



## AGENDA

**MEETING:** Regular Meeting and Public Hearing

**TIME:** Wednesday, October 7, 2015

- Meeting begins at 4:00 p.m.
- Public Hearing begins at 5:00 p.m.

**LOCATION:** Council Chambers, 1<sup>st</sup> Floor, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402

Note change in  
meeting location  
(not in Room 16)

### **A. Call to Order and Quorum Call**

### **B. Approval of Agenda**

### **C. Approval of Minutes – Regular Meeting on September 16, 2015**

### **D. Discussion Items**

#### **1. 2015 Annual Amendment to Comprehensive Plan and Land Use Regulatory Code**

Complete review of public comments on the 2015 Annual Amendment and consider making a recommendation to the City Council.

(See "Agenda Item D-1"; Lihuang Wung, 591-5682, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org))

#### **2. (5:00 p.m.) Public Hearing – Billboard Regulations**

Conduct a public hearing to receive oral testimony on the proposed amendments to the Tacoma Municipal Code concerning billboards, and keep the record open through October 9, 2015 to accept written comments.

(See "Agenda Item D-2"; John Harrington, 279-8950, [jharring@cityoftacoma.org](mailto:jharring@cityoftacoma.org))

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

(1) **Billboard Task Force** – Minutes of the task force's meetings on August 17, August 18, August 25, September 8, and September 10, 2015. (See "Agenda Item E-1")

(2) **Vacancy** – The Planning Commission has a vacant position representing the "Development Community" with an unexpired term through June 30, 2017. Citizens interested in applying would please visit [http://www.cityoftacoma.org/government/committees\\_boards\\_commissions/](http://www.cityoftacoma.org/government/committees_boards_commissions/).

(3) Infrastructure, Planning and Sustainability Committee meeting, October 14, 2015, 4:30 p.m., Room 16; agenda includes: Live/Work- Work/Live Code Amendments; and 2015 Comprehensive Plan Update.

(4) Planning Commission meeting, October 21, 2015, 4:00 p.m., Room 16; agenda includes: Billboards Regulations; and Unified Development Code.

### **F. Adjournment**







## **MINUTES** (Draft)

**TIME:** Wednesday, September 16, 2015, 4:00 p.m.

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

**PRESENT:** Chris Beale (Chair), Stephen Wamback (Vice-Chair), Donald Erickson, Meredith Neal, Anna Petersen, Brett Santhuff, Dorian Waller, Scott Winship

**ABSENT:**

### **A. CALL TO ORDER AND QUORUM CALL**

Chair Beale called the meeting to order at 4:05 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA**

The agenda was approved.

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

The minutes of the regular meeting and Commission tour on September 2, 2015 were reviewed and approved as submitted.

### **D. DISCUSSION ITEMS**

#### **1. Billboard Task Force Recommendation**

Vice-Chair Wamback, designated Chair of the Billboard Task Force, reviewed that the work of the Task Force was to build on the work of the Billboards Community Working Group (CWG) with an awareness of the past and the role of the Planning Commission. He noted a number of key ideas from the discussion including that off-premise signage needs to respect the urban context; off-premise advertising shouldn't intrude on people's homes; amortization is a valuable tool and should not be abandoned; the Task Force avoided identifying specific signs that they wanted removed; the proposed exchange mechanism would allow Clear Channel Outdoor to adjust locations for signs and gain conforming signs; and if the exchange mechanism failed they would still have the options of amortization or accepting the sign faces that already exist.

John Harrington, Development Services Division, facilitated a review to consider releasing the Task Force's recommendations for public review and set October 7, 2015 as the date for a public hearing.

Mr. Harrington reviewed the recommended exchange ratios for each square foot of non-conforming signage removed including 2:1 for wall mounted square footage granted downtown; 1.5:1 for wall mounted square footage granted in the same district or new zone; 1:1.5 for relocated pole mounted square footage; and a 1:1 ratio for wall mounted square footage granted in NCX, permitted only if billboards have been completely removed from residential, shoreline, and C-1 zones. He noted that the Task Force had recommended keeping the amortization clause in the regulations with a revised sunset date.

Wall signs were discussed. Mr. Harrington reviewed that the Task Force had recommended they not be allowed on the primary façade of a building and that there be a minimum distance of 8 feet between the ground and the bottom of the sign. Commissioner Erickson added that the Task Force had concurred that windows and openings should not be obstructed by wall signs.

Mr. Harrington reviewed the Task Force recommendations for maintenance, design, landscaping, dispersal, size, lighting, buffers, height, and location. For maintenance, the Task Force had recommended requiring graffiti cleanup within 48 hours of notice of violation. For design, recommendations included prohibiting wall signs on primary facades; prohibition of off-set faces; only one pole for free standing signs; and allowing only wall mounted billboards for sites with an existing freestanding on-site sign. For landscaping, the Task Force had concurred with the CWG recommendation to remove the required landscaping buffer for a billboard support base. For dispersal, recommendations included 500 feet for faces over 300 square feet; 300 feet for faces 300 square feet or less; and 200 feet for wall mounted faces within the same view corridor. For size, recommendations included 300 square feet in non-industrial zones and relocated signs in an industrial zone; a maximum of 672 square feet for existing signs in industrial zones; and wall mounted signs over 672 square feet with staff review. For lighting, recommendations included requiring LED or equivalent lighting; requiring lights be off between midnight and 5 a.m.; and timers or other devices to keep lights off during the day. For buffers, recommendations included 250 foot buffers for all billboard prohibited zones, prohibited overlay districts, and sensitive uses including historically significant churches. For height, Mr. Harrington reviewed that the Task Force had recommended a 30 foot maximum height within 500 feet of Residential, SHR, VSD, HIST, CONS districts with wall mounted signs allowed higher with staff review; a 35 foot maximum for signs more than 500 feet from Residential, SHR, VSD, HIST, and CONS districts; requiring that wall mounted signs be at least 8 feet from the ground; and not retaining the 45 foot maximum height in PMI zones. For Location, the Task Force had recommended permitting wall signs in NCX after certain conditions had been met.

Mr. Harrington reported that the Task Force was recommending future consideration of pedestrian scale signs less than 32 square feet in all districts where billboards would be allowed in addition to C-1 and DR. He noted additional Task Force recommendations including that all illegal signs be removed before any signs could be exchanged and keeping a cap on billboard faces and existing square footage. Additionally, he noted that more information was still needed from the State on what impact MAP 21 would have.

Brian Boudet, Planning Services Division Manager, recommended that they include a specific number for the amortization sunset clause, noting that previous period had been ten years. Discussion ensued. The Commission concurred on 3 years for the 17 nonconforming billboards in prohibited zones and 5 years for all other nonconforming billboards.

Commissioner Erickson made a motion to authorize the release of the recommendations, including the changes discussed, and set the public hearing date for October 7. Additions to the recommendations included: an amortization period of 3 years for nonconforming billboards in prohibited zones and 5 years for the remaining; a minimum distance of 8 feet from the ground for wall signs; wall signs not covering window openings; large wall signs allowed in all districts with staff review; a 35 foot height limit in PMI; no cantilevered signs with the pole outside of the width of the sign; clarification on exchange ratios; pedestrian scale signage identified as an item for future discussion; and requiring that signs be a minimum distance of 10 feet above the road. Commissioner Neal seconded the motion. The Motion was approved unanimously.

Vice-Chair Wamback motioned to dissolve the Task Force. Commissioner Petersen seconded. The Motion was approved unanimously.

## **2. Joint Session with the Transportation Commission**

At 5:15 p.m., Chair Beale and Jane Moore, Co-Chair of the Transportation Commission, called the joint meeting to order. The purpose of the joint session was to review public comments received during the public hearing process for the 2015 Annual Amendment specifically related to the Transportation Master Plan (TMP).

Stephen Atkinson, Planning Services Division, noted that comments had been received from the Port of Tacoma, Dome District, the Parking Technical Advisory Group, and other stakeholders. Updates to the Trails/Recreation and 20-Minute Neighborhoods maps were reviewed. Mr. Atkinson discussed the new Centers of Local Importance map, which was based on typology within Countywide planning policies and being proposed as an appendix to the TMP.

Joshua Diekmann, Public Works, discussed a proposed mapping change to illustrate all projects included in the document and include maps for each mode. He noted that there were also some minor changes to the project list and some changes proposed based on comments from the Port. For concerns received regarding safety and level of service, Mr. Diekmann responded that urban areas are the best place for growth to occur with the most amenities, pedestrian crossings, and the lowest travel speeds. He reported that as urban areas have increased in population they have shown a decrease in the rate of pedestrian fatalities. Discussing how System Completeness addresses development impacts, Mr. Diekmann commented that the TMP includes a feedback loop to measure the performance of the system and add projects to address deficiencies. He reviewed comments received from the Port including making sure that they are not omitting other policies; a question on the wisdom of a bike facility on Taylor Way; a request that more projects from the Emergency Response/ITS study be included in the TMP project list; and a concern that tide flats projects are often low on the project prioritization list.

At 5:30 p.m., the joint session concluded and the regular meeting of the Planning Commission resumed.

### **3. 2015 Annual Amendment to Comprehensive Plan and Land Use Regulatory Code**

Lihuang Wung, Planning Services Division, reviewed that at the previous meeting they had provided a summary of issues and concerns from the public comments received at the August 19, 2015 public hearing and through the comment period ending on September 11, 2015. He reported that staff would be providing responses to the comments and suggesting modifications to proposed amendments where appropriate.

Reuben McKnight, Historic Preservation Officer, discussed comments regarding the proposed Narrowmoor Conservation District. He reviewed that the majority of comments were supportive. Comments in opposition had focused on the burden on property owners and developers; the complexity of complying with the requirements; additional costs to property owners and to the City; and concern that the Conservation District is only for the protection of views. Responding to the concern that the existing covenants should be adequate, Mr. McKnight noted that opinions on the issue had been mixed. Mr. McKnight reported a suggestion that language for the review of variances and conditional uses should reflect the fact that there are historic districts in the City and should aim to be consistent with historic preservation concerns. On the question of whether the 60 foot minimum lot width would halt subdivision, a review had found that the typical lot width was 100 feet and that the proposed 60 foot lot width would indeed prevent subdivision. Mr. McKnight suggested that as an alternative, they could remove the lot width provision altogether and instead rely on the 50 foot width that is already in the R-1 zoning. Commissioners concurred with removing the 60 foot lot width requirement.

Molly Harris, Planning Services Division, discussed Code Cleanup which had received comments from the Master Builders Association and the Puget Creek Restoration Society. In response to The Master Builder's Association's suggestion of tying improvements to the six year Transportation Improvement Plan and considering a fee in lieu option, Ms. Harris responded that the recommendation of staff was that it would need further discussion and analysis with the Planning and Transportation Commissions. In response to the comment from the Puget Creek Restoration Society, the staff recommendation was to leave the sunset clause and that financial incentives would need further review. She reviewed minor additions recommended by staff and the Planning Commission that were primarily corrections and clarifications.

Stephen Atkinson, Planning Services Division, discussed the Mixed-Use Centers (MUC) Study. He noted that the study did not include any code amendments, but focused on implementation and achieving the goals. He reviewed that the majority of all comments had been on the issue of MUCs, specifically issues related to building height in Proctor. He reported that the Commission had forwarded a letter to the City Council and the issue of building heights in Proctor would be the subject of future discussions.

Comments related to Proctor were discussed. In response to concerns about the impact of increased traffic on public safety, Mr. Atkinson reported that while typically the number of incidents does rise with increased density, the overall rate decreases. He noted that increased congestion and parking issues were anticipated, but there was the capacity in the system to accommodate anticipated growth. In response to concerns about schools and public services, he commented that they were proposing policy

updates to the Public Facilities and Services chapter. On the issue of whether tax incentives were necessary, Mr. Atkinson reported that only the 8 year Multifamily Tax Exemption is currently viable in many of the MUCs. In response to comments that some centers are already achieving the goals of the Comprehensive Plan, Mr. Atkinson clarified that the number of households needed to support a MUC in the Plan is a minimum and not a goal. In response to concerns on sustainability and sprawl, he noted the benefits of concentrating growth in MUCs. Chair Beale asked how staff interpreted comments like “we don’t want to be like Seattle”. Mr. Atkinson responded that it could be in relation to the rate of change or the displacement of small businesses.

Mr. Atkinson reported that the recommendation was to proceed with the Comprehensive Plan Update and MUC Study on their current tracks. He noted that the Commission had the opportunity to highlight issues where the Council could respond and recommended highlighting three key ideas: design review; financial tools like local improvement districts and transportation impact fees; and subarea planning with the priority to Neighborhood Centers. Commissioners concurred on prioritizing design review. Chair Beale suggested that they could consider making infrastructure improvements that would be required of development when redevelopment occurs as they look at the Capital Facilities Program and consider how to implement the centers. Vice-Chair Wamback recommended the word “compatible” be taken out of the description of Neighborhood Centers as it was too subjective and not consistent with the policies. He asked if the typology for centers was appropriate as Neighborhood Centers were being interpreted as being centers that only serve the immediate surroundings. Mr. Atkinson responded that they could review it to clarify that it was a design component and not a trade market component. Commissioners concurred that the neighborhood planning context should be retained as part of a longer term priority.

At 6:34 p.m. Chair Beale recessed the meeting. The meeting resumed at 6:46 p.m.

Elliott Barnett, Planning Services Division, reviewed public comments concerning Affordable Housing regulations and staff’s responses. He reviewed that the North Slope and Historic Districts had expressed concern on the potential impacts to Historic Districts specifically for duplexes and lot size reduction. Additional concerns included historic character; density, parking, and infrastructure; property values; rental versus ownership; and the nexus with affordable housing. They had received comments in support of detached accessory dwelling units (ADUs), lot size flexibility, and affordable housing incentives.

Historic Districts were discussed. Mr. Barnett reviewed that the proposals had included design criteria, consultation with the Landmarks Preservation Commission, and no demolitions of contributing structures. Staff recommended changes included removing the 3500 square foot lot size reduction; 2 and 3-family options; City Historic Preservation Officer review of designated and eligible historic homes; removing the cottage housing option; removing the change to the HMR-SRD definition; and limiting the Historic Districts to one ADU for the pilot infill program.

Lot size flexibilities were discussed. Mr. Barnett reported that staff was recommending to not count critical areas and buffers for lot size flexibility. For the Special Review District (SRD) Small Lot proposal, staff was recommending removing the proposed 3500 square foot lot size and instead allowing the alley area credit proposal. Mr. Boudet commented that the reason for removing the small lot proposal from R2-SRD was because it could possibly lead to demolition of existing homes. It was noted that there was currently no historic review for demolition permits in the R2-SRD zoning.

The infill pilot program was discussed. Mr. Barnett reviewed that the proposal included limiting the infill program to 3 of each type citywide, design review with consultation, and discretionary permits with notification. The infill program would halt once the threshold of three of each type of infill had been met, followed by review and consideration for any needed code updates. Staff recommended changes included City Historic Preservation Officer consultation; 1000 foot distribution between each type of infill; parking and shading impacts considered; clarification of green features; and a requirement that Infill Design Guidelines be completed first. Commissioners expressed preference for duplexes designed to look like single family homes. Chair Beale asked if requiring LEED gold would significantly increase the construction cost of ADUs. Mr. Barnett responded that it would not be required for ADUs, but would be for Two Family, Cottage Housing, or Multifamily in R-3. Commissioners concurred to limiting the green features requirement for LEED gold certification to cottage housing and multifamily housing.

For detached ADUs, Mr. Barnett reviewed that staff recommended changes including a minimum lot width of 50 feet. It was noted that ADUs would only be allowed in rear yards, but alley access would not be required. Commissioners concurred with limiting vehicular access for Detached ADUs to alleys for any lot with alley access or to a shared driveway. Commissioners agreed to allow only one kind of detached accessory building: either a garage, ADU, or a structure that integrates both.

Affordable Housing Incentives, upzones, and process enhancements were discussed. Comments from the Affordable Housing Policy Advisory Group (AHPAG) had included concerns about upzones requiring affordability that would require that developers provide units without being given extra development capacity to offset the cost. Staff was recommending removing the upzones affordability requirement. Chair Beale commented that he would rather retain the affordability component and make adjustments based on feedback from developers. Discussion ensued. Commissioners concurred with keeping the upzones affordability requirement, and asked staff to develop alternatives.

Connie Brown, Affordable Housing Policy Advisory Group, was invited to speak by Chair Beale. Ms. Brown commented that the group had worked on the recommendations, assigning priorities and looking at a wide range of things that the city might want to consider. She noted that the infill options that had resulted in public outcry had been medium priority, at best. Ms. Brown commented that high priority recommendations made in 2010 had not been thoroughly addressed. Chair Beale asked if there were any things that the AHPAG would recommend they do differently. Ms. Brown responded that she would like to see exact numbers for what incentives can be offered in order for the developer to provide affordable housing. She also recommended promoting partnerships with the city and private developers to include affordable housing.

The fee in lieu amount was discussed. Carey Jenkins, Housing Division Manager, commented that the methodology was being investigated by a consultant and a specific number would be forthcoming at the end of September. He reported that the language was being finished and would be available shortly. Mr. Jenkins noted that they would be looking at some of the recommendations in the financing components of the AHPAG report, ranking them by probability of success, and asking the City Council to allow their housing group to identify ways to implement those programs.

Two- and Three-family development was discussed. Mr. Barnett reviewed the staff recommended changes that included options for Conditional Use Permit criteria in Special Review Districts and the Pilot Program in R-2 Districts. Commissioners agreed to limit duplex and triplex development in SRD districts to non-contributing structures with City Historic Preservation Officer and Landmarks Preservation Commission review. Commissioners agreed to duplex development in R-2 with the requirements of a 6,000 square foot lot size.

Mr. Barnett reviewed recommended changes for other infill approaches. Recommendations included that they remove the Cottage Housing Option for Historic Districts; clarify the design intent for Multifamily in R-3; cap the Planned Residential Development (PRD) density bonus at 1.75; and clarify PRD sustainability features. Commissioners concurred with including green sustainability requirements for Multifamily in R-3. Vice-Chair Wambach suggested providing PRDs a density bonus of 2 if they were entirely xeriscaped and at the highest level of storm water management.

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

Mr. Boudet reported that the Federal Transit Administration had selected Tacoma to receive two million dollars for the Link light rail expansion to coordinate design for the streetscape improvements. He noted \$200,000 allocated to seed an economic opportunity center that could include apprenticeship and training programs to help residents prepare for the construction associated with the light rail expansion.

Mr. Barnett extended an invitation for Commission members to attend Tacoma Mall Neighborhood Subarea Plan Design Workshops that would be held at the Asia Pacific Cultural Center Auditorium on September 21, 22, and 24.

## **F. ADJOURNMENT**

At 8:32 p.m., the meeting of the Planning Commission was concluded.





City of Tacoma  
Planning and Development Services

**Agenda Item  
D-1**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **2015 Annual Amendment**  
**Date of Hearing:** October 7, 2015  
**Date of Memo:** October 1, 2015

The Planning Commission conducted a public hearing on August 19, 2015 to receive testimony on the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2015 ("2015 Annual Amendment"), and kept the record open through September 11, 2015 to accept written comments.

At the last meeting on September 16, 2015, the Commission began to review staff's responses to comments and suggestions for potential modifications to the proposal. The Commission finished reviewing four of the five major subjects contained in the amendment package, i.e., Narrowmoor Conservation District, Code Cleanup, Mixed-Use Centers Review, and Affordable Housing Regulations.

The remaining subject, i.e., Comprehensive Plan Update, will be reviewed at the next meeting on October 7, 2015. Upon completing the review of this subject, the Commission will begin to review the findings of fact for the 2015 Annual Amendment and consider making a recommendation to the City Council.

Attached are the following documents to facilitate the Commission's review:

1. Public Comments and Staff Responses and Suggestions Report concerning the subject of "Comprehensive Plan Update"
2. Tacoma Mixed Use Centers Feasibility Analysis, prepared by Property Counselors, as supplemental information to the above document
3. Draft Letter of Recommendation forwarding the 2015 Annual Amendment to the City Council
4. Draft Findings of Fact and Recommendations Report summarizing the proposed amendments, the public review process, and the Commission's deliberations concerning the 2015 Annual Amendment (Note that there are 6 exhibits to the report, however, only the abridged versions of Exhibits D, E, and F are being provided in this agenda packet, while the other 3 are to be finalized pending the Commission's review and discussion.)

