cityoftacoma.org](mailto:rsolverson@cityoftacoma.org)

**Brian Boyd (City of Tacoma)** – also spoke about an upcoming intern project that focuses on local businesses that have sprung up in the MLK district and neighboring Sixth Avenue recently which will be presented at the open house. This project looks at some of the bars and restaurants in the area that have opened in the last couple years partially because of their impact on the local economy and that they are direct evidence of growth but maybe even more importantly that these establishments are social in nature and therefore help spread a new image of the neighborhood throughout the city and region.

## **Draft Subarea Plan and E.I.S.**

**Tom Beckwith (Beckwith Consulting)** - Tom gave a brief description of what each document will hold and how they will be used. He emphasized the MLK Subarea Plan document which is intended to be a representation of group's efforts over the last year. He asks that all group members ***carefully read this document and accept ownership or respond with corrections/ changes***. This is the group's document so it is important that the group members feel it is representative of their work. This document will go out to group members on Tuesday November 12<sup>th</sup> ***comments should be submitted by the end of the week but must be no later than Monday November 19<sup>th</sup> in order to be included***. The E.I.S. document is more the city's document but should be reviewed as well when it is available (probably next week).



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-3**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **2014 Annual Amendment Package**  
**Meeting Date:** February 19, 2014  
**Memo Date:** February 13, 2014

At the next meeting on February 19, 2014, the Planning Commission will consider authorizing the distribution of the 2014 Annual Amendment Package for public review and setting March 19, 2014 as the date for a public hearing to receive public comment.

The 2014 Annual Amendment Package includes the following nine applications for amending the Comprehensive Plan and Land Use Regulatory Code:

1. Point Ruston Mixed-Use Center
2. Point Defiance Park Land Use Policies
3. Mixed-Use Centers Code Review (MUC-lite)
4. Affordable Housing Regulations
5. Container Port Element
6. Open Space Habitat and Recreation Element
7. Sustainability Code Amendments
8. Urban Forestry Landscaping Code Update
9. Plan and Code Cleanup

The Commission has completed the technical analysis for individual applications and authorized their public distribution, and on February 19 will review all applications as a package for internal consistency. The review will focus on supplemental information for Applications 3, 6, 7 and 8, as shown in Attachments A, B, C and D, respectively.

Upon the Commission's authorization for public distribution of the 2014 Annual Amendment Package and setting the date for a public hearing, staff will proceed with the public notification process. The proposed amendments associated with the nine applications and the respective staff analysis reports will be compiled into a Public Review Document, along with proper background and supportive information such as the environmental determination. We also plan to conduct a pre-hearing community informational session on March 12 to provide an additional opportunity for interested citizens to learn more about the subject and be prepared to participate in the public hearing process.

All relevant information will be posted online at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) with a link to "2014 Annual Amendment". If you have any questions, please contact me at (253) 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachments (4)

c: Peter Huffman, Director





## 2014 Annual Amendment Staff Analysis Report

Attachment A  
Mixed-Use Centers  
Code Review (MUC-Lite)  
Staff Analysis Report

<b>Application No.:</b>	2014-04
<b>Proposed Amendment:</b>	Mixed-Use Center Code Review
<b>Applicant:</b>	Planning and Development Services
<b>Location &amp; Size of Area:</b>	Mixed-Use Centers
<b>Current Land Use &amp; Zoning:</b>	Mixed-Use Centers, and X-Districts
<b>Neighborhood Council Area:</b>	Citywide
<b>Staff Contact:</b>	Brian Boudet, Planning Services Division (253) 573-2389, bboudet@cityoftacoma.org
<b>Date of Report:</b>	February 19, 2014

### I. Description of the Proposed Amendment:

#### 1. Describe the proposed amendment, including the existing and proposed amendatory language, if applicable.

The purpose of this Mixed-Use Centers Code Update Project was to conduct a focused evaluation of the existing development requirements applicable within the Neighborhood Mixed-Use Centers, and particularly those applicable to mixed-use projects in the core of these districts. The evaluation utilizes prototype development scenarios as examples to help identify potential barriers that could be removed and/or alternatives that could be pursued that would support this type of development without sacrificing the long-term community vision and core principles for the Neighborhood Mixed-Use Centers, which include:

- Mixed-use
- Dense
- Pedestrian-oriented
- Encourage multi-modal transportation
- Livability
- Core area is focus of growth and activity
- Compatible with adjacent neighborhoods

The proposed code amendments include the following key elements:

#### Core Pedestrian Street: first level use limitations

- Revise the requirements for street level use on designated core pedestrian streets to allow for work/live units

#### Yard Space Standards

- Expand the exemptions from the requirement to provide on-site yard space to include:
  - Projects with a Floor Area Ratio (FAR) above 3.0

- Projects located within 1/4-mile of a park or school with recreational facilities (current exemption is at 300 feet)
- Mixed-use projects that provide ground floor retail or restaurant uses
- Reduce the per-unit yard space requirement for multi-family and mixed-use structures from 100 square feet to 50 square feet
- Provide more flexibility in the types of features that can be provided to meet the yard space requirement (courtyards, roof decks, balconies, etc.)

#### Mass Reduction: Upper Floor Streetfront Stepbacks

- Revise the current stepback exemption for a “tower” feature to allow it to be located anywhere along the pedestrian street frontage (currently limited to just the corner of the building)
- Clarify that one per street frontage is allowed

#### Residential Transition Standards: Upper Story Stepbacks

- Revise the method for calculating this additional height restriction as follows:
  - Revise the starting location of measurement from the edge of the building to the zone transition line
  - Revise the starting height from 25 feet to 35 feet (the standard height limit for residential zones)

#### Off-Street Parking

- Revise the parking exemption for buildings within ten feet of the right-of-way on designated core pedestrian streets to include projects that provide commercial space within ten feet of the right-of-way on all designated pedestrian streets
- For extra parking provided by a project, increase the allowed maximum percentage of compact stalls from 30% to 50%

## **2. Describe the intent of the proposed amendment and/or the reason why it is needed.**

The mixed-use centers are at the heart of the Comprehensive Plan’s growth and development strategy. They are intended to accommodate a significant share of Tacoma’s future population and employment growth and be areas that provide a range of housing choices, employment opportunities, transit-supportive development, pedestrian and bicycle facilities and a mix of shops, services and public spaces. Renewing and transforming the mixed-use centers into functional, vibrant, sustainable urban villages is critical to achieving the City’s long-term goals and vision for its future.

However, while most of the mixed-use centers were created in the mid-1990’s they have seen relatively limited new growth. The purpose of this Mixed-Use Centers Code Update Project is to conduct a focused evaluation of the existing development requirements applicable within the Neighborhood Mixed-Use Centers, and particularly those applicable to mixed-use projects in the core of these districts. The evaluation utilizes prototype development scenarios as examples to work both with internal stakeholders and with community development and design professionals to help identify potential barriers and alternatives that could be pursued, either on a temporary or permanent basis, without sacrificing the long-term community vision and core principles for the Neighborhood Mixed-Use Centers.

- 3. Describe the geographical areas associated with the proposed amendment. Include such information as: location, size, parcel number(s), ownership(s), site map, site characteristics, natural features, current and proposed Comprehensive Plan land use designations, current and proposed zoning classifications, and other appropriate and applicable information for the affected area and the surrounding areas.**

The proposed amendments are focused on the City's Mixed-Use Centers, and particularly the eight Neighborhood Mixed-Use Centers.

- 4. Provide any additional background information associated with the proposed amendment.**

Additional background information is provided in the Mixed-Use Centers Report, dated February 12, 2014, prepared by the planning consultant BLRB (see Exhibit A).

## **II. Analysis of the Proposed Amendment:**

- 1. How does the proposed amendment conform to applicable provisions of State statutes, case law, regional policies, the Comprehensive Plan, and development regulations?**

As noted above, the proposed amendments are designed to support further growth and development within the City's Mixed-Use Centers, which are a key component of the City's growth strategy. While there are many, the following provisions of the City's Comprehensive Plan provide an overview of and reflect the importance of mixed-use center development:

### **GROWTH STRATEGY AND DEVELOPMENT CONCEPT ELEMENT**

#### **Section VI – Mixed-use Centers**

Mixed-use centers are compact, defined areas. 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 Center in Vision 2040.

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

\* \* \*

### **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)

In addition, the proposed changes are consistent with the Growth Management Act, which 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.

## **2. Would the proposed amendment achieve any of the following objectives?**

- **Address inconsistencies or errors in the Comprehensive Plan or development regulations;**
- **Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City's capacity to provide adequate services;**
- **Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or**
- **Enhance the quality of the neighborhood.**

The City's Comprehensive Plan calls for the Mixed-Use Centers to accommodate a significant portion of Tacoma's allocated employment and population growth. The proposed amendments are designed to support this redevelopment and growth, while ensuring that it still supports the creation of a pedestrian-oriented, livable community and is reasonably compatible with surrounding neighborhoods.

- 3. Assess the proposed amendment with the following measures: economic impact assessment, sustainability impact assessment, health impact assessment, environmental determination, wetland delineation study, traffic study, visual analysis, and other applicable analytical data, research and studies.**

See the attached consultant's analysis report for additional information.

- 4. Describe the community outreach efforts conducted for the proposed amendment, and the public comments, concerns and suggestions received.**

In support of this project, the City retained the services of BLRB Architects to assist in the analysis, stakeholder engagement, and drafting of recommendations. BLRB has prepared a report (Exhibit A) which includes an overview of the process and stakeholder engagement, key issues identified, and code amendment recommendations.

In addition, over the past few months, staff has discussed the 2014 Annual Amendment package with various stakeholder groups, including the Master Builders Association (MBA), other development industry representatives, and Neighborhood Councils. In addition, planning staff has reached out to the Community Council, the Cross District Association, and Neighborhood Business Districts, informing them of the 2014 Annual Amendment process and offering presentations on the proposed amendments at their board meetings. Additional outreach will occur through and during the Planning Commission and City Council's public hearing and notice processes.

- 5. Will the proposed amendment benefit the City as a whole? Will it adversely affect the City's public facilities and services? Does it bear a reasonable relationship to the public health, safety, and welfare?**

The proposed amendments are designed to support the achievement of the Comprehensive Plan's policies and focus on appropriate growth focused within the Mixed-Use Centers.

### **III. Staff Recommendation:**

Staff recommends that the proposed amendments to the Land Use Regulatory Code, as depicted in Exhibit B, be distributed for public review. Staff will continue to engage in public outreach and provide a summary to the Planning Commission prior to the public hearing process which is tentatively scheduled for March 19, 2014.

### **IV. Exhibits:**

- A. BLRB Mixed-Use Centers Report, dated February 12, 2014
- B. Proposed Amendments to the Tacoma Municipal Code, Chapter 13.06



# MIXED USE CENTERS ZONING CODE UPDATE

City of Tacoma  
February 12, 2014

## PURPOSE

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Mixed-Use Centers were created in the mid-1990's as a key strategy to accommodate expected future growth and rejuvenate many of the city's struggling business districts. They were designed to promote principles of urban design which attract people to live and work in functional, vibrant, sustainable "urban villages" better utilizing our transportation and utility infrastructure and easing development pressure on our region's growth boundary.

In the two decades since their creation there has been relatively little development. It was expected that these revised regulations would generate interest from the development community but the results have failed to meet expectations.

The goal of this report is to identify city policies or regulations that may be impeding desired development activity and to suggest alternatives that may be pursued which strengthen the community vision and reinforce core principles.



## EVALUATION PROCESS

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The *Mixed-Use Centers Zoning Code Update* project is designed to evaluate the existing regulatory standards applicable within the neighborhood centers and identify potential barriers to achieving the desired results.

The planning department initiated this process by identifying one potential development site in three separate neighborhood mixed-use centers. Each site is located on the center's *designated core pedestrian street* near the primary intersection. A prototype building design was created for evaluation on the three individual sites. Details on the prototype and sites can be found in Appendices A and B. The first review phase was completed by city staff and included a matrix that referenced applicable land-use code section requirements to each of the three sites, significant observations, and an environmental services pre-submittal checklist (see Appendices C-F).

The second phase of the work was completed by BLRB Architects. The goal of this phase was to identify the obstacles that would be encountered in a typical private development process. We researched the municipal land-use code and regulations that include occupancy/use, envelope standards, height bonuses, yard space, landscape buffering, zone transition, off-street parking, façade articulation, upper story step-backs, mass reduction, roofline standards, windows/openings/transparency requirements, façade surface standards, pedestrian standards, fencing/screening standards, utilities, traffic, and storm water requirements.

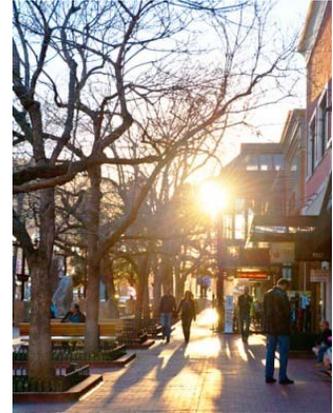
A pre-development meeting was held with city staff to present our code review data. City staff included experts from planning, environmental services, traffic, fire, and engineering. We verified our assumptions, listened to feedback from the staff, and identified additional constraints, requirements, and city processes that are not described in the code. Each department expressed clear goals for how new development could interface with city infrastructure for optimum results.

We concluded our research with a workshop where the study team and city staff interviewed a group of local developers. The goal of the meeting was to identify the real and perceived obstacles that hinder development in Tacoma. We solicited their input and listened to their values, concerns, and ideas for potential solutions. Details of this meeting are found in Appendix H.

## PROTOTYPE BUILDING

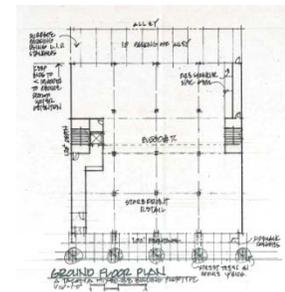
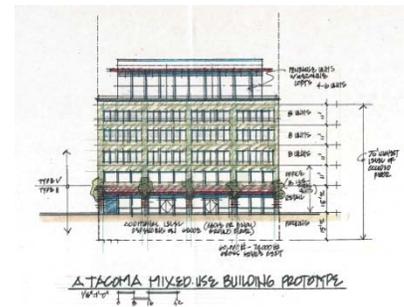
At the heart of a vibrant, functional, and sustainable urban neighborhood is a successful mix of choices for housing, shopping, services, employment, mass transit, biking, walking, and various public amenities for gathering and playing.

The basis of our evaluation is a 100' x 100' prototype building provided by the city. The building's relatively narrow width combined with high density represents a realistic size and scale of an infill project given the city's lot sizes and the difficulty in assembling multiple lots for larger developments.



The building program includes the following:

- Retail - at the street level; type 1A construction
- Live-Work - alternate in place of retail/office; type 1A construction
- Office – at the second level; type 5A construction
- Dwelling Units - 8 units per floor for 3-4 floors; type 5A construction
- Penthouse Units - 4 top floor units with mezzanine and private deck; type 5A construction
- Parking – at grade, below grade or above street level
- Access - parking access off the rear alley; pedestrian access from the main street
- Circulation - two exit stairs; one elevator
- Entry – minimal lobby
- Other - utilities, garbage and mechanical equipment as needed
- Yard Space - decks as required



Modifications to the prototype were required to align the design with site constraints and industry standards. Changes made included adapting the prototype to a flat site, adding a refuse/recycling area near the alley, and revising parking circulation. The building footprint was also modified for each site to adapt the prototype to the lot depth (see appendix G for each revised prototype).

**SITE ANALYSIS**

Proctor Mixed-Use Center



- 100' wide x 122' deep
- NCX zone; adjacent to RCX zone on the east
- Corner lot at the intersection of North 26<sup>th</sup> & Adams Street
- One block east of the primary intersection at 26<sup>th</sup> & Proctor
- North 26<sup>th</sup> street is a designated core pedestrian street
- Adjacent to existing one story retail on the west
- Across the street from Washington Elementary School to the east
- Alley access on the north – 16' wide right of way
- Pedestrian access on the south from N. 26<sup>th</sup> – 80' wide right of way
- 45' height limit | 65' height limit with bonus

Martin Luther King Jr. Mixed-Use Center



- 100' wide x 130' deep
- NCX zone; adjacent to RCX zone on the east
- Mid block lot between South 14th and 15th streets on Martin Luther King Jr. Way
- Three blocks south of the primary intersection at 11th & Martin Luther King Jr. Way
- Martin Luther King Jr. Way is a designated core pedestrian street
- Adjacent to existing one story single family and multifamily residential
- Across the street from existing underutilized retail
- Alley access on the east – 20' wide right of way
- Pedestrian access on the west from MLK – 80' wide right of way
- 45' height limit | 85' height limit with bonus

56th & South Tacoma Way Jr. Mixed-Use Center



- 45' height limit | 85' height limit with bonus
- 100' wide x 110' deep
- NCX zone; adjacent to RCX zone on the Mid block lot between South 52nd and 53rd streets on South Tacoma Way
- Four blocks north of the primary intersection at 56th & South Tacoma Way
- South Tacoma Way is a designated core pedestrian street
- Adjacent to existing one story commercial and surface parking
- Across the street from existing underutilized commercial
- Alley access on the east – 20' wide right of way
- Pedestrian access on the west from South Tacoma Way – 100' wide right of way
- 45' height limit | 85' height limit with bonus

## **DEVELOPER OUTREACH FEEDBACK**

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The study team and city staff initiated a workshop meeting with five local developers. Three other developers were interviewed over the phone. The meeting was two-hours long and was structured as an informal discussion. A series of questions were asked, and we recorded their observations and opinions. The information below is a representation of what we heard.

Each development project has unique influences, challenges, and opportunities that shape buildings and their neighborhoods. These influences can be organized into major categories such as market (supply, demand, and median income), lending/finance, and regulations. These factors exist in each market but the magnitude of each attribute varies for each neighborhood, city, and region.

A predominant factor that shapes development in Tacoma is market economics. Tacoma is a blue collar city with industrial roots. Our median income is 26% lower than Seattle, the closest major urban center. Our top-10 employers are the military, public schools and universities, health care, local and state government, and retail stores. Few of our major employers are in high-paying industries, and this limits the maximum rents the market can demand. Market factors are very complex and difficult to change.

Tacoma is also limited because it is a secondary financial market. Low rents result in low yields and increased risk for investors and eliminate Tacoma from the consideration of national banks and institutional real estate investors. Nearly all development that occurs in Tacoma is completed by local developers and financed by local banking. Once local developers build the market and it achieves strong fundamentals, the market has potential to be viable for the institutional market. The key to financial improvement is to collaborate with local developers and help them be successful.

The goal of this study was to uncover regulatory and policy obstacles that hinder development in the neighborhood mixed-use centers. Developer feedback was definitive that city policy and regulations was not the obstacle for development. They unanimously believed Tacoma market conditions were the primary obstacle. Larger scale developers did not have difficulty having access to capital, but access to financing was a major issue for the small scale developers.

## **DEVELOPER OUTREACH FEEDBACK**

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Developers praised the performance of city staff and policies. There were positive opinions about the current city leadership and economic development activities. The Tacoma Planning and Development Services (PDS) process was universally considered the best in the region. The Fire Department and Tacoma Public Utilities were the only two city entities that were negatively described. In both cases, developers expressed concerns that these groups made unilateral decisions that sometimes had major negative impacts to budget and schedule. Examples included requirements for major sprinkler upgrades to existing buildings during annual inspections, city installation of water service that was not competitively priced, and requirements to incorporate an oversized above-ground power vault not identified until construction.

Using current market conditions, the developers believed most projects today are not viable, based solely upon on-site development costs. The cost of new development is nearly double the price of an existing structure and it is more viable to renovate existing buildings than to build new. If a new project is viable, the margins are so thin that any amount of off-site project costs can kill the deal.

Their recommendation is to focus on modifying development regulations that are the most likely to: a) improve market economics and financial market obstacles and b) be considerate of the financial challenges confronted by our local developers, minimizing unnecessary on-site and off-site expenses.

## FINDINGS & RECOMMENDATIONS

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The study process involved rigorous investigation of individual land-use regulatory requirements, and their impacts on the prototype building. The barriers and obstacles encountered, and potential solutions to consider, are described below.

### **Section 13.06.300.D – Land Use Requirements**

**Requirement** – Multi-family uses are prohibited at street level along core pedestrian streets. An exception allows entrances, lobbies, and common facilities for uses above or behind street level. This exception is limited to 75' or 50% of the façade, whichever is less.

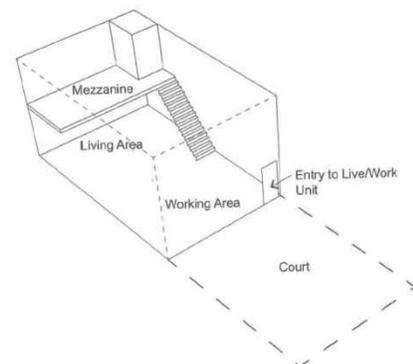
**Finding 1.0** –The retail demand fluctuates with the economy and this requirement may be a barrier to a successful development. The developers identified this requirement as one of the most challenging on-site requirements. Moreover, the vibrancy of urban streets is not dependant on 100% commercial use. Successful neighborhoods are often a messy mix of many uses with high levels of activity.

**Recommendation 1.0** – Create flexibility that allows for adaptability to market fluctuations.

- a. Revise the requirements for street level use on designated core pedestrian streets to include work/live space.
- b. Shorten the length of designated core pedestrian streets around the primary intersections. This will create more compact and active retail cores and enable developers to meet market demands for space. This revision must include revising the parking requirement exemption to be tied to designated pedestrian streets rather than designated *core* pedestrian streets



IMAGES FROM LIVE-WORK PLANNING AND DESIGN BY THOMAS DOLAN



## FINDINGS & RECOMMENDATIONS

### Section 13.06.300G - Yard Space Standards

**Requirement** – Projects with a zero-lot line typology are required to provide a minimum 35 square foot deck or patio for each tenant and a rooftop deck that is accessible to all tenants, visible to multiple dwelling units, has access to sunlight, and includes landscaping, furniture, and lighting.