If you have any questions, please contact me at 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachments (4)

c: Peter Huffman, Director



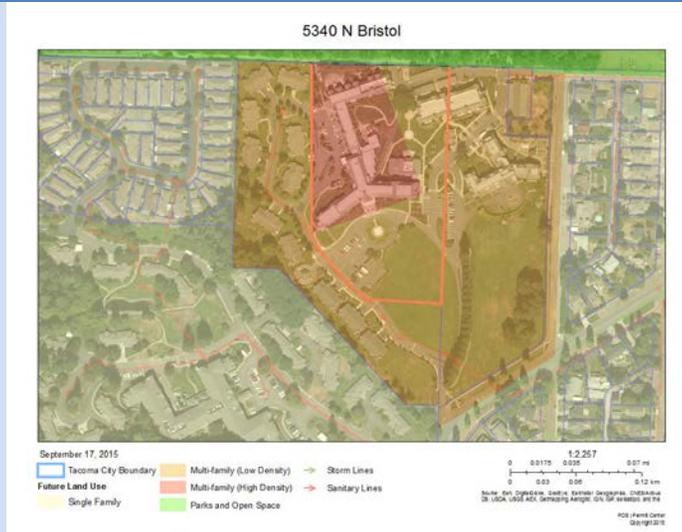
<b>General Comments</b>		
<b>Name of Commenter</b>	<b>Comment</b>	<b>Response to Comment</b>
<b>Cutting</b>	Supports efforts to integrate environmental objectives throughout the Plan.	Support noted.
<b>PSRC</b>	<p>We would like to note the many outstanding aspects of the draft, which represents a thorough review, update, and streamlining of the required plan elements. Several particularly noteworthy aspects include:</p> <ul style="list-style-type: none"> <li>• Emphasis on growth and planning for the downtown and Tacoma Mall regional growth centers, specifically through establishing clear growth targets, mode split goals, and directing transportation investments to support the growth strategy.</li> <li>• Goals and policies that emphasize the city’s role in enabling and supporting high quality transit service to meet needs for future growth, along with policies that support transit planning and implementation of the Growing Transit Communities Strategy.</li> <li>• Clear housing goals and policies, particularly those related to innovative housing types, access to opportunity, and fair housing.</li> <li>• Multiple goals and policies addressing the city’s role in addressing greenhouse gas emissions and climate change, in addition to other goals and policies addressing environmental stewardship.</li> <li>• Emphasis on health and well-being in all aspects of the city’s planning, with particular focus on equity, expanding nonmotorized transportation,</li> </ul>	Comments noted.

	addressing safety and addressing food access.	
<b>PSRC</b>	Ensure the time horizon for the plan is consistent throughout. In the urban form element, the draft plan anticipates growth of 127,000 new residents and 97,000 new jobs by 2040. The Transportation Master Plan (TMP) states that 105,639 new residents and 95,713 new jobs are expected by 2040. The plan should clarify how land use assumptions utilized in the TMP, in particular the population numbers, relate to and are consistent with the land use assumptions used elsewhere in the plan (RCW 36.70A.070(6)(a)(i)), and further, how they are consistent with the local growth targets adopted by Pierce County for the 2030 plan horizon.	Staff concurs. The Housing Chapter will be updated to identify housing units rather than households. The Transportation Master Plan modeling was based on the same growth assumptions as the Urban Form and Housing Chapters, however, it was not clear from the map legend and the text that this was the case. Staff will amend the appendix describing the modeling to provide full context for the growth assumptions that were used.

<b>2 – Urban Form</b>		
<b>Name of Commenter</b>	<b>Comment</b>	<b>Response to Comment</b>
<b>Staff</b>	Amend the Transit Station Areas map to include a 1/2 mile walk area around the Transit Stations consistent with VISION 2040 policies.	
<b>Staff</b>	Amend the Open Space Corridors map and Parks + Recreation map to fix locations of community gardens and Mason Middle School.	
<b>Tiffany Speir</b>	Requests clarification about whether there are any land use designation changes proposed that would change the permitted uses or densities that were originally adopted by Tacoma after the 1992 JLUS, or that would allow grandfathering of multi-family residential properties deemed incompatible under federal guidance.	Staff considered the 1992 JLUS and the Accident Potential Zone II currently in the Comprehensive Plan in developing the proposed Land Use Designation Amendments. The amendments in this area were limited in nature, transitioning land use designations from the current “intensity” classifications to the new “land use designation” categories. The changes made were the minimum necessary to bring the

		area into consistency with the new classifications. The proposed designations considered the existing zone and current uses in the area.
<b>Jori Adkins</b>	Suggests changes to the description of the Dome District. Distinguish between the manufacturing portion of the District and the more residential/TOD area.	Revise description to read: The Dome District is a gateway to the Downtown that has a rich mix of transit assets, including a Sounder commuter rail station, an Amtrak rail station, a LINK light rail station, and a terminal serving Pierce Transit and Sound Transit buses. While the District has only a handful of housing units, there is significant long-term potential for transit-oriented development that is strongly supported by the residents and businesses of the district. The District also benefits from the remaining historic structures, including the Freighthouse Square, a three-block long former Milwaukee Railroad freight station that houses an eclectic mix of independent retail and restaurants. The District blends the old and the new with the recent addition of the America's Car Museum to the District. Where the western half of the district holds significant commercial and residential development potential, the eastern half of the district is characterized by employment generating industrial activities.
<b>Jori Adkins</b>	Downtown should continue to be a priority – rather than focusing growth and resources in other neighborhoods.	No change proposed. Downtown is the primary focus for growth and development within the City of Tacoma, as reflected in Downtown's status as a designated Regional Growth Center, subarea planning efforts, and population and employment targets.
<b>Jori Adkins</b>	Reconcile terminology in the Urban Form chapter for corridors with the priority networks in the TMP. Where are the designated street typologies for Downtown?	No change recommended at this time. The priority networks in the TMP operate at a system level to balance the needs of all users, whereas the corridor designations in the Urban Form Chapter identify corridors that connect centers and which exhibit the greatest potential for transit-oriented land uses. These are the corridors with the greatest need for integrated land use and transportation planning and context sensitive design.

<p><b>Amy Pow</b></p>	<p>Consider replacing “single family” with “single-detached”. The rationale behind this proposal is to place emphasis on the built form and character of the development, rather than the “number of families” in such dwelling units.</p>	<p>Staff is willing to consider the suggestions as part of a future amendment, but at this time it represents a departure from both current land use designations and zoning. If the Commission is interested in this approach, staff would consider evaluating the proposal as part of a future annual amendment.</p>
<p><b>Hashagen</b></p>	<p>Supports the mixed-use center strategy.</p>	<p>Support noted.</p>
<p><b>Hansen</b></p>	<p>Supports the proposed Parks and Open Space designation.</p>	<p>Support noted.</p>
<p><b>Williams</b></p>	<p>Land Use Designation request for properties located at 701 E 72<sup>nd</sup> Street, from proposed Single Family Residential, to combination of Neighborhood Commercial and Multifamily (low-density).</p>	<p>Staff does not recommend a change at this time. While this location is in close proximity to a mixed-use center and other areas along 72<sup>nd</sup> that have undergone commercial and multifamily development, this site is characterized as having both known and high probability wetlands. Secondly, there remains commercial capacity in both mixed-use centers on 72<sup>nd</sup> where there is a greater focus on commercial development.</p>
<p><b>Lynn</b></p>	<p>Request for area-wide rezone for Franke Tobey Jones senior housing community. First request would rezone a portion of the site from R-3PRD to R-4PRD. The second would rezone an area currently R-2 to R-3PRD.</p>	<p>The Land Use Designations do not constitute an area wide rezone, and specific rezone requests are not part of the 2015 scope of work. However, staff supports re-designating a portion of the site currently designated Single Family, to Multi-family (low density). In addition, staff supports re-designating a portion of the site interior to Multi-family (high-</p>



density) to better reflect the core and periphery of the site. This project is expected to apply for a site specific rezone in the near term.

**Durr**

Land Use Designation request for properties at 72<sup>nd</sup> and Alaska, next to Wapato Park. Proposed designation is Neighborhood Commercial, request would convert a portion of the proposed Neighborhood Commercial to General Commercial, clustered around the intersection.

Staff concurs that the intersection of 72<sup>nd</sup> and Alaska would be an appropriate location for a General Commercial designation, given the current commercial market in the area. The designation would not significantly expand or extend a commercial corridor. Staff does not recommend a re-designation to the full request north along Alaska St. and would recommend a modified designation that maintains more of a commercial transition traveling north on Alaska St. across from Wapato Lake.



**Staff**

- Amend the Parks and Open Space designation to remove areas that have been highly developed.
- Amend Land Use Designations to better align designation boundaries with parcel lines and street centerlines
- Amend Land Use Designations map to include existing commercial uses that are currently designated single family. These are sites that are typically currently designated Single Family with single family zoning. Therefore they were not identified early in the process as a conflict between the designation and zoning.
- Amend the Land Use Designations map to include

existing multifamily development that are designated single family, where contiguous to other areas designated multifamily.

### 3 – Design and Development

Name of Commenter	Comment	Response to Comment
Staff	<p>Elevate “Parking Management” from a subsection to a section, with the following introduction:</p> <p>Vibrant urban places link people and activities. As Tacoma grows, we must manage both the demand and supply of parking. Providing too much parking can lead to inefficient land use patterns and sprawl. Insufficient parking can negatively affect neighborhood livability and economic vitality. These policies provide guidance to manage parking demand and supply to meet a variety of public objectives, including achieving compact walkable communities, reducing overall vehicle use, enhancing livability, reducing pollution, and expanding economic opportunity.</p>	
Staff	<p>Elevate “Signs” from a subsection to a section, with the following introduction:</p> <p>Signs are part of a myriad of elements of the built environment that our community interacts with on a daily basis. The primary purpose of signage is to communicate information and to render uses and locations more readily visible to the public. Community concerns about signage typically revolve around issues of safety and the visual impacts of signs on neighborhoods and pedestrian areas. The following policies provide direction on the size, placement, type, and appearance of signage in the community.</p>	

<b>Staff</b>	Add policy to section DD-12 Creative Place-Making to promote the re-purposing of public right of way for other community amenities.	
<b>Speir</b>	Supports DD-7.9	Support noted.
<b>Adkins</b>	Supports development of a design review program.	Support noted.
<b>Adkins</b>	Add policy discouraging surface parking lots.	The policies promote the minimization of impacts from vehicular access and parking lots, and promotes the efficient use of developable space by minimizing the amount of land devoted to parking. The policies allow some leeway for different context and circumstances throughout the City. Specifically, the City’s current market conditions are, in many areas, insufficient to result in a shift from surface to structured parking. The policies give direction while still recognizing these different contexts. No change is recommended.
<b>Adkins</b>	DD 1.23: Do not allow billboards in designated or developed residential neighborhoods or Downtown.	The proposed language is regulatory in nature. Staff suggests revising existing policies to discourage billboards in areas with a residential and pedestrian focus.
<b>Adkins</b>	DD 2.5: Encourage the inclusion of affordable spaces for artists. Should not have to be through subsidy.	Staff concurs that the general policy intent is to encourage the inclusion of these spaces and that “through incentives” could be deleted. The deletion would not preclude the City from considering incentives as a means to achieve the policy.
<b>Adkins</b>	Strengthen policies on continuity of streetscape and discouraging uses that inhibit pedestrian activity.	Currently, the policies encourage uses that will generate and support pedestrian activity and transit use. The policies do not “discourage” uses that inhibit pedestrian activity. Staff will strengthen the policy to make it more directive.
<b>Adkins</b>	DD 5: There should be a balance when it comes to the adaptive re-use of older buildings.	Comment noted.
<b>Adkins</b>	DD 6.1: Buildings should have entrances on street, no blank walls nor garage doors as street entrances, eyes on street, porches or front patios.	This concern is addressed under Goal DD-3 and specifically policy DD-3.6.
<b>Adkins</b>	What is meant by cultural significance or heritage? Must	The terms are intentionally broad to be more inclusive of

	be some way to protect neighborhood icons even when they are not eligible for or granted landmark status.	structures and sites that are not specifically architecturally significant.
<b>Sousa</b>	Supports city-wide design review, and pedestrian oriented street/site development standards.	Support noted.
<b>Cutting</b>	Suggest a more robust statement such as: “Ensure that new building and site development promote environmental health and ecosystem services (i.e., pollutant reduction, carbon sequestration, air cooling, water filtration, and reduction of stormwater runoff).	Staff concurs.

#### 4 – Environment and Watershed Health

Name of Commenter	Comment	Response to Comment
<b>Pow</b>	This may be an appropriate chapter to more specifically call out focus on emergency planning.	Staff concurs and will broaden the focus from geologic hazards to environmental hazards.
<b>Pow</b>	Consider adding a policy addressing the location of essential public facilities within the floodplain.	Staff concurs.

#### 5 - Housing

Name of Commenter	Comment	Response to Comment
<b>Jori Adkins</b>	PSRC’s Opportunity Maps are out of sync with Tacoma, and represent a more suburban picture (due to the impacts of educational performance in the overall assessment). The Dome District and Downtown should be represented as High Opportunity.	PSRC’s Opportunity Factors identifies a range of factors that contribute to the marginalization of communities. The Kirwan Institutes Communities of Opportunity framework is a model of opportunity that considers housing, education, jobs, transportation, health, and engagement in one’s life and community. The model advocates a fair investment in all people and neighborhoods to improve life outcomes for all

		citizens. The report identifies performance metrics for each category and a map documenting the performance. While Tacoma demonstrates high opportunity across multiple factors, including transportation and health and environment, the education performance significantly impacts the final conclusions and results in a greater number of Tacoma's neighborhoods being characterized as low to moderate opportunity. The findings of the report are currently being utilized by the City and are referenced in the Plan. However, staff also recognizes that in the future, it is possible to develop a more granular assessment of Tacoma's performance and the metrics used to assess that performance. At this time, however, staff does not recommend any changes. Educational performance continues to be an important driver of household location.
<b>Sousa</b>	Support efforts to add density to Tacoma's neighborhoods.	Support noted.
<b>Johnson B.</b>	Let's build density methodically and thoughtfully.	Comment noted.
<b>Johnson B.</b>	Encourage fair and gradual change.	Comment noted. While Tacoma is required to plan for significant population growth, the City's current growth rates remain much lower than regional trends.
<b>Johnson B.</b>	Retain some historical character while incorporating green building practices.	Comment noted.
<b>Hashagen</b>	Supports increasing density and housing choices.	Support noted.
<b>PSRC</b>	The policies in the draft housing element go a long way to advancing VISION 2040's housing goals. Some of them (e.g. policies H-1.3, H-2.7, H-3.7) appear to rely on future work for successful implementation. The city should consider adding a discussion of strategies and timing for implementation of these policies in the housing element	Policy H-1 states that the city should "Maintain sufficient residential development capacity to accommodate Tacoma's housing targets." The City is currently meeting this policy, as demonstrated via the 2014 Pierce County Buildable Lands Report.  Policy H-2.7 states: "Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change."

		<p>The City’s designated centers are intended to anchor complete, connected neighborhoods that provide a range of housing options, transit service, and public services and amenities that enable residents to age in place and still have basic needs met.</p> <p>Policy H-3.7 states: “Provide incentives to promote the development of higher density multifamily housing in designated centers.” The City is currently implementing this through the multi-family tax exemption, transfer of development rights, height bonus programs, parking reductions, and other bonus programs.</p>
<p><b>PSRC</b></p>	<p>The Plan should reference or incorporate information from the City’s housing needs assessment and identify the number of units affordable to each income threshold category.</p>	<p>The City Housing Division assesses current housing needs as part of the Consolidated Plan development. In addition, the policies are consistent with the Countywide Planning Policies, that is, to have 25% of new housing units available at an affordable rate. Staff recommends referencing the CPPs and identifying the expected number of affordable units needed to meet this goal. At this time, the City does not have information on the current market rate for all housing units in the City.</p>

<b>6 – Economic Development</b>		
<b>Name of Commenter</b>	<b>Comment</b>	<b>Response to Comment</b>
<p><b>Staff</b></p>	<p>Provide more emphasis throughout regarding large employers, industrial development. Large employers paying livable wages are the backbone of the economy and often provide a foundation of support for those who are starting small entrepreneurial enterprises.</p>	

<b>Staff</b>	Add new policy under “Employment Centers”: Facilitate infrastructure improvements to support mixed use and job creation projects in priority areas.	
<b>Staff</b>	Add policy in “Diversifying and Expanding the Economy” to strive to meet employment targets from PSRC and to ensure sufficient developable land to accommodate those targets.	
<b>Staff</b>	Amend the Planned Employment Areas Map to include the Freight Priority streets and Heavy Haul routes.	
<b>Staff</b>	Add summary table summarizing the amount of vacant and re-developable employment lands per the 2014 Pierce County Buildable Lands report.	
<b>Staff</b>	Amend tables 6.7 and 6.8 relating to the City’s employment trends to compare the City’s trends to Pierce County and the region. Add a table comparing Tacoma’s average wages to the County and region.	
<b>Tiffany Speir</b>	Supports policy EC-3.7 but requests the word “retired” be removed from reference to military personnel.	Staff concurs.
<b>Pow</b>	Suggest adding a policy that would ensure that affordable housing alternatives are provided in close proximity to employment opportunities.	This policy is currently reflected in the Housing Chapter and could be reinforced in the Economic Development policies.

### 7 – Transportation Master Plan

<b>Name of Commenter</b>	<b>Comment</b>	<b>Response to Comment</b>
<b>Staff</b>	Add an appendix designating key modal priorities and centers, plus the walk area around the identified facilities, as Centers of Local Importance for the purpose of qualifying for countywide grant competitions.	
<b>Staff</b>	Add a map of the proposed project list.	
<b>Staff</b>	20 min neighborhood map: Amend to remove the 10 minute walking distance and amend boundaries to ensure the designated centers are fully encompassed within the 20 minute walk area.	