There is an exception to this requirement for projects located within 300-feet of a public park or public school. Only one of the three sites can take advantage of this exception.

**Finding 2.0** – Yard space requirements are challenging for small scale projects like the prototype building. Large projects have open spaces between building wings due to the optimum configuration of housing units, while small zero lot line projects do not. A small project would likely need to displace critical housing units to make space for a roof patio.



ZERO LOT LINE INFILL DEVELOPMENT WITH USE OF PUBLIC 'YARD SPACE'



LARGE SCALE DEVELOPMENT WITH INHERENT 'YARD SPACE'

Requiring yard space for every resident is a somewhat suburban concept and one that over time will be increasingly difficult to meet. This is particularly true for the denser type of developments that are envisioned for the core areas of the mixed use centers. Moreover, there are major aesthetic implications for this requirement as well as water intrusion concerns and weaknesses in the building envelope at the roof decks and. Patios and roof decks are beneficial amenities and pleasant design features but should be amenities utilized to differentiate product and not baseline code requirements. This requirement is unrealistic, cost-prohibitive, and a potential aesthetic eyesore.

The intent of this requirement is to enhance the livability of these dense urban areas by providing yard space for residents, including children. It is debatable whether this requirement resolves this concern. Unit patios are not ideal play environments, and a roof deck would be a marginal outdoor play space.

The exception for proximity to a public park or school is also challenging. The implication is that if there is not a park within a set distance, it is the responsibility of the developer to provide one.

**Recommendation 2.0** – Revise requirements to better reflect the vision of an urban village.

- a. Remove the yard space requirement for projects with a Floor Area Ratio (FAR) above 2.5. This will eliminate all neighborhood mixed-use centers from being governed by this section while retaining the section for the lower density neighborhoods for which it is more appropriate.
- b. Revise the existing exception from 300-feet to one quarter mile. This is the commonly accepted walking distance for urban neighborhood living. All three sites would be exempt from the yard space requirement with a more reasonable walking distance requirement.

## FINDINGS & RECOMMENDATIONS

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### **Section 13.06.501.H.2 – Mass Reduction: Upper Floor Streetfront Stepbacks**

**Requirement** – Step the building façade back at either the 5<sup>th</sup> or 6<sup>th</sup> floor (depending on the width of the right-of-way). There is an exception that allows a maximum 25' width of façade to ignore the stepback requirement for a distinctive corner tower element such as a turret.

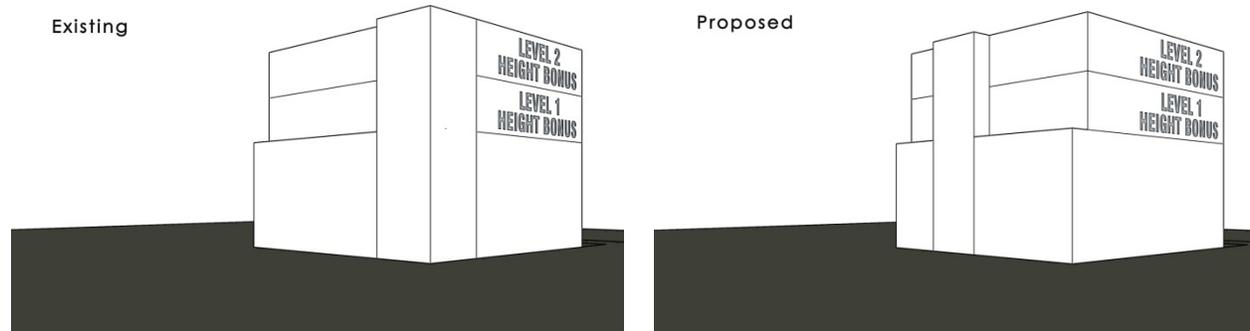
**Finding 3.0** – The intent of the stepback requirement is to limit the vertical proportions of the streetscape to achieve neighborhood scale and provide access to daylight on the sidewalk.

If underground parking is desired, the options for locating stair towers are limited, and the front façade is a likely location. Front or corner stairways are a direct conflict with this section.

This section unnecessarily creates a subjective preference for buildings with corner towers and turrets

**Recommendation 3.0** – Expand the exception to increase the ability of the designer and developer to better utilize restrictive sites and improve potential design solutions.

- a. Revise the corner tower exception to allow the 25' wide stepback exemption anywhere along the façade. Corner lots would be allowed one exemption per street facade.



**FINDINGS & RECOMMENDATIONS**

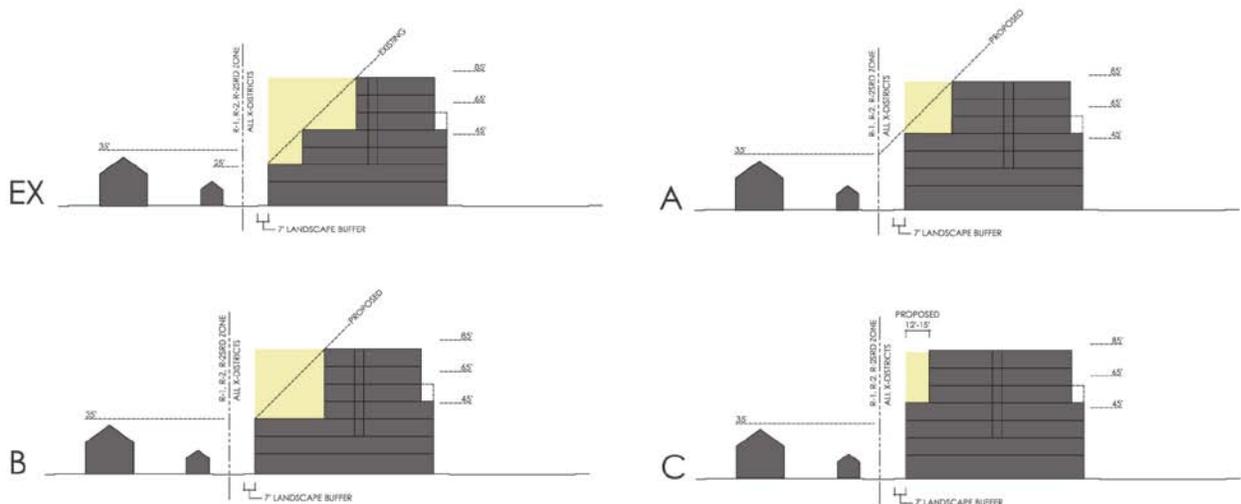
**Section 13.06.503A – Residential Transition Standards: Upper Story Stepback**

**Requirement** –For properties across an alley from a residential zone the rear façade of the building must not intercept a 45-degree angle beginning from the inside edge of the required landscape buffer and 25’ above finish grade.

**Finding 4.0** – Although this requirement did not specifically impact our three selected sites our discussions with City staff and developers indicated that this has, in some cases, been quite problematic, and so we examined the affect it would have made on our project should the zone across the alley have been residential. The result was a reduction of nearly half the potential dwelling units.

**Recommendation 4.0** – Revise the regulation in such a way to minimize impact to the mixed use development while remaining sensitive to the scale of the residential neighborhood. Below are three options for consideration which can be adopted by themselves or in combination.

- a. revise the starting location of the 45-degree angle to the edge of the residential zone
- b. revise the starting height of the 45-degree angle to 35’. This is the standard height limit for residential zones.
- c. change the requirement to a single required step back of 12'-15' at the fourth floor.



**FINDINGS & RECOMMENDATIONS**

**Section 13.06.510 – Off-Street Parking & Storage Areas**

**Requirement** – The three study sites were all exempt from off-street parking requirements. Without the exemption the required number of parking stalls would vary from 41-71 depending on whether the building contained commercial office space.

**Finding 5.0**–While there is a continued trend toward reduced off-street parking our design takes into consideration current market demand. Our goal was to achieve minimum on-site parking equal to one stall per dwelling unit (35-38 units per prototype design). All project sites are flat with vehicle access from the alley. We explored three separate parking configurations.

The *parking at grade* scheme was the lowest cost option and resulted in 23 parking stalls. This design accommodated 16 stalls within the building footprint and 7 stalls off the alley. This scheme is available for all project sites and achieves 56% of the desired minimum stalls. This scheme is limited to 16 structured parking stalls and would not qualify for the height bonus.

The *parking above* scheme resulted in 32 parking stalls. This design incorporates two parking decks within the height of the first floor retail, maximizing parking stalls without excavation. The second level is reached via an internal ramp. This scheme is available for all project sites and 78% of the desired minimum stalls. This option would qualify for the height bonus.

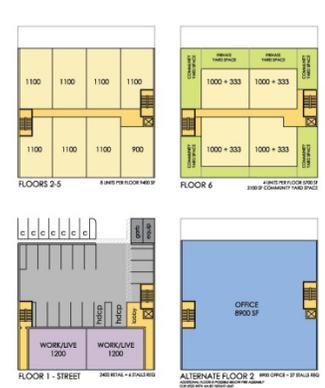
The *parking below* scheme resulted in 47 parking stalls. This design incorporates two parking areas, a smaller deck at grade and a full site deck below grade that is accessed via an internal ramp. The underground deck is only viable for lots with depth of 130’ or longer. This scheme provides 100% of the desired minimum stalls and would qualify for the height bonus.

Parking has a significant impact on a building’s design. It can be expensive and complicated; especially on small urban infill sites. Flexibility is critical to addressing these issues and to promoting density. Also, the current requirement for the amount of compact stalls is the same within the mixed use centers as it is elsewhere. It’s reasonable to assume users will expect these areas to be a bit denser than the other areas of town.

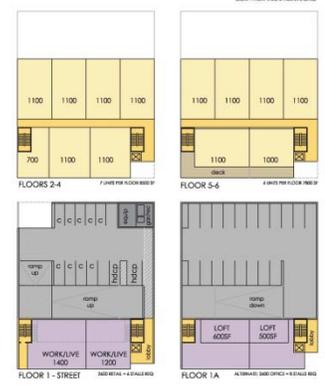
**Recommendation 5.0** – Revise requirements to create more flexibility and to encourage density in all areas of the mixed use center.

- a. increased percentage of allowed compact stalls in mixed use districts
- b. revise the parking exemption for buildings within ten feet of the right-of-way on designated core pedestrian streets to include projects that provide commercial space within ten feet of the right-of-way on all designated pedestrian streets

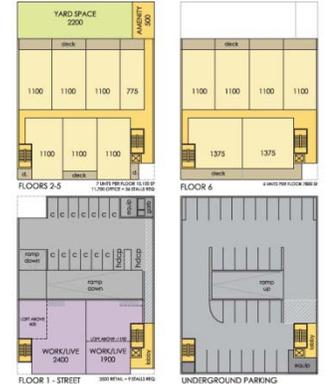
**park at grade** 23 | 38  
STALLS UNITS  
 16 OFFICE SPACE - 3524  
 48 OFFICE - 195 OFFICE



**park above** 32 | 35  
STALLS UNITS  
 32 OFFICE SPACE - 3524  
 48 OFFICE - 195 OFFICE



**park below** 47 | 38  
STALLS UNITS  
 32 OFFICE SPACE - 3524  
 48 OFFICE - 195 OFFICE



## ADDITIONAL CONSIDERATIONS

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Some opportunities were uncovered that warrant further evaluation but are outside the scope of this study. Below are brief findings and recommendations for guiding future considerations.

**Finding 6.0** – The requirements for off-site improvements such as utilities, storm water, sewer, sidewalks, etc. create additional challenges for potential development. The current requirements do not take into account the project size and thus they become out of scale and seem not to be equitable for smaller development.

**Recommendation 6.0** – Create more flexibility for off-site improvements by providing exceptions based on project size. These exceptions would need to take into account a prioritization of which improvements are most critical. The smaller the project the more exceptions become available.

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**Finding 7.0** – Navigating the zoning code is difficult because each and every section is not labeled as is found in other industry codes such as the International Building Code.

**Recommendation 7.0** – Label each and every section of the zoning code in a similar style to the International Building Code.

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**Finding 8.0** – Street Level commercial space is not always in demand. The idea of adapting this space to residential triggers change of use obstacles for future commercial use.

**Recommendation 8.0** – Study further the creation of a work-live amendment to the IBC which aligns itself with the purpose and flexibility of the zoning code revision.

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**Finding 9.0** – The permitting process often times created frustration and/or additional expense due to information about project requirements being omitted, misunderstood or presented late in the process. Moreover, when project challenges emerge, both the Fire Department and Tacoma Public Utilities were viewed as groups which tended to be less cooperative, flexible, and/or supportive in light of the other departments which were viewed more as solution oriented partners or advocates.

**Recommendation 9.0** – Study further the obstacles and potential solutions for better serving the development community. Consider the concept of a single contact ‘concierge-like’ position to assist the client in the navigation of the permitting and inspection process and to assist in expedient, clear and solution oriented communication between departments and with the client.

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**Finding 10.0** – The design standards provide an approach to eliminating poor design through a prescriptive methodology. This restricts the design team by eliminating a multitude of creative design options - many of which may better realize the mixed use center’s core principles and vision.

**Recommendation 10.1** – Further evaluate and develop the design standards to avoid unnecessary restraints and unintended stylistic tendencies.

**Recommendation 10.2** – Create an alternative approach that is simple and flexible, such as an administrative design review, which requires projects to meet or exceed the intent of the design standards. It should provide answers within a quick and predictable timeframe and approval/denial should be based on a document that clearly identifies the intent of each design standard.

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# APPENDIX 'A'

## City of Tacoma Project Summary



City of Tacoma  
Planning and Development Services

Agenda Item  
D-5

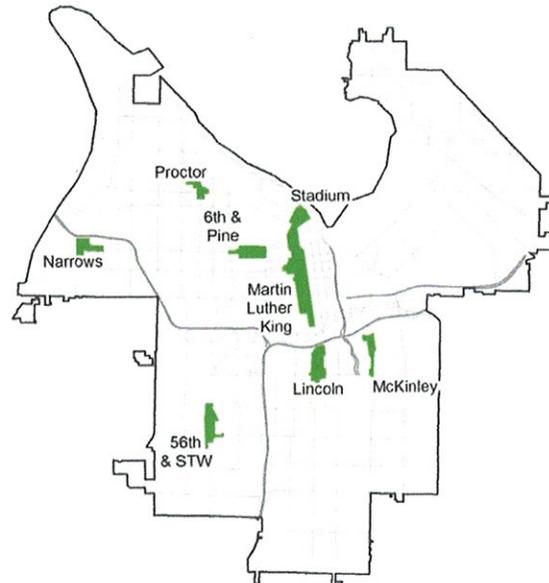
**To:** Planning Commission  
**From:** Brian Boudet, Manager, Planning Services Division  
**Subject:** **Mixed-Use Centers Zoning Code Update**  
**Date of Meeting:** December 18, 2013  
**Date of Memo:** December 11, 2013

At the next meeting on December 18<sup>th</sup>, staff will provide an update on the Mixed-Use Centers Code Update project (Annual Amendment Application #2014-04). This project is designed to evaluate the existing regulatory standards applicable within the centers and identify potential barriers to achieving the desired development. Since the last presentation the City has retained the services of BLRB Architects to assist in the analysis, stakeholder engagement, and drafting of recommendations. Staff will be outlining the project, current status, and upcoming public outreach.

As the Commission is aware, the mixed-use centers are at the heart of the Comprehensive Plan's growth and development strategy. They are intended to accommodate a significant share of Tacoma's future population and employment growth and be areas that provide a range of housing choices, employment opportunities, transit-supportive development, pedestrian and bicycle facilities and a mix of shops, services and public spaces. Renewing and transforming the mixed-use centers into functional, vibrant, sustainable urban villages is critical to achieving the City's long-term goals and vision for its future.

However, while most of the mixed-use centers were created in the mid-1990's they have seen relatively limited new growth. The purpose of this Mixed-Use Centers Code Update Project is to conduct a focused evaluation of the existing development requirements applicable within the Neighborhood Mixed-Use Centers, and particularly those applicable to mixed-use projects in the core of these districts. The evaluation will utilize prototype development scenarios as examples to work both with internal stakeholders and with community development and design professionals to help identify potential barriers and alternatives that could be pursued, either on a temporary or permanent basis, without sacrificing the long-term community vision and core principles for the Neighborhood Mixed-Use Centers. Attached is information about the prototypical project being reviewed and the specific locations being used for the review.

*Tacoma's Eight Neighborhood Mixed-Use Centers*



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

c: Peter Huffman, Director

# Mixed-Use Centers Code Review

## Project Overview – Annual Amendment #2014-04

December 11, 2013

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### **SUMMARY:**

The purpose of this Mixed-Use Centers Code Update Project is to conduct a focused evaluation of the existing development requirements applicable within the Neighborhood Mixed-Use Centers, and particularly those applicable to mixed-use projects in the core of these districts. The evaluation will utilize prototype development scenarios as examples to help identify potential barriers that could be removed and/or alternatives that could be pursued that would support this type of development without sacrificing the long-term community vision and core principles for the Neighborhood Mixed-Use Centers, which include:

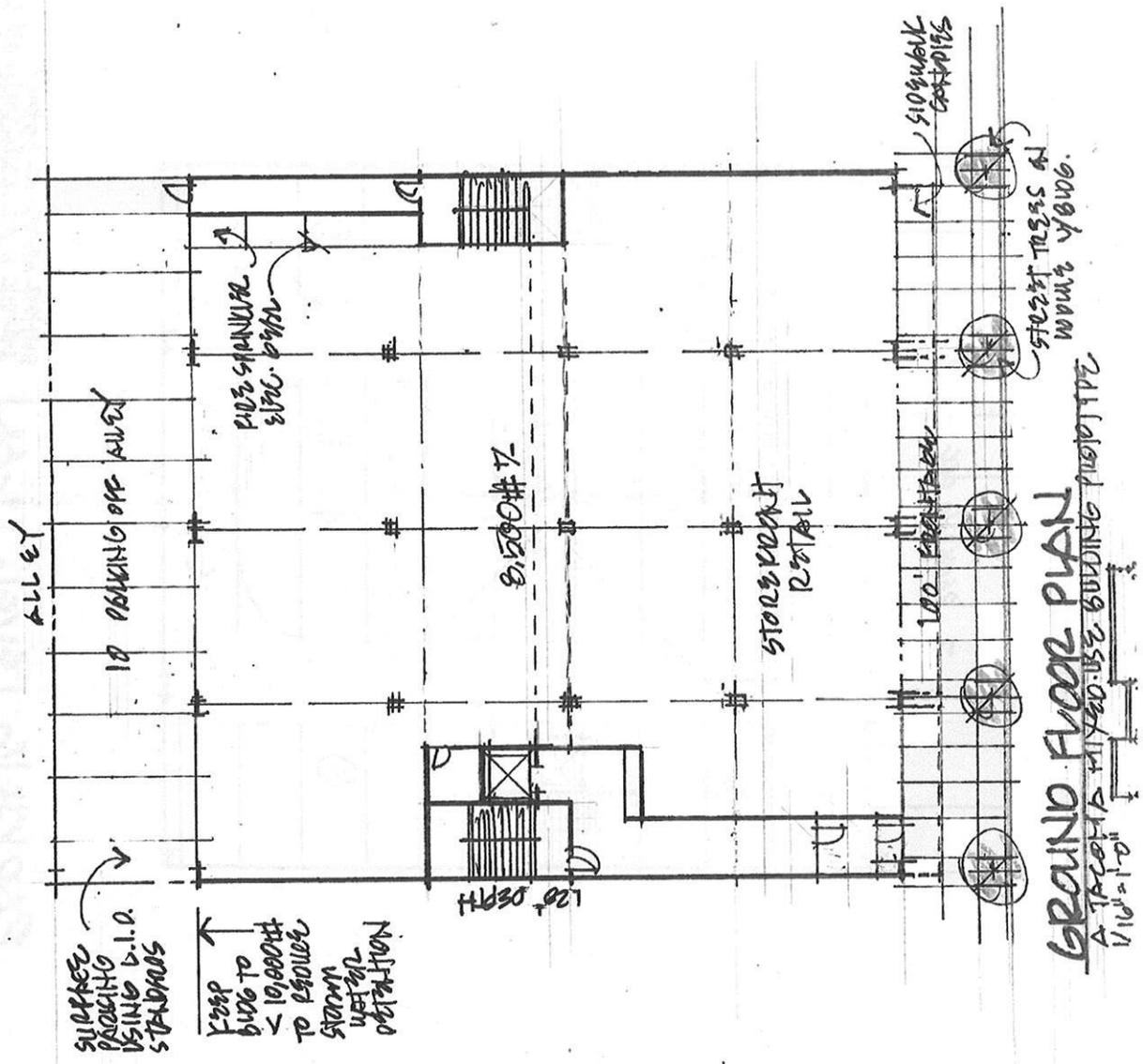
- Mixed-use
- Dense
- Pedestrian-oriented
- Encourage multi-modal transportation
- Livability
- Core area is focus of growth and activity
- Compatible with adjacent neighborhoods

### **MIXED-USE PROJECT PROTOTYPE:**

The prototype being utilized for this analysis is envisioned as a mixed-use project located on a relatively small lot (100-feet wide) along a Core Pedestrian Street within a Neighborhood Mixed-Use Center. The basic concept is a 6-story, approximately 75-80-foot tall, mixed-use building with retail or other commercial space at the street level, parking, office, or live/work apartments (associated with street level retail) on the 2nd floor, eight residential units on each of the 3rd, 4th and 5th floors, and a 6th floor with four (4) penthouse units with mezzanines. The building would include parking accessed from the rear via an alley and would be at the ground-level and potentially within the second level or in a basement. Depending on the site, the building footprint would be between 10,000 to 13,000 square feet and the overall building would be in the range of 40,000 to 65,000 square feet. The attached schematic plans provide some basic details on the prototype building form and layout.