<b>Speir</b>	Supports Policy 3.16	Support noted.
<b>Adkins</b>	Confusing to have citizen comments up front. Not sure what purpose they are serving.	The section in question documents the public engagement and outreach conducted at the outset of developing the plan. Many other outreach efforts occurred during development of the plan. Not including these other comments creates the impression that the public was only consulted at the beginning of the process. Staff will consider modifications which simplify this section to present only a summary of outreach, and not the feedback received during the early stages of the outreach. Page 25, 26, and 29, especially, list bulleted conclusions--specific conclusions should not be in this section--focus instead on a summary of the outreach conducted.
<b>Adkins</b>	The TMP needs to be based on adopted Complete Streets principles.	Complete Streets and the green hierarchy are important concepts in the Transportation Master Plan, and are addressed in multiple sections, including the goals and policies, and pages 66-69 of the public review draft. The green hierarchy establishes a priority order for modes as follows: pedestrians, bicycles, transit, commercial vehicles, shared vehicles, carpool/vanpool vehicles, and single-occupancy vehicles. Complete Streets concepts focus on ensuring each street is designed and maintained in a manner which considers the surrounding environment and the needs of different users. The underlying assumption in the TMP is that all streets will provide for pedestrian mobility, and will be designed with Complete Streets principles in mind. While these two policies are central to many of the policies which guided development of the Transportation Master Plan, they do not speak to how individual projects will achieve a coordinated and integrated long-term network. The modal priority networks identify which corridors are particularly important for ensuring a cohesive network for each mode. When future improvements are designed, this

		information will help designers ensure these improvements serve not only the immediate vicinity, but also system-wide priorities.
<b>Adkins</b>	Will 509 slip ramps be identified in freight priority network?	The priority network does include this portion of SR-509; the project is included on the project list.
<b>Adkins</b>	Pedestrian buttons pg.74 - remove	No change recommended. Detailed design description more appropriate for design manual.
<b>Adkins</b>	Lighting pg. 95 - light the pedestrian instead of the street.	No change recommended. Detailed design description more appropriate for design manual.
<b>Adkins</b>	Narrow lanes to 12 ft for traffic calming.	No change recommended. Detailed design description more appropriate for design manual.
<b>Adkins</b>	Make sure photos are relevant to the text.	Staff concurs.
<b>Chamberlain</b>	The Port is concerned about the inclusion of bike corridor on Taylor Way. Other projects identified in the project list also have the potential to affect truck access to the Port MIC.	The design of this specific facility has not been completed. The planning efforts have identified, however, the need for non-motorized facilities on this roadway segment. The current corridor has one vehicular travel lane in each direction and a center left turn lane, but no bike lanes or sidewalks. A rail line parallels the roadway, and limits the types of facilities which can ultimately be constructed. It is recognized that this corridor is important to freight traffic, and that the ultimate solution should strive to provide separation between heavy trucks and non-motorized trips. Providing multimodal improvements as a part of new construction is a central policy in the TMP and is an important criteria for most grant competitions. Furthermore, policy 3.15 gives the following emphasis: "Design active transportation facilities in manufacturing industrial centers in a manner that minimizes potential conflicts with trucks and trains to allow for the safe and efficient movement of both freight and people."
<b>Chamberlain</b>	Supports Goal EC-6 and the overall intent of the TMP.	Support noted.
<b>Chamberlain</b>	Reintroduce the freight-related policies of the current Transportation Element, including policies T-LUT-4, T-MS-6, T-MS-11, and T-MS-14	Policy T-LUT-4 was deleted and staff recommends incorporating it back into the TMP (T-LUT-4 Support Economic Bases. Give high priority to those transportation

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		facilities that provide the greatest opportunity to serve and support the existing economic bases and will aid the City in attracting new investments.) Policy T-MS-6 has been retained in the draft as policy 3.16. Policies T-MS-11 and 14 have been consolidated as new policy 3.15.
<b>Chamberlain</b>	Adjust the multimodal system performance criteria to include freight measures, rather than focusing exclusively on meeting the goal of moving people with fewer car-based trips.	The adopted performance measures do recognize the importance of freight mobility, and specify that freight volume on arterials should be a measure of system performance. However, staff acknowledges that the project prioritization criteria do not capture the freight priorities reflected in the policies, and recommends that the project prioritization process be refined to better capture the intent of the policies.
<b>Chamberlain</b>	Recognize that trucks have different geometric needs than cars.	The plan generally recognizes that all users have different needs. Staff agrees that trucks have different design characteristics than other modes, and suggests that these characteristics be addressed in the City's design criteria, such as the design manual. The TMP includes the following statement in Policy 3.1: "The Layered Network and Complete Streets principles shall also be used to create over time a system of streets that meets user needs while recognizing the function and context of each street by evaluating potential transportation projects and amending or revising design manuals, regulations, standards, and programs as appropriate."
<b>Chamberlain</b>	Include a reference to WSDOT's designated Regional Freight Truck Corridors in the TMP's multimodal system description.	The Freight networks in the TMP were based on information from multiple sources, including designated freight corridors in the Washington State Freight and Goods Transportation System (FGTS). The FGTS, and the different freight classifications in this plan, are referenced on page 47 of the public review draft. The FGTS, and the first and last mile corridors shown on page 47, are the bases for the "Freight Economic Corridors" recognized by WSDOT: <a href="http://www.wsdot.wa.gov/Freight/EconCorridors.htm">http://www.wsdot.wa.gov/Freight/EconCorridors.htm</a>

<b>Chamberlain</b>	Recognize the importance of maintaining, and improving upon a system of arterial truck streets and commercial loading zones that will support a less car-dependent lifestyle.	Policy 3.16, Moving Freight, includes the following sentence: “Consider the needs for delivery and collection of goods at local businesses by truck.”
<b>PTAG</b>	Multiple suggested edits to give more priority to preserving on street parking to support the needs of customers and businesses.	Some suggested edits would redefine “priority users” to give more significant deference to localized uses and users in a system that supports citywide mobility. Staff recommends that the needs of local businesses and customers, and the role of on-street parking, can be better recognized, but staff does not support broader changes to the overall priority networks and their intent.
<b>PSRC</b>	The plan should clarify the role of the TMP in the plan. The draft plan indicates in several places that the TMP will serve as the city’s transportation element. However, the TMP suggests that a separate document has or will be prepared (“This TMP, combined with the Transportation Element of the Comprehensive Plan, fulfills the GMA planning requirement”). The city should resolve the discrepancy.	Staff concurs and will resolve the discrepancy. The complete TMP will be adopted as the Transportation element of the Comprehensive Plan, in fulfillment of state requirements.
<b>PSRC</b>	<p>The TMP discusses the process for developing travel forecasts to support the update, but the draft plan doesn’t provide information about forecasted travel conditions. The city should provide additional detail about the travel forecasts, including estimated impacts to state-owned facilities per RCW 36.70A.070(6)(a)(iii)(E).</p> <p><input type="checkbox"/> While the draft plan identifies highways of statewide and regional significance, the plan should also reference level of service standards for state-owned facilities (RCW 36.70A.070(6)(a)(iii)(C)). More information is available at <a href="http://www.psrc.org/transportation/t2040/los/">http://www.psrc.org/transportation/t2040/los/</a>.</p>	The City performed the modeling consistent with state requirements and has assessed the findings of the modeling. Additional information on the findings and conclusions of the modeling will be provided in the TMP, including estimated impacts to state-owned facilities and a reference to the level of service standards for said facilities.

<b>PSRC</b>	The multicounty planning policies call for protecting the transportation system against disaster and developing prevention and recovery strategies for disasters. If such work has been completed by the city, such as an emergency management plan, these efforts should be referenced or incorporated in the TMP (MPP-T-8).	The City has completed an Emergency Management Plan ( <a href="http://cms.cityoftacoma.org/fire/Website%202013/prevention%20division/emergency%20management/cemp/COT%20CEMP%202013%20-%20Complete%20Plan.pdf">http://cms.cityoftacoma.org/fire/Website%202013/prevention%20division/emergency%20management/cemp/COT%20CEMP%202013%20-%20Complete%20Plan.pdf</a> ). Staff recommends citing the study and including key policies from this plan into the document: 1. "That City departments with transportation resources and responsibilities will work collaboratively with public and private transportation authorities to maintain, and restore when necessary, transportation systems within the city as quickly as possible." 2. "That the safety of roads, bridges, and railways shall be given the highest consideration." 3. "That in the event of a disaster or major emergency, priorities for restoration may be coordinated by the City ECC."
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**8 – Parks + Recreation**

Name of Commenter	Comment	Response to Comment
Staff	Amend the Signature Trails Map and the Parks + Recreation Map for consistency with the Transportation Master Plan.	
Pow	Consider making a cross reference to Metro Parks Tacoma’s Green Vision 2030.	Staff concurs.

**9 – Public Facilities + Services**

Name of Commenter	Comment	Response to Comment
Staff	Amend prioritization criteria in policy PFS-4.9 to separate criteria to better distinguish between projects intended to address level of service deficiencies and those intended to support and/or respond to growth and development.	

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<b>Staff</b>	Add new sentence to introduction: "Future investments will need to align with the City's vision of achieving equitable service delivery to all residents and visitors."
<b>Staff</b>	Add New Policy: Provide equitable levels of service by accounting for existing community conditions, considering how decisions will impact varied geographic, racial and socio-economic groups, and embedding service equity criteria into decision-making processes
<b>Staff</b>	Under heading "Economic Development and Neighborhood Revitalization" amend second sentence to read "Strategic use of public funds that assist and encourage private investment and development will foster economic diversity and vitality, preserve quality neighborhoods, <u>and support the health and economic opportunity of underinvested communities.</u> "
<b>Staff</b>	Amend Policy PFS-5.3 to read "Encourage capital improvements in areas <u>with existing service disparities and those areas</u> in need of neighborhood revitalization and provide services to neighborhoods at a level commensurate with the respective needs of each."
<b>Staff</b>	Amend GOAL PFS-7 to read "Design, locate and provide public facilities with features and characteristics that support the environment, energy efficiency, aesthetics, technological innovation, cost- effectiveness, and sustainability, <u>and equity.</u> "
<b>Staff</b>	a policy in the section "Designed and Located for Community Values" that specifies that facilities and services should be equitably distributed throughout the community.
<b>Staff</b>	Other policies throughout the Plan identify specific instances when undergrounding of utilities is appropriate or desirable. Add a policy to the section "Designed and Located for Community Values" that promotes the

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	undergrounding of utilities broadly, and with particular focus in centers and business districts.	
<b>Pow</b>	Consider adding the words “particularly those in underserved areas” to Goal PPS-4.	Staff concurs.
<b>Pow</b>	Clarify whether the prioritization criteria are listed in hierarchical order, and if so, from a health equity perspective, top priority should go to addressing deficiencies and disparities in underserved neighborhoods.	The prioritization criteria are not listed in a hierarchical order.
<b>Pow</b>	Do the Park and Open Space level of service measures apply to just city-managed parks and open spaces or all parks and open spaces? Metro Parks Tacoma does not use per capital LOS.	The level of service standards apply city-wide. The Plan sets an overall level of service that is desirable for the community but also recognizes that there are multiple service providers, including the City of Tacoma, Metro Parks Tacoma, the Foss Waterway Development Authority, the Port of Tacoma, Tacoma Public Schools, as well as other private recreation providers.
<b>Chamberlain</b>	Agree with assessment that improvements to emergency response capabilities in the Tideflats are needed. Please include the Draft Tacoma Tideflats Emergency Response Study and the Draft ITS Study to the capital improvement lists in Table 9.7 and Table 9.17.	Support noted. ER/ITS efforts were not previously far enough along to inform the Plan development. The effort now has a defined project list. Staff concurs and will add the ER/ITS projects to the 20-year project lists.
<b>Speir</b>	SSMCP also requests further information about whether the proposed Comprehensive Plan amendments would establish, amend or eliminate Tacoma’s rules for homeless encampments placed on church-controlled (i.e., all properties owned by a religious organization, whether or a not a religious building is located on it) properties anywhere within the APZ I and II areas.	The Comprehensive Plan Update is not amending or eliminating rules for homeless encampments.
<b>Speir</b>	SSMCP requests information regarding whether Tacoma is proposing under the draft Comprehensive Plan to allow the “grandfathering” of multi-family residential properties within APZ II deemed incompatible under federal guidance.	The proposed plan is non-regulatory and does not specifically grant non-conforming use or development rights. The land use designations were developed and reviewed to be consistent with established policies on the APZ. Staff does not recommend any modifications to the policies or the

		development regulations until the JLUS is concluded.
<b>WSDOT</b>	<p>Pleased with the policy direction in the plan, providing people access to affordable and environmentally sustainable transportation.</p> <p>Please add a Section 409 disclaimer on pages referencing a WSDOT source of collision data.</p>	Staff concurs. The disclaimer will be added.
<b>PSRC</b>	Because the Plan is within McChord Airfield’s area of influence it should include more specific policies addressing land use compatibility, including noise, height hazards, and safety.	Staff recommends addressing these concerns in a general manner, while awaiting the final recommendations from the Joint Land Use Study for Joint Base Lewis-McChord. At such time as the study is final, staff will evaluate further regulatory measures needed to ensure compatibility and consistency with the JLUS.
<b>PSRC</b>	The City should more fully address financing for identified transportation needs, including an estimate for revenue over the life of the plan and an analysis of the sufficiency of those funds compared to the cost of the identified improvements, including maintenance.	The TMP forecasts annual revenues but does not currently provide a summary of the cumulative 20-year revenue forecast. The constrained project list in the Public Facilities and Services was developed with a 20-year forecast, based on the revenue assumptions in the TMP. The Plan needs to make a more explicit connection between the forecasts and the constrained project list.
<b>11 – Engagement, Administration + Implementation</b>		
<b>Name of Commenter</b>	<b>Comment</b>	<b>Response to Comment</b>
<b>Cutting</b>	Concern about the absence of an implementation timeline, specific actions at evaluation time, named parties responsible for each policy, and specific metrics for achieving each goal.	Staff concurs that specific metrics and evaluation timelines would be beneficial and offer transparency in how the Plan is being implemented. However, staff has proposed and is continuing to work with other Departments to develop implementation and action strategies, such as the

		Environmental Action Plan and STAR Rating system that would perform this function.
<b>Pow</b>	Work with Tacoma 2025 and the community to identify a handful of performance measures to track the progress of key outcomes. Consider using the Health Department's Healthy Community Planning Toolbox.	Staff concurs. See previous comment.
<b>Pow</b>	Consider subarea plans for mixed use centers as an implementation tool.	Staff concurs.
<b>PSRC</b>	VISION 2040 calls for all unincorporated lands within the urban growth area to transition into cities by 2040. The annexation and UGA policies of the Public Facilities and Services Chapter could be referenced in the Urban Form Chapter, and secondly, the Implementation chapter could provide context and process through which the City's UGA will be incorporated.	The Countywide Planning Policies discuss joint planning for the UGA. The City's policies also support the need for joint planning. Staff recommends that some additional discussion be added regarding the joint planning policies.



# TACOMA MIXED USE CENTERS FEASIBILITY ANALYSIS

PREPARED BY PROPERTY COUNSELORS

SEPTEMBER 2015

## INTRODUCTION AND SUMMARY

### PURPOSE OF ANALYSIS AND ORGANIZATION OF REPORT

Meeting the objectives for the Mixed Use Centers will require significant investment by private property owners and developers. Such investment can only be attracted if there is adequate entrepreneurial return on that investment. Opportunity sites have been identified within the centers as representative of different development conditions. These sites have been subjected to a feasibility analysis to determine whether development is feasible in the near-term, and what conditions are necessary for feasibility. This report documents the results of the feasibility analysis for representative sites. It is organized in five sections: Introduction and Summary, Development Concepts, Method and Assumptions, Results, and Findings and Conclusions.

### SUMMARY OF ANALYSIS

#### Summary of Opportunity Sites

Four opportunity sites were evaluated to reflect a range of residential density, existing site condition and building reuse potential.

**6<sup>th</sup> and Cedar** is intended to be representative of a 5 over 1 mixed use building on a redevelopment site. The site includes four single family dwellings in commercial use. The new building would provide 50 residential units and 9,000 square feet of retail with 58 underground parking spaces.

**38<sup>th</sup> and G** is intended to be representative of a 5 over 1 mixed use building on a vacant site. The new building would provide 55 residential units and 7,700 square feet of retail with 53 underground parking spaces.

**72<sup>nd</sup> and Pacific** is intended to be representative of horizontal mixed use with a single story retail building next to a residential building with three floors of apartments over parking. The new building would provide 50 residential units and 4,800 square feet of retail with 90 parking spaces.

**South Tacoma Way** is intended to be representative of the renovation and reuse of existing buildings in established commercial districts. Most of the multistory

buildings along South Tacoma Way are narrow and are limited to a small number of residential units. The renovated building considered here would provide four residential uses and 2,250 square feet of retail space with no on-site parking.

**Proctor 45' Height** is intended to reflect the market conditions in Proctor and a mixed use building allowed under the current code without bonus floors. The new building would provide 80 residential units and 14,000 square feet of retail with 115 parking spaces.

**Proctor 65' Height** is intended to reflect the market conditions in Proctor and a mixed use building allowed under the current code including two bonus floors. The new building would provide 133 residential units and 14,000 square feet of retail with 168 parking spaces.

### Summary of Financial Analysis Method

Several development scenarios are identified for each concept and subjected to a financial feasibility analysis. The proforma feasibility analysis compares the cost of development to completed value to determine the entrepreneurial profit. Entrepreneurial profit is considered the compensation to a developer for incurring the risk of undertaking and completing a project. Entrepreneurial profit for any development plan is compared to a target rate to identify whether that option is feasible. Entrepreneurial return of 15% or more of the development cost is within the typical range for feasible development.

Each case for each site can be evaluated according to two measures:

Does the **entrepreneurial return** exceed 15% of development cost? If so, that case is considered feasible, and could attract private investment.

If a case isn't feasible given the base assumptions, what conditions would be necessary for feasibility and are they achievable? The **necessary conditions** can reflect a combination of higher rents, lower construction costs, lower land costs, and available development incentives.

### Summary of Financial Results

The results can be summarized with the two measures shown for three cases for each site in the following table. The cases include a base case, as well as cases with the multifamily property tax exemption, both eight year (with no dedicated affordable housing) and 12 year (with 20% of units as affordable at 80% of median income levels for the county). The cases that represent acceptable rates of return are highlighted in the following table.

## Summary of Financial Analysis Results

	Base	MFTE 8 year	MFTE 12 year
<b>6th and Cedar</b>			
Return as Percent of Investment	8.49%	14.18%	8.22%
Necessary Apartment Rent (/SF/Yr)	\$23.58	\$22.69	\$22.42
Assumed Apartment Rent (/SF/Yr)	\$21.60	\$21.60	\$21.60
<b>38th and G</b>			
Return as Percent of Investment	12.18%	18.45%	11.88%
Necessary Apartment Rent (/SF/Yr)	\$23.00	\$22.11	\$21.88
Assumed Apartment Rent (/SF/Yr)	\$21.60	\$21.60	\$21.60
<b>72nd &amp; Pacific</b>			
Return as Percent of Investment	4.10%	10.08%	12.18%
Necessary Apartment Rent (/SF/Yr)	\$17.26	\$16.63	\$16.33
Assumed Apartment Rent (/SF/Yr)	\$15.60	\$15.60	\$15.60
<b>So. Tacoma Wy.</b>			
Return as Percent of Investment	20.71%	24.09%	25.27%
Necessary Apartment Rent (/SF/Yr)	\$17.25	\$16.62	\$16.40
Assumed Apartment Rent (/SF/Yr)	\$15.60	\$15.60	\$15.60
<b>Proctor 45'</b>			
Return as Percent of Investment	9.55%	14.64%	10.82%
Necessary Apartment Rent (/SF/Yr)	\$27.08	\$26.10	\$25.03
Assumed Apartment Rent (/SF/Yr)	\$25.82	\$25.82	\$25.82
<b>Proctor 65'</b>			
Return as Percent of Investment	13.73%	19.41%	15.88%
Necessary Apartment Rent (/SF/Yr)	\$26.26	\$25.29	\$25.65
Assumed Apartment Rent (/SF/Yr)	\$25.82	\$25.82	\$25.82

For the **6<sup>th</sup> and Cedar** site, the development would almost achieve the 15% target rate of return under the eight year tax exemption case. The reduced operating costs under that case improve the operating income and rate of return. With the 12 year exemption, the operating costs are further reduced, but the foregone rental revenue from the affordable units more than offsets that benefit.

For the **38<sup>th</sup> and G** site, the development would perform somewhat better than the 6<sup>th</sup> and Cedar concept because the cost of acquiring a vacant site is less than the cost of redevelopment parcels. The eight year tax exemption case is feasible.

For the **72<sup>nd</sup> and Pacific** site, the development would not achieve the 15% target rate of return under any of the three cases. The reduced operating costs under the eight year case improve the operating income and rate of return. With the 12 year exemption, the operating costs are further reduced, and the rental revenue from the affordable units is not reduced because assumed market rents do not exceed affordable rents. The necessary rents to achieve the target return are within 5% of the assumed levels under the 12 year exemption case, a gap that could realistically close with improved market conditions.

For the **South Tacoma site**, all three cases are feasible, and generate very high returns. These cases are all somewhat speculative as renovation costs could greatly exceed assumed levels if major building upgrades are required. The building currently has residential uses on the second floor, so there would not be a change of use. However, the existing units have to be vacant for a period of at least a year if the project is to be eligible for the tax exemption program.

For the **Proctor** cases, the strong market conditions indicated by asking rents at Proctor Station improve the performance of both the 45' and 65' scenarios. Neither scenario achieves a 15% return for the base case, but the 45' case achieves approximately that rate with the use of the eight year tax exemption, and the 65' case achieves that rate with the twelve year exemption.

### **Summary of Conclusions**

1. Based on the results of the analysis, it's likely that 5 over 1 mixed use buildings could be feasible in the MUC's with higher prevailing rents. While the necessary rent for feasibility is somewhat higher than the assumed market rent for the base case in Sixth and Pine and Lincoln, it's possible that this gap would narrow over time.
2. The use of the tax exemption program will enhance the feasibility of the 5 over 1 development concepts in Sixth and Pine and Lincoln. The reduced operating costs under the eight year exemption provides for a greater rate of return. Under the 12 year program, the foregone income for the affordable units would offset the value of the lower operating costs in all MUC's except Proctor. Use of the 8 year exemption will likely be necessary to provide incentives for this type of development in all but the Proctor MUC.
3. With the strong market conditions in Proctor, a 5 over 1 mixed use building (65' case) is feasible under the twelve year tax exemption. The value of the exemption offsets the foregone income from the affordable units. Those same market conditions support the 3 over 1 (45' case) development scenario with the use of the eight year exemption.

4. The additional cost of site acquisition under a redevelopment scenario (versus a vacant site) provides an additional challenge, and makes the tax exemption incentive important in fully built-out areas.
5. The development of horizontal mixed use should be feasible in most of the MUC's. The lower cost of surface or under building parking and three floor apartments result in a necessary rent level that is achievable in most MUC's, and is actually affordable at the 80% of median level. Availability of the tax exemption program provides a valuable incentive for such a concept.
6. There are opportunities to redevelop existing buildings in some MUC's, but the opportunities will depend largely on the characteristics and conditions of individual buildings.
7. There are a variety of public improvements that have been identified and which will enhance the desirability of the MUC's and the feasibility of development:
  - Pedestrian improvements.
  - Expanded bike lanes and trails.
  - Streetscape improvements at select locations.
  - Community open space and park improvements.

# DEVELOPMENT CONCEPTS

Four sites and development concepts are considered in this analysis as summarized in the following table. While they are based on specific sites, they are intended to be representative of opportunities on other sites in the mixed use centers.

**Table 1.  
Characteristics of Development Concepts**

	6th and Cedar Mixed Use Redevelopment Site	38th and G Mixed Use Vacant Site	72nd & Pacific Horizontal Mixed Use	So. Tacoma Wy. Building Reuse	Proctor Mixed Use 45' Height	Proctor Mixed Use 65' Height
Site Area (SF)	18,000	15,400	35,550	3,000	34,250	34,250
Floors	6	6	4	2	4	6
Gross Building Area (SF)						
Residential	52,500	63,000	56,700	2,250	75,327	125,327
Commercial	9,000	7,700	4,800	2,250	13,838	13,838
Subtotal	61,500	70,700	61,500	4,500	89,165	139,165
Residential Units	50	55	51	4	80	133
Parking Spaces						
Surface	-	-	52	-	-	-
Under Building	-	-	38	-	-	-
Underground	58	53	-	-	115	168
Subtotal	58	53	90	-	115	168

**6<sup>th</sup> and Cedar** is intended to be representative of a 5 over 1 mixed use building on a redevelopment site. The site includes four single family dwellings in commercial use. The existing buildings have some contributory value, and thus result in a site acquisition cost that exceeds that of a vacant site. The new building would provide 50 residential uses and 9,000 square feet of retail with 58 underground parking spaces. The development would rely on some on-street parking to meet the overall need.

**38<sup>th</sup> and G** is intended to be representative of a 5 over 1 mixed use building on a vacant site. The corner parcel has a food truck, but is essentially a vacant site. The new building would provide 55 residential uses and 7,700 square feet of retail with 53 underground parking spaces. The development would rely on some on-street parking to meet the overall need.

**72<sup>nd</sup> and Pacific** is intended to be representative of horizontal mixed use with a single story retail building next to a residential building with three floors of apartments over parking. The new building would provide 50 residential uses and 4,800 square feet of retail with 90 parking spaces. The development would maximize the amount of residential development that is possible without providing underground structured parking.

**South Tacoma Way** is intended to be representative of the renovation and reuse of existing buildings in established commercial districts. Many of the multistory buildings along South Tacoma Way appear to offer opportunities for reuse of the second story for residential uses. However, a change of use on the second floor to residential would likely trigger requirements for seismic and life safety upgrades. Several buildings have existing

residential uses, but the buildings are narrow and are limited to only one to three residential units. Four units is the minimum requirement for eligibility for the multifamily tax exemption program. The renovated building considered here would provide four residential uses and 2,250 square feet of retail space with no on-site parking spaces.

**Proctor 45' Height** is intended to reflect the market conditions in Proctor and a mixed use building allowed under the current code without bonus floors. This scenario is comparable to the physical characteristics of the Proctor Station project without the top two floors and associated parking.

**Proctor 65' Height** is intended to reflect the market conditions in Proctor and a mixed use building allowed under the current code including two bonus floors. This scenario is comparable to the physical characteristics of the Proctor Station project as well as the likely market performance.

## METHOD AND ASSUMPTIONS

The feasibility analysis provides a proforma projection of development performance to determine whether a project provides an adequate return to justify the capital investment. The proforma feasibility analysis compares the cost of development to completed value to determine the entrepreneurial profit. Entrepreneurial profit is considered the compensation to a developer for incurring the risk of undertaking and completing a project. Entrepreneurial profit for any development plan is compared to a target rate to identify whether that option is feasible. A 15% rate for return as a percentage of development cost is considered a typical rate falling within a range of 10% to 20%. Such a rate provides adequate incentive for a developer to assume the risk associated with development.

The value of the completed development is estimated as the capitalized value of the operating income in a stabilized year for a rental project. The capitalized value is calculated by dividing the operating income in a stabilized year by a capitalization rate that reflects investor expectations for projects with a comparable level of risk. The stabilized year is three or more years in the future, after construction and lease-up. Developer cost is calculated as the sum of land acquisition, building construction, and soft costs. Development costs are expressed in today's dollars, as if the development proceeds immediately.

The feasibility analysis is intended to evaluate the feasibility of a base case, and if the project isn't currently feasible, what are the necessary conditions for it to be feasible. While the necessary conditions can reflect a combination of higher rents, lower construction costs, and lower land costs, for this analysis we estimated the necessary apartment rental rate for a 15% entrepreneurial return, assuming all other conditions remain unchanged.

## POSSIBLE INCENTIVES

Application of the Multifamily Tax Exemption is evaluated in additional cases to reflect the impact of such incentives. The program is available within the MUC's for projects resulting in four or more units. Any qualifying project is exempt from taxes on the value of property improvements. If 20% or more of the units are affordable, the value of improvements can be exempt from property taxes for 12 years. For market rent projects, improvements can be exempt for 8 years. The estimated present value of this exemption is equivalent to reduced operating costs of \$.60 to \$.85 per square foot per year for the 8 year case depending on the residential investment, and \$.81 to \$1.10 per year for the 12 year case. Affordable rents are defined by state statute as affordable to households making 80% or less of the median household income for the area. The median income for Pierce County is identified by the federal department of Housing and Urban Development (HUD) as \$71,000. This average affordable rent for one and two bedroom units for households with incomes less than 80% of median is approximately \$1.30 to \$1.60 per square foot per month, above the assumed market rents of \$1.30 used in the analysis for garden style apartments.

The cases also implicitly reflect the floor bonuses available in mixed use centers. While the cases are generally defined to maximize total building area subject to constraints such as structured parking, the cases incorporate features that would qualify for the bonus. In the case of the two 5 over 1 concepts, the provision of all the parking in a structure meets the requirement for two extra floors.

## CONSTRUCTION COSTS

Construction cost estimates are based on unit costs that are reflective of similar new projects. The cost of renovation is more difficult to estimate as it depends on the condition of the existing building, and the scope of the new uses. If the building involves a change of use, it may be necessary to upgrade the building to current seismic and life safety standards. Further, it may be necessary to reconfigure existing floorplates. In general, the viability of renovation and reuse is related to the floor plate suitability, replacement of utilities and services, and reuse of exterior cladding (windows, balconies, and changes to appearance). Davis Langdon is an affiliate of AECOM and provides construction cost, contract, and project management. They conducted a study *Cost Model; Residential Units* that was published in *Building Magazine* in September 2011 that explored the cost drivers in conversion of buildings to residential use. The study concludes that: "In high quality residential schemes with new high quality facades and fairly extensive remodeling of structure, the savings [new build versus conversion residential scheme] are likely to be limited to a maximum of 10% of the overall costs. This compares to affordable schemes where the structural and façade elements are likely to form a major part of overall costs, meaning potential savings could be far greater and could reach up to 20% or 30%." For purposes of this analysis, the cost of new build residential is assumed at \$100 per gross square foot for garden apartments, and the cost of renovation is assumed at \$65 (60% to 70% of new build).

Assumed construction costs can be summarized as:

<b>Construction Cost</b>	
Apartments Garden (/sq. ft.)	\$100.00
Apartments Mixed Use (/sq. ft.)	\$140.00
Apartments Proctor/sq. ft.)	\$154.00
Townhouse/Cottage	\$125.00
Office (/sq. ft.)	\$180.00
Retail (/sq. ft.)	\$110.00
Surface Parking (/sq.ft.)	\$5,000
Under Building Parking (/sp.)	\$17,500
Underground Parking (/sp)	\$24,500

The assumed construction cost for apartments in Proctor is higher because the higher rents there will create expectations for higher quality and amenities. The construction cost premium is assumed at 10% in comparison to the rent premium of 20%.

### **LAND PRICE ASSUMPTIONS**

A property price is assumed for each of the development sites in order to make an initial determination of feasibility. The value of a redevelopment parcel determined by its value in its current use. A site with a \$240,000 single family home on a 6,000 square foot lot would have a land price of \$40 per square foot. A typical commercial property on a primary arterial would have a value of \$25. A garden apartment site would have a value of \$10 per square foot. There are two existing buildings for sale on South Tacoma Way for \$300,000 for a 4,500 square foot building, and \$440,000 for a 3,250 square foot building. The lower value of \$67 per square foot of building is used in this analysis.

<b>Land Cost (\$/sq. ft.)</b>	
Redevelopment Proctor	\$80.00
Redevelopment Commercial	\$40.00
Redevelopment Vacant	\$25.00
Multifamily	\$10.00

The higher land price in Proctor is equivalent to recent property sales in that area.

### **APARTMENT RENT ASSUMPTIONS**

Assumed apartment rents are derived from a review of current market rents. Rents are assumed at three different levels:

<b>Rent (/sq. ft./yr.)</b>	
Apartment Garden	\$15.60
Apartment Mixed Use Proctor	\$25.82
Apartment Mixed Use	\$21.60
Affordable Apartment	\$15.60

The assumed market rent for garden apartments of \$15.60 per square foot per year (\$1.30 per square foot per month) is equivalent to the current average rent for apartments in Pierce County built since 2008 of \$1.22 per square foot per month plus escalation to

stabilized occupancy of 3% per year. The assumed market rents for the mixed use buildings in Proctor are assumed at the published asking rates for Proctor Station. The assumed market rent for other mixed use buildings are somewhat lower. The affordable apartment rent is calculated from the median household income for the county.

**OTHER ASSUMPTIONS**

The other primary assumptions in the analysis are summarized in the following table.

**Table 2.  
Other Financial Assumptions**

<b>Operating Expense (/sq. ft./yr)</b>	
Apartment Garden	\$6.25
Apartment Mixed Use	\$8.40
Apartment Mixed Use Proctor	\$9.24
Garden Apt w/ 12 yr. Tax Exemption	\$5.44
Garden Apt w/ 8 yr. Tax Exemption	\$5.65
MU Apt w/12 yr Tax Exemption	\$7.30
MU Apt w/8 yr Tax Exemption	\$7.55
Office	\$1.00
Retail	\$1.00
<b>Parking Rent</b>	
Apartments Secure (/sp./mo.)	\$75.00
Apartments Secure Proctor (/sp./mo.)	\$85.00
Apartments Open (/sp./mo.)	\$20.00
Office (/sp./mo.)	\$75.00
Hotel (/sp./mo. Effective)	\$0.00
<b>Land Cost (\$/sq. ft.)</b>	
Redevelopment Proctor	\$80.00
Redevelopment Commercial	\$40.00
Redevelopment Vacant	\$25.00
Multifamily	\$10.00
<b>Soft Costs</b>	
Apartments (% of constr.)	28.0%
Office (% of constr.)	31.0%
Retail (% of constr.)	31.0%
Hotel (% of constr.)	31.0%
<b>Capitalization Rates</b>	
Apartments	5.0%
Office	6.5%
Retail	6.5%

Operating expenses reflect gross leases (landlord pays expenses) for residential uses, and office and retail leases are net (tenant pays expenses). The operating expenses for the Proctor mixed use apartments are higher because of expectations for higher quality and amenities. The expense cost premium is assumed at 10% in comparison to the rent premium of 20%.

# RESULTS

The results of the analysis are summarized for each site in the following tables.

## 6<sup>TH</sup> AND CEDAR

The 5 over 1 mixed use building is evaluated for the base case and the two tax exemption cases.

**Table 3**  
**Feasibility Analysis of Development Concepts**  
**6<sup>th</sup> and Cedar: Mixed Use Redevelopment Site**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	18,000	18,000	18,000
Gross Building Area (SF)			
Residential	52,500	52,500	52,500
Commercial	9,000	9,000	9,000
Residential Units	50	50	50
Parking Spaces	58	58	58
<b>Estimated Capital Investment</b>			
Land Acquisition	\$720,000	\$720,000	\$720,000
Construction	9,851,000	9,851,000	9,851,000
Soft Costs	2,768,660	2,768,660	2,768,660
Total	\$13,339,660	\$13,339,660	\$13,339,660
<b>Financial Performance</b>			
Annual Operating Income	\$764,955	\$802,886	\$763,170
Capitalized Value	\$14,472,485	\$15,231,110	\$14,436,785
Entrepreneurial Return	\$1,132,825	\$1,891,450	\$1,097,125
Return as Percent of Investment	8.49%	14.18%	8.22%
<b>Necessary Condition for 10% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$23.58	\$22.69	\$22.42
Assumed Apartment Rent (/SF/Yr)	\$21.60	\$21.60	\$21.60

Considering the Return as % of Investment line, only the Eight Year Exemption case achieves close to the target return of 15%. The reduced operating costs under that case improve the operating income and rate of return. With the 12 year exemption, the operating costs are further reduced, but the foregone rental revenue from the affordable units more than offsets that benefit.

The necessary condition line for the residential uses compares assumed residential rents to the rents that would be necessary to achieve a 15% return with all other assumptions

held constant. As shown, the necessary rent for the eight year exemption is close enough to the assumed rent that it's reasonable to expect that the necessary rent could be achieved by the end of the lease-up period.

Based on these results it's likely that a 5 over 1 mixed use building would be feasible at this site with the use of the eight year tax exemption.

### 38<sup>TH</sup> AND G

The 5 over 1 mixed use building is evaluated for the base case and the two tax exemption cases.

**Table 4**  
**Feasibility Analysis of Development Concepts**  
**38<sup>th</sup> and G: Mixed Use Vacant Site**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	15,400	15,400	15,400
Gross Building Area (SF)			
Residential	63,000	63,000	63,000
Commercial	7,700	7,700	7,700
Residential Units	55	55	55
Parking Spaces	53	53	53
<b>Estimated Capital Investment</b>			
Land Acquisition	\$385,000	\$385,000	\$385,000
Construction	11,042,500	11,042,500	11,042,500
Soft Costs	3,095,750	3,095,750	3,095,750
<b>Total</b>	<b>\$14,523,250</b>	<b>\$14,523,250</b>	<b>\$14,523,250</b>
<b>Financial Performance</b>			
Annual Operating Income	\$849,956	\$895,474	\$847,814
Capitalized Value	\$16,291,905	\$17,202,255	\$16,249,065
Entrepreneurial Return	\$1,768,655	\$2,679,005	\$1,725,815
Return as Percent of Investment	12.18%	18.45%	11.88%
<b>Necessary Condition for 10% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$23.00	\$22.11	\$21.88
Assumed Apartment Rent (/SF/Yr)	\$21.60	\$21.60	\$21.60

Considering the Return as % of Investment line, the eight year exemption case achieves the target return of 15%. The indicated return from the development is higher than the 6<sup>th</sup> and Cedar case because the cost of acquiring a vacant site is less than the cost of redevelopment parcels. The retail component provides sufficient return to offset the lower than 15% return for the residential use in the eight year case.

The necessary condition line for the residential uses compares assumed residential rents to the rents that would be necessary to achieve a 15% return with all other assumptions held constant. As shown, the necessary rent in all case is close to the assumed rent. It's reasonable to expect that the necessary rent could be achieved with modest improvements in market conditions.

Based on these results it's likely that a 5 over 1 mixed use building would be feasible at this site with use of the eight year tax exemption.

## 72<sup>ND</sup> AND PACIFIC

The horizontal mixed use are evaluated for the base case and the two tax exemption cases.

**Table 5**  
**Feasibility Analysis of Development Concepts**  
**72<sup>nd</sup> and Pacific: Horizontal Mixed Use**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	35,550	35,550	35,550
Gross Building Area (SF)			
Residential	56,700	56,700	56,700
Commercial	4,800	4,800	4,800
Residential Units	51	51	51
Parking Spaces	90	90	90
<b>Estimated Capital Investment</b>			
Land Acquisition	\$355,500	\$355,500	\$355,500
Construction	7,300,750	7,300,750	7,300,750
Soft Costs	2,013,280	2,013,280	2,013,280
Total	\$9,669,530	\$9,669,530	\$9,669,530
<b>Financial Performance</b>			
Annual Operating Income	\$525,351	\$554,268	\$564,389
Capitalized Value	\$10,066,161	\$10,644,501	\$10,846,920
Entrepreneurial Return	\$396,631	\$974,971	\$1,177,390
Return as Percent of Investment	4.10%	10.08%	12.18%
<b>Necessary Condition for 10% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$17.26	\$16.63	\$16.33
Assumed Apartment Rent (/SF/Yr)	\$15.60	\$15.60	\$15.60

Considering the Return as % of Investment line, none of the cases achieve the 15% target. The eight year exemption case performs better than the base case because of the reduced operating costs. With the 12 year exemption, the operating costs are further

reduced, and there is no foregone rental revenue as the market rate is less than the affordable rate.

The necessary condition line for the residential uses compares assumed residential rents to the rents that would be necessary to achieve a 15% return with all other assumptions held constant. As shown, the necessary rent for the 12 year case is within 5% of assumed rents. It's reasonable to expect that the necessary rent could be achieved soon with reasonable improvements in market conditions.

This development concept benefits from the relatively low cost of providing over half of the parking in a surface configuration. If all the parking were under the building or a plaza deck, the additional cost would drive the rate of return below the target value.

## **SOUTH TACOMA WAY**

The building reuse concept is evaluated for the base case and the two tax exemption cases.

**Table 6**  
**Feasibility Analysis of Development Concepts**  
**South Tacoma Way: Building Reuse**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	3,000	3,000	3,000
Gross Building Area (SF)			
Residential	2,250	2,250	2,250
Commercial	2,250	2,250	2,250
Residential Units	2	4	4
Parking Spaces	-	-	-
<b>Estimated Capital Investment</b>			
Land Acquisition	\$300,000	\$300,000	\$300,000
Construction	292,500	292,500	292,500
Soft Costs	86,288	86,288	86,288
Total	\$678,787	\$678,787	\$678,787
<b>Financial Performance</b>			
Annual Operating Income	\$48,340	\$49,488	\$49,889
Capitalized Value	\$819,341	\$842,291	\$850,323
Entrepreneurial Return	\$140,554	\$163,504	\$171,536
Return as Percent of Investment	20.71%	24.09%	25.27%
<b>Necessary Condition for 10% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$17.25	\$16.62	\$16.40
Assumed Apartment Rent (/SF/Yr)	\$15.60	\$15.60	\$15.60

Considering the Return as % of Investment line, all three cases achieve the 15% target return. However this result should be viewed with the following caveats.

- The estimated development costs are based on general relationships rather than specific requirements and building conditions. In particular, it is assumed that there is no change of use and therefore no requirement to bring the building up to current life safety and seismic standards.
- There are a limited number of two story buildings in this MUC, and most of those are narrow and have a small footprint. The scale of any redevelopment project may not be great enough to attract interest.
- Use of the tax exemption program may be limited by the requirement that the resulting development have four or more units, and units in the existing building must be vacant for at least a year.

Given these caveats, it's logical to conclude that there is an opportunity to redevelop existing buildings in this MUC, but it will depend largely on the characteristics and conditions of individual buildings.

## **PROCTOR 45' HEIGHT**

The building reuse concept is evaluated for the base case and the two tax exemption cases as summarized in Table 7.

Considering the Return as % of Investment line, both the Eight Year and Twelve Year Exemption case achieve close to the target return of 15%. The reduced operating costs under the eight year case improve the operating income and rate of return. With the 12 year exemption, the operating costs are further reduced, and the value of that benefit offsets the foregone rental revenue from the affordable units.

Based on these results it's likely that a 3 over 1 mixed use building would be feasible at this site with the use of a tax exemption.

**Table 7**  
**Feasibility Analysis of Development Concepts**  
**Proctor: 45'**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	34,250	34,250	34,250
Gross Building Area (SF)			
Residential	75,327	75,327	75,327
Commercial	13,838	13,838	13,838
Residential Units	80	80	80
Parking Spaces	115	115	115
<b>Estimated Capital Investment</b>			
Land Acquisition	\$2,740,000	\$2,740,000	\$2,740,000
Construction	16,111,288	16,111,288	15,900,372
Soft Costs	4,534,601	4,534,601	4,475,545
Total	\$23,385,889	\$23,385,889	\$23,115,917
<b>Financial Performance</b>			
Annual Operating Income	\$1,347,108	\$1,406,654	\$1,394,681
Capitalized Value	\$25,619,466	\$26,810,386	\$26,570,922
Entrepreneurial Return	\$2,233,577	\$3,424,497	\$3,455,005
Return as Percent of Investment	9.55%	14.64%	14.95%
<b>Necessary Condition for 15% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$27.08	\$26.10	\$26.80
Assumed Apartment Rent (/SF/Yr)	\$25.82	\$25.82	\$25.82

## PROCTOR 65' HEIGHT

The building reuse concept is evaluated for the base case and the two tax exemption cases as summarized in Table 8.