### **POTENTIAL LOCATIONS:**

To provide for a more complete analysis, this prototypical project is being reviewed for construction on test sites located on Core Pedestrian Streets in three different Mixed-Use Centers – Proctor, Hilltop, and 56th & South Tacoma Way. The three sites are all slightly different in size and configuration (the Proctor site is located on a corner, while the other two sites are mid-block). Additionally, the three sites reflect different areas of the City and different circumstances in relation to certain standards, such as stormwater requirements. The attached maps show the three locations being reviewed.



ALLEY

SURFACE PARKING USING D.I.D. STANDARDS

10' PARKING OFF ALLEY

KEEP TO BLDG TO FRONT TO 10,000# TRUCKS WITH NON-TRUCK DETAIL

PIPE STRUCTURE SPEC. 8.102

120' DEPTH

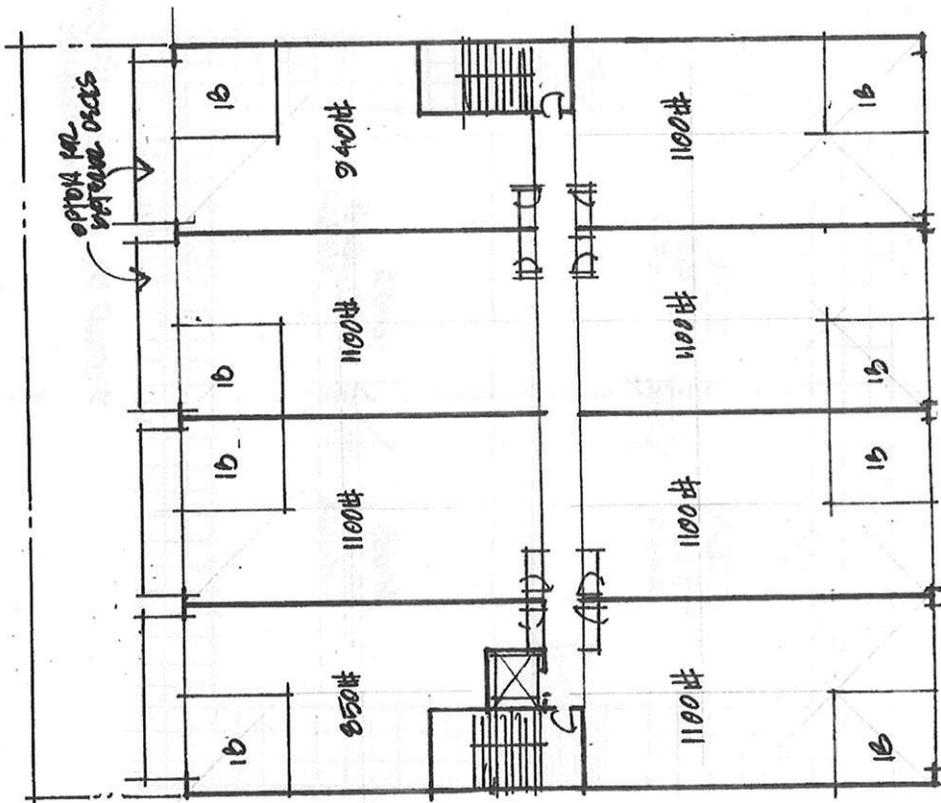
8.500# 7

STORAGE/RENT RETAIL

STAIRS AT 5520 LEVEL

STAIRS AT 5520 LEVEL WANT Y8106

**GROUND FLOOR PLAN**  
 A FACILITY MIXED-USE BUILDING PROJECT



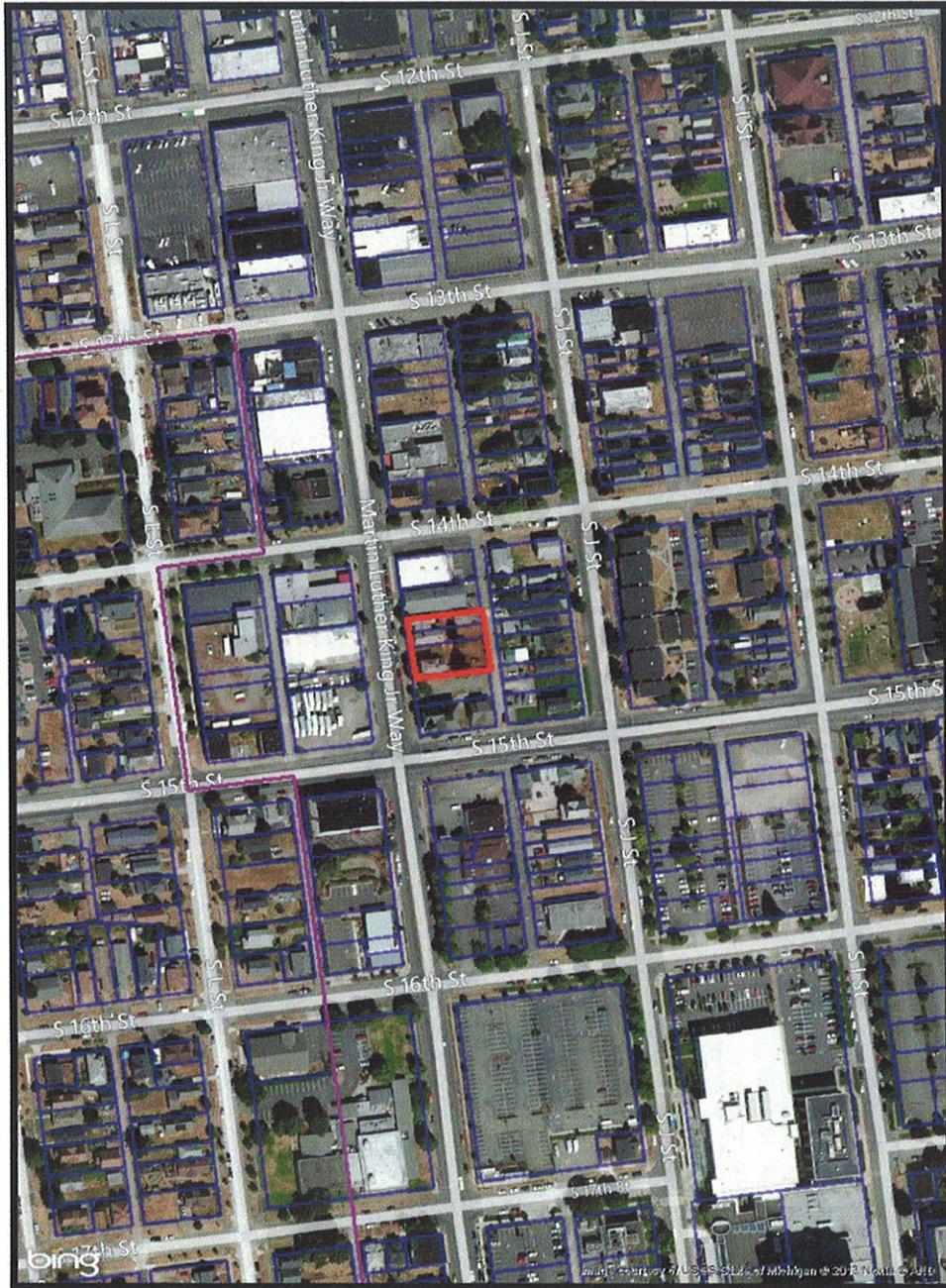
**RESIDENTIAL FLOOR PLAN**  
 F. TRACOMA 1145 D-11 E BUILDING PROJECT

**Site 1:**

Hilltop Mixed-Use Center

1409-1415 MLK Jr Way (Parcel Numbers: 2014210030, 2014210040, 2014210051)

Site Dimensions – 100 feet x 130 feet



**Site 3:**

56<sup>th</sup> & South Tacoma Way Mixed-Use Center

5209-5213 South Tacoma Way (Parcel Numbers: 5740000660, 5740000670, 5740000680)

Site Dimensions – 100 feet x 110 feet



# APPENDIX 'B'

## Prototype Building with Zoning Comments

**type va construction** (occ R2/R1)...limited to 12k/5st/65ft (65 ft measured from 3hr...total height limited to 75' from lowest fd access) stories with full 13 sprinkler (with quick response heads)...38,000sf/story with 2-20ft yards

1 hour wall with 25% maximum openings in wall per story

1 hour wall with no openings allowed

1 hour f.r. construction throughout this portion of the building

five over

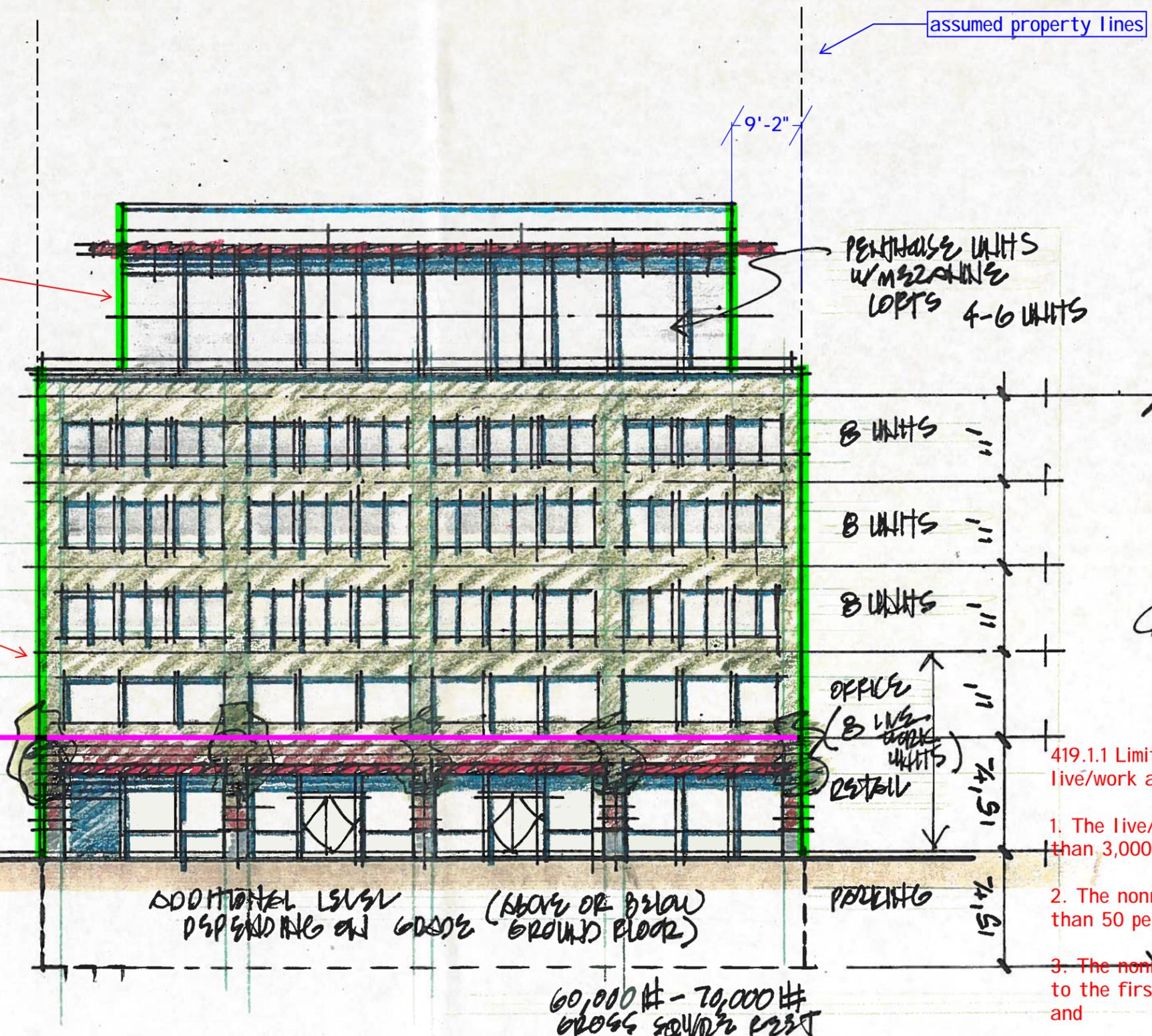
min va construction

min IA construction

two

3 hour f.r. construction throughout this portion of the building

3 hour f.r. separation between floors



419.1.1 Limitations. The following shall apply to live/work areas:

1. The live/work unit is permitted to be not greater than 3,000 square feet (279 m2) in area;
2. The nonresidential area is permitted to be not more than 50 percent of the area of each live/work unit;
3. The nonresidential area function shall be limited to the first or main floor only of the live/work unit and
4. Not more than five nonresidential workers/employees are allowed to occupy the nonresidential area at any one time.

# A TACOMA MIXED-USE BUILDING PROTOTYPE





**502.2 Vehicle Space Size.** Car parking spaces shall be 96 inches (2440 mm) minimum in width. Van parking spaces shall be 132 inches (3350 mm) minimum in width.

**EXCEPTION:** Van parking spaces shall be permitted to be 96 inches (2440 mm) minimum in width where the adjacent access aisle is 96 inches (2440 mm) minimum in width.

**502.3 Vehicle Space Marking.** Car and van parking spaces shall be marked to define the width. Where parking spaces are marked with lines, the width measurements of parking spaces and adjacent access aisles shall be made from the centerline of the markings.

**502.4 Access Aisle.** Car and van parking spaces shall have an adjacent access aisle complying with Section 502.4.

**502.4.1 Location.** Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle. Access aisles shall not overlap with the vehicular way. Parking spaces shall be permitted to have access aisles placed on either side of the car or van parking space. Van parking spaces that are angled shall have access aisles located on the passenger side of the parking space.

**502.4.2 Width.** Access aisles serving car and van parking spaces shall be 60 inches (1525mm) minimum in width.

**502.4.3 Length.** Access aisles shall extend the full length of the parking spaces they serve.

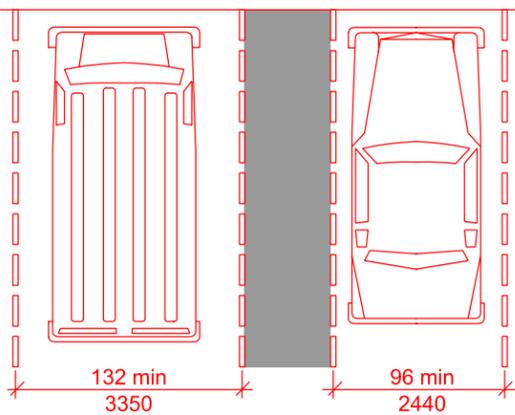
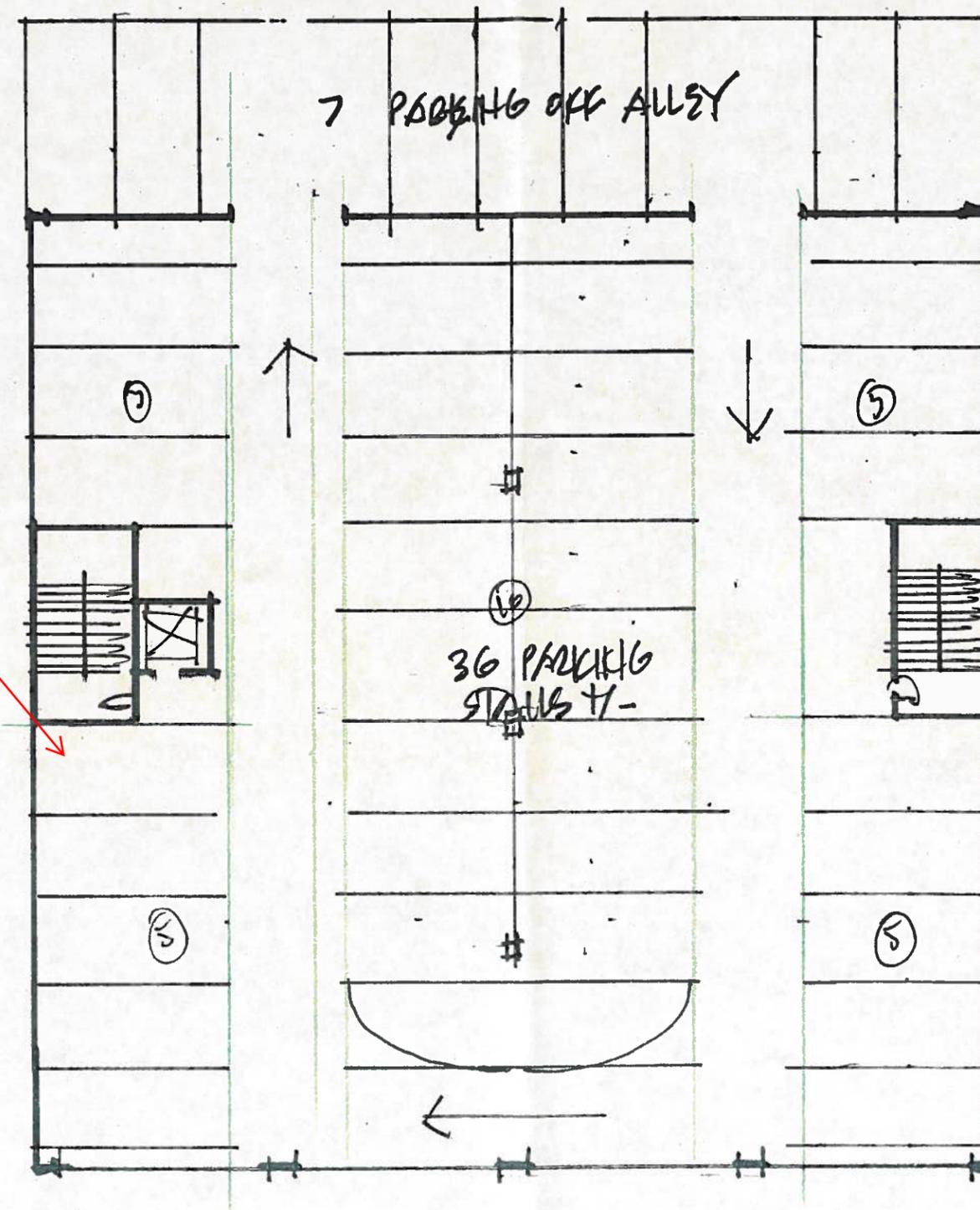


Fig. 502.2  
Vehicle Parking Space Size

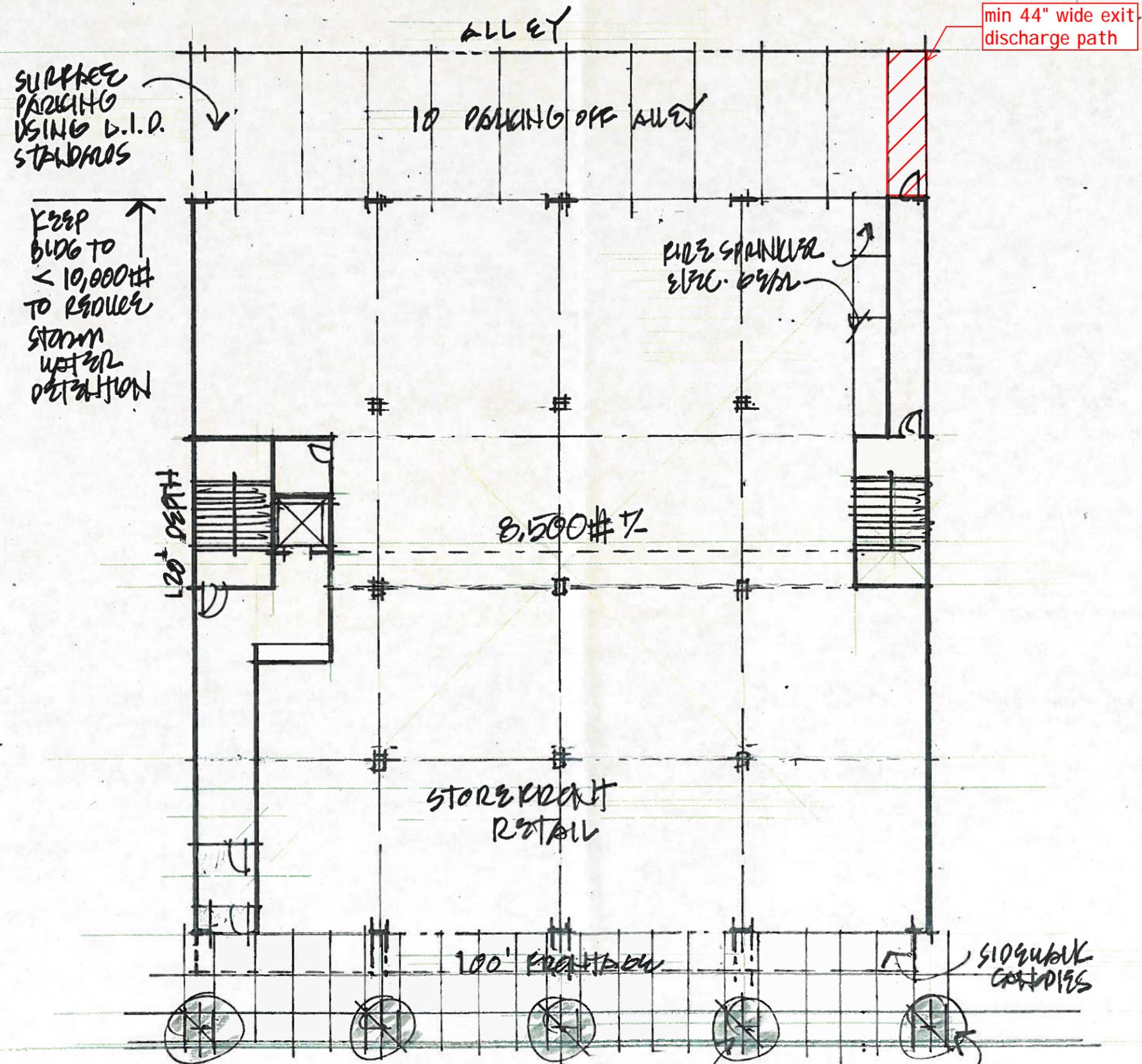


**PARKING LEVEL PLAN**

ENTRANCE ABOVE OR BELOW  
GROUND FLOOR DEPENDS ON SITE

A TACOMA MIXED-USE BUILDING PROTOTYPE

1/16/2014



SURFACE  
PARKING  
USING I.I.O.  
STANDARDS

KEEP  
BLDG TO  
< 10,000 sq ft  
TO REDUCE  
STORM  
WATER  
RETENTION

ALLEY

10' PARKING OFF ALLEY

min 44" wide exit  
discharge path

FIRE SPRINKLER  
ELEV. 6' 6"