Considering the Return as % of Investment line, both the Eight Year and Twelve Year Exemption case achieve returns greater than the target return of 15%. The reduced operating costs under the eight year case improve the operating income and rate of return. With the 12 year exemption, the operating costs are further reduced, and the value of that benefit offsets the foregone rental revenue from the affordable units.

Based on these results it's likely that a 5 over 1 mixed use building would be feasible at this site even if the tax exemption were restricted to the 12 year case with 20% of the units provided at affordable rent levels.

**Table 8**  
**Feasibility Analysis of Development Concepts**  
**Proctor: 65'**

	Base	MFTE 8 year	MFTE 12 year
<b>Description</b>			
Site Area (SF)	34,250	34,250	34,250
Gross Building Area (SF)			
Residential	125,327	125,327	125,327
Commercial	13,838	13,838	13,838
Residential Units	133	133	133
Parking Spaces	168	168	168
<b>Estimated Capital Investment</b>			
Land Acquisition	\$2,740,000	\$2,740,000	\$2,740,000
Construction	25,109,788	25,109,788	24,758,934
Soft Costs	7,054,181	7,054,181	6,955,942
<b>Total</b>	<b>\$34,903,969</b>	<b>\$34,903,969</b>	<b>\$34,454,876</b>
<b>Financial Performance</b>			
Annual Operating Income	\$2,050,951	\$2,150,022	\$2,065,848
Capitalized Value	\$39,696,316	\$41,677,736	\$39,924,651
Entrepreneurial Return	\$4,792,347	\$6,773,767	\$5,469,775
Return as Percent of Investment	13.73%	19.41%	15.88%
<b>Necessary Condition for 15% Return</b>			
Necessary Apartment Rent (/SF/Yr)	\$26.26	\$25.29	\$25.65
Assumed Apartment Rent (/SF/Yr)	\$25.82	\$25.82	\$25.82

**APPLICABILITY TO OTHER MIXED USE CENTERS**

The concepts evaluated in this analysis are intended to be representative of opportunities in other mixed use centers. In particular, they are intended to reflect market opportunities and site conditions. The concepts can be extrapolated to other centers as summarized in the following table.

**Table 7.  
Feasibility Analysis of Development Concepts  
Applicability to Other MUC's**

	6th and Cedar Mixed Use	38th and G Mixed Use Vacant	72nd & Pacific Horizontal Mixed	So. Tacoma Wy. Building Reuse	Proctor Mixed Use 45'	Proctor Mixed Use 65'
Sixth Avenue and Pine	Yes	Yes	Yes	Yes	Yes	Yes
Narrows	Yes	Yes	Yes	Yes	Yes	Yes
Proctor	Yes	Yes	Yes	Yes	Yes	Yes
McKinley	Yes	Yes	Yes	Yes	Yes	Yes
56th and South Tacoma Way	Yes	Yes	Yes	Yes	Yes	Yes
Lincoln	Yes	Yes	Yes	Yes	Yes	Yes
Westgate	Yes	Yes	Yes	Yes	Yes	Yes
Lower Portland	Yes	Yes	Yes	Yes	Yes	Yes
72nd and Portland	Yes	Yes	Yes	Yes	Yes	Yes
34th and Pacific	Yes	Yes	Yes	Yes	Yes	Yes
72nd and Pacific	Yes	Yes	Yes	Yes	Yes	Yes
James Center	Yes	Yes	Yes	Yes	Yes	Yes
Tacoma Central	Yes	Yes	Yes	Yes	Yes	Yes

## CONCLUSIONS

1. Based on the results of the analysis, it's likely that 5 over 1 mixed use buildings would be feasible in the MUC's with higher prevailing rents. While the necessary rent for feasibility is somewhat higher than the assumed market rent for the base case in Sixth and Pine and Lincoln, it's possible that this gap would narrow over time
2. The use of the tax exemption program will enhance the feasibility of the 5 over 1 development concepts in Sixth and Pine and Lincoln. The reduced operating costs under the 8 year exemption provides for a greater rate of return. Under the 12 year program, the foregone income for the affordable units would offset the value of the lower operating costs. Use of the 8 year exemption will likely be necessary to provide incentives for this type of development in all but the most popular mixed use centers.
3. With the strong market conditions in Proctor, a 5 over 1 mixed use building (65' case) is feasible under the 12 year tax exemption. The value of the exemption offsets the foregone income from the affordable units. Those same market conditions support the 3 over 1 (45' case) development scenario with the use of the eight year exemption.
4. The additional cost of site acquisition under a redevelopment scenario (versus a vacant site) provides an additional challenge, and makes the tax exemption incentive more important in fully built-out areas.
5. The development of horizontal mixed use should be feasible in most of the MUC's. The lower cost of surface or under building parking and three floor apartments result in a necessary rent level that that is achievable in most MUC's,

and is actually affordable at the 80% of median level. Availability of the tax exemption program provides a valuable incentive for such a concept.

6. There are opportunities to redevelop existing buildings in some MUC's, but the opportunities will depend largely on the characteristics and conditions of individual buildings.
7. There are a variety of public improvements that have been identified and which will enhance the desirability of the area and the feasibility of development:
  - Pedestrian improvements.
  - Expanded bike lanes and trails.
  - Streetscape improvements at select locations.
  - Community open space and park improvements.



City of Tacoma  
Planning Commission

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

October 7, 2015

The Honorable Mayor and City Council  
City of Tacoma  
747 Market Street, Suite 1200  
Tacoma, WA 98402

RE: 2015 Annual Amendment

Honorable Mayor and Members of the City Council,

On behalf of the Tacoma Planning Commission, I am forwarding our recommendations on the Proposed Amendments to the Comprehensive Plan and the Land Use Regulatory Code for 2015 (the "2015 Annual Amendment"). Enclosed is the "*Planning Commission's Findings and Recommendations Report, October 7, 2015*" that summarizes the proposed amendments, the public review process, and the Planning Commission's deliberations.

Specifically, we recommend that the City Council:

- Adopt the proposed update to the Comprehensive Plan, which reflects a new and more purposeful statement about the community's vision and future, its priorities, and its commitment to being an equitable, sustainable, progressive, cohesive city;
- Acknowledge the Mixed-Use Centers Review Study and the recommendations contained therein;
- Adopt proposed regulatory changes to support housing affordability and infill development;
- Adopt various clean-up amendments to the Land Use Regulatory Code; and
- Establish the proposed Narrowmoor Addition Conservation District.

These proposed amendments are the result of intensive analyses, thorough research, and rigorous deliberations performed by the Planning Commission and City staff over the past 14 months. Extensive outreach efforts have been conducted to engage stakeholders, interested parties and concerned citizens, and to ensure early and continuous public participation in the review process. The review process has been driven by, built upon, and consistent with the Growth Management Act's "2015 Periodic Update" requirements, the Puget Sound Regional Council's *Vison 2040* and *Transportation 2040*, Pierce County's *Countywide Planning Policies*, as well as the *Tacoma 2025 Strategic Plan* Visioning Process.

Throughout the community involvement process the Commission heard a clear desire from our community to ensure that the policies of the Comprehensive Plan are implemented in a way that is context-sensitive and respects the diverse and unique qualities of our neighborhoods, with a particular emphasis on areas experiencing and planned for further growth and development. It is the Commission's view that there are additional tools and programs available that the City could be utilizing to support the implementation of the Comprehensive Plan in a way that encourages citizen participation and is responsive to these concerns.

One of these tools, master planning or sub-area planning, has been effectively utilized in the Downtown Tacoma Regional Growth Center and is currently being employed in the Tacoma Mall Regional Growth Center. In addition, the City is currently working on a new template: a revitalization plan for the Lincoln Neighborhood Center that the Commission hopes will be a model for further efforts in the City's other centers. One of the Commission's key findings through the Mixed-Use Centers Review is that too often the City is not coordinating programs and resources in a way that is targeted and place-specific. Sub-area planning provides a mechanism to bring the diverse departments, agencies, and private neighborhood and business interests together to collectively address the needs of our districts. And recognizing that

there are scarce resources to implement these efforts, the City should undertake a rigorous evaluation of potential financial tools and programs, such as focused utility system and infrastructure upgrades and transportation impact fees, to improve the City's financial capacity to complete these strategic initiatives while not discouraging the private investment the City seeks.

The second tool, an urban design program, is an issue that has long been simmering without resolution. Community input during this process has again highlighted concerns about growth and change, and whether it will enhance or detract from what we love about this community and its neighborhoods. It is clear that if the City wants to support sustained growth that it will be critical to ensure that such growth is done well. Design review can raise the bar for development in all of the City's centers, while supporting community engagement and providing greater flexibility to tailor decisions that are sensitive to the context of each center and surrounding neighborhoods. Design review is a strategy that could greatly benefit the City if done correctly and the Commission recommends that the Council consider re-opening that discussion for a more substantive proposal and resolution. Based on the public testimony, the Commission feels that design review would be broadly supported.

Many of these same themes were brought to light in the public process regarding Affordable Housing and Infill Regulations. The Commission is pleased to recommend code amendments that achieve significant progress toward implementing housing choice and affordability goals, as well as enhancing the City's regulatory toolkit for neighborhood-responsive infill development. However, by themselves these proposals are far from equal to the measure of the affordability challenge facing our city. The City should continue to seek resources and opportunities to support the development, rehabilitation and maintenance of housing affordable to Tacoma's lower-income citizens and support the kind of economic and job growth that can provide more resources and more opportunities to more of our citizens. The Commission also wishes to recognize the leadership and dedication of the Affordable Housing Policy Advisory Group, without which this significant step forward would not have been possible.

Finally, the amended proposal to create the Narrowmoor Conservation District represents an appropriate balance between the City's policies regarding neighborhood and historic preservation with other policies, including infill development, economic development and housing diversity. In making this recommendation, the Planning Commission (as did the Landmarks Preservation Commission) fully anticipates future development to occur in this area. The recommendation allows for potential infill within the conservation district area, while preserving certain character defining elements and features of this unique midcentury neighborhood. The design review process will provide some assurance of the appropriateness of future new construction through a transparent public process, one that is already in place for the City's existing historic and conservation districts.

The Planning Commission believes the proposed 2015 Annual Amendment will help achieve the City's strategic goals for a safe, clean and attractive community and a diverse, productive and sustainable economy. We respectfully request the City Council adopt the above-mentioned recommendations of the Planning Commission.

Sincerely,

CHRIS BEALE, Chair  
Tacoma Planning Commission

Enclosure



**2015 ANNUAL AMENDMENT  
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

TACOMA PLANNING COMMISSION  
FINDINGS OF FACT AND RECOMMENDATIONS  
**(Draft for Planning Commission’s Review/Approval on October 7, 2015)**

**A. SUBJECT:**

“2015 Annual Amendment” – Proposed Amendments to the Comprehensive Plan and the Land Use Regulatory Code for 2015.

**B. SUMMARY OF PROPOSED AMENDMENTS:**

The 2015 Annual Amendment package includes the following five (5) subjects:

Subject	Description
<b>1. Comprehensive Plan Update</b>	Amend the Comprehensive Plan pursuant to the Periodic Update requirements of the State Growth Management Act (RCW 36.70A.130); ensure the Plan continues to be consistent with applicable state and regional mandates; update population and employment allocations, and other relevant data; renew the City’s vision and growth strategies based on the community’s needs and desires; enhance the format, style and organization of the Plan; and revise development regulations to be consistent with the Plan amendments.
<b>2. Mixed-Use Centers Review</b>	Review designated Mixed-Use Centers (MUCs) to determine their effectiveness in achieving the City’s intent and vision and inform the Comprehensive Plan Update in such areas as the growth strategy, development concept, land use, urban form, housing, transportation, and economic development.
<b>3. Affordable Housing Regulations</b>	Amend the Tacoma Municipal Code to implement a package of residential infill/affordable building proposals and affordable housing incentive, bonus, and inclusionary strategies which are part of a package of initiatives recommended by the City Council’s Affordable Housing Policy Advisory Group.
<b>4. Code Cleanup</b>	Amend various sections of the Land Use Regulatory Code to update information, address inconsistencies, correct minor errors, provide additional clarity, and improve administrative efficiency.
<b>5. Narrowmoor Addition Conservation District</b>	Designate a 129-acre portion of the “West Slope Neighborhood,” including portions of Narrowmoor Additions #1 – 4, as a Conservation Special Review District Overlay Zone (A private application by the West Slope Neighborhood Coalition).

**C. FINDINGS OF FACT:**

- 1. Comprehensive Plan and Development Regulations** – The Comprehensive Plan, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, is Tacoma’s comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City’s official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma’s residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.
- 2. Planning Mandates and Guidelines** – GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the Comprehensive Plan

and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- VISION 2040, the Growth Management, Environmental, Economic, and Transportation Strategy for the Central Puget Sound Region;
- Transportation 2040, the action plan for transportation in the Central Puget Sound Region;
- The Countywide Planning Policies for Pierce County;
- The City Council’s guiding principles for planning the future growth: (1) to protect neighborhoods, (2) to protect critical areas, (3) to protect port, industrial and manufacturing uses, and (4) to increase densities in the downtown and neighborhood business districts (Resolution No. 37070, December 19, 2006); and
- TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.

**3. Receipt and Review of Applications** – Eleven applications (including one private application) were submitted to the Planning Commission by the deadline of August 1, 2014 for consideration as part of the 2015 Annual Amendment. The Commission conducted an assessment of the applications in August-September 2014, pursuant to TMC 13.02.045.E, and approved the Assessment Report on September 17, 2014. Technical analyses of the applications were conducted in the subsequent months. In March 2015, another private application was submitted, but was denied by the Commission, while the intent of the application was being addressed in one of the 11 applications. In July 2015, the 11 applications were repackaged into five subjects, as described above, and forwarded into the public hearing process in August-September 2015.

The table below illustrates the status of the 12 applications as of July 2015:

<b>Applications Considered</b>	<b>Status as of July 2015</b>
1. 2015 GMA Update (Comprehensive Plan Update)	<i>Moving forward</i>
2. Mixed-Use Centers Review	<i>Moving forward</i>
3. McKinley Mixed-Use Center Boundary Expansion (private application)	<i>Application denied; intent of request to be reviewed upon completion of #2</i>
4. Land Use Designations – Phase 2	<i>Rolled into #1</i>
5. Critical Areas Preservation Code Update	<i>Rolled into #1</i>
6. Transportation Master Plan	<i>Rolled into #1</i>
7. Open Space Habitat and Recreation Element	<i>Rolled into #1</i>
8. Affordable Housing Planning Work Program – Phase 3	<i>Moving forward</i>
9. Electric Vehicle Infrastructure – Phase 2	<i>Review in progress; not moving forward at this time</i>
10. Code Cleanup	<i>Moving forward</i>
11. Narrowmoor Addition Conservation District	<i>Moving forward</i>
12. Land Use Designation in North Slope Historic District (private application submitted in March 2015)	<i>Application denied; intent of request reviewed as part of #4</i>

The table below depicts the schedule and timeline for the review of the applications:

<b>Date</b>	<b>Actions</b>
August 1, 2014	Applications for Proposed Amendments due
September 17, 2014	Planning Commission approval of Assessment Report for applications
June 2014 – July 2015	Planning Commission reviews and technical analyses

September 2014 – July 2015	City Council Study Sessions
September 2014 – May 2015	Infrastructure, Planning and Sustainability Committee reviews
March – April 2014	Neighborhood and Housing Committee reviews
September 2014 – August 2015	Public Outreach (including community workshops, meetings with Neighborhood Councils and stakeholders, exhibitions at farmer's markets, surveys, and correspondence and online communications)
July 15, 2015	Planning Commission authorization for release of the 2015 Annual Amendment Package for public review
August 12 & 13, 2015	Community Informational Meetings prior to public hearing
August 19, 2015	Planning Commission Public Hearing (hearing record open through August 28 to accept written comments)
September 2 & 16, 2015	Planning Commission review of public comments and consideration of appropriate modifications to the proposal

- 4. Public Outreach Efforts** – Staff has conducted extensive outreach efforts to ensure early and continuous public participation in the amendment process. The outreach efforts ranged from providing overviews of the proposed amendments and the process and timeline to neighborhood councils and interested entities, to meeting with stakeholders and applicants to address particular issues and suggestions. The entities that staff has approached and worked with include, but are not limited to: Puyallup Tribe, Pierce Transit, Port of Tacoma, Metro Parks Tacoma, City of Ruston, Ruston Pearl Business District, State and regional agencies, Chamber of Commerce, Citizens for a Healthy Bay, Green Tacoma Partnership, Master Builders Association, South Sound Military and Communities Partnership, Foss Waterway Development Authority, Sustainable Tacoma Commission, Tacoma Housing Authority, Transportation Commission, Neighborhood Councils and Community Council, Neighborhood Business District Associations, Blue Ribbon Panel, as well as the City's departments and offices including Community & Economic Development, Environmental Services, Legal, Public Works, Office of Sustainability and Tacoma Public Utilities.

Also, a Planning Manager's Letter to the Community was widely distributed to various interested entities on December 30, 2014, informing the community of the status and schedule of the 2015 Annual Amendment, a summary of the applications being considered by the Planning Commission, and how to obtain more information, make inquiries or provide comments and feedback.

In regards to the Affordable Housing Regulations, additional public engagement and outreach took place. This package of proposed code changes is the latest step in a multi-year, multi-departmental effort to promote housing affordability and choice throughout the neighborhoods of the City. The effort has been spearheaded by the Council-appointed Affordable Housing Policy Advisory Group (AHPAG), an inter-disciplinary group including both market-rate and subsidized-housing representatives tasked with identifying potential steps the City could take to promote housing affordability.

In developing the public review draft proposals, the Planning Commission and staff used the following approach:

- Regular consultation with the AHPAG
- Outreach and engagement with neighborhood interests
- Benchmarking and identification of best practices
- Tacoma code analysis, alternatives development and refinement
- Vetting proposals and developing refinements based on input received
- Coordination with the 2015 Annual Amendments process

Planning staff worked closely with the City's Housing Division throughout the process. Staff also received direction from the City Council Neighborhoods and Housing Committee. Finally, staff have engaged in discussions with the North Slope Historic District, the Landmarks Preservation Commission, the South Tacoma Neighborhood Council, the North End Neighborhood Council and community stakeholders.

The proposal generated substantial interest and media attention, including concern and opposition for some infill components. Over 75 individual comments were received, as well as a survey with 630 signatures expressing opposition to infill in the North Slope Historic District, and several articles were published in the Tacoma News Tribune and other media outlets. The comments expressed a variety of viewpoints. The issue raised most frequently was concern that infill options could negatively impact on historic character by promoting the alteration or demolition of historic structures. Other commenters expressed concern about additional density and new housing options in single-family neighborhoods. On the other hand, there was significant support for some infill concepts, particularly for lot size flexibility and Detached Accessory Dwelling Units. Comments on the affordable housing incentives components of the proposal were generally supportive. The AHPAG expressed support for the majority of the proposals, but stated their view that the proposal does not go far enough to incentivize development of affordable housing and that they do not support the Mandatory Affordability with Upzones requirement as proposed. The comments are summarized and analyzed in the Public Comments and Staff Responses and Suggestions Report of September 11, 2015.

## 5. Public Hearing Notification Process:

- (a) The public hearing was set for August 19, 2015, and the record was kept open through September 11, 2015 to receive written comments. Staff also held Informational Sessions on August 12 and 13 for citizens to learn more about the proposed amendments and ask questions.
- (b) The notice of the Public Hearing and the Informational Session was disseminated widely in July-August 2015 as described below:
  - Public Hearing Notice – A notice announcing the public hearing on August 19<sup>th</sup> and the community informational sessions on August 12<sup>th</sup> and 13<sup>th</sup> 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. The notice was also mailed to property owners within 400 feet of the boundaries of the proposed Narrowmoor Addition Conservation District.
  - Public Notice Signs – Pursuant to TMC 13.02.057, public notice signs were installed in the areas associated with the proposed Narrowmoor Addition Conservation District, one sign at each of the following locations: 6<sup>th</sup> and Jackson, 6<sup>th</sup> and Mountainview, S. 12<sup>th</sup> and Jackson, S. 19<sup>th</sup> and Jackson, and S. 19<sup>th</sup> and Linden.
  - Library – A request was made to the Tacoma Public Library to make the public hearing notice and the Executive Summary Packet of the Public Review Document available for patrons' review at all eight branches.
  - News Media – An advertisement was placed on The News Tribune on August 7, 2015; a legal notice regarding the environmental determination was placed on the Tacoma Dailey Index on August 7, 2015; a public announcement was placed on TV Tacoma and will run August 4-19, 2015; and an e-mail news release, "Tacoma News", was issued through the City's Media and Communications Office on August 7, 2015.
  - 60-Day Notices – A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was sent to the State Department of Commerce (per RCW 36.70A.106), and Joint Base Lewis-McChord (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). The "Comprehensive Plan Reporting Tool" as required by the Puget Sound Regional Council for the purpose of PSRC's review and certification of the 2015 Annual Amendment for consistency with VISION 2040 will be submitted in early September 2015. These notices were/will be sent to these entities more than 60 days prior to the Council's scheduled action on November 10, 2015, so that their comments, if any, can be addressed in a timely manner during the Planning Commission's review process.

- Community Informational Sessions – Planning staff conducted a question-and-answer, Informational Session on August 12, 2015, at 6:00 p.m., at Baker Middle School, and will conduct a second one on August 13, 2015, at 6:00 p.m., at Stadium High School, to provide an opportunity for interested citizens to learn more about the proposed amendments.
  - Website – The public hearing notice and all information associated with the 2015 Annual Amendment are posted on the Planning Services Division’s website at [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning), and linked to either “2015 Annual Amendment” or “Tacoma 2040: Growing Tomorrow’s City”.
- (c) **Environmental Review** – Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma’s SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on July 29, 2015 (SEPA File Number SEP2015-4000251556), based upon a review of an environmental checklist. The deadline for comments was set as August 28, 2015 and later extended to September 11, 2015. No substantive comments were received, and the DNS became final on September 18, 2015.
- (d) **Public Review Document** – The complete text of the proposed amendments, the associated staff analyses, the DNS and the environmental checklist, and relevant background information were compiled into the *“Comprehensive Plan and Land Use Regulatory Code – Proposed Amendments for 2015 / Public Review Document / Prepared for Planning Commission Public Hearing, August 19, 2015”* document (hereinafter referred to as the “Public Review Document”). The Public Review Document was made available for public review at the office of the Planning and Development Services Department. Its availability was also announced to appropriate entities that had received the public hearing notice.

## 6. Public Hearing Comments and Responses:

- (a) In response to the request for review of the proposed amendments for potential takings, the City’s Attorney’s Office indicated that the proposed amendments should not cause a substantial concern over potential takings.
- (b) As of the day of this report, no comment has been received from Joint Base Lewis-McChord.
- (c) At the public hearing on August 19, 2015, 53 people testified. By the close of the comment period on September 11, 2015, 240 letters and e-mails were received, including a petition concerning the Proctor mixed-use center with 1500 signatures and petitions related to affordable housing regulations that included approximately 630 signatures. The public comments were concerning all applications as well as the DNS and the environmental checklist.
- (d) Staff prepared a Public Comments and Staff Responses and Suggestions Report, which summarized public comments and staff’s responses, and where appropriate, staff’s suggested revisions to the 2015 Annual Amendment Package as contained in the Public Review Document. The Commission reviewed the report first on September 16, 2015, concurred with most of staff’s suggested revisions, and provided additional modifications. The Commission reviewed the report again on October 7, 2015 and provided final modifications to the 2015 Annual Amendment Package. In summary, the Commission determined that additional modifications be made to the 2015 Annual Amendment Package, as described in the subsequent sections below, i.e., sections (e) through (i).
- (e) Concerning Comprehensive Plan Update:
- The Puget Sound Regional Council submitted comments, dated September 25, 2015, with substantive comments on the Transportation Master Plan, the Housing needs assessment, annexation, and airport compatibility. Staff assessed the comments and found that the information requested was available, but had not been provided in the Draft to the level of detail and specificity PSRC requested. Staff recommended text additions and policy amendments to respond to the comments.

- The Washington State Department of Transportation submitted comments on September 28, 2015 finding that the City's Transportation Master Plan is clearly consistent with Vision 2040 and Transportation 2040.
- The Port of Tacoma provided comments about the project selection criteria and raised concerns that the criteria may not adequately support freight and Port-related transportation projects, as evidenced by the absence of Port/MIC-related projects being identified in the 20-year funding list. Staff recommended a minor amendment to incorporate the MIC into the scoring criteria and also recognized that additional amendments may be needed to completely address the concern. Until such time as the scoring criteria are re-evaluated, staff recommended adding high-priority MIC projects to the 20 year project list to ensure grant and funding eligibility.
- The South Sound Military and Communities Partnership provided comments on the consistency of the Comprehensive Plan update with the draft Joint Land Use Study (JLUS) for Joint Base Lewis-McChord. Staff responded to the questions and recommends that upon an adopted JLUS the Commission consider further policy or regulatory amendments that may be necessary for consistency with that Plan. The Future Land Use Map was developed with consideration of the JLUS. However, staff recommended that further modifications are premature at this time.
- Staff received four Future Land Use Map amendment requests in the public comments:
  - Land Use Designation request for properties located at 701 E 72nd Street, from proposed Single Family Residential, to combination of Neighborhood Commercial and Multifamily (low-density). Staff recommended no change.
  - Request for area-wide rezone for Franke Tobey Jones senior housing community. Staff recommended minor designation changes to better reflect the core and periphery of the site and noted that the project was expected to file for a site-specific rezone. No other changes recommended.
  - Land Use Designation request for properties at 72nd and Alaska, next to Wapato Park. Staff recommended a modification to the proposal.
  - Land Use Designation request for properties located at 5454 S State Street. Staff recommended a change to Multifamily (low-density).
- Staff recommended further modifications to the proposed Future Land Use Map:
  - To address Park and Open Space areas that are developed with intensive land uses.
  - To address minor boundary changes to better align the designations with parcel lines and street center lines.
  - To address minor commercial and multifamily uses currently designated as Single Family Residential.
  - To modify the General Commercial designation to improve the consistency of application across the City.
- Staff recommended minor modifications to the TMP modal priority maps and the Park and Recreation Maps to ensure consistency for trail alignments and characterization.
- Staff recommended minor text modifications throughout the document to more consistently integrate equity concerns.
- Staff recommended addition of an appendix to the Transportation Master Plan designating Centers of Local Importance. The CPPs define Centers of Local Importance (CoLI) as being "designated for the purpose of identifying local centers and activity nodes that are consistent with VISION 2040's Multi-county Planning Policies. Such areas promote compact, pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or be in an established industrial area" (UGA-51). Staff based the recommended CoLI on policies in the Urban Form Chapter and Transportation Master Plan. The Commission finds that the proposed CoLI are based on established community focal points, including Regional Growth Centers, Manufacturing and Industrial Centers, Mixed-Use Centers, Transit Station Areas, and connective multimodal corridors, as established in

the Comprehensive Plan. The Transportation Master Plan prioritizes the identified corridors for future high frequency and high intensity transit facilities. The Future Land Use Map documents the proposed land uses within the CoLI and development capacity within the CoLI have been documented in the 2014 Pierce County Buildable Lands Report.

(f) Concerning Mixed-use Centers Review:

- The Commission received a petition from the 4Proctor community group requesting an immediate moratorium on development exceeding 45 feet in height in the Proctor Neighborhood Center, and to subsequently amend the Land Use Regulatory Code to reduce the maximum allowable height limit from 65 feet to 45 feet.
- The Commission determined that the request for moratoria and height amendment was outside the scope of the 2015 Annual Amendment package and that request for moratoria more appropriately resided with the City Council.
- Therefore, in a letter dated September 9, 2015, the Commission forwarded the petition and request for moratoria to the City Council for immediate consideration.
- In response to the comments received on the Mixed-use Centers Study, staff proposed revisions to the report to include additional feasibility analysis for two development scenarios, a 45' and 65' mixed-use project, in the Proctor Neighborhood Center.
- In response to comments addressing the unique qualities of the different centers, staff proposed to include a summary of the Mixed-use Center profiles in the Urban Form Chapter of the Comprehensive Plan.
- The Commission also recognized the deep public concerns about implementation of Comprehensive Plan policies and how they translate into design, infrastructure improvements, and the ongoing coordinated management of the impacts from growth and development.
- As a result, staff and the Planning Commission discussed strategies that could be utilized to address these community concerns, with particular focus on actions identified in the Mixed-use Center Study pertaining to design review, tools to finance transportation improvements, and the flexibility to tailor incentives to better fit the market conditions in the individual centers.

(g) Concerning Affordable Housing Regulations:

Based on the public comments received, as well as on input from City staff reviewing the proposals, the Planning Commission directed that the following changes be made to the public review draft package. Many of the proposed changes are intended to better protect historic districts and neighborhood character through stronger design controls, as well as additional consultation with the Landmarks Preservation Commission and Historic Preservation Officer on proposals potentially affecting historic buildings or neighborhoods. Some components which generated concerns were removed from the proposal (including some of the minimum lot size reductions in the Special Review Districts). The proposal also responds to concerns about conversions of historic houses to two- or three-family, which is currently permitted in certain districts, by limiting such conversions to only noncontributing houses in Historic Districts.

Based on the AHPAG's comments the proposals related to affordable housing requirements with proposed upzone requests was modified. The proposal is based on the concept of capturing a share of the additional land value generated through an upzone for affordable housing. The change would reduce the amount of affordable housing required, in recognition of the cost and uncertainty of applying for an upzone.

Specifically, the Commission made the following changes to the public review draft code proposal, along with minor clarifications identified by staff:

1) Additional lot size flexibilities:

- Critical areas and buffers not counted toward lot averaging
- Minimum lot size in the R-1 District 4,500 square feet through lot size averaging

2) Special Review Districts (SRD) refinements:

- Remove proposal to reduce minimum lot size to 3,500 square feet
- Add proposed alley credit (up to 10 percent of lot area) within SRD Districts
- Reemphasize restoring converted houses to single-family use by removing proposed HMR-SRD definition change
- Within Historic Districts, 2-family and 3-family conversions not permitted for contributing structures;
- City Historic Preservation Officer (HPO) and Landmarks Preservation Commission (LPC) consultation on land use proposals with potential negative impacts to historic character

### 3) Pilot Residential Infill Program:

- Overall Pilot Program changes:
  - Clarify that additional applications for pilot program infill housing types will not be accepted once three of that housing type have been completed
  - Consultation with the City's Historic Preservation Officer required to assess potential impacts to historic character
  - 1000 feet minimum separation between pilot program proposals of each type
  - Implementation to begin when Infill Design Guidelines have been approved by the PDS Director
  - Clarify required sustainability features requirement: Built Green 3 Stars or LEED Bronze; or, Greenroads Bronze if roadways are constructed; only for new construction of multifamily or cottage housing
  - Add consideration of shading impacts to design review criteria
- Detached Accessory Dwelling Units (DADU's):
  - Only one DADU within any Historic District under the Pilot Program
  - Lots must be a minimum of 50 feet in width
  - Only one accessory structure allowed (either a garage, ADU, or a structure that integrates both)
- Two-family in R-2 Districts:
  - Increase minimum lot size to 6,000 sf
- Multi-family (up to 6 dwelling units) in R-3 Districts:
  - Clarify design intent to reduce overall appearance and impacts of additional units
- Cottage Housing:
  - Remove cottage housing option from Historic Districts

### 4) Planned Residential Districts (PRDs):

- Clarify the required sustainability features:
  - First tier density bonus requirements: Built Green 4 Stars or LEED Gold; and, GreenRoads Bronze if roadways are constructed
  - Top tier density bonus requirements: Built Green Emerald Star or Living Building Challenge 3 Petals; and, GreenRoads Gold if roadways are constructed

### 5) Affordable Housing Incentives and Upzone Requirements:

- Technical clarifications and definitions added to the Affordable Housing Incentives Code
- Confirmed \$10,000 as the fee-in-lieu amount per bonus dwelling unit (see below for Upzones fee-in-lieu amount).

- A September 25, 2015 study completed by SH&H Valuation and Consulting assessed land cost per dwelling unit as a method to establish the appropriate fee-in-lieu amount. The study identified two tiers – “Downtown” (\$7,500 per additional unit), and “Suburban” (\$10,000 per additional unit). Utilizing a single in-lieu-fee of \$10,000 will provide one consistent amount for ease of administration and understanding, and encourage construction of affordable housing units Downtown.
  - Reduced the number of affordable housing units to be required for upzones to a ratio of 2 (market-rate) to 1 (affordable); established a proportionate fee in lieu of \$6,650 per bonus dwelling unit
- 6) City process enhancements:
- Require the development of the Infill Design Guidelines in advance of implementation of the Residential Infill Pilot Program

(h) Concerning Code Cleanup:

- At the August 19 public hearing, 1 individual testified and 2 written comments were received. The summary and staff responses to the comments were transmitted to the Planning Commission on September 16, 2015. The comments received were supportive of low impact development scenarios. Other comments requested that the City look at fee in lieu, financial incentives and additional ways to ensure that required transportation are tied to the City’s planning process and other ways to incentivize low impact development.
- Staff also recommends comments/corrections that are de minimis in nature and primarily for corrections and clarifications on issues that are not clear in the zoning code.
- In response to comments received, staff recommends incorporating the changes as recommended at its September 16 meeting and the Planning Commission concurred.

(i) Concerning Narrowmoor Addition Conservation District:

- At the August 19 public hearing, 11 individuals testified and 18 written comments were received. The summary and staff responses to the comments were transmitted to the Planning Commission on September 16, 2015. The majority of comments received were in favor of the proposed district.
- In response to specific comments received during testimony and prior feedback from the Commission, staff recommends removing the 60’ minimum lot width provision from the proposed conservation district, and the Planning Commission concurred.
- Additional comments from the hearing requested that language for variances be amended to account for historic district guidelines and historic rehabilitation standards. This is consistent with the May 27, 2015 Landmarks Preservation Commission recommendations. Staff recommends incorporating such language into TMC 13.06.645, and the Planning Commission concurred.

**D. CONCLUSIONS:**

1. Concerning Comprehensive Plan Update, the Planning Commission concludes that the proposed amendments fulfill the periodic review requirements of the Growth Management Act, advances the regional growth strategy established in VISION 2040, is consistent with Pierce County Countywide Planning Policies, and supports the City’s strategic plan and vision, Tacoma 2025. Specifically, the Commission concludes that the Comprehensive Plan update:
  - Promotes compact, complete and connected neighborhoods, anchored by mixed-use centers, where residents have easy, convenient access to many of the places and services they use daily, within an easy walk of home.
  - Gives greater priority for investment to areas currently deficient or underserved by public facilities and services, including parks, recreation and transportation facilities.

- Gives greater consideration to the impacts of plans and investments on existing communities, especially those typically underrepresented communities.
  - Promotes greater representation in public outreach and engagement processes and explore new tools and strategies to reach typically underrepresented communities.
  - Raises the prominence of urban design city-wide.
  - Establishes affordable housing targets consistent with County-wide Planning Policies.
  - Promotes mitigation and adaptation to climate change and a balance of jobs and housing linked by a multimodal transportation system.
  - Protects life and property by discouraging new development in geologically hazardous areas and by encouraging emergency preparedness and disaster recovery planning.
  - Provides sufficient development capacity to accommodate the City's 2040 population and employment allocations as well as the 2030 housing targets adopted in the Pierce County Countywide Planning Policies.
  - Expands mobility options and plans for a transportation system that is context sensitive and balances the needs of all users.
  - Utilizes the best available science as a policy basis and amends TMC 13.11 Critical Areas Preservation Ordinance to comply with the best available science review and recommendations identified in a memorandum dated June 29, 2015 from Ilon Logan and Teresa Vanderburg of Environmental Science Associates (ESA).
2. Concerning Mixed-use Centers Review, the Planning Commission concludes that the City's vision of accommodating growth through the development of compact, complete centers and connective corridors remains sound and is integral to realizing the City's goals for sustainability, public health, and economic vitality. Furthermore:
- Over the life of the Plan, each designated center exhibits potential to achieve the goals of the Comprehensive Plan.
  - The shift to a typology of Neighborhood Centers and Crossroads Centers will provide an improved basis for developing design standards and guidelines specific to the unique characteristics of the centers. Neighborhood Centers and Crossroads Centers require more refined strategies for implementing the vision suited to each type.
  - While Mixed-use Centers are organized within a policy typology, the Mixed-use Center profiles describe the unique qualities, characteristics, opportunities and constraints of each center.
  - Vertical mixed-use, while desirable, is not essential to achieve the vision of the centers, particularly for the Crossroads Centers, in all cases.
  - While Tacoma's multifamily residential market is improving, incentives such as the multi-family tax exemption and height bonus program remain important to stimulating private investment in the centers.
  - The City's incentives can, over time, be tailored to reflect the specific market conditions and design objectives of the Neighborhood and Crossroads Centers.
  - The City of Tacoma's financial tools and other programs are not always aligned with the Comprehensive Plan goals and policies for designated centers and the City of Tacoma currently does not utilize certain financial tools and other regulatory and non-regulatory programs that could support the continued development of the City's Mixed-use Centers.
  - Given limited resources to invest in the Mixed-use Centers, coordination and alignment of programs and incentives in focus areas, as well as new resources and tools, will be of the utmost importance to successfully implementing the Mixed-use Center policies.
  - Through the public comment received, the Commission concludes that there is widespread public support for the City's Mixed-use Center growth strategy and that the community's principal concerns are about the way the impacts of that growth and development are managed and mitigated.
3. Concerning Affordable Housing Regulations, the Planning Commission concludes that the proposed amendments would promote housing affordability and choice throughout the neighborhoods of the City through a range of affordable housing incentive and residential infill proposals. These planning-

related policy tools function as part of a portfolio of City strategies to promote affordability, which also includes a range of subsidized housing, housing maintenance and rehabilitation, economic development and other strategies. The proposals also support a broad range of related policy objectives, including economic development, infill, quality urban design, sustainability, transportation choices, efficient use of infrastructure and sustainability.

In addition to achieving housing affordability and choice goals, the approach is also intended to enhance standards for infill to achieve compatibility with the character of the neighborhood. In particular, they emphasize protecting historic character and higher design standards for developments seeking discretionary approvals. This proposal would have a positive economic impact by creating additional opportunities for residential infill development, by providing developers with profitable options to incorporate affordable housing, and by increasing the supply of workforce housing in Tacoma. By increasing housing choices, the proposal would increase neighborhood livability, health, and sustainability by reducing car dependency, making use of existing infrastructure, increasing opportunities to live and work in the same neighborhood, and providing opportunities for multigenerational housing and aging in place.

4. Concerning Code Cleanup, the Planning Commission concludes that the proposal to amend various sections of the Land Use Regulatory Code will make necessary changes to address inconsistencies, correct minor errors, and provide additional clarity, thus providing clarity for administering the Land Use Regulatory Code.
5. Concerning Narrowmoor Addition Conservation District, the Planning Commission concludes that the proposed Narrowmoor Addition Conservation District is consistent with the policies and objectives within the Historic Preservation Plan Element of the Comprehensive Plan, specifically recommended Actions HP-7C and HP-8A, as well as other applicable land use policies and regulations. The Commission acknowledges and accepts the findings and recommendations from the Landmarks Preservation Commission, particularly regarding the LPC lengthy review of the conservation district proposal under the criteria in TMC 13.07.060. The Planning Commission further concludes that the proposal as amended balances the desires of the West Slope Neighborhood to protect character and livability with the need to accommodate future growth and development in Tacoma's residential neighborhoods.
6. The Planning Commission further concludes that the 2015 Annual Amendment Package has received general support and positive feedback from the community, is consistent with the State Growth Management Act and the regional VISION 2040, will benefit the City as a whole, will not adversely affect the City's public facilities and services, and is in the best interests of the public health, safety and welfare of the citizens of Tacoma.

## **E. RECOMMENDATIONS:**

The Planning Commission recommends that the City Council adopt the Proposed Amendments to the Comprehensive Plan and the Land Use Regulatory Code for 2015, as described below:

### **1. Comprehensive Plan Update:**

The Commission recommends that the City Council adopt the following updated chapters of the Comprehensive Plan, as documented in Exhibit A:

- Introduction +Vision
- Urban Form (Replaces Growth Strategy and Development Concept)
- Design and Development (Replaces Generalized Land Use, Arts and Culture)
- Environment and Watershed Health (Replaces Environment, and Urban Forest)
- Housing
- Economic Development (Replaces Economic Development Plan, and Arts and Culture chapter)

- Transportation Master Plan (Replaces Transportation Element)
- Parks + Recreation (Replaces Open Space, Habitat and Recreation)
- Public Facilities + Services (Replaces Capital Facilities, Utilities, and Community Facilities chapters)
- Container Port (Updated format only)
- Engagement, Administration + Implementation (New chapter)

The Commission recommends that the City Council rescind the following as chapters of the Comprehensive Plan:

- Tacoma Dome Area Plan
- MLK Jr. Way Design Plan
- South 38th Street Design Plan
- Sixth Avenue Design Plan

The Planning Commission recommends that the City Council adopt the proposed amendments to TMC 13.11 Critical Areas Preservation as documented in Exhibit B.