120' DEPTH

8,500 sq ft

STOREFRONT  
RETAIL

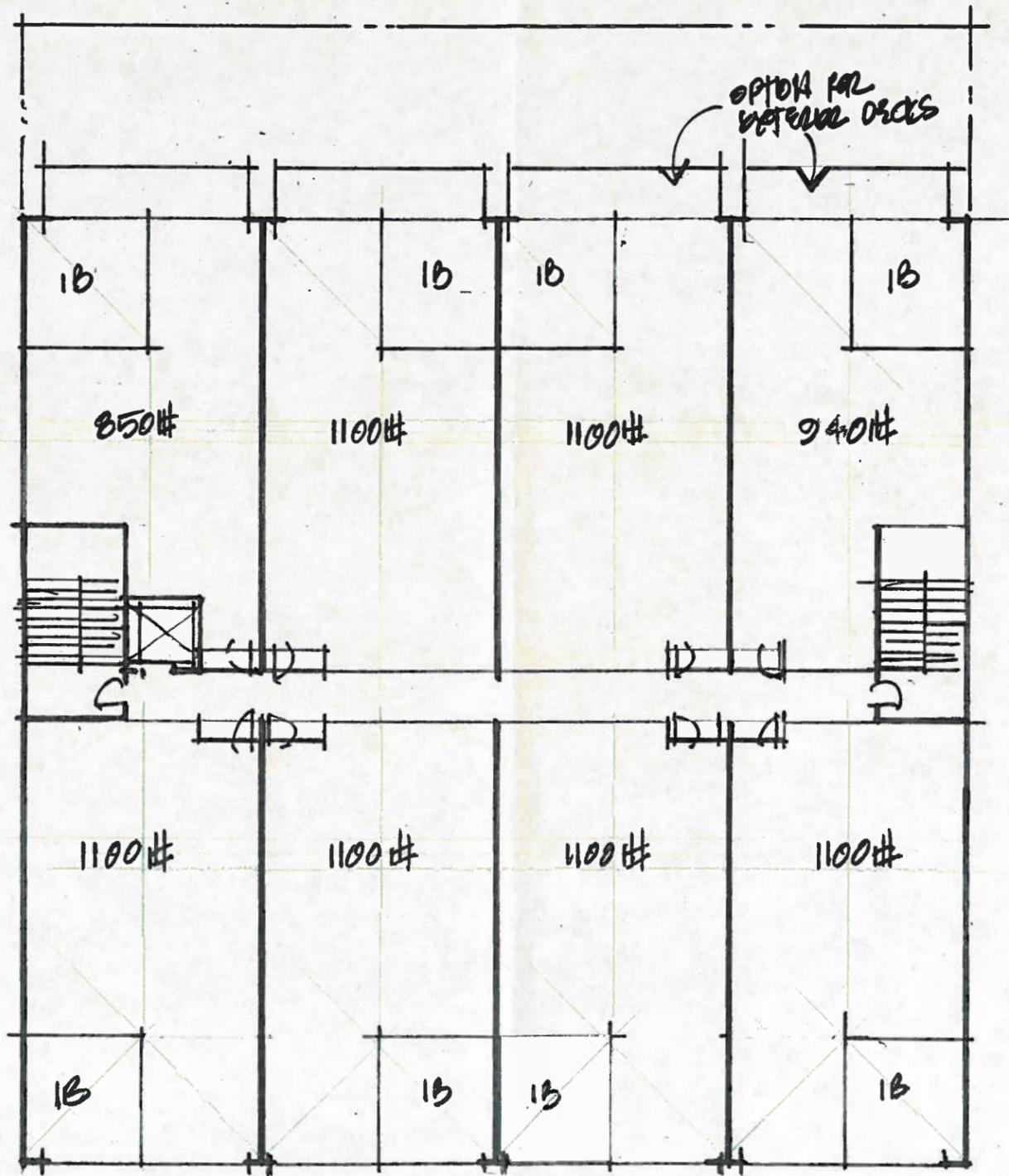
100' FRONTAGE

STREET  
CANNIES

# GROUND FLOOR PLAN

A TACOMA MIXED-USE BUILDING PROTOTYPE  
1/16" = 1'-0"

STREET TREES AT  
WALKWAY/BLDG.



# RESIDENTIAL FLOOR PLAN

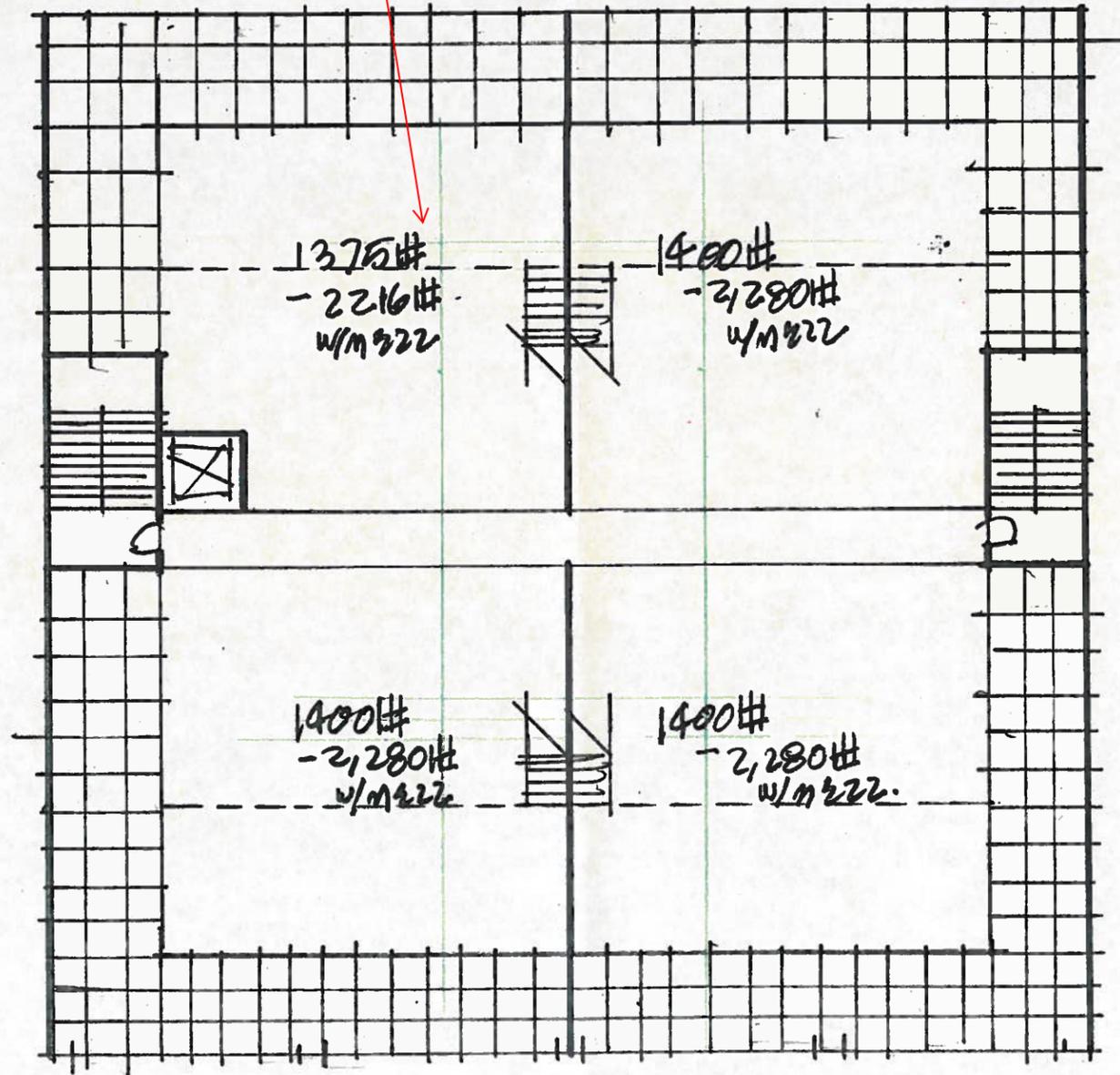
A TACOMA MIXED-USE BUILDING PROTOTYPE

1/16" = 1'-0"



**505.2.1 Mezzanine Area Limitation.** The aggregate area of a mezzanine or mezzanines within a room shall be not greater than one-third of the floor area of that room or space in which they are located. The enclosed portion of a room shall not be included in a determination of the floor area of the room in which the mezzanine is located. In determining the allowable mezzanine area, the area of the mezzanine shall not be included in the floor area of the room.

max mezzanine area is 458sf 1/3 area of room



\*COULD BE 6 UNITS @ 1560#  
w/m 222

**PENTHOUSE FLOOR PLAN\***  
A TACOMA MIXED-USE BUILDING PROJECT  
VOLUME 1

# APPENDIX 'C'

City of Tacoma Matrix

SITE/MU Center	Proctor	MLK	56 <sup>th</sup> and STW
<b>Zoning District</b>	NCX Corner 122'x100' w 16' alley	NCX Interior 130'x100' w 20' alley	NCX Interior 110'x100' w 20' alley
<b>Height Limit</b> <b>13.06.300 E</b> X-Dist height bonus Standard/L1 bonus/L2 bonus	45/65/NA Ground Floor Retail = 5 ft Residential use = 10 ft Need additional L1 feature to get to 65 ft height. <b>Not enough height for penthouse w avail bonus</b>	45/65/85 Ground Floor Retail = 5 ft Residential use = 10 ft Need additional L1 feature to get to 65 ft height and the L2 contribution of .5% of building value to open space fund to get to building height of 80'	Same as MLK
<b>Core Pedestrian Street</b>	Yes – N 26 <sup>th</sup> St (80' wide)	Yes – MLK (80' wide)	Yes – STW (100' wide)
<b>Parking Requirements</b> <b>13.06.510 Table 2</b> Retail 2.5/1000 Office: 2.5/1000 Res: 1/unit Core Ped St frontage reduces requirements to 0 required.	Retail: 8500 sf = 21.25 Office: 8390 sf = 20.975 Res: 22 units = 30/32 with 6 Penthouse units Total = 72.225 r/o = 72/74 - Basement garage will not accommodate 36 cars stalls - Alley parking will be reduced for driveway and utilities - If parking provided there must be handicap parking	Same as Proctor	Same as Proctor
<b>Residential X-Dist Yard Space</b> <b>13.06.510</b> 100sf/du for MU development	2200 sf req'd No yard space provided at grade Need Rooftop Deck = 50% Need Balconies for du's = 50%	3000 sf req'd No yard space provided at grade Need Rooftop Deck = 50% Need Balconies for du's = 50%	Same as Proctor
<b>Mass Reduction Standards</b> - Façade Articulation - 13.06.510 H.1			
a. Two articulation features	1) Vertical Piers; 2) <b>Need different weather</b>	1) Vertical piers, and 2) Roofline modulation	Same as STW

	protection elements		
b. Non Res façade 3 features	1) storefront windows/entries 2) storefront weather protection 3) change in building material	Same as Proctor	Same as Proctor
<b>SITE/MU Center</b>	<b>Proctor</b>	<b>MLK</b>	<b>56<sup>th</sup> and STW</b>
c. Res portion of MU building 3 features	1) Vertical building modulation 2) Roofline modulation 3) Vertical modulation of facade	Same as Proctor	Same as Proctor
- Upper Floor stepbacks 13.06.510 H.2	Must have 8 ft stepback at the 5 <sup>th</sup> floor or corner feature	Yes - 6 <sup>th</sup> Floor, 10 ft stepback w 100 ROW	Must have 8 ft stepback at the 5 <sup>th</sup> floor
- Max façade widths - 13.06.510 H.3	N/A for building under 120 ft	Same as Proctor	Same as Proctor
<b>X-Dist Roofline standards</b> - Roofline modulation - 13.06.510 I.1	Need modulation if no penthouse (modulation)	OK with penthouse modulation	OK with penthouse modulation
- Flat Roof Standards - 13.06.510 I.2	Yes – Balcony/deck railings	Yes – Balcony/deck railings	Yes – Balcony/deck railings
<b>X-Dist Windows and Openings</b> - Street Level Transparency - 13.06.501 J.1	Yes	Yes	Yes
- Upper Level Transparency - 13.06.501 J.2	Yes	Yes	Yes
- Window Trim Detailing - 13.06.501 J.3	No shown but do-able	Same as Proctor	Same as Proctor
<b>X-Dist Façade Surface Standards</b> - Street Level Transparency 13.06.501 K	Yes	Yes	Yes

<b>X-Dist Pedestrian Standards</b> - Customer Entrances 13.06.501 L.1	Yes	Yes	Yes
<b>X-Dist Pedestrian Standards</b> - Street Level Protection 13.06.501 L.2	Yes	Yes	Yes
<b>X-Dist Fencing and Utility Standards</b> - Utility Screening 13.06.501 M.1			
a. Rooftop	Yes	Yes	Yes
b. All ground level			
c. Service, loading and garbage areas	Not shown; will take up 2 off-alley parking stalls	Same as Proctor	Same as Proctor
<b>X-District Landscaping</b> - <b>13.06.502 D</b> - Street Trees 3/100 ft	Yes – 5 shown	Yes – 5 shown	Yes – 5 shown
<b>Transit Support Facilities</b> - 13.06.511 D.1 Facility standards - Retail 5,000-10,000sf req's 2 benches and pads - Multi-family 30-60 units req's 2 benches and pads	Not shown There are multiple bus stops within 500 ft	Not shown There are multiple bus stops within 500 ft	Not shown There are multiple bus stops within 500 ft
<b>Pedestrian and bicycle support standards</b> - 13.06.512 D - Bicycle Parking	5% of 72 required parking stalls = 4 spaces required - None shown	5% of 72 required parking stalls = 4 spaces required None shown	5% of 72 required parking stalls = 4 spaces required None shown

# APPENDIX 'D'

## City of Tacoma Significant Observations

## Mixed Use Building Prototype – Significant Observations

### Project

Six (6) story, 80-foot high, mixed use building with retail at the street level, office or live/work apartments (associated with street level retail) on the 2<sup>nd</sup> floor, eight residential units on each of the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> floors and a 6<sup>th</sup> floor with four (4) penthouse units with mezzanine sections. Building would have basement level parking and additional parking provided off the alley. The building footprint is 100 feet by 100 feet.

The building was projected for construction on test sites located on Core Pedestrian Streets in three different Mixed-Use Centers (Proctor, Martin Luther King and 56<sup>th</sup> St/South Tacoma Way). The Proctor site is located on a corner, while the other two sites are mid-block.

### Tacoma City Staff Reviewing Project

John Harrington, Principal Planner – Land Use Regulatory Code

Christina Garcia, Associate Engineer – Storm Water and Public Works Department Design Manuals

Cory Newton, Associate Engineer – Public Works Department Design Manual

Barrett Hayes, Associate Engineer – International Building Code

Jennifer Kammerzell, Associate Engineer – Traffic

### Conditions

1. Zoning: Neighborhood-Commercial Mixed Use (NCX) district fronting on a Core Pedestrian Street with an alley along the rear property line and bus stop within 500 feet.
2. Lot size: 100 ft wide and 110-130 ft deep with alley frontage in rear of building

### Findings

The prototype was reviewed for compliance with existing land use, site development and building codes. The major issues for each section are discussed below.

1. Land Use Regulatory Code
  - a. 80-foot building height. The height of the building is limited to 65 feet in the Proctor Mixed Use District with available height bonuses, so a floor would have to be removed, with the Penthouse level being the most likely level. If one of the

shorter residential stories is removed, additional small reductions to the height of the basement and street levels would need to happen.

b. Parking.

- i. Basement garage will not accommodate 36 cars. Using minimum parking area design standards and ADA requirements, the maximum number of stalls inside the building is reduced to 16. However, there are small spaces that could be used for motorcycle and bicycle parking. The alternate design also affords utility space under the ramp coming into the building.
  - ii. Parking on the alley was counted on both the parking level plan and the ground floor plan. If a four (4) foot wide walkway space could be designed into the alley side of the building, a realistic number of five (5) parking spaces could be provided off of a 20-foot wide alley. Additional stalls need to be removed for parking garage driveway, garbage receptacles and utilities vents/vaults. The Proctor District site only has a 16-foot wide alley, so that would eliminate parking off the alley.
- c. X-District Yard Space Requirement. 100 square feet is required per residential unit, totaling 3,000 square feet of yard space for the project. This requirement causes a significant problem given the zero-lot line, 100x100 foot building footprint. Half the requirement can be accomplished by providing balconies for the residential units. Achieving the remaining 1,500 square feet is problematic and would have to be obtained at rooftop or ground level and open to all residents of the building.
- d. Upper Floor Step Back. This requirement is problematic for the Proctor and Martin Luther King Mixed-Use Centers where the Core Pedestrian Street is only 80 feet wide requiring an eight (8) foot upper floor step back at the 5<sup>th</sup> floor versus the 6<sup>th</sup> floor as the prototype is designed. This can be accomplished by reducing the footprint of the 5<sup>th</sup> floor, with a likely reduction of two residential units.
- e. X-District Roofline Standards. The Proctor site, already handicapped by the 65 foot height limit, must also step back the 5<sup>th</sup> floor and lose two more residential units (using the alternate 6-unit penthouse floor plan without mezzanine).
- f. Bicycle Parking. While the parking requirement of 72 car stalls for the project is negated by the location on a core pedestrian street, bicycle parking requirement is figured at 5 percent of that 72 stall requirement, resulting in four stalls being required for the project. A space for bicycles could be realized by modulating the building near the ground floor front/left entry.

## 2. Building Code

- a. Live work units. There are a number of limitations in the code regarding live/work areas:
  - i. These units are limited to a maximum of 3,000 sq ft. each, with no more than 50% of floor area being non-residential.
  - ii. The non-residential area function is limited to the first or main floor only if a live work unit.
  - iii. Not more than five (5) non-residential workers or employees are allowed to occupy the non-residential area at any one time.

The prototype building is more dynamic in space utilization possibilities without live/work units. In this case study, it would be better to have the 2<sup>nd</sup> floor be offices and have any office or retail workers simply live in one of the many residential units in the building.

- b. Construction Materials.
    - i. Type VA Construction (occ R2/R1). This type of construction is limited to 5 stories (65 feet) as measured from the 3 hour.
    - ii. Type IA Construction. This portion of the building requires 3-hour F.R. throughout.
    - iii. A 3-hour F.R. separation is required between the first residential floor and top non-residential floor.
    - iv. 1-hour wall is required with 25% maximum openings in walls of stories that are stepped back from the property line.
    - v. 1-hour wall is required with no openings in walls at the property line.
  - c. Building Egress. A minimum 44-inch wide exit discharge path is required for the exit at the rear corner of the building at ground level. However, this would just empty the pedestrians onto the alley with its vehicle traffic and no walkway.
  - d. Mezzanine Area Limitation. The aggregate area of a mezzanine within a room shall be not greater than 1/3 of the floor area of that room or space in which they are located. The enclosed portion of a room shall not be included in a determination of the floor area of the room in which the mezzanine is located. In determining the allowable mezzanine area, the area of the mezzanine shall not be included in the floor area of the room. For the prototype penthouse units, the maximum mezzanine area is limited to 458 square feet (1/3 area of the room).
3. Environmental Services Engineering. There are a number of common stormwater management and wastewater conveyance improvements required for each site, none of which pose major problems for this project. Some requirements are driven by the specific proposal as follows:
    - a. Dumpsters that will be used for wet or moist trash, and all garbage compactors, shall be on a separate pad that drains to the sanitary sewer system. Cardboard

- compactors are not required to drain to sanitary. This requirement will likely further erode the number of parking stalls available off the alley.
- b. The covered parking is required to drain to the sanitary system and an oil/water separator shall be provided.
4. Construction Engineering. There are a number of common off-street improvements required for each site (ADA curb ramps, replacement of damaged sidewalk and new alley returns). Some of the requirements are driven by the specific site and existing improvements in the rights-of-way. The following is a list of significant issues for this project.
- a. Alley parking will require new facilities to support those stalls including an appropriate pedestrian system (sidewalk, ramps, etc) will need to be constructed to ensure safe pedestrian passage to the building.
  - b. Common walkways through parking garage delineated with visible and tactile methods, with easily identified entrances ensure accessible pedestrian travel
5. Traffic Engineering. The following are requirements for developments of this size and approximate locations:
- a. Traffic Impact Analysis that includes trip generation and distribution
    - i. Developments near a traffic signal with a poor level of service, e.g. S. 56<sup>th</sup> & South Tacoma Way may need to conduct a signal analysis and propose mitigation of new trips. The projects identified on the South Tacoma Way map would likely not trigger that detailed analysis, but it does depend on type of transportation land use.
  - b. Walkways. Walkways need to be provided for alley parking – pedestrians should not be walking in the vehicular travel-way.
  - c. Garage parking
    - i. Parking lots must meet minimum City standards (aisle width 14'-20', parking stall sizes, 5-foot buffer from end of dead end aisles, 15% maximum slope)
    - ii. If the entrance ramp is sloped down, adequate sight distance for vehicles entering the garage must be provided so that cars backing into stalls nearest the entrance can be seen. A mirror would provide sight distance.
    - iii. If the exit ramp is sloped up, adequate sight distance for vehicles exiting the garage and entering traffic must be provided. A mirror would provide sight distance.
  - d. Alleys must be at least 20-feet wide to allow for perpendicular parking off the alley. This is not the case in the Proctor site.

- e. If the property is on a corner lot (for example the Proctor MUC site), the first parking stall in the alley or the entrance to the garage should be at least 20 ft from the sidewalk to prevent vehicles from backing over the sidewalk.

# APPENDIX 'E'

## Off-site Requirements

These are my comments for 3803 N 26<sup>th</sup> St

- TMC 2.19.040 requires off-site improvements for all new building construction.
  - The proposed constructions accesses off the alley which consists of concrete panels and meets the requirements of being paved, however, the alley approach fronting Adams St would need to be replaced to current standards .
  - Existing curb and gutter is required to be replaced when it is broken, damage, or hazardous. Additionally the two driveway approaches located on N Adams would need to be removed. Because of this it appears that new curb and gutter would be required along both N 26<sup>th</sup> & N Adams frontages.
  - Existing sidewalk is required to be replaced if it is broken, damaged, hazardous, or does not meet current standards. Based on the running slopes of the driveways along N Adams, and without doing a site visit, these sidewalks most likely do not meet the 2% cross slope requirement. The sidewalk on N 26<sup>th</sup> appears to be damaged as well. Therefore, the sidewalk would need to be replaced as well.
  - Pedestrian improvement, specifically curb ramps are typically required when they don't meet current ADA/PROWAG standard, however, the Washington Elementary Remodel will be addressing these issues this summer.
  - All needed utilities are located in N 26<sup>th</sup> street. N 26<sup>th</sup> is asphalt over concrete panels. Restoration shall follow standard plan SU-14a. Additionally, a grind and overlay may be required to consolidate all trench/excavations required.
- The site plan indicates that new alley parking will be installed in the right of way. (Only allowed if approved by traffic engineering) This will require the installation of new facilities to support them. With the development of the alley a mountable curb, or valley gutter system will be required as part of the conveyance system. Additionally, pedestrian trips will occur at this location. An appropriate pedestrian system (sidewalk, ramps, ect.) will need to be constructed to ensure a safe pedestrian passage to the building. Also, the nearest parking stall should be located closer than 20ft from the back of walk.
- Additionally, as a general note, common walkways through parking garage delineated with visible and tactile methods, with easily identified entrances ensure accessible pedestrian travel.
- Traffic mitigation/conditions not included.

These are my comments for 1409 MLK Jr Way

- TMC 2.19.040 requires off-site improvements for all new building construction.
  - The proposed constructions accesses off the alley which consists of concrete panels and meets the requirements of being paved, however, the alley approach fronting S 15<sup>th</sup> St would need to be replaced to current standards .
  - Existing curb and gutter is required to be replaced when it is broken, damage, or hazardous. It appears that new curb and gutter would be required along the entire frontage.
  - Existing sidewalk is required to be replaced if it is broken, damaged, hazardous, or does not meet current standards. It appears that the sidewalk would need to be replaced along the frontage.
  - Pedestrian improvement, specifically curb ramps are typically required when they don't meet current ADA/PROWAG standard. Since this parcel is midblock, upgrades wouldn't be required unless a SEPA was triggered.

- The nearest sanitary is in the alley, restoration in accordance with SU-14c is required. Water is available in MLK Jr. Way, and depending on the frontage improvements a half street grind and overlay may be required.
- The site plan indicates that new alley parking will be installed in the right of way. (Only allowed if approved by traffic engineering) This will require the installation of new facilities to support them. With the development of the alley a mountable curb, or valley gutter system will be required as part of the conveyance system. Additionally, pedestrian trips will occur at this location. An appropriate pedestrian system (sidewalk, ramps, ect.) will need to be constructed to ensure a safe pedestrian passage to the building.
- Additionally, as a general note, common walkways through parking garage delineated with visible and tactile methods, with easily identified entrances ensure accessible pedestrian travel.
- Traffic mitigation/conditions not included.

These are my comments for 5209 South Tacoma Way

- The South Tacoma Way Green Infrastructure Streetscape project will be constructed in early 2014. All requirements of this proposed building may be mitigated by that project.
- TMC 2.19.040 requires off-site improvements for all new building construction.
  - The proposed building accesses off the alley which consists of concrete panels and meets the requirements of being paved, however, the nearest alley approach on S 52<sup>nd</sup> would need to be replaced to current standards .
  - Existing curb and gutter is required to be replaced when it is broken, damage, or hazardous. It appears that new curb and gutter would be required along the entire frontage.
  - Existing sidewalk is required to be replaced if it is broken, damaged, hazardous, or does not meet current standards. It appears that the sidewalk would need to be replaced along the frontage.
  - Pedestrian improvement, specifically curb ramps are typically required when they don't meet current ADA/PROWAG standard. Since this parcel is midblock, upgrades wouldn't be required unless a SEPA was triggered.
  - All needed utilities are located in South Tacoma Way. South Tacoma Way is asphalt over concrete panels. Restoration shall follow standard plan SU-14a. Additionally, a grind and overlay may be required to consolidate all trench/excavations required.
- The site plan indicates that new alley parking will be installed in the right of way. (Only allowed if approved by traffic engineering) This will require the installation of new facilities to support them. With the development of the alley a mountable curb, or valley gutter system will be required as part of the conveyance system. Additionally, pedestrian trips will occur at this location. An appropriate pedestrian system (sidewalk, ramps, ect.) will need to be constructed to ensure a safe pedestrian passage to the building.
- If utilities are not stubbed out before the City CIP project is completed, there may be a street cut moratorium in effect.
- Additionally, as a general note, common walkways through parking garage delineated with visible and tactile methods, with easily identified entrances ensure accessible pedestrian travel.
- Traffic mitigation/conditions not included.

**Corey Newton**

Associate Engineer - (253) 591-5765  
Site Development Group, Science & Engineering Division

# APPENDIX 'F'

Environmental Services Pre-submittal checklists (3)

**Environmental Services Pre-Submittal Checklist**

**Project Name: 1409-1415 MLK Jr Way MUC Prototype**

**Date: 3/1/13**

**Parcel Number: 2014210030, 2014210040, 2014210051**

**Reviewer: C Garcia**

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NOTE: The following information is based on limited information and is subject to change as more information for this project is provided and/or if the project concept changes. This checklist is a supportive document designed to assist the applicant and is NOT a comment letter. This document contains excerpts from Tacoma Municipal Code, Stormwater Management Manual (SWMM), Side Sewer and Sanitary Sewer Availability Manual, and Public Works Design Manual. This checklist may not provide all requirements but is intended to assist the applicant in determining basic stormwater and wastewater requirements. It is the applicant's responsibility to review all applicable codes and manuals to determine all project requirements.

**STORMWATER MANAGEMENT**

1. All surface water impacts shall be mitigated in accordance with the SWMM.
2. This project must comply with the SWMM in effect at time of vesting.
3. Minimum Requirements that may be applicable to this project are:

- #1 Preparation of a Stormwater Site Plan
- #2 Construction Stormwater Pollution Prevention
- #3 Source Control of Pollution
- #4 Preservation of Natural Drainage Systems and Outfalls
- #5 Onsite Stormwater Management
- #6 Water Quality
- #7 Flow Control
- #8 Wetlands Protection
- #9 Basin/Watershed Planning
- #10 Operation and Maintenance
- #11 Offsite Analysis and Mitigation
- #12 Financial Liability

Please refer to SWMM Volume 1 Chapter 3 to determine applicability of Minimum Requirements. Flowcharts Figure 1-5 and 1-6 can aid in determining project requirements.

4. A Construction Stormwater Pollution Prevention Plan (SWPPP) is required.
5. Infiltration systems are the first choice for onsite management. Design of infiltration systems requires a soil analysis prepared by a qualified soils professional per the SWMM, Volume 3.
6. If this project triggers Minimum Requirement #7 (based on the combination of on-site and off-site improvements), flow control applies. Flow control requirements vary by watershed, please refer to the Watershed Flow Control and Water Quality Requirements in Volume 1 Section 2.6 of the SWMM.
7. This project is in the Thea Foss watershed. Watershed requirements can be found in Volume 1 Section 2.6 of the Stormwater Management Manual (SWMM).
8. Per SWMM Minimum Requirement #11, all sites shall perform a qualitative offsite analysis as described in Volume 1 of the SWMM.
9. This site is not currently served by the existing City stormwater system, therefore, stormwater must be managed on-site or the stormwater system shall be extended to serve the project area.
10. Bare galvanized metal shall not be used for materials that convey stormwater, such as roofs, canopies, siding, gutters, downspouts, roof drains, and pipes. Any galvanized materials shall have an inert, non-

leachable finish, such as baked enamel, fluorocarbon paint (such as Kynar, or Hylar). Bare galvanized metal areas are considered PGIS.

### **WASTEWATER**

11. Each new building or townhouse shall have a new, independent connection to the City sanitary sewer.
12. Per Section 3.050 of the Side Sewer and Sanitary Availability Manual, if the existing side sewer is to be re-used for a new building, it shall be television inspected and pressure tested per City standards. If the side sewer is found through television inspection to have any illegal connections or cannot pass the pressure test, all illegal connections shall be disconnected and the side sewer shall be repaired, replaced, or rehabilitated and retested until the side sewer passes the pressure test to ensure it is watertight. Permits for this work shall be obtained from Building and Land Use Services.
13. Pretreatment devices such as a grease interceptor or an oil/water separator may be required.
14. Dumpsters that will be used for wet or moist trash, and all garbage compactors, shall be on a separate pad that drains to the sanitary sewer system. Cardboard compactors are not required to drain to sanitary.
15. Any discharge to the sanitary sewer that is not domestic waste will require approval. Projects with such discharges shall submit all requested information. Frequency, flow rates, pH, and MSDS sheets may be required.

### **EASEMENTS AND OTHER REQUIRED AGREEMENTS**

16. Private easements are needed for private storm and sanitary sewer lines that cross properties under separate ownership.
17. Any private storm drainage system will require a Covenant and Easement Agreement for maintenance and access.

### **OTHER PERMITS AND REVIEWS**

18. Work completed in the City right-of-way requires a City Work Order permit. Contact the Site Development at (253) 591-5760 for more information.
19. Following land use approval, a construction permit will be required prior to construction activities. Contact Planning & Development Services at (253) 591-5030 regarding permitting requirements.

### **ADDITIONAL NOTES:**

The guideline comments provided within this document were based off the provided "A Tacoma Mixed Use Building" exhibit drawings (see attached) and email from Brian Boudet, sent 2/22/13.

The following assumptions were made:

- "0 Lot Line Development", no building setback requirements.
- New and/or Replaced impervious surfaces = 13,650SF
- Effective PGIS = 2,000 SF
- Value of the proposed improvements, including interior improvements, exceed 50% of the assessed value of the existing site improvements.
- Minimum Requirements will apply to new and replaced impervious surfaces.
- It appears the downstream discharge (for stormwater runoff) is a marine outfall. Applicant will be required to conduct a quantitative downstream analysis for capacity. If quantitative analysis shows capacity issues, the applicant may resolve the downstream capacity problem or provide onsite infiltration or detention. Where infiltration or detention is provided, stormwater discharges for the developed condition shall not exceed the discharges under existing conditions. Stormwater systems shall be sized according to

the specific sizing requirements of each BMP though the pre-developed condition to be matched shall be the existing land cover.

- It appears covered parking is proposed within this submittal; covered parking shall drain to the sanitary sewer system and an oil/water separator shall be provided.

### **OTHER**

- The information provided is based upon the information presented at this time and the existing codes and requirements in force at the current time. If the project submitted varies from the information presented at this time, the project requirements may be different. Before submission of any documents, please verify that the codes have not changed in a manner that would require different information.
- If you have additional questions, please contact us at (253) 591-5218.

### **ELECTRONIC RESOURCES**

*2012 City of Tacoma Stormwater Management Manual*

<http://www.cityoftacoma.org/stormwater>

*2004 City of Tacoma Public Works Department Design Manual*

Requirements for work order submittals, City standard drawings

<http://wspwit01.ci.tacoma.wa.us/download/PDF/Code/2004DesignManual1.pdf>

Policy Updates are posted on the City of Tacoma Surface Water website.

<http://www.cityoftacoma.org/stormwater>

Mapguide Viewer

City record drawings, side sewer cards, utility locations

[www.govme.com/map](http://www.govme.com/map)

Ecology NPDES Construction Stormwater General Permit

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>

### **CONTACTS**

General Storm & Sanitary Plan Review

Environmental Services Engineering

(253) 591-5218 or (253) 591-5588

General Permit Information, Permit Fees

Planning & Development Services

Permit Counter, (253) 591-5030

**Environmental Services Pre-Submittal Checklist**

**Project Name: 3803 N 26<sup>th</sup> & 2612 N Adams MUC Prototype**

**Date: 3/1/13**

**Parcel Number: 7475012230, 7475012260**

**Reviewer: C Garcia**

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NOTE: The following information is based on limited information and is subject to change as more information for this project is provided and/or if the project concept changes. This checklist is a supportive document designed to assist the applicant and is NOT a comment letter. This document contains excerpts from Tacoma Municipal Code, Stormwater Management Manual (SWMM), Side Sewer and Sanitary Sewer Availability Manual, and Public Works Design Manual. This checklist may not provide all requirements but is intended to assist the applicant in determining basic stormwater and wastewater requirements. It is the applicant's responsibility to review all applicable codes and manuals to determine all project requirements.

**STORMWATER MANAGEMENT**

1. All surface water impacts shall be mitigated in accordance with the SWMM.
2. This project must comply with the SWMM in effect at time of vesting.
3. Minimum Requirements that may be applicable to this project are:

- #1 Preparation of a Stormwater Site Plan
- #2 Construction Stormwater Pollution Prevention
- #3 Source Control of Pollution
- #4 Preservation of Natural Drainage Systems and Outfalls
- #5 Onsite Stormwater Management
- #6 Water Quality
- #7 Flow Control
- #8 Wetlands Protection
- #9 Basin/Watershed Planning
- #10 Operation and Maintenance
- #11 Offsite Analysis and Mitigation
- #12 Financial Liability

Please refer to SWMM Volume 1 Chapter 3 to determine applicability of Minimum Requirements. Flowcharts Figure 1-5 and 1-6 can aid in determining project requirements.

4. A Construction Stormwater Pollution Prevention Plan (SWPPP) is required.
5. Infiltration systems are the first choice for onsite management. Design of infiltration systems requires a soil analysis prepared by a qualified soils professional per the SWMM, Volume 3.
6. If this project triggers Minimum Requirement #7 (based on the combination of on-site and off-site improvements), flow control applies. Flow control requirements vary by watershed, please refer to the Watershed Flow Control and Water Quality Requirements in Volume 1 Section 2.6 of the SWMM.
7. This project is in the North Tacoma watershed. Watershed requirements can be found in Volume 1 Section 2.6 of the Stormwater Management Manual (SWMM).
8. Per SWMM Minimum Requirement #11, all sites shall perform a qualitative offsite analysis as described in Volume 1 of the SWMM.
9. Bare galvanized metal shall not be used for materials that convey stormwater, such as roofs, canopies, siding, gutters, downspouts, roof drains, and pipes. Any galvanized materials shall have an inert, non-leachable finish, such as baked enamel, fluorocarbon paint (such as Kynar, or Hylar). Bare galvanized metal areas are considered PGIS.

**WASTEWATER**

G:\ENGRNG\Plan Review\PreApp and PIC Contacts\Scoping Project Specific Information\Mixed Use Building Prototype\3803 N 26th & 2612 N Adams MUC.docx

10. Each new building or townhouse shall have a new, independent connection to the City sanitary sewer.
11. Per Section 3.050 of the Side Sewer and Sanitary Availability Manual, if the existing side sewer is to be re-used for a new building, it shall be television inspected and pressure tested per City standards. If the side sewer is found through television inspection to have any illegal connections or cannot pass the pressure test, all illegal connections shall be disconnected and the side sewer shall be repaired, replaced, or rehabilitated and retested until the side sewer passes the pressure test to ensure it is watertight. Permits for this work shall be obtained from Building and Land Use Services.
12. Pretreatment devices such as a grease interceptor or an oil/water separator may be required.
13. Dumpsters that will be used for wet or moist trash, and all garbage compactors, shall be on a separate pad that drains to the sanitary sewer system. Cardboard compactors are not required to drain to sanitary.
14. Any discharge to the sanitary sewer that is not domestic waste will require approval. Projects with such discharges shall submit all requested information. Frequency, flow rates, pH, and MSDS sheets may be required.

#### **EASEMENTS AND OTHER REQUIRED AGREEMENTS**

15. Private easements are needed for private storm and sanitary sewer lines that cross properties under separate ownership.
16. Any private storm drainage system will require a Covenant and Easement Agreement for maintenance and access.

#### **OTHER PERMITS AND REVIEWS**

17. Work completed in the City right-of-way requires a City Work Order permit. Contact the Site Development at (253) 591-5760 for more information.
18. Following land use approval, a construction permit will be required prior to construction activities. Contact Planning & Development Services at (253) 591-5030 regarding permitting requirements.

#### **ADDITIONAL NOTES:**

The guideline comments provided within this document were based off the provided "A Tacoma Mixed Use Building" exhibit drawings (see attached) and email from Brian Boudet, sent 2/22/13.

The following assumptions were made:

- "0 Lot Line Development", no building setback requirements.
- Replaced impervious surfaces = 13,430SF
- Effective PGIS = 2,000 SF
- Value of the proposed improvements, including interior improvements, exceed 50% of the assessed value of the existing site improvements.
- Minimum Requirements will apply to new and replaced impervious surfaces.
- It appears the downstream discharge (for stormwater runoff) is a marine outfall. Applicant will be required to conduct a quantitative downstream analysis for capacity. If quantitative analysis shows capacity issues, the applicant may resolve the downstream capacity problem or provide onsite infiltration or detention. Where infiltration or detention is provided, stormwater discharges for the developed condition shall not exceed the discharges under existing conditions. Stormwater systems shall be sized according to the specific sizing requirements of each BMP though the pre-developed condition to be matched shall be the existing land cover.
- It appears covered parking is proposed within this submittal; covered parking shall drain to the sanitary sewer system and an oil/water separator shall be provided.

#### **OTHER**

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- The information provided is based upon the information presented at this time and the existing codes and requirements in force at the current time. If the project submitted varies from the information presented at this time, the project requirements may be different. Before submission of any documents, please verify that the codes have not changed in a manner that would require different information.
- If you have additional questions, please contact us at (253) 591-5218.

### **ELECTRONIC RESOURCES**

2012 City of Tacoma Stormwater Management Manual

<http://www.cityoftacoma.org/stormwater>

2004 City of Tacoma Public Works Department Design Manual

Requirements for work order submittals, City standard drawings

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Ecology NPDES Construction Stormwater General Permit

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>

### **CONTACTS**

General Storm & Sanitary Plan Review

Environmental Services Engineering

(253) 591-5218 or (253) 591-5588

General Permit Information, Permit Fees

Planning & Development Services

Permit Counter, (253) 591-5030

**Environmental Services Pre-Submittal Checklist**

**Project Name: 5209-5213 South Tacoma Way MUC Prototype**      **Date: 3/1/13**  
**Parcel Number: 5740000660, 5740000670, 5740000680**      **Reviewer: C Garcia**

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NOTE: The following information is based on limited information and is subject to change as more information for this project is provided and/or if the project concept changes. This checklist is a supportive document designed to assist the applicant and is NOT a comment letter. This document contains excerpts from Tacoma Municipal Code, Stormwater Management Manual (SWMM), Side Sewer and Sanitary Sewer Availability Manual, and Public Works Design Manual. This checklist may not provide all requirements but is intended to assist the applicant in determining basic stormwater and wastewater requirements. It is the applicant's responsibility to review all applicable codes and manuals to determine all project requirements.

**STORMWATER MANAGEMENT**

1. All surface water impacts shall be mitigated in accordance with the SWMM.
2. This project must comply with the SWMM in effect at time of vesting.
3. Minimum Requirements that may be applicable to this project are:

- #1 Preparation of a Stormwater Site Plan
- #2 Construction Stormwater Pollution Prevention
- #3 Source Control of Pollution
- #4 Preservation of Natural Drainage Systems and Outfalls
- #5 Onsite Stormwater Management
- #6 Water Quality
- #7 Flow Control
- #8 Wetlands Protection
- #9 Basin/Watershed Planning
- #10 Operation and Maintenance
- #11 Offsite Analysis and Mitigation
- #12 Financial Liability

Please refer to SWMM Volume 1 Chapter 3 to determine applicability of Minimum Requirements. Flowcharts Figure 1-5 and 1-6 can aid in determining project requirements.

4. A Construction Stormwater Pollution Prevention Plan (SWPPP) is required.
5. Infiltration systems are the first choice for onsite management. Design of infiltration systems requires a soil analysis prepared by a qualified soils professional per the SWMM, Volume 3.
6. If this project triggers Minimum Requirement #7 (based on the combination of on-site and off-site improvements), flow control applies. Flow control requirements vary by watershed, please refer to the Watershed Flow Control and Water Quality Requirements in Volume 1 Section 2.6 of the SWMM.
7. This project is in the Flett Creek watershed. Watershed requirements can be found in Volume 1 Section 2.6 of the Stormwater Management Manual (SWMM).
8. Per SWMM Minimum Requirement #11, all sites shall perform a qualitative offsite analysis as described in Volume 1 of the SWMM.
9. Bare galvanized metal shall not be used for materials that convey stormwater, such as roofs, canopies, siding, gutters, downspouts, roof drains, and pipes. Any galvanized materials shall have an inert, non-leachable finish, such as baked enamel, fluorocarbon paint (such as Kynar, or Hylar). Bare galvanized metal areas are considered PGIS.