Furthermore, the Planning Commission recommends the following high priority implementation actions, as identified in Table 11.1 of the Engagement, Administration + Implementation chapter:

- Implement the Future Land Use map through area-wide zoning amendments.
- Conduct a subarea plan for the Port of Tacoma Manufacturing and Industrial Center.
- Update the Capital Facilities Program and level of service standards to implement the Public Facilities and Services policies and prioritization criteria.
- Update development regulations for geologically hazardous areas and develop standards to implement the goals and policies for designated Open Space Corridors.

## **2. Mixed-use Centers Review:**

The Commission recommends that the City Council accept and acknowledge Exhibit C, and further, based on the findings of the Mixed-use Centers Review and the public testimony and comment, the Commission recommends:

- The City seek ways to improve the alignment of department work programs and development tools to facilitate the desired development activity in the Mixed-use Centers;
- To compound the benefits of City programs, regulations, and investments, the City should continue to focus on a few centers at a time and remain committed to existing focus areas (Downtown, including Stadium and Hilltop, Lincoln, and South Tacoma Way).
- The City should retain the flexibility to respond to unique circumstances and opportunities as they arise.
- In addition to improving the coordination of existing City resources and programs, the Commission strongly recommends that the City Council consider studying the efficacy of the following tools and resources to advance the goals for the City's centers:
  - A transportation impact fee to help fund completion of the multimodal system;
  - Design guidelines and a design review program for Mixed-use Centers and public projects;
  - A park, recreation and public space strategy to address current gaps in service;
  - Study the potential for a Salishan-oriented neighborhood center on Portland Avenue.
  - Sub-area or neighborhood planning for each center to coordinate land use, transportation and utility infrastructure investments.
- The Commission understands that each of these recommendations would entail significant resources both to study and, potentially, to implement. Therefore, the Commission recommends that the City seek to implement first those programs that would have the broadest applicability to ensure quality development in all of the centers.

- Finally, the Commission recommends that the City Council consider amendments to the Land Use Regulatory Code as part of the future Planning Commission work programs to begin implementing the Mixed-use Center report recommendations. Specifically:
  - RA-1: Tailor the height bonus palette to the Neighborhood Center and Crossroads Center typologies.
  - RA-3: Evaluate and define the core commercial area within each Center in which ground floor commercial uses should be required.
  - RA-4: Amend the pedestrian standards for multi-family development projects within centers to ensure safe, convenient access, and attractive pedestrian orientation.

**3. Affordable Housing Regulations:**

The Planning Commission recommends that the City Council adopt proposed amendments to TMC Title 1 – Administration and Title 13 – Land Use Regulatory Code, as shown in Exhibit D. The Commission also recommends that the following actions be taken:

- Continue study of demolition review process options
- Consider updates of Historic District Design Guidelines
- Continue review of short-term rental code
- Ongoing refinement of affordable housing incentives after the program has been in place
- Refinement of design guidelines. Building on the Residential Infill Pilot Program, continue to enhance the City’s tools to ensure a high standard of design and neighborhood fit.

**4. Code Cleanup:**

The Planning Commission recommends that the City Council adopt proposed amendments to TMC 13.02, 13.04, 13.05, 13.06, 13.06A, 13.09, 13.11 & 13.16, as shown in Exhibit E.

**5. Narrowmoor Addition Conservation District:**

The Planning Commission recommends that the Narrowmoor Addition Conservation District be designated as proposed and the associated proposed amendments to TMC 13.06 and 13.07, as shown in Exhibit F, be adopted.

**F. EXHIBITS:**

Exhibit A – Proposed Amendments to the Comprehensive Plan

Exhibit B – Proposed Amendments to TMC 13.11 Critical Areas Preservation

Exhibit C – Mixed-Use Centers Study

Exhibit D – Proposed Amendments to TMC Titles 1 and 13

Exhibit E – Proposed Amendments to TMC 13.02, 13.04, 13.05, 13.06, 13.06A, 13.09, 13.11 & 13.16

Exhibit F – Proposed Amendments to TMC 13.06 and 13.07





2015 Annual Amendment Application No. 2015-08  
Affordable Housing Regulations

Exhibit D

DISCUSSION DRAFT LAND USE REGULATORY CODE CHANGES  
October 7, 2015

**Title 1 – Administration and Personnel**

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

**Title 13 – Land Use Regulatory Code**

**Chapter 13.04 Platting and Subdivisions**

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

**Chapter 13.05 Land Use Permit Procedures**

13.05.080 – Modifications/revision to permits

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

**Chapter 13.06 - Zoning**

13.06.100 – Residential Districts

13.06.140 – PRD Planned Residential Development District

13.06.145 – Small-lot single-family residential development

13.06.150 – Accessory Dwelling Units

13.06.160 – Cottage Housing (*proposed new section*)

13.06.300 – Mixed-use Center Districts

13.06.501 – Building design Standards

13.06.510 – Off-Street Parking and Storage Areas

13.06.640 – Conditional use permit

13.06.650 – Application for rezone of property

13.06.700 – Definitions and illustrations.

**Chapter 13.06A – Downtown**

13.06A.080 – Design Standards for Increasing Allowable FAR

**Chapter 13.11 – Critical Areas Preservation**

13.11.260 – Residential Density Credits

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

**Chapter 1.39**

**AFFORDABLE HOUSING INCENTIVES AND BONUSES ADMINISTRATIVE CODE**

Sections:

- 1.39.010 Purpose.
- 1.39.020 Definitions.
- 1.39.030 Applicability.
- 1.39.0340 Program Requirements.
- 1.39.0450 Financial Incentives.
- 1.39.0560 Development Incentives.
- 1.39.0670 Residential Upzones.
- 1.39.0780 Incorporation of Affordable Housing Units.
- 1.39.0890 Procedures.

**1.39.010 Purpose.**

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

**1.39.020 Definitions.**

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

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

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

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

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

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

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

H. Up-Front In-Lieu Fee. The per unit in-lieu fee as described in TMC Section 1.39 multiplied by the additional units created.

**1.39.030 Applicability.**

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

**1.39.040 Program Requirements.**

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

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

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

D. Maximum rent and purchase price for designated units.

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

2. The maximum Principal, Interest, Taxes and Insurance (PITI) for purchase of for sale units shall be 45 percent of the back end ratio of the home buyer. Ownership. The maximum Front-End Ratio cost for purchase of for-sale units shall be 33 percent, and the maximum Back-End Ratio cost shall be 50 percent.

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

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

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

1. The term of affordability;

1-2. Identification of all the incentives, monetary and non-financial, that the project proposes to incorporate;

2-3. Identification of the minimum number of affordable housing units required to be provided in the project to qualify for use of these provisions;

3-4. Binding language recorded on the title of the property that protects the City's interests in the event that a developer obtains affordable housing incentives through the platting or building phases but fails to provide low-income affordable housing;

4-5. Language that requires documentation of recording the required low-income affordability provisions prior to the approval of a final plat, multi-family or mixed use building permit, or other development approval;

5-6. Language that recognizes the potential need to modify the agreement if the submitted project requires alteration through the review and approval process; and

6-7. Language that stipulates sets forth the conditions consequences of a breach of contract action if where the applicant fails to provide the required number of affordable housing units as stipulated required under the Agreement. If a breach of contract is determined, the City shall place a lien against all properties associated with the project.

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

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

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

### **1.39.050 Financial Incentives.**

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

B. Expedited Permit Processing. The City ~~Planning and Development Services Department and Community and Economic Development Department~~ will seek opportunities to expedite the review of development proposals incorporating affordable housing under the provisions of this ~~section Chapter~~. Actions to implement this shall be resource dependent.

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

### **1.39.060 Development Incentives.**

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

B. Planned Residential Districts. Per the provisions of TMC 13.06.140, PRDs offer a zoning mechanism to develop a site specific proposal on larger sites that can incorporate additional density in exchange for the provision of affordable housing units pursuant to the requirements of this section. PRDs may allow up to ~~2.0 two~~ times the number of dwelling units permitted in the underlying residential district. Fifty percent of this bonus development capacity is reserved for the incorporation of affordable units.

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

### **1.39.070 Residential Upzones.**

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

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

### **1.39.080 Incorporation of Affordable Housing Units.**

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

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

1. ~~Density bonuses—Planned Residential Districts and Downtown Floor Area Ratio~~. For each additional market rate dwelling unit allowed through a density bonus, pursuant to the provisions of this ~~section Chapter~~ and of TMC 13.06 ~~and 13.06A, and 13.06.650~~, an additional affordable unit shall also be included. The ratio of bonus density market rate to affordable units shall be one to one.

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

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

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

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

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

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

a. Calculation - Dwelling Units bonus. If paid prior to issuance of the Certificate of Occupancy, the in-lieu fee shall be \$10,000 for Planned Residential Districts and Downtown Floor Area Ratio bonuses, and \$6,650 for upzones, as of July 1, 2016, adjusted per the Consumer Price Index annually, for each additional dwelling unit (both market-rate and affordable) permitted through the bonus density or upzones provisions of this sectionChapter. For density bonuses and upzones which grant additional height or Floor Area Ratio, the additional dwellings shall be calculated as the additional square footage permitted through the density bonus divided by the average dwelling unit size within the development.

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

a. Multifamily rental projects. The per unit in-lieu fee as described in C.1.a above multiplied by the additional units created through the Density Bonus. This number constitutes the Up-Front In-Lieu Fee. The Up Front In-Lieu Fee is multiplied by 2 percent multiplied by the number of years the project has been in service per the Affordable Housing Incentives Program Covenant Agreement.

b. Homeownership projects. If the home is resold to a non-income qualified Successor-in-Interest within the first 5 years of the period of affordability, 100 percent of the net proceeds upon resale would constitute the in-lieu fee. If the home is resold to a non-income qualified Successor-in-Interest in year 6 or after, the in-lieu fee would be the net proceeds from the resale of the home multiplied by the following in-lieu fee percentage: At year 6 the in-lieu fee is 50 percent of net proceeds, declining thereafter by 1 percent per year in years 7 through 48 with a 2 percent decrease at year 49.

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

### **1.39.090 Procedures.**

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

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

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

D. Required Documentation. Prior to the final approval of any land use application or building permit that incorporates any incentives provided for within this Section Chapter, the owner of the property shall provide a signed Affordable Housing

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Incentives Program Covenant Agreement which will serve as a recorded agreement, lien and covenant running with the land, binding all the assigns, heirs and successors of the applicant shall to secure the affordability requirements as stated under this Section Chapter. The recorded ~~eovenant~~ Affordable Housing Incentives Program Covenant Agreement must provide that if the property is converted to a use other than for low-income affordable housing as defined under this Section Chapter within the required affordability duration, the property owner must pay the applicable in lieu fees in effect at the time of conversion.

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## Chapter 13.04

## PLATTING AND SUBDIVISIONS

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

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

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

## B. Procedures.

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

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

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

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

## C. General Requirements.

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

a. Type of dwelling structures involved;

b. Amount of common and private open space to be provided and the location of such open space in relation to the dwelling structures involved;

c. The street pattern and street design within the PRD District; ~~and~~

d. The landscaping plan concept to be utilized around such dwellings. All modifications shall be made strictly within the spirit, intent, and purposes of this section and the PRD District section of the zoning ordinances.

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

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

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

3. Streets and Roadways Within PRD Districts.

## Tacoma Municipal Code

- a. Standards of design and construction for roadways, both public and private, within PRDs may be modified as is deemed appropriate by the Hearing Examiner.
  - b. Right-of-way widths and street roadway widths may be reduced where it is found that the plan for the PRD District provides for the separation of vehicular and pedestrian circulation patterns, accommodates bicycle circulation, and provides for adequate off-street parking facilities.
  - c. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.
  - d. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.
4. All land within the Planned Residential Development District shall be subject to contractual agreements with the City of Tacoma and to recorded covenants approved by the City of Tacoma providing for compliance with the regulations and provisions of the district and the site plan or plat as approved.

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Chapter 13.05

LAND USE PERMIT PROCEDURES

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**13.05.080 Modification/revision to permits.**

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

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F. PRD District Modifications.

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

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

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

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

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

G. Other permits. Any modification, whether considered minor or major, may still require approvals other than the type granted for the original development. For example, an existing, permitted conditional use seeking a modification that qualifies as a minor modification to their existing conditional use permit but that also necessitates a variance to a development standard, would not be required to obtain approval of a major modification to their existing conditional use permit or a new conditional use permit but would need to receive a variance permit for the project.

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

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

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

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

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

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

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

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

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

1. A site plan.
2. Building elevations from all four sides.
3. A massing study.
4. Photographs of any existing structures that will be altered or demolished in association with the proposal.
- 4.5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
- 5.6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
- 6.7. A complete application, along with applicable fees, for any required land use permits, including conditional use and Accessory Dwelling Unit permits. Such processes may require public notification or meetings.
- 7.8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.

**E.H. Review process.** The Director will convene a special advisory review body which shall function in an advisory capacity to inform provide input prior to the Director or Hearing Examiner's decision and conditions of approval.

1. This body will include the following representatives:
  - a. The Director or designee;
  - b. The Long Range Planning Manager or designee;
  - c. A City staff member with residential building and site development expertise;
  - d. A designee representing the area Neighborhood Council where the project is proposed;
  - e. An architect or urban design professional; and,

f. A representative of the Landmarks Preservation Commission, if applicable the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties.

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

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

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

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

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

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

(1.) Street frontage characteristics.

(2.) Rhythm of development along the street.

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

(4.) Front setback patterns.

(5.) Landscaping and trees.

(6.) Backyard patterns and topography.

(7.) Architectural features.

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

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

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

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

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

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

f. Sustainable features. In the case of multifamily development in the R-3 District, and cottage housing, the proposal must provide documentation of the incorporation of sustainability features through one of the following certification programs green building and site features as follows (this provision does not apply to Detached Accessory Dwelling Units):

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

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

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

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

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Chapter 13.06  
ZONING<sup>1</sup>

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**13.06.100 Residential Districts.**

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

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

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

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

B. Districts established.

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

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

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

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

<sup>1</sup> Rezone ordinances are on file in the office of the City Clerk.

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

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

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

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

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

C. Land use requirements.

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

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

3. Use table abbreviations.

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

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

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

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

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**Footnotes:**

- <sup>1</sup> ~~\_\_\_\_\_~~ For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.
- <sup>2</sup> ~~\_\_\_\_\_~~ Certain land uses, including two-family, townhouse, cottage housing, and Detached Accessory Dwelling Units in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.

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D. Lot size and building envelope standards.

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

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

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	<b>R-1</b>	<b>R-2</b>	<b>R-2SRD</b>	<b>HMR-SRD</b>	<b>R-3</b>	<b>R-4-L</b>	<b>R-4</b>	<b>R-5</b>
Small Lots – Exceptions to Minimum Average Lot Width	Reductions to minimum lot width, as shown above, may be allowed pursuant to Section 13.06.145. Small lot exceptions are not applicable to pipestem lots.							
<b>Lot Coverage (percentage)</b>								
Maximum lot coverage	-	-	-	-	-	35	-	-
<b>Max. Height Limits (in feet)</b>								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15-feet							
***								

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
	<p>(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.</p>							
	<p>(2) For properties where one side abuts an undeveloped lot, a street or an alley, <del>the setback shall be equal to that provided by the one abutting house. averaging shall be calculated by adding the setback provided on the adjacent developed lot and the minimum setback of the district in which it is located and dividing by two.</del></p> <p>(3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.</p>							
<p>***</p>								

**Tacoma Municipal Code**

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Vehicular Access and Parking	All on-site parking for dwellings and buildings other than dwellings shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed a total of 50 percent of the front yard or 50 percent of a corner street side yard. <a href="#">In the case of Small Lots, see the additional provisions of Section 13.06.145.</a>							
Main Building Orientation	All dwellings shall maintain primary orientation to the adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance.							

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**13.06.140 PRD Planned Residential Development District.**

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

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

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

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

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

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

An application for site approval shall include:

4. A plan or plans at a scale of not less than one inch equals 200 feet for the proposed development showing:
  - a. Proposed name of the development, north point, scale, date, legal description, and names and addresses of the developer, engineer, surveyor, land planner, and landscape architect.
  - b. The basic layout of the site or portion thereof, including lot design, if any, building locations, street layout, and roadway widths.
  - c. Horizontal alignment data for all streets and vehicular accessways.

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- d. Any areas proposed to be dedicated or reserved for public parks, schools, or playgrounds, or otherwise dedicated or reserved for public purposes.
  - e. Other undedicated open space set aside for the use of the residents of the development in common.
  - f. A general land use plan for the proposed district indicating the areas to be used for the various purposes.
  - g. Types of dwellings and site locations thereof.
  - h. Proposed locations of off-street parking areas with dimensions.
  - i. Pedestrian walks, malls, and other trails, both public and private.
  - j. A circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares, routes and pathways. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown.
  - k. The stages to be built in progression, if any.
  - l. Finished contours at a five-foot interval.
  - m. The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.
  - n. Land within the tract not to be developed as a part of the PRD District, with indication of existing and/or intended use or uses.
  - o. Necessary building setback lines, including those required for sight distance purposes.
  - p. Existing zoning boundaries.
5. The intended time schedule for development.
  6. Tables showing the density and lot coverage of the overall development and of each zoning district within the development.
- C. General requirements.

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

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

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

24. No building permit shall be issued without a site approval.

35. The site approval shall expire as provided in Chapter 13.05.

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

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

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

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

(1.) Street frontage characteristics.

(2.) Rhythm of development along the street.

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

(4.) Front setback patterns.

(5.) Landscaping and trees.

(6.) Backyard patterns and topography.

(7.) Architectural features.

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

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

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

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

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

(1.) Built Green 4 Stars or LEED Gold Certified rating for Building Design and Construction, or equivalent; and,

(2.) Greenroads Bronze if full new roadway sections are constructed. Roadways, sidewalks, driveways and other hard surfaces are required to provide the equivalent of a Greenroads Bronze rating.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~4415~~. The grades and alignments and other construction details for all vehicular accessways and utilities, both public and private, shall be established and approval granted by the City of Tacoma prior to commencement of any construction within the area for which site approval was granted.

~~4216~~. Subject to width variations, all vehicular accessways within the PRD District, both public and private, shall be constructed and improved to meet or exceed minimum City of Tacoma standards; except that all public and private vehicular accessways shall be paved with a hard surface with necessary base preparations, in accordance with City of Tacoma standards.

~~4317~~. The developer shall guarantee, to the satisfaction of the Building Official, the improvement of all streets and accessways, both public and private, to minimum City of Tacoma standards prior to the occupancy of any dwelling units served by such streets and accessways.

~~4418~~. The internal circulation within the PRD District shall permit vehicular access to each building for fire protection and such other purposes as may be necessary.

~~4519~~. Fire hydrants and facilities shall be provided in accordance with the standards of the National Board of Fire Underwriters.

~~4620~~. All utilities, including storm drainage, within the PRD District shall be provided as set forth by the City of Tacoma.

~~4721~~. Due consideration shall be given by the developer or subdivider to the allocation of suitable areas for schools, parks, playgrounds, and other necessary facilities to be dedicated for public use or purposes.

~~4822~~. The initial stage of development shall be of sufficient size and dimension to produce the intended environment of a PRD District, and shall provide an equitable amount of open space, off-street parking, and other amenities commensurate with the zoning and density of said initial stage. The requirements of any subsequent stage may be determined in conjunction with the approved standards of all previous stages in order to determine its conformance to the overall requirements of this district.

~~4923~~. All nonconforming uses within a PRD District shall be removed or provisions made for their removal prior to the issuance of a building permit.

~~2024~~. There shall be adequate provisions to insure the perpetual maintenance of all non-dedicated accessways and all other areas used, or available for use, in common by the occupants of the PRD District.

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

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

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

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

F. Area regulations.

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

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

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

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

~~R 1 PRD District ten acres~~

~~R 2 PRD District five acres~~

~~R 3 PRD District two acres~~

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

~~R 4 PRD District five acres~~

~~R 5 PRD District ten acres~~

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

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

3. Density.

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

b. Density bonuses

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

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

(a.) Built Green Emerald Star or Living Building Challenge 3 Petals LEED Gold for Building Design and Construction, or equivalent; and,

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

The following table summarizes the number of dwelling units permitted in the underlying zoning districts, and the three tiers of density available through the provisions of the PRD program, provided in gross density of the site:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Required parking spaces shall be surfaced with a hard surface.

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

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### 13.06.145 Small-lot single-family residential development.