10. This project is located within the South Tacoma Groundwater Protection District (STGPD). Per the Memorandum, "Implementation of Stormwater Infiltration for Pollution Generating Surfaces in the South Tacoma Groundwater Protection District" (Richard E. McKinley, January 21, 2011), infiltration of pollution generating runoff may be allowed with appropriate water quality treatment. Each request to infiltrate will be reviewed and approved on a case by case basis. Information on the STGPD is located on the Tacoma Pierce County Health Department website at <http://www.tpchd.org/environment/groundwater/south-tacoma-groundwater-protection-district/>.

### **WASTEWATER**

11. Each new building or townhouse shall have a new, independent connection to the City sanitary sewer.
12. Per Section 3.050 of the Side Sewer and Sanitary Availability Manual, if the existing side sewer is to be re-used for a new building, it shall be television inspected and pressure tested per City standards. If the side sewer is found through television inspection to have any illegal connections or cannot pass the pressure test, all illegal connections shall be disconnected and the side sewer shall be repaired, replaced, or rehabilitated and retested until the side sewer passes the pressure test to ensure it is watertight. Permits for this work shall be obtained from Building and Land Use Services.
13. Pretreatment devices such as a grease interceptor or an oil/water separator may be required.
14. Dumpsters that will be used for wet or moist trash, and all garbage compactors, shall be on a separate pad that drains to the sanitary sewer system. Cardboard compactors are not required to drain to sanitary.
15. Any discharge to the sanitary sewer that is not domestic waste will require approval. Projects with such discharges shall submit all requested information. Frequency, flow rates, pH, and MSDS sheets may be required.

### **EASEMENTS AND OTHER REQUIRED AGREEMENTS**

16. Private easements are needed for private storm and sanitary sewer lines that cross properties under separate ownership.
17. Any private storm drainage system will require a Covenant and Easement Agreement for maintenance and access.

### **OTHER PERMITS AND REVIEWS**

18. Work completed in the City right-of-way requires a City Work Order permit. Contact the Site Development at (253) 591-5760 for more information.
19. Following land use approval, a construction permit will be required prior to construction activities. Contact Planning & Development Services at (253) 591-5030 regarding permitting requirements.

### **ADDITIONAL NOTES:**

The guideline comments provided within this document were based off the provided "A Tacoma Mixed Use Building" exhibit drawings (see attached) and email from Brian Boudet, sent 2/22/13.

The following assumptions were made:

- "0 Lot Line Development", no building setback requirements.
- New and/or Replaced impervious surfaces = 11,000 SF
- Effective PGIS = 2,000 SF
- Value of the proposed improvements, including interior improvements, exceed 50% of the assessed value of the existing site improvements.
- Minimum Requirements will apply to new and replaced impervious surfaces.

- It appears the project is located within the Flett Creek drainage basin; Flow Control per the Standard Requirement (Section 3.4.7.3, Vol 3 of SWMM) will be required.
- It appears covered parking is proposed within this submittal; covered parking shall drain to the sanitary sewer system and an oil/water separator shall be provided.

**OTHER**

- The information provided is based upon the information presented at this time and the existing codes and requirements in force at the current time. If the project submitted varies from the information presented at this time, the project requirements may be different. Before submission of any documents, please verify that the codes have not changed in a manner that would require different information.
- If you have additional questions, please contact us at (253) 591-5218 or (253) 591-5588.

**ELECTRONIC RESOURCES**

2012 City of Tacoma Stormwater Management Manual

<http://www.cityoftacoma.org/stormwater>

2004 City of Tacoma Public Works Department Design Manual

Requirements for work order submittals, City standard drawings

<http://wspwit01.ci.tacoma.wa.us/download/PDF/Code/2004DesignManual1.pdf>

Policy Updates are posted on the City of Tacoma Surface Water website.

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Ecology NPDES Construction Stormwater General Permit

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>

**CONTACTS**

General Storm & Sanitary Plan Review

Environmental Services Engineering

(253) 591-5218 or (253) 591-5588

General Permit Information, Permit Fees

Planning & Development Services

Permit Counter, (253) 591-5030

# APPENDIX 'G'

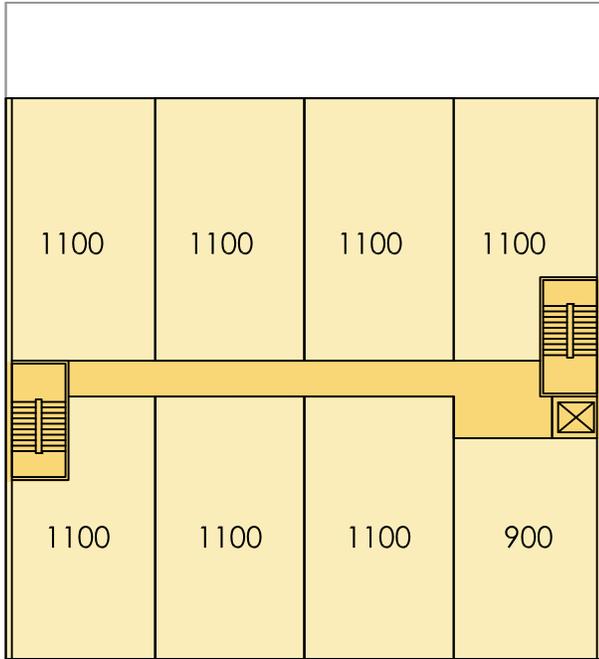
Revised Prototype Building

# park at grade

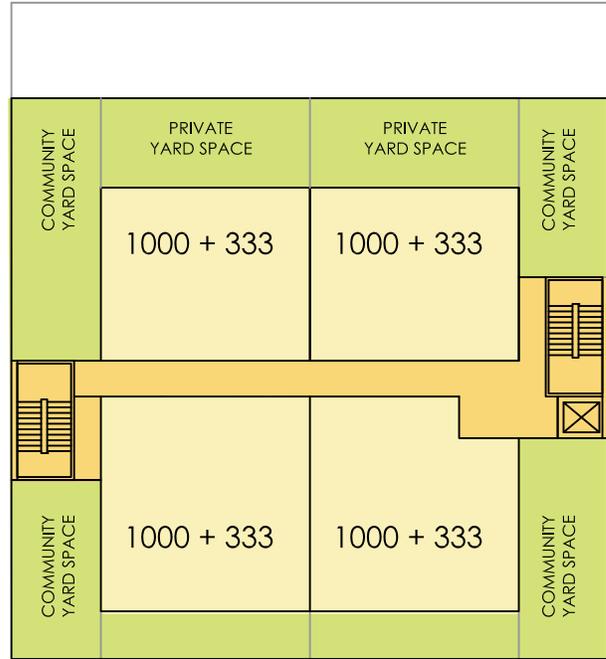
23 | 38  
STALLS | UNITS

SITE: 100' x 110' | BUILDING: 56,000 SF | 80' HEIGHT | FLOOR TO FLOOR: 17'-0" RETAIL, 11'-0" RES

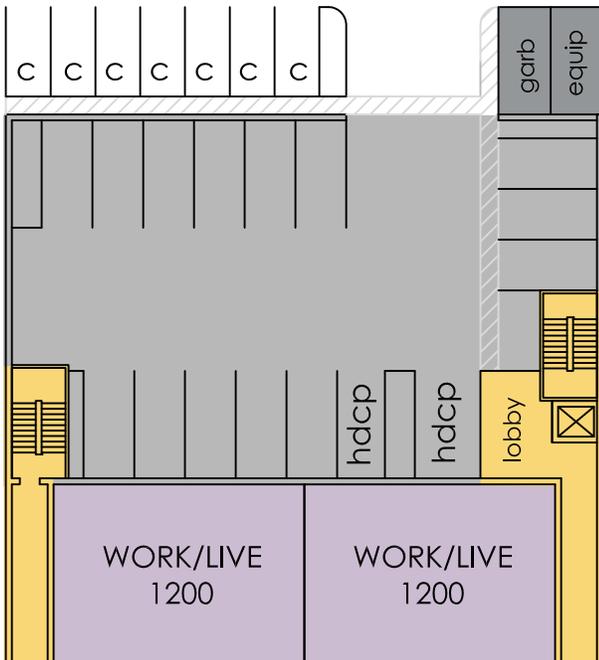
WITH OFFICE SPACE = 30 UNITS  
44 STALLS REQ | 65 W/ OFFICE



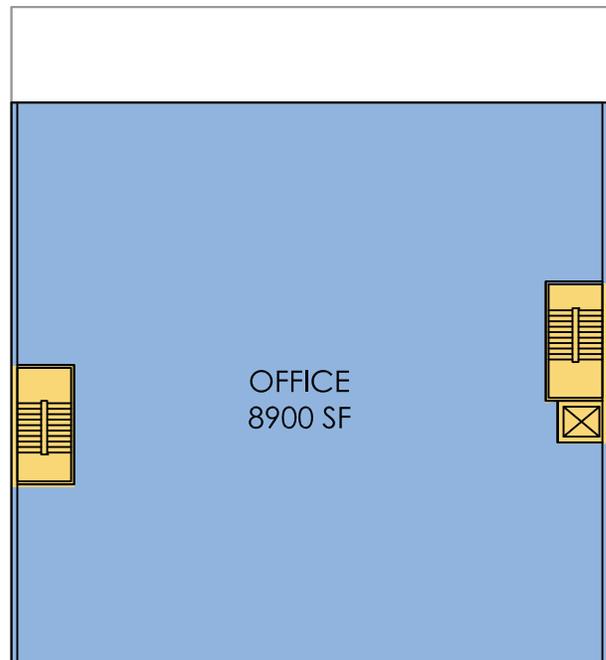
FLOORS 2-5 8 UNITS PER FLOOR 9400 SF



FLOOR 6 4 UNITS PER FLOOR 5700 SF  
2100 SF COMMUNITY YARD SPACE



FLOOR 1 - STREET 2400 RETAIL = 6 STALLS REQ



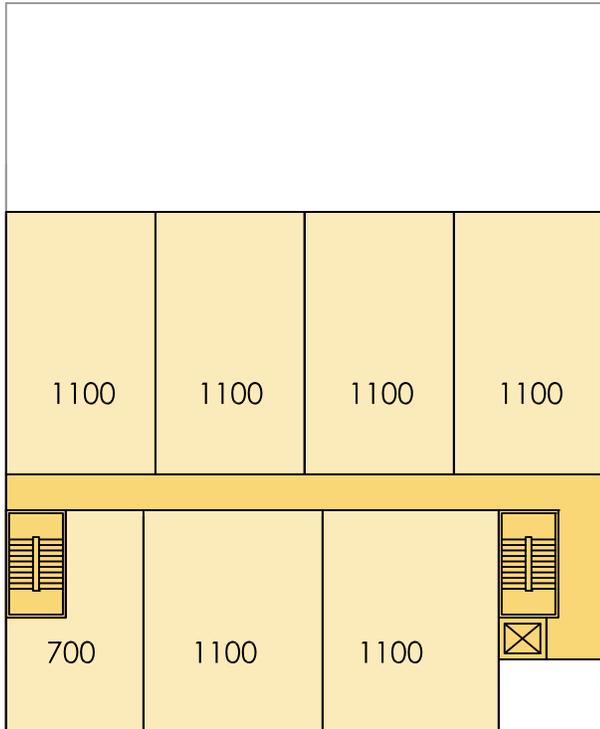
ALTERNATE FLOOR 2 8900 OFFICE = 27 STALLS REQ  
ADDITIONAL FLOOR IS POSSIBLE BELOW FIRE ASSEMBLY  
FOR SITES WITH AN 85' HEIGHT LIMIT

# park above

32 | 35  
STALLS | UNITS

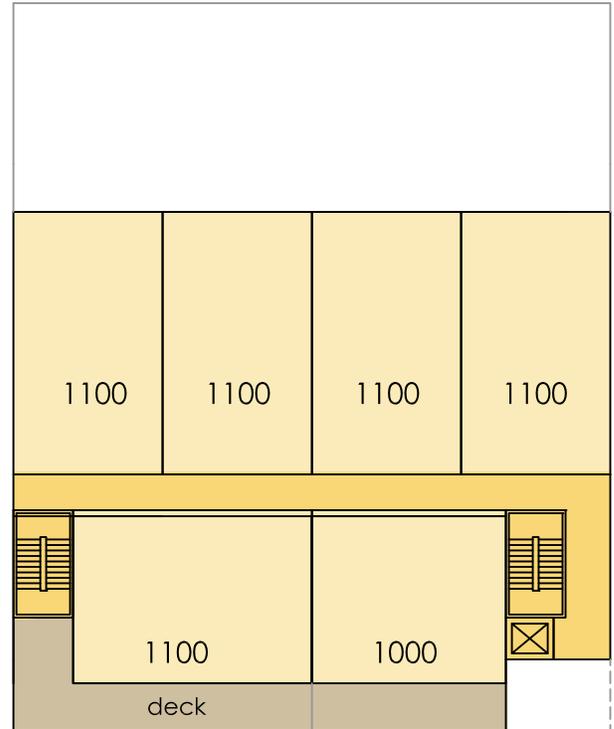
SITE: 100' x 122' | BUILDING: 63,000 SF | 65' HEIGHT | FLOOR TO FLOOR: 15'-0" RETAIL, 10'-0" RES

WITH OFFICE SPACE = 26 UNITS  
41 STALLS REQ | 40 W/ OFFICE  
EXEMPT FROM YARD SPACE STANDARD



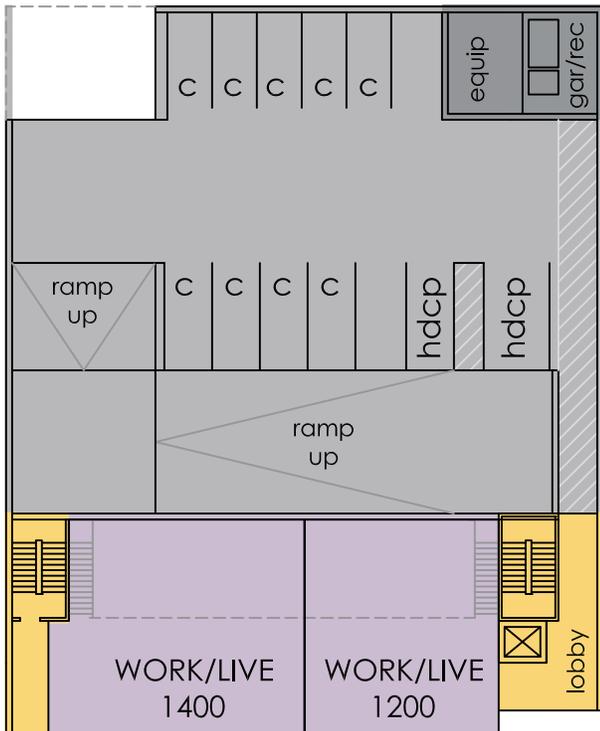
FLOORS 2-4

7 UNITS PER FLOOR 8500 SF



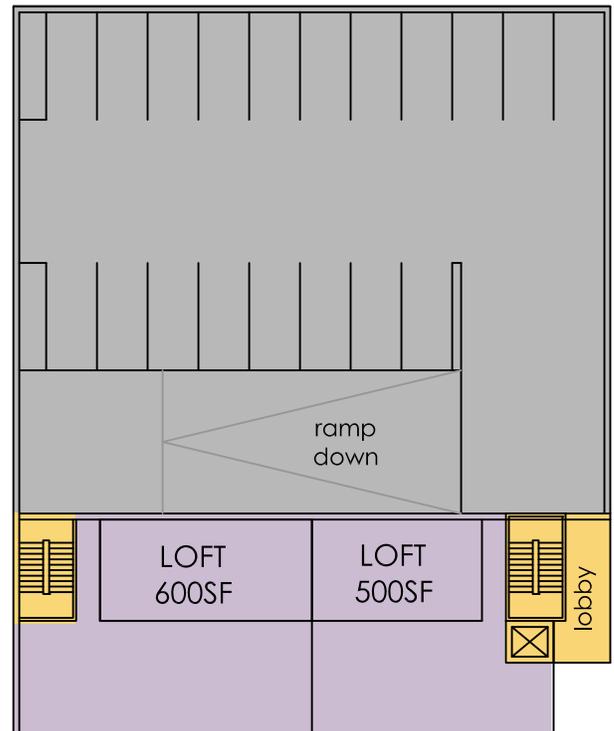
FLOOR 5-6

6 UNITS PER FLOOR 7800 SF



FLOOR 1 - STREET

2600 RETAIL = 6 STALLS REQ



FLOOR 1A

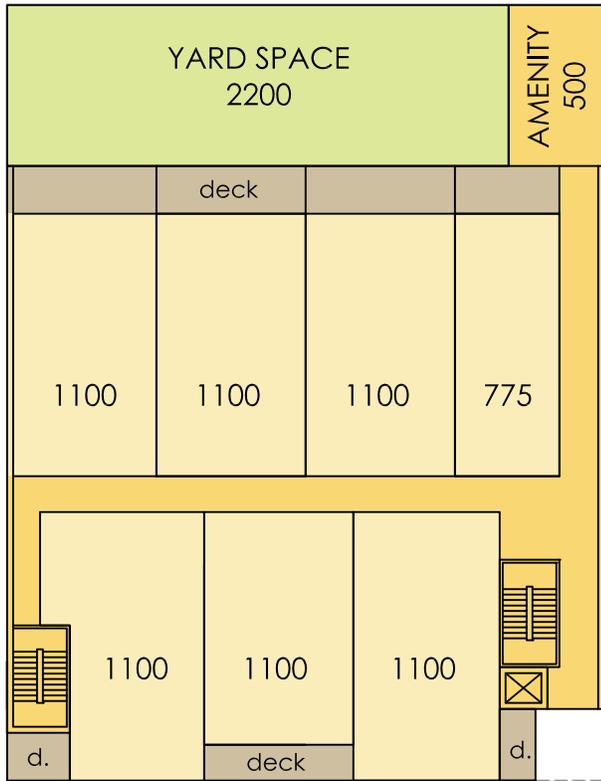
ALTERNATE: 2600 OFFICE = 8 STALLS REQ

# park below

47 | 38  
STALLS UNITS

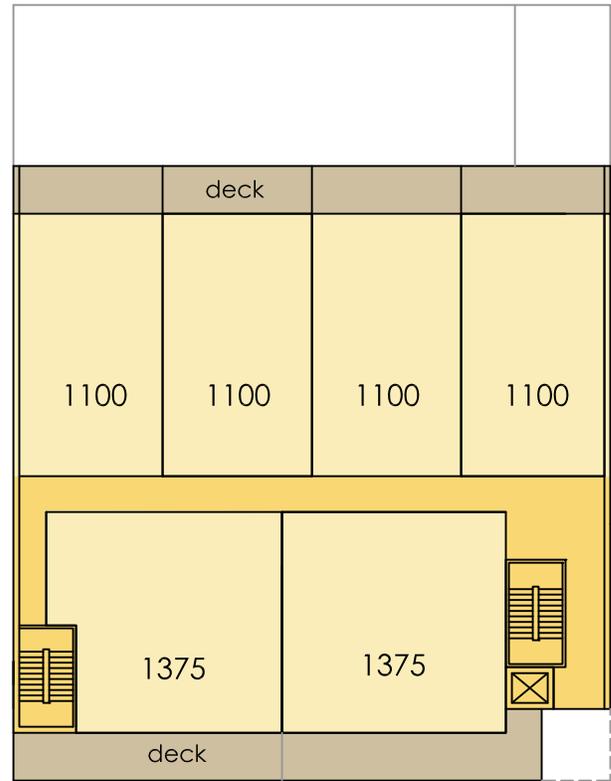
SITE: 100' x 130' | BUILDING: 76,000 SF | 80' HEIGHT (83' W/ OFFICE) | FLOOR TO FLOOR: 17'-0" RETAIL, 11'-0" RES

WITH OFFICE SPACE = 34 UNITS  
45 STALLS REQ | 71 W/ OFFICE



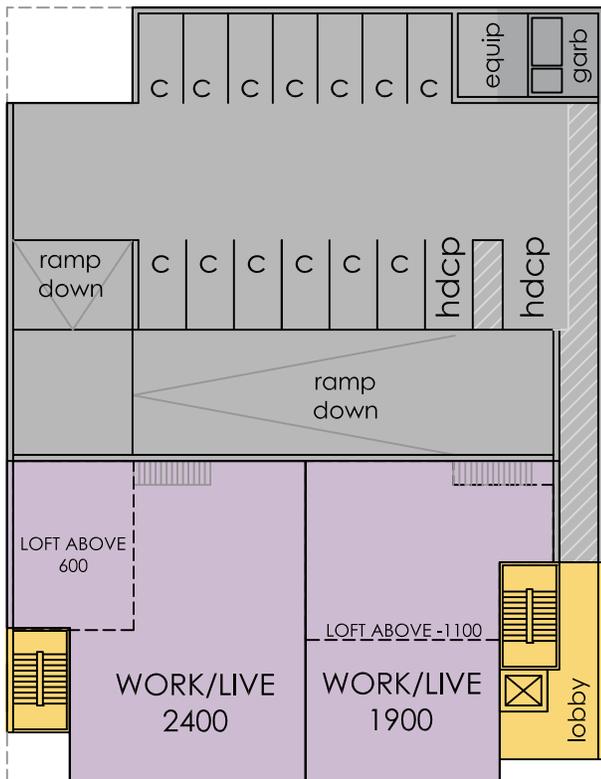
FLOORS 2-5

7 UNITS PER FLOOR 10,100 SF  
11,700 OFFICE = 36 STALLS REQ



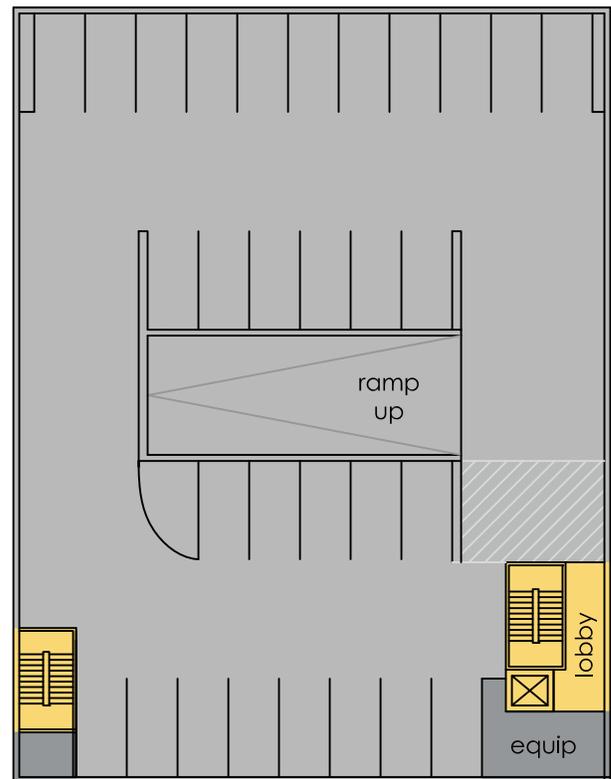
FLOOR 6

6 UNITS PER FLOOR 7800 SF



FLOOR 1 - STREET

3300 RETAIL = 9 STALLS REQ



UNDERGROUND PARKING

# APPENDIX 'H'

## Developer Outreach Workshop Notes & Agenda



# TOP DEVELOPMENT CHALLENGES

---

## DEMAND

CONSTRUCTION PRICES CLIMB  
RENT VALUES DECREASE  
WORSE GAP THAN BEFORE RECESSION

PLENTY OF LAND, VACANT BUILDINGS

DEMAND IS CREATED BY JOBS

→ LARGEST EMPLOYERS ARE:

MILITARY → HOUSING ALLOWANCE SETS CEILING  
STATE & MUNICIPALITIES

HOSPITALS

→ LIMITED # OF HIGHLY PAID

APARTMENT \$700 DEMAND - NOT \$2K

CITY IS VERY FAVORABLE FOR MUNICIPAL PARTNERSHIP  
IN SEATTLE - THE MARKET IS MILLENNIALS & EMPTY NESTERS  
IN BELLEVUE - HUGE ASIAN INFLUX

①

IN 2005 - 1% VACANCY - CLASS-A  
ECONOMY WAS BOOMING  
NO ONE COULD BUILD NEW BLDGS,  
NOW IS WORSE

23% OF ~~DOWNTOWN~~ <sup>THEA'S</sup> RENTERS @ THEA'S IS MILITARY OFFICERS  
40% OF MID-TOWN RENTERS ARE OFFICERS

## DEVELOPMENT HAS 2-SIDES

STRUCTURAL CHALLENGES / DEMANDS  
ON SITE → PRICING FOR ON SITE REQ'D  
DESTROY THE PROFORMA  
CITY NEEDS TO MINIMIZE ON SITE AND OFFSITE TO MAKE IT PENAL  
EXISTING IS 1/2 OF PROFORMA  
OFFSITE - REMOVE BARRIERS TO HELP PROFORMA

WE MUST PROMOTE THE COMMUNITY TO INCREASE DEMAND  
- SCHOOLS  
- DESIRABLE ENVIRONMENT  
- LIVELY

WE NEED TO BRAND CITY AS BEING COOL

WHAT WOULD HAPPEN IN AN AREA IF THERE WERE NO RULES → ALLOW THE MARKET DETERMINE  
I.E. BREWERY DISTRICT

\* TAKE THE GLOVES OFF → NO REGULATION

DEVELOPERS WANT LITTLE TO NO RISK THAT THEY CAN'T CONTROL

## MID-TOWN CHALLENGES -

TPU - LATE ADDITION OF A POWER VAULT  
B/C THEY DID NOT WANT UNDERGROUND  
FULL GRIND & REPAVE

TPU IS DIFFICULT TO PARTNER WITH

- INFLEXIBLE
- BEHAVES LIKE THEY GOT THEIR WAY
- FORCE EXPENSIVE IMPROVEMENTS AND LOCATIONS FOR POWER
- OUTRAGEOUS PRICING FOR POWER & WATER

## FIRE DEPARTMENT -

- REQUIRE MAJOR UPGRADES ~~WATER~~  
SPRINKLER REBUILDS  
DOUBLE WATER CONNECTIONS  
THREATENED TO SHUT OFF WATER SUPPLY

CITY IS VERY REASONABLE & FLEXIBLE

- ESPECIALLY IN GARY PETERSON'S ERA
- THEY LISTEN, ARE RECEPTIVE
- NEW LEADERSHIP IS PROACTIVE AND PUSHING
- PLANNING & ECON. DEVEL. CHANGE IS FANTASTIC

BLUS SHOULD BE VERY CLOSE TO EDB +  
ECONOMIC DEVELOPMENT → ADAPT TO MARKET

TACOMA NEEDS TO SUPPORT AND CULTIVATE  
SMALL BUSINESS/TENANTS

- TREAT THEM WELL JUST LIKE RUSSELL  
BE AN INCUBATOR COMMUNITY

UNT IS OUR BIGGEST ASSET  
4000 STUDENTS +400/YEAR

(3)

UNT - ALL WANTS TO PROMOTE CITY  
CITY/T.C. - CAN JOIN THE STORY  
GOB - ALL GROUPS NEED TO SHARE MSG

TPU  
HUGE UNEXPECTED EXPENSES  
WATER METER \$30K → HOSE FEES  
NEEDS TO BE LESS DICTATORIAL &  
MORE SENSITIVE TO FINANCIAL REALITIES  
→ SAME W/ FIRE DEPARTMENT  
→ COMPLETELY ISOLATED FROM COMMUNITY DECISION  
CITY UPGRADED UTILITIES DOWN STREET  
THAT BISECTS HAUB. THEY NEED TO  
BE AWARE OF MARKET FORCES TO MAKE  
LONG-TERM DECISIONS

FINANCING IS CHALLENGING FOR SMALLER  
PROJECTS - INSTITUTIONAL \$ NO INTERESTED

A \$9/SF RENT DOES NOT JUSTIFY A  
\$100K UPGRADE FOR FIRE REQ'M

→ INCREMENTAL IMPROVEMENT IS BETTER  
THAN NO CHANGE AT ALL - NO DEVELOP.

USE TAX BREAK TO GET WHAT YOU WANT  
4-UNITS DOMINATE → WE NEED MORE DENSITY

1<sup>ST</sup> FLOOR RETAIL ON TACA COSTS \$26/SF<sup>NET</sup> BUT  
LEASES FOR \$14<sup>NET</sup>

CULTIVATE LOCAL DEVELOPMENT UNTIL NATIONAL  
EQUITY IS INTERESTED, THEN IT IS  
OKAY TO RETURN TO TYPICAL LIMITATIONS  
REGULATIONS





## Mixed-Use Centers Zoning Code Update (2014)

DRAFT LAND USE REGULATORY CODE CHANGES  
January 28, 2014

Exhibit B  
Proposed Code  
Amendments  
pertaining to  
MUC-Lite

The proposed code amendments include the following key elements:

### **Core Pedestrian Street: first level use limitations**

- Revise the requirements for street level use on designated core pedestrian streets to allow for work/live units

### **Yard Space Standards**

- Expand the exemptions from the requirement to provide on-site yard space to include:
  - Projects with a Floor Area Ratio (FAR) above 3.0
  - Projects located within ¼-mile of a park or school with recreational facilities (current exemption is at 300 feet)
  - Mixed-use projects that provide ground floor retail or restaurant uses
- Reduce the per-unit yard space requirement for multi-family and mixed-use structures from 100 square feet to 50 square feet
- Provide more flexibility in the types of features that can be provided to meet the yard space requirement (courtyards, roof decks, balconies, etc.)

### **Mass Reduction: Upper Floor Streetfront Stepbacks**

- Revise the current stepback exemption for a “tower” feature to allow it to be located anywhere along the pedestrian street frontage (currently limited to just the corner of the building)
- Clarify that one per street frontage is allowed

### **Residential Transition Standards: Upper Story Stepbacks**

- Revise the method for calculating this additional height restriction as follows:
  - Revise the starting location of measurement from the edge of the building to the zone transition line
  - Revise the starting height from 25 feet to 35 feet (the standard height limit for residential zones)

### **Off-Street Parking**

- Revise the parking exemption for buildings within ten feet of the right-of-way on designated core pedestrian streets to include projects that provide commercial space within ten feet of the right-of-way on all designated pedestrian streets
- For extra parking provided by a project, increase the allowed maximum percentage of compact stalls from 30% to 50%

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~striketrough~~. In cases where a section has been reorganized, the key changes are also **highlighted**.

### 13.06.300 Mixed-Use Center Districts.

\* \* \*

#### 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)
* * *										
Warehouse, storage	N	N	N	N	N	P	N	N	N	
Wholesale or distribution	N	N	N	N	N	P	N	N	N	
<u>Work-Live</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Not subject to minimum density requirements</u>
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

**TABLE 13.06.300.G: RESIDENTIAL X-DISTRICT YARD SPACE STANDARDS**

1. Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.

2. Townhouse Development. At least 200 square feet of yard space is required for each townhouse. Required yard space could include a combination of private front or rear yard space, porches, balconies, rooftop decks, or shared common yard space amongst groups of townhouses. Vehicular access areas and required walkways and buffers shall not count as yard space.

3. Multi-Family and Mixed-Use Development. At least 50 square feet of yard space is required for each dwelling unit. Required setback and buffer areas, vehicular access areas and required walkways and buffers shall not count towards the yard space requirement. This required yard space can be provided through any combination of the following types of areas/features:

a. Common Yard space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children’s play areas, or other multi-purpose recreational and/or green spaces. Requirements for common yard spaces include the following:

- (1) No dimension shall be less than fifteen feet in width (except for front porches).
- (2) Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity.
- (3) Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.
- (4) Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable.
- (5) Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.
- (6) Common yard space shall be open to the sky, except for clear atrium roofs and shared porches.
- (7) Shared porches qualify as common yard space provided no dimension is less than eight feet

b. Private balconies, porches, decks, patios or yards. To qualify as yard space, such spaces shall be at least thirty five square feet, with no dimension less than four feet.

c. Rooftop decks. To qualify, rooftop decks must meet the following standards:

- (1) Must be accessible to all dwelling units.
- (2) Must include amenities such as seating areas and landscaping.
- (3) Must feature hard surfacing appropriate to encourage residential use.
- (4) Must include lighting for residents’ safety.
- (5) No dimension shall be less than 15 feet in width.

Exceptions:

- a. Projects located within a quarter mile of a public park or public school that includes outdoor recreational facilities.
- b. Projects with a minimum floor area ratio (FAR) of 3.
- c. Projects that meet the ground floor retail/restaurant height bonus requirements.

G. Residential X-District Yard Space Standards. The following standards apply to all new duplex/triplex, townhouse, multi-family or mixed-use development in X-Districts. They are intended to provide yard space for residents of these developments.

~~1. Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.~~

~~2. Townhouse Development. At least 200 square feet of yard space is required for each townhouse. Required yard space could include a combination of private front or rear yard space, porches, balconies, rooftop decks, or shared common yard space amongst groups of townhouses. Vehicular access areas and required walkways and buffers shall not count as yard space.~~

~~3. Multi Family and Mixed Use Development. At least 100 square feet of yard space is required for each dwelling unit. Required setback and buffer areas, vehicular access areas and required walkways and buffers shall not count towards the yard space requirement. Projects located within 300 feet of a public park or public school that includes outdoor recreational facilities are exempt from this requirement.~~

~~a. Common Yard space. Where accessible to all residents, common yard space may count for up to 100 percent of the required yard space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children's play areas, or other multi purpose recreational and/or green spaces. Special requirements and recommendations for common yard spaces include the following:~~

~~(1) No dimension shall be less than fifteen feet in width (except for front porches).~~

~~(2) Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity.~~

~~(3) Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.~~

~~(4) Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable.~~

~~(5) Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.~~

~~(6) Common yard space shall be open to the sky, except for clear atrium roofs and shared porches.~~

~~(7) Shared porches qualify as common yard space provided:~~

~~(a) No dimension is less than eight feet.~~

~~(b) It is open on at least two sides.~~

~~(8) Decks and courtyards located on the top of a portion of a building may count as common open space as long as they are visible from multiple dwelling units within the building (this is distinguished from rooftop decks that are not visible from multiple units, which are addressed separately under subsection c, below).~~

~~b. Balconies. Private balconies, porches, decks, patios or yards may be used to meet up to 50 percent of the required yard space. To qualify as yard space, such spaces shall be at least thirty five square feet, with no dimension less than four feet.~~

~~c. Rooftop decks may be used to meet up to 25 percent of yard space for all multi-family uses and up to 50 percent of the required yard space in mixed use developments, provided they:~~

~~(1) Must be accessible to all dwelling units.~~

~~(2) Must include amenities such as seating areas and landscaping.~~

~~(3) Must feature hard surfacing appropriate to encourage residential use.~~

~~(4) Must include lighting for residents' safety.~~

~~4. All units shall have access to at least one qualifying yard space, either their own, a shared yard space, or both.~~

~~\* \* \*~~

**13.06.501 Building design standards.**

\* \* \*

**H. X-District Mass Reduction Standards.** The following requirements apply to all development located in any X-District, unless specifically exempted.

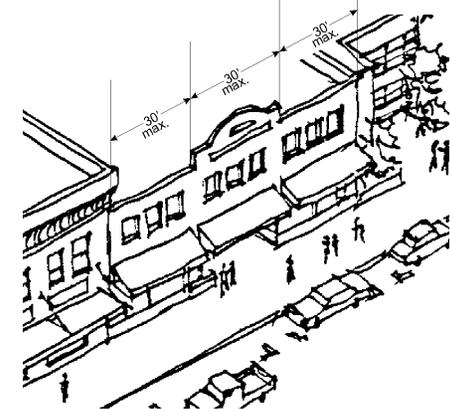
1. Façade Articulation: The following design choices are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.

a. All building facades fronting directly on a Designated Pedestrian Street must include at least two of the following articulation features at intervals no greater than 40 feet to reinforce the desired pattern of small storefronts adjacent to the sidewalk. Buildings that have 60 feet or less of frontage on the designated pedestrian street are exempt from this standard.

- (1) Use of window and/or entries that reinforce the pattern of small storefront spaces.
- (2) Use of vertical piers to reinforce the pattern of small storefront spaces. Such piers must project at least 2 inches from the façade and extend from the ground floor to the roofline.
- (3) Use of weather protection features that reinforce the pattern of small storefronts. For example, for a business that occupies three lots, use three separate awnings to break down the scale of the storefronts. Alternating colors of the awnings may be useful as well.
- (4) Roofline modulation as defined in Section 13.06.501.I
- (5) Change in building material or siding style.

**Example Figures**

Right: This building uses roofline modulation, window configurations, and weather protection elements to reinforce the pattern of small storefronts.  
 Below: Other acceptable façade articulation examples. All use window configurations to reinforce the desired small storefront pattern. Other features used in these examples to meet the standards include:



Vertical piers

Roofline modulation

Different weather protection elements



<p>b. All non-residential facades fronting on a non-Pedestrian Designated Street or containing a pedestrian entrance must include at least three of the following articulation features at intervals no greater than 60 feet. Buildings that have 120 feet or less of frontage on the non-designated street are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.</p>	<ol style="list-style-type: none"> <li>(1) Use of window configurations and/or entries that reinforce the pattern of storefront spaces.</li> <li>(2) 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 and/or roofline modulation as defined in Section 13.06.501.I. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.</li> <li>(3) Use of separate weather protection features that reinforce the pattern of storefront spaces.</li> <li>(4) Roofline modulation as defined in Section 13.06.501.I</li> <li>(5) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 feet of the façade.</li> <li>(6) Change in building material or siding style.</li> <li>(7) Use of vertical piers. Such piers must project at least 2 inches from the façade and extend from the ground floor to the roofline.</li> <li>(8) Providing a trellis, tree, or other landscape feature within each interval. Such feature must be at least one-half the height of the building (at planting time for any landscaping element).</li> </ol>
<p>c. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all facades facing a street, common open space, or common parking areas. Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.</p>	<ol style="list-style-type: none"> <li>(1) Repeating distinctive window patterns at intervals less than the required interval.</li> <li>(2) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.I. Otherwise, minimum depth and width of modulation is 10 and 15 feet, respectively. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade at least 18 inches.</li> <li>(3) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 percent of the façade</li> <li>(4) Roofline modulation as defined in Section 13.06.501.I</li> <li>(5) Vertical articulation of the façade. This refers to design treatments that provide a clear delineation of the building's top, middle and bottom. <ol style="list-style-type: none"> <li>(a) Top features may include a sloped roofline or strong cornice line as defined in Section 13.06.501.I. For facades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street).</li> <li>(b) Middle features: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing</li> <li>(c) Bottom: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of both contrasting window design/configuration and contrasting exterior materials</li> <li>(d) Façade reduction elements including balconies and bay windows may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way</li> </ol> </li> </ol>

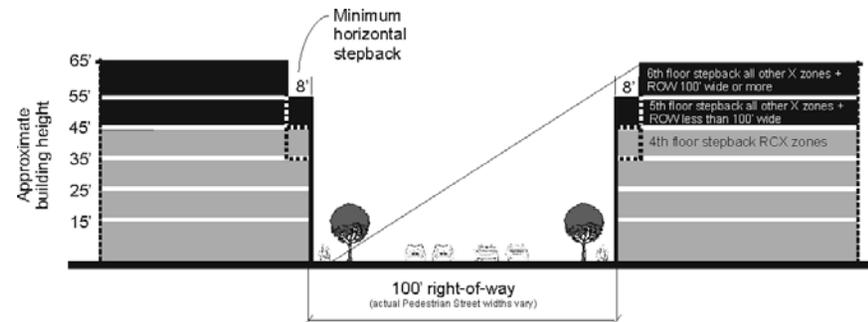


Above: Residential building articulation at 30-foot or less intervals. Below: Articulation examples of mixed-use buildings containing residential uses on upper floors. These examples include vertical and horizontal modulation and changes in building materials at no more than 30-foot articulation intervals.



2. Mass Reduction: Upper Floor Streetfront Stepbacks. The following standards are intended to reduce the appearance of bulk and reduce the potential for shade and shadow impacts on pedestrian streets. They apply to all development along designated pedestrian streets, unless specifically exempted.

- a. 8' minimum stepback along the streetfront façade for 4th floor and above in RCX Districts.
- b. 8' minimum horizontal stepback along for 5th floor and above in X Districts other than RCX, where the ROW width is less than 100'.
- c. 8' minimum horizon stepback for 6th floor and above in X zones other than RCX, where the ROW width is 100' or greater.
- d. Exceptions to b and c; above: ~~Portions of buildings adjacent to street corners along designated pedestrian streets can depart from this standard to incorporate distinctive street corner design elements such as a turret. Such corner building features shall be no more than 25 feet in width along both streets and other portions of the building shall meet applicable stepback standards. One distinctive design element of no more than 25 feet in width is allowed to extend vertically without these required stepbacks for each façade along a designated pedestrian street~~



3. **Mass Reduction: Maximum Façade Widths.** The following standards are intended to incorporate a significant modulation of the exterior wall through all floors except the ground floor. They apply to the upper story façades of multi-story buildings that are greater than 120 feet in width. Such buildings shall include at least one of the following features to break up the massing of the building and add visual interest:

- a. Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.
- b. Use of a contrasting vertical modulated design component that extends through all floors above the first floor fronting on the street (upper floors that are stepped back more than 10 feet from the façade are exempt) and featuring at least two of the following:

- (1) Utilizes a change in building materials that effectively contrast from the rest of the façade.
- (2) Component is modulated vertically from the rest of the façade by an average of 6 inches.
- (3) Component is designed to provide roofline modulation per 13.06.501.I, below.

- c. Façade employs building walls with contrasting articulation that make it appear like two distinct buildings. To qualify for this option, these contrasting façades must employ the following:

- (1) Different building materials and/or configuration of building materials.
- (2) Contrasting window design (sizes or configurations).



Examples of façades wider than 120 feet that effectively use techniques to reduce the apparent bulk and scale of the structure. The image on the left uses street and upper level courtyards whereas the right image uses both vertical building modulation and the use of contrasting building materials and articulation.

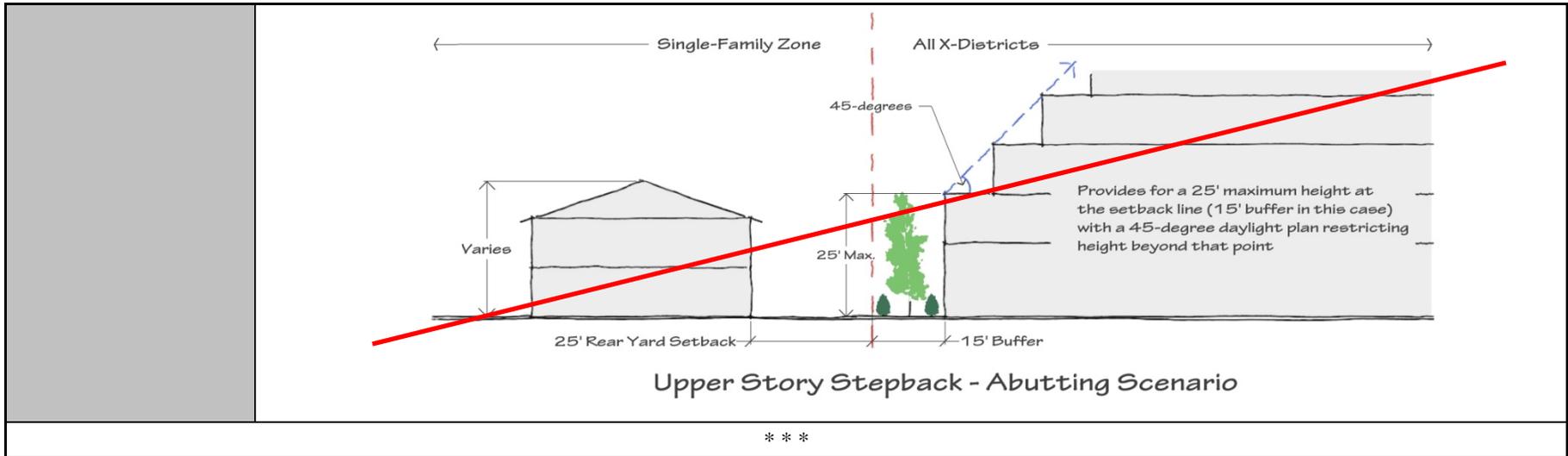
\* \* \*

**13.06.503 Residential transition standards.**

The following items are required to help ensure appropriate transitions between non-residential and/or higher intensity development and adjacent residential districts, in terms of building bulk and scale, location of activity areas for privacy and noise reduction, provision of greenspace, and visual separation:

[See table below.]