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

B. Lot size standards.

1. New Small Lots that are smaller than the applicable standard minimum lot dimensions in Section 13.06.100.D, shall be allowed, without variance, in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts, subject to the Small Lot standards of that section, and provided that all new dwellings meet the design standards in Section 13.06.145.E.
2. New lots that are smaller than the applicable **Level 1** Small Lot minimum lot dimensions in Section 13.06.100.D shall only be allowed **if the Additional exceptions to Minimum Lot Area Requirements (Level 2 Small Lots), or** with approval of a variance (see Section 13.06.645), and provided that all new dwellings meet the design standards in Section 13.06.145.E and F.
3. New small lot development must be oriented such that the lot frontage and the front façade of the house face the street.
4. The provisions of this section are not applicable to pipestem lots, which are required to meet the applicable Standard Lot dimensions specified in Section 13.06.100.D, and any other applicable provisions.

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

D. Design standards - Applicability.

1. New single-family dwellings on new lots that are **less than the Standard Lot dimensions, up to and no less than the minimum Level 1 Small Lot 10% smaller than applicable standard minimum lot** dimensions in Section 13.06.100.D (for example, **in the R-2 District Small Lots are between 5,000 and 4,500 square feet and/or between 50 and 35 feet in width) 10% is 4,500 square feet and 45 feet average width in most zones**) shall be subject to the design requirements found in Section 13.06.145.E.
2. New single-family dwellings on **new** lots that are **more than 10% smaller or narrower than the applicable Level 1 Small Lot standards - minimum lot dimensions** in Section 13.06.100.D (**also including legally pre-existing lots and lots where greater reductions are permitted, or** a variance has been approved) shall be subject to the design requirements found in Sections 13.06.145.E and 13.06.145.F.

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

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

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

1. Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.

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

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

2. Garages:

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

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



carport.

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

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

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

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

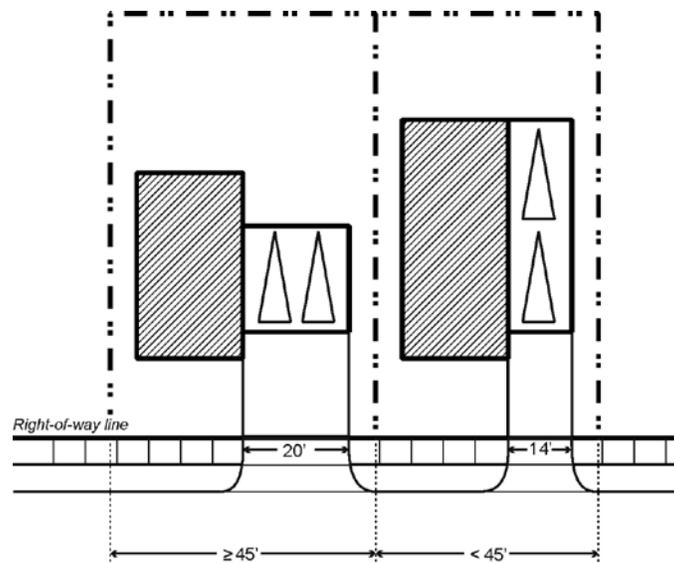
56. Driveways.

a. Vehicular access shall be from the rear of the site when feasible access is available.

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

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

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



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

a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.

b. Not include alleys or driveway space.

c. Not be located within the required front yard.

b. Be directly connected to and accessible from the house.

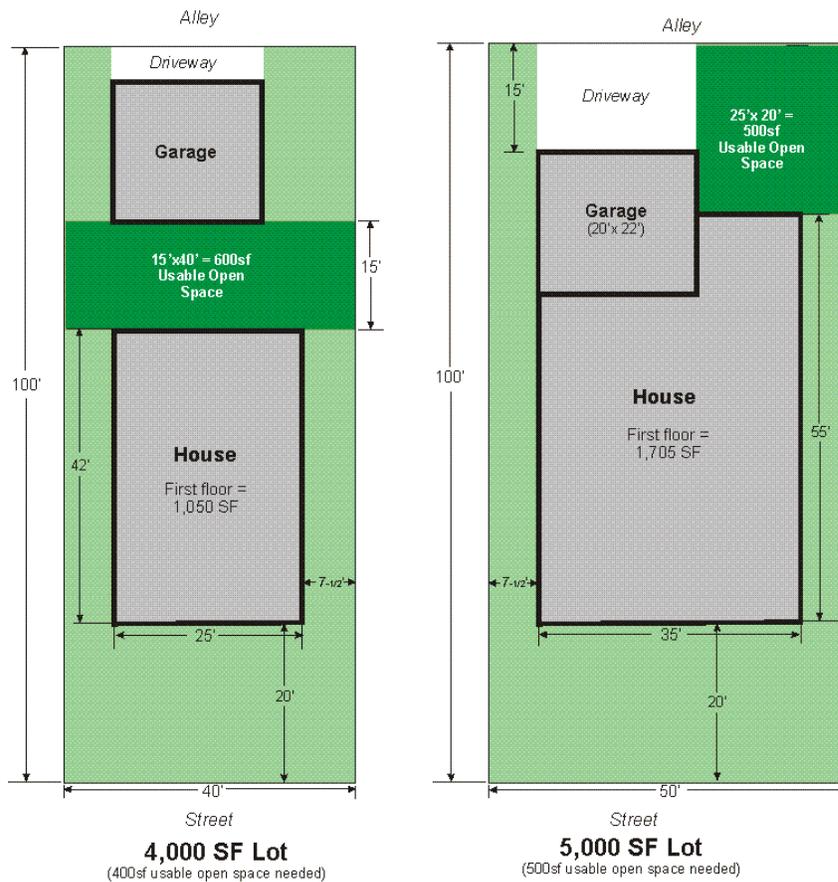
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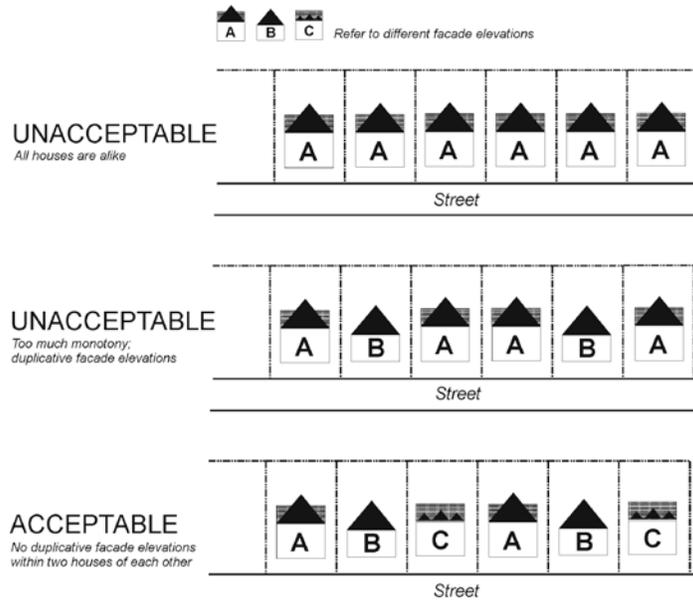
78. Housing style variety. Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation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

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

**Example Layouts:**

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





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

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

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

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

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

- a. Decorative porch or entry design, including decorative columns or railings,
- b. Bay windows or balconies,
- ~~c. Decorative molding / framing details around all front façade windows and doors,~~
- ~~cd.~~ Decorative door design including transom and/or side lights or other distinctive feature,
- ~~ed.~~ Decorative roofline elements, such as brackets, multiple dormers, and chimneys,

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~~fe.~~ Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,

~~fg.~~ Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or

~~hg.~~ Other decorative façade elements or details that meet the intent of the criteria

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

a. Dwelling(s) shall meet Built Green or other equivalent environmental certification for new construction, or

b. Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.

(Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28077 Ex. C; passed Jun. 12, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27771 Ex. C; passed Dec. 9, 2008; Ord. 27432 § 5; passed Nov. 15, 2005; Ord. 27296 § 9; passed Nov. 16, 2004; Ord. 27079 § 19; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002)

### 13.06.150 Accessory dwelling units.

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

1. Provide homeowners with a means of providing for companionship and security.

2. Add affordable units to the existing housing supply.

3. Make housing units within the City available to moderate income people.

4. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young families, retired), and modern development technology.

5. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that ADUs are installed in a compatible manner under the conditions of this section.

6. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

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

1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and fees as prescribed in subsection B.2 below. Applications for detached Accessory Dwelling Units in the R-1, R-2, R2-SRD and HMR-SRD Districts shall provide for notification of property owners within 100 feet.

2. Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.

3. Notice on title. The owner of any property containing an ADU shall record with the Pierce County Auditor a notice on title of the ADU. Such notice shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.; and (c) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the notice on title has been recorded prior to issuance of an ADU permit by Planning and Development Services. The notice on title shall run with the land as long as the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the notice on title. Such termination shall be granted upon proof that the ADU no longer exists on the property.

4. Permit. Upon receipt of a complete application, application fees, proof of recorded notice on title, and approval of any necessary building or other construction permits, an ADU permit shall be issued.

5. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.

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

7. Detached ADUs in the R-1, R-2, R2-SRD and HMR-SRD Districts are reviewed under the provisions of the Residential Infill Pilot Program per TMC 13.05.115.

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

1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single-family detached dwelling in the City of Tacoma.
2. Occupancy. The maximum number of occupants in an ADU shall be 4 persons. Maximum occupancy may be further limited by the Minimum Building and Structures Code in Title 2.
3. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.
4. Ownership. The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.
5. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.
6. Home occupations. Home occupations shall be allowed, subject to existing regulations. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.
7. Legalization of Nonconforming ADUs. Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applied for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards. After January 1, 1996, owners of illegal ADUs shall be guilty of a misdemeanor and, upon conviction thereof, subject to a fine not to exceed \$1,000, including all statutory costs, assessments, and fees, plus \$75 per day after notice of the violation has been made. All owners of illegal ADUs shall also be required to either legalize the unit or remove it.

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

1. For Attached ADUs, the lot must meet the ~~standard~~ minimum Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least ~~5,000 square feet, or~~ 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).
2. Size. The ADU, excluding any garage area and other non-living areas, such as workshops or greenhouses, shall not exceed 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. An ADU shall not contain ~~less than 200 square feet or~~ more than 1,000 square feet. In addition, detached ADUs shall meet the standards of 13.06.100.F. Accessory building standards.
3. Height. The maximum height ~~limit~~ for detached ADUs shall be 18 feet, measured per the Building Code. Detached ADUs shall be no taller than the main house. -the same as for other detached accessory structures (see Section 13.06.100.D). Alternatively, two-story detached ADUs may be allowed up to 25 feet in height provided the following: The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, ~~The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.~~
4. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, when allowed, permitted as a detached structure located in the rear yard.
5. Setbacks. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, excepting that no setback from the alley shall be required.
6. Design - Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single-family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade of the dwelling. If a separate outside entrance is

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necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy.

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

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

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### 13.06.155 Cottage Housing.

A. Intent. Cottage housing developments are intended to:

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

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

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

1. A complete Conditional Use Permit application, pursuant to TMC 13.06.640
2. Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.115.
3. A completed Preliminary Plat application, if applicable.
4. A completed environmental checklist, if applicable.
5. A completed application for a site plan approval.
6. Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

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

E. Development standards.

1. Residential Infill Pilot Program. Cottage housing developments shall comply with the sustainability and connectivity requirements, and as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.115.
2. Minimum site size. Cottage housing developments require a minimum net site size of 10,000 square feet.
3. Number of units. Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.
4. Cottage housing types:

- (a.) Cottage – A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.
- (b.) Carriage – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.
- (c.) Two/Three-dwelling Buildings – A structure containing two or three dwelling units, not to exceed 1,000 square feet per unit on average, designed to look like a detached single-family house. Two/three-dwelling cottage buildings are not permitted in the R-1 or R-2 Districts.
5. Maximum density. Cottage housing developments are permitted 1.5 times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or six cottage housing units.
6. Parking. Each cottage unit is required to have one off-street parking space. Parking may be contained in detached garages adjacent to dwelling units no larger than 250 in square feet floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.
7. Vehicular access. Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.
8. Setbacks. The external setbacks of the underlying zoning district shall apply.
9. Separation between units. A minimum of 8 feet shall be provided between structures containing dwelling units.
10. Common open space. A minimum of 400 square feet of common open space shall be required per unit. Each area of common open space shall be in one contiguous and central location with no dimension less than 20 feet. Common open space shall be located in a central area, that is easily accessible and visible to all dwellings within the cottage cluster. No sight-obscuring fences are permitted within common open spaces. The common open space shall be surrounded by cottage or common buildings on at least three sides, unless topography precludes this. Common open space shall be attractively landscaped and improved with gathering space, gardening, walkways or recreational features.
11. Private open space/yard. A minimum of 300 square feet of private open space shall also be required per unit.
12. Maximum height for dwellings: Dwellings maximum height is 18 feet, or up to 25 feet with a minimum of 6:12 sloped roof.
13. Design Standards.
- (a.) Each cottage building is required to have an attached covered porch a minimum of 50 square feet in size with no dimension less than 5 feet.
- (b.) Each carriage unit shall have a deck or balcony, oriented toward the common open space.
- (c.) Buildings adjacent to the public right-of-way must orient entrances toward the public right-of-way, provide a minimum of 15 percent façade transparency, and provide an inviting façade through façade modulation, roofline variation or other design features.
- (d.) Cottage projects shall establish building and site design that is attractive and promotes visual interest. All structures shall be designed according to a coherent design concept that allows for variation in style, features, materials and colors.
- (e.) Cottage developments shall provide for variation in unit sizes, building and site design. A variety of building styles, features, colors and site design elements are required within a cottage housing development.
- (f.) Cottage developments shall be stick-built.
14. Community buildings. Community buildings in common ownership are permitted within cottage housing developments, and shall be incidental in use and size to the cottage dwellings.
15. Connectivity. All dwelling units shall be directly connected to the public sidewalk.
16. Landscaping. Street trees are required per the provisions of 13.06.502. Parking areas shall be softened or screened with landscaping. Internal landscaping shall be determined through the Residential Infill Pilot Program review process.
17. Accessory Dwelling Units. Not permitted.
18. Floor Area Ratio. A maximum of 0.5 FAR is required for the overall site.

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**13.06.300 Mixed-Use Center Districts.**

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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:

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

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E. Building envelope standards.

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

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

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

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

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(7) Height Bonus Palette – Level 1:

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

**13.06.501 Building design standards.**

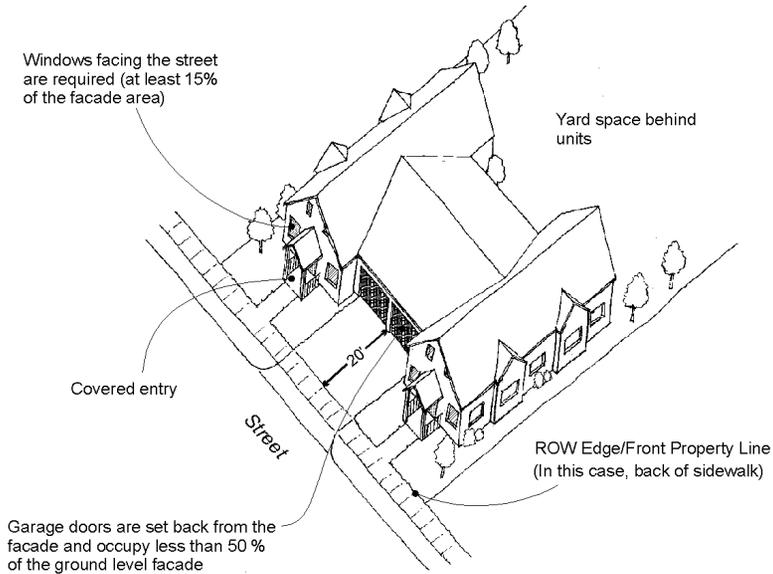
A. General applicability. The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development in C-1, C-2, HM, T, PDB, and Mixed-Use Center Districts and alterations, as outlined below, as well as to townhouses in R-districts, except as follows:

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

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



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

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

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

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<b>TABLE 1 – Required Off-Street Parking Spaces</b> <sup>9, 14</sup>		
<b>Use</b>	<b>Unit</b>	<b>Required parking spaces</b>
		<b>Min.</b>
<b>Residential</b>		
***		
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents <sup>1, 16</sup>	Room, suite or dwelling	1.00
<u>Small Lots, Cottage Housing and Lots</u> not conforming to area/width <sup>3</sup>	Dwelling.	1.00
Mobile home park <sup>1, 2, 12</sup>		
***		

<b>TABLE 1 Footnotes</b>
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3. <u>Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.145, Cottage Housing Dwellings approved per TMC 13.06.155, and</u> A lots which <del>were was</del> a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.

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### 13.06.640 Conditional use permit.

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

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

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

**ED.** Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.

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

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

- a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
- b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
- c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

**4-5.** An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

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

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

- a. The use is consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.
- b. The use is consistent with the intent and regulations of the R-2SRD and HMR-SRD Districts.
- c. Special circumstances exist on the site which present an opportunity to evaluate the potential integration of two or three-family or townhouse development into the predominately single-family neighborhood~~make development or continuation of a single-family dwelling difficult~~. Special circumstances may include, but shall not be limited to, the following:
  - (1) Location on an arterial street;
  - (2) Location in close proximity to a more intensive zoning district or to transit service;
  - (3) Unusually large lot for a single-family dwelling which, because of its shape, topography, lack of suitable access or other factors affecting the lot, could not be subdivided and developed in conformance with the regulations of the district; and
  - (4) The existence on the site of a single-family dwelling with an above-grade floor area of more than 2,400 square feet, exclusive of garage area, in the case of an application for conversion to a two-family dwelling, or 3,200 square feet in the case of a conversion to a three-family dwelling.
- d. The proposed use and development shall be compatible with the quality and character of surrounding residential development and shall not be materially detrimental to the overall single-family dwelling environment and character of the general area, and in the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the extent practicable.

e. Within designated Historic Districts, new two or three-family development shall be consistent with the district's historic design guidelines. Conversions of single-family dwellings to two or three-family dwellings shall be limited to buildings listed as "noncontributing" on the historic district inventory adopted by the Landmarks Preservation Commission. For conversions of single-family dwellings to two- or three-family dwellings, exterior changes which would be detrimental to the historic character of the property, such as new exterior staircases, shall not be permitted. Substantially detrimental exterior changes are grounds for denial of the proposed conversion.

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

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

- a. The proposed lot is a corner lot with a minimum lot size of ~~5,000~~ 6,000 square feet. Corner lots provide an opportunity for two-family or townhouse development to be integrated in the neighborhood in a context-responsive manner that is consistent with the single-family detached character of the district.
- b. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.
- c. The proposed two-family or townhouse development is designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.
- d. The proposed structure is designed to resemble a detached single-family house in terms architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off-street parking space.

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

## Tacoma Municipal Code

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

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

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

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

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

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

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

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

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

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**I-M.** Large Scale Retail

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**13.06.650 Application for rezone of property.**

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

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

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

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

I. Affordable housing – City-initiated upzones. As part of the analysis of proposed City-initiated residential upzones, the City shall evaluate housing affordability in the vicinity of the proposed upzone. Areas in which less than 25 percent of housing units are affordable to households earning 80 percent of Area Median Income shall be considered challenged in terms of access to affordable housing. In such areas, the City shall evaluate methods to increase access to housing affordable at 80 percent of Area Median Income or below. Such methods may include conditioning the upzone with the inclusion of affordable units per the provisions of TMC. 1.39, targeting City programs or funding to increase the affordable housing supply, or other methods which can effectively promote housing affordability.

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**13.06.700 Definitions and illustrations.**

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

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

## Tacoma Municipal Code

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

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

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

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

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

**Chapter 13.06A  
DOWNTOWN TACOMA**

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**13.06A.060 Development Standards.**

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

B. Development Standards Table.

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

C. Floor Area Ratio – Additional Standards.

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

D. Building Height – Additional Standards.

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

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

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

No variances shall be granted to the following:

1. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
2. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:

## Tacoma Municipal Code

- a. Seating in the amount of one sitting space for each 100 sf of area.
  - b. Trees and other plantings.
  - c. Solar exposure during the summer.
  - d. Visibility from the nearest sidewalk.
  - e. Within 3' of the level of the nearest sidewalk.
3. Incorporation of works of art into the public spaces, exterior façade, or entrance lobby.
  4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of “green roofs” which reduce storm water runoff. Access by building occupants is encouraged.
  5. Including a Public Benefit Use within the development.
  6. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.
  7. Retention and renovation of any designated or listed historic structure(s) located on the site.
- B. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 2, up to the Maximum with Design Standards.

No variances shall be granted to the following:

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

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

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

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

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**Chapter 13.11**  
**CRITICAL AREAS PRESERVATION**

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**13.11.260 Residential Density