<p><b>A. Upper Story Stepback</b></p>	<ol style="list-style-type: none"> <li>1. Structures shall not intercept a 25-degree daylight plane inclined into the C, T, PDB, HM, M, or PMI District from a height of <del>25</del><u>35</u> feet above existing grade at any R-District / C, T, PDB, HM, M, or PMI District boundaries, excluding boundaries with R-4 Districts, R-5 Districts, and/or non-residential uses in any R District. For purposes of this provision, vacant land located in an R-District shall be considered a residential use.</li> <li>2. The following requirements apply in all X-Districts, where a Mixed-Use Center boundary is adjacent to single-family zoning (R-1, R-2 and R-2SRD Districts), except where the adjacent use within the single-family zone is a park, permanent open space, undevelopable steep slope, public facility or freeway.             <ol style="list-style-type: none"> <li>a. Projects abutting a single-family zone at a <del>street,</del> alley or rear or side property line shall not intercept a 45-degree daylight plane inclined into the X-District from a height of <u>25 35</u> feet above existing grade, measured from <del>the inside edge of the required buffer or setback (example of abutting scenario below); the zone transition line (example of the alley scenario below).</del></li> <li><del>b. Projects abutting a single family zone at a street shall not intercept a 45-degree daylight plane inclined into the X District from a height of 35 feet above existing grade at the property line.</del></li> </ol> </li> </ol> <div data-bbox="724 852 1816 1258" data-label="Diagram"> </div> <p style="text-align: center;"><b>Upper Story Stepback - Alley Scenario</b></p>
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**13.06.510 Off-street parking and storage areas.**

\* \* \*

<b>TABLE 2 – Parking in Mixed-Use Center Districts</b>	
Quantity	Residential Uses. Minimum 1.0 stall per unit. Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area. UCX-TD Commercial or Office Uses (including retail, service and eating and drinking establishments). Minimum 0 stalls per 1000 square feet of floor area. Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1. See Section 13.06.510.B.2.f for use of compact stalls. For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.
Exemptions	No parking is required for any structure in existence upon the date the Mixed-Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required. In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated <del>ere</del> pedestrian streets (see Section 13.06.300.C). In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.
* * *	
<b><u>Development Standards – Compact Stalls.</u></b>	
<u>Compact Stalls</u>	<u>A maximum 30 percent of the parking spaces provided may be composed of compact stalls, except that for any parking provided in excess of the minimum quantity requirements, up to 50% of those excess stalls may be composed of compact stalls.</u>
* * *	

**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.W

\* \* \*

Wireless communication and wireless communication facilities. Facilities used in the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for communication, cellular phone, personal communication services, enhanced specialized mobile radio, and any other services licensed by the FCC and unlicensed wireless services. These types of facilities also include central office switching units, remote switching units, telecommunications radio relay stations, and ground level equipment structures. This classification does not include communication facilities.

Wireless communication tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term encompasses wireless communication facilities, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, wireless communication towers, and alternative tower structures, and the like.

Work-live. A non-residential use that includes a subordinate residential component consisting of at least a kitchen, bathroom and sleeping quarters.

Work release center. An alternative to imprisonment, including work and/or training release programs which are under the supervision of a court or a federal, state, or local agency. This definition excludes at-home electronic surveillance.

Works of art. Artist-produced creations of visual art, including, but not limited to, sculptures, murals, paintings, inlays, earthworks, mosaics, etc. Works of art can be both self-standing and/or integrated into the structure or its grounds. The reproduction of original works of art, mass-produced artwork, or architect-designed elements are not included. Also not included are directional signage or super graphics, maps, etc., except where an artist is employed.

\* \* \*



## Attachment B Open Space Element Amendments Supplemental Information

(Note: At the meeting on January 8<sup>th</sup>, 2014, the Planning Commission reviewed the proposed packet regarding the Annual Amendment Application #2014-08: Open Space Element Update and authorized the distribution of the packet for public review. On that date, and subsequently on January 22<sup>nd</sup>, the Commission directed that the public review draft be revised to reflect the following modifications.)

####

- The following overview of the Open Space Inventory, reflecting the ongoing internal transition of natural Open Space properties from the City’s Planning and Development Services (PDS) Department to management by the Environmental Services (ES) Department, will be included in the public review draft:

Current Open Space Total Acreage	408
Added Open Space via Internal Transfer	71
<b>Total Open Space 2014</b>	<b>479</b>
ES – Passive	459
ES - Active (Community Garden)	2
PDS	18
<b>Total Open Space 2014</b>	<b>479</b>

The packet also contains the current *Capital Facilities Program* map and lists, and notes that these will subsequently be revised to reflect the transfers. Meanwhile, staff will produce a map reflecting the transfers, to be included in the final version of the packet.

- Revise proposed Appendix I: Parks, Recreation and Open Space Projects as follows:
  1. Add the following High Priority Projects discussion and list:

*High Priority Projects:*

*The following projects and sites are high and/or short-term implementation priorities due to the important role they will play in achieving the City’s parks, recreation and open space vision. The City will seek to allocate available resources and pursue additional funding and support to implement these projects, as feasible. Other priorities are included in the plans of partner agencies, particularly Metro Parks Tacoma, and priorities change as implementation progresses and in response to community input. Therefore, this list should not be considered exhaustive, and should be updated on a regular basis.*

*High Priority Projects List (in alphabetical order):*

- *Chinese Reconciliation Park*
- *Community Gardens*

- *Dome To Defiance (including Foss Esplanade, Schuster Parkway Promenade, Ruston Way promenade)*
- *First Creek corridor*
- *Garfield Gulch*
- *Julia’s Gulch*
- *Mason Gulch*
- *Pipeline Trail*
- *Point Defiance Park*
- *Prairie Line Trail*
- *Schuster Slope*
- *Wapato Hills*
- *Water Ditch Trail*

2. Add the following three entries to the proposed Projects List, which have been identified subsequent to the last Planning Commission review:

- *Open Space Program – Active Recreation*
  - *Open Space Program – Passive (Natural Areas)*
  - *City-managed Urban Parks and Amenities*
- Revise *TMC 1.37 Transfer of Development Rights Program Administrative Code* to reflect the PDS Department’s name change; and, to provide additional clarity on determining the eligibility of Tacoma Habitat Areas as TDR Sending Sites, and on determining the number of TDR credits. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

**TMC 1.37 TRANSFER OF DEVELOPMENT RIGHTS PROGRAM ADMINISTRATIVE CODE**

**1.37.020 Definitions**

\*\*\*

“TDR Manager” is an employee of the Tacoma ~~Community and Economic Development~~ Planning and Development Services Department tasked with accomplishing the duties specified by this chapter.

\*\*\*

**1.37.030 Sending Areas.**

The following five categories of land or structures qualify as sending areas:

A. Pierce County Farm Land: Farm land designated as Agriculture Resource Land (ARL) in unincorporated Pierce County situated in Pierce County’s Puyallup Valley (Alderton-McMillin or Mid County Community Planning Areas).

B. Pierce County Forest Land: Forest land designated as Forest Land (FL) situated in unincorporated Pierce County.

C. Resource lands in King County and Snohomish County.

D. Tacoma Habitat: Lands providing high habitat and natural value located within, or in proximity to, designated Habitat Corridors in the Comprehensive Plan, and lands providing exceptional habitat and natural value located within the City and outside of the designated Habitat Corridors.

E. Tacoma Landmarks: Structures designated as a landmark as identified in the Tacoma Register of Historic Places.

\*\*\*

### **1.37.050 Sending Area TDR Allocation.**

Upon recordation of a qualifying easement, TDRs shall be issued to the participating sending area property owners as follows:

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C. For Tacoma Habitat sending areas:

1. For residential zones: one TDR for each forgone dwelling allowed by the property's current zoning.

2. For nonresidential or multifamily zones: one TDR for each 8,000 square feet of potential but foregone floor area allowed by the property's current zoning.

3. In determining development potential for this purpose, the TDR Manager shall make a reasonable estimate of ~~The calculation above shall take into account~~ the actual number of dwelling units or square feet of floor area buildable on the sending area under its current zoning restrictions and all other applicable land use and environmental controls (e.g. applicable setback or wetland regulations). The net development potential will be used, typically assuming that 25 percent of the total area would be utilized for roads and infrastructure. The TDR Manager may further reduce this estimate, up to an additional 25 percent, if specific site characteristics substantially limit development potential (including steep slopes, critical areas, or the absence of access or utilities in the vicinity).



## Attachment C

### Sustainability Code Amendments

### Supplemental Information

(Note: At the meeting on February 5, 2014, the Planning Commission reviewed the proposal packet regarding the Annual Amendment Application #2014-09: Sustainability Code Amendments. The Commission authorized the distribution of the proposal packet for public review, with a minor change made to TMC 13.06.300, as shown in Exhibit A of the packet. Said change is shown below in red underlines with yellow highlight.)

####

#### **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.
10. To promote and attract dense infill development that may otherwise have resulted in the expansion of the region's urban footprint into sensitive greenfield areas within the watershed, and to achieve a compact land use pattern that promotes air and water quality, healthy watersheds, and the reduction of regional storm water runoff.

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.

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## Attachment D

### Urban Forestry Landscaping Code Updates Supplemental Information

(Note: At the meeting on January 22<sup>nd</sup>, 2014, the Planning Commission reviewed the proposed packet regarding the Annual Amendment Application #2014-10: Urban Forestry Landscaping Code Updates, and authorized the distribution of the packet for public review. On that date, the Commission directed that the public review draft be revised to reflect direction on several issues. In addition, staff have continued to consult with stakeholders and review the draft code and have identified several recommended modifications to better meet the intent of the project. The following is a summary of proposed refinements, with modifications to the previous draft language shown in track changes. Proposed additions are underlined; proposed deletions are in ~~striketrough~~.)

###

- Several minor wording changes and technical clarifications to better implement the intent of the project.
  
- Proposed refinement to draft *TMC 13.06.502.B.2. Street trees*:
  2. Street trees. In addition to the thresholds identified above, street trees are required when:
    - a. Street or sidewalk improvements are required in association with a Preliminary Plats or Short Plats with 5 or more lots; or
    - b. Capital street improvement projects, excluding residential Local Improvement Districts, incorporating ~~ing the~~ construction of new roadway alignments (including subgrade and road surface); alterations to the width of existing roadways; new sidewalks; or, replacement of more than 50 percent of existing sidewalks along a site's frontage. In the case of sidewalk replacement, street trees shall be required proportionate to the linear footage of sidewalks replaced; or construction of a full roadway section;
    - c. If street trees are required in the applicable zone, then existing street trees shall be preserved in healthy condition per the tree preservation requirements of this section and the technical specifications of the UFM, or replaced, in association with street improvement projects.
  
- Proposed addition to draft *TMC 13.06.502.C.1.a.(1) and (2)*, pertaining to Landscape Plans and Landscape Management Plans:
  - (1.) Landscape Plans and Landscape Management Plans, when required, shall be prepared by a Registered Landscape Architect, Certified Landscape Technician, or Certified Professional Horticulturalist, unless otherwise approved by the City, and shall be submitted in a form specified by the City.
    - (a.) Landscape Plans must be drawn to scale and show all of the following:
      - Plant species names (common and scientific);
      - Plant stock sizes, condition, and quantity;
      - Installation location of plant materials;
      - Existing and proposed utilities;
      - Existing and proposed bus stops (as applicable);
      - Existing trees planned to be retained; and

- Finished grade.
- Required irrigation systems (if applicable).

(b.) Landscape Management Plans shall address the following:

- Entity responsible for maintenance of the landscape during the establishment period (3 years following planting); and
- A schedule of maintenance activities, including, but not limited to, pruning, watering, fertilization, and inspection and replacement of dead and/or damaged plant materials.

(2.) Developments with less than 500 square feet of landscaped edimg area are exempt from submitting a Landscape Management Plan, and may submit a Landscape Plan prepared by a non-professional. Capital street improvement projects involving fewer than 10 street trees are exempt from submitting a Landscape Management Plan.

- Proposed revisions to draft *TMC 13.06.502.C.1.e.* to clarify quantity calculations with the Small, Medium, Large Tree system:

e. Landscaping quantity calculations. When an amount or number of trees or plants is specified, that shall be the minimum number required. Any requirement resulting in a fraction of 0.3 or greater, when applied, shall be rounded up ~~or down~~ to the nearest whole number. Any requirement resulting in a fraction of less than 0.3 shall be rounded down to the nearest whole number. In cases where the minimum is expressed as a ratio of a number of trees or shrubs per a specified amount of area or length of site frontage or buffer, the number of required trees or shrubs shall be calculated by applying the ratio to the square footage of the area or length. For example, ~~under a~~ street tree requirements of 4 Small, 3 Medium, or 2 Large trees per 100 feet of street frontage can be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet. Small, Medium and Large Trees may be used in combination, according to the applicable ratios.

EXAMPLE: ~~a~~ site with 50 feet of street frontage would require 2 Small ( $50 \times 4/100 = 2$ ), 2 Medium ( $50 \times 3/100 = 1.5$ , which rounds up to 2), or 1 Large ( $50 \times 2/100 = 1$ ).

EXAMPLE: A site with 60 feet of frontage would require 3 Small ( $60 \times 4/100 = 2.4$  which rounds up to 2), 2 Medium ( $60 \times 3/100 = 1.8$ , which rounds up to 2), or 1 Large ( $60 \times 2/100 = 1.2$ , which rounds down to 1). ~~2 trees ( $50 \times 3/100 = 1.5$ , which rounds up to 2) and a site with 90 feet of street frontage would require 3 trees ( $90 \times 3/100 = 2.7$ , which rounds up to 3).~~

- Proposed revisions to draft *TMC 13.06.502.C.2.e.(2)* pertaining to preventing tree and infrastructure conflicts:

(2) Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height not greater than 25 feet. New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from a structure, 5 feet from underground utilities, and 10 feet from light standards. The UFM contains additional guidelines on this subject.

- Proposed revisions to draft *TMC 13.06.502.C.2.e.(3) and f.(3)* pertaining to tree and shrub variety:
  - e.(3) Tree variety. For projects that involve the planting of between four and ten trees, at least two different kinds (Genera) of trees shall be included. For projects involving the planting of more than ten trees, at least three different kinds (Genera) of trees, and a mixture of tree types (evergreen and deciduous) shall be included. For projects that involve planting more than twenty-five trees, no more than 25 percent shall be from one Genera and a minimum of 25-20 percent must be evergreen-~~conifers~~.
  - f.(3) Shrub variety. If there are more than 25 required shrubs, no more than 7520 percent of them can be of any one species.
  
- Proposed addition to draft *TMC 13.06.502.C.3* pertaining to soil composition and volume:
  - d. All required landscaping must be planted in the ground, where feasible. In cases where this is not feasible, the use of planters or other approaches may be authorized. Soil composition and volume shall be provided as appropriate to promote the health of the plants, per the specifications of the UFM.
  
- Proposed addition to draft *TMC 13.06.502.D.2* pertaining to tree retention credit:
  - ...To be eligible for this credit, trees must be at least 6 inches in diameter at breast height (DBH) at the time of plan submittal. In addition, trees must be healthy and have minimal serious defects or defects that cannot be mitigated by proper pruning as indicated on the Arborist Report and Tree Protection Plan. Trees shall count according to their species as Small, Medium and Large Trees.
  
- Proposed revision to draft *TMC 13.06.502.D.3* pertaining to evergreen trees credit:
  - 3. Evergreen trees. Evergreen trees, beyond those otherwise required by this section, ~~shall receive the following credits:~~
    - ~~a. Less than one-third of required trees: Each tree counts count as 1.1 trees toward total number required.~~
    - ~~b. One-third to two-thirds of required trees: Each tree counts as 1.2 trees toward total number required.~~
    - ~~c. Greater than two-thirds of required trees: Each tree counts as 1.3 trees toward total number required; and, a Additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.~~
  
- Proposed revision to draft *TMC 13.06.502.D.5* pertaining to the Urban Forestry Fund:
  - ...The required amount will be equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment, as specified in the UFM.
  
- Proposed replacement of previous language in draft *TMC 13.06.502.D.5* pertaining to the optional Self-managed Agencies process:

6. Self-managed Agencies. An optional process for additional flexibility is available for public agencies with urban forestry programs and plans. This option is intended to encourage public agencies to take a leadership role in implementing urban forestry goals and policies. This flexibility can facilitate more intensive development of a particular development site, while meeting the urban forestry policies of the Comprehensive Plan and the intent of the landscaping code by planting the required landscaping at another site in the agency's permanent control.

a. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Urban Forest Policy Element of the Comprehensive Plan. The request must designate the areas where required landscaping would be planted. The General Landscaping requirements of this section apply. Plantings pursuant to meeting the requirements of this section may not be otherwise required.

Upon review, the Director will issue a Determination regarding the consistency of the request with the Comprehensive Plan and code intent. If approved, the Determination shall grant self-managed agency status for up to five years, subject to reevaluation. The Director reserves the right to withdraw the self-managed agency status should the intent not be met.

b. Self-managed agencies may choose to plant landscaping required as part of a particular development proposal in a location specified in their urban forestry plan. This flexibility can be utilized at the agency's discretion on subsequent site-specific development proposals. Each request to utilize this process as part of a development proposal review shall make reference to the approved Determination, be supported by running totals of landscaping planted in this manner, and include status updates on ongoing health of such landscaping.

c. Landscaping Buffers, when required, must be provided on the development site and cannot be shifted to another site. In addition, to the extent feasible, some portion of required street trees and parking lot landscaping shall be planted at the development site, or if shifted from the development site shall be planted in proximity to impervious surfaces in order to achieve commensurate stormwater benefits.

- Proposed clarification to draft *TMC 13.06.502.E* (Landscaping requirements table) pertaining to Parking Lot Perimeter Landscaping requirements:

Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements:

- At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.
- Trees planted shall be generally evenly distributed over the site.
- Shrubs and groundcover plants as required above.
- Trees placed to create a canopy in desired locations without obstructing necessary view corridors.

- Proposed clarification to draft *TMC 13.06.502.E* (Landscaping requirements table) pertaining to Street trees:

Exceptions:

- (1) Street trees are not required in PMI Districts, with the exception of the following gateway corridors into the City located within or near the Port of Tacoma: Marine View Drive, East 11<sup>th</sup> Street (west of Portland Avenue), Portland Avenue (south of E. 11<sup>th</sup> Street), Milwaukee Way (south of E. 11<sup>th</sup> Street), and Port of Tacoma Road (south of E. 11<sup>th</sup> Street).

- Proposed additions to draft *TMC 13.06.700 Definitions and illustrations*:

Arborist: An individual engaged in the profession of arboriculture who, through experience, education and related training, possesses the competence to provide for or supervise the management of trees and other woody plants.

Caliper: Diameter of a tree's trunk or stem measured at a point 6 inches above finish grade if the resulting measurement is up to and including 4 inches. If the resulting measurement is more than 4 inches the point of measurement shall be relocated to 12 inches above finish grade.

Deciduous: A plant that loses its leaves and remains leafless for some months of the year, usually in winter (temperate zones) or the dry season (tropical zones).

Diameter at breast height (DBH): A tree's trunk or stem diameter measured at four and one-half feet above the ground.

Genus (pl. genera): A group of plants within a family that is morphologically similar and contains one of more species.

Plants; Plant; Plant Material: These terms refer to vegetation in general, including trees, shrubs, vines, groundcovers, ornamental grasses, bulbs, corms, tubers, or herbaceous vegetation.

Tree Size: Categorized as Large, Medium or Small as determined by the Canopy Factor, which takes into account the trees mature height, mature crown spread and growth rate. The Canopy Factor is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees.

(A) Large Trees = Canopy Factor greater than 90

(B) Medium Trees = Canopy Factor from 40 to 90

(C) Small Trees = Canopy Factor less than 40

- Proposed revisions to *TMC 13.06A Downtown Tacoma* for consistency:

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

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D. General Parking Design Standards Applicable to the RPA and All Downtown Zones

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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~~ and groundcover per the General Landscaping requirements and the Parking Lot Perimeter requirements of TMC 13.06.502.

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~~ and groundcover.

~~d. All trees shall have a minimum caliper of 2 1/2 inch at the time of planting.~~

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

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3. ~~Four Small Trees, Three Medium Trees, or Two Large One~~ street trees shall be provided per each ~~25-100~~ linear feet of frontage, with tree grates or alternative pervious surface materials covering the pits, in conformance with ~~City~~ the General Landscaping requirements of TMC 13.06.502. 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 s~~ Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length 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 generally 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. Tree pits shall be covered by tree grates, or alternative pervious surface materials, to accommodate pedestrians in the planting area. 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 or alternative tree pit pervious surface materials.

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 and the technical guidance of the Urban Forest Manual.

~~e. All trees shall have a minimum caliper of 2 1/2 inch at the time of planting.~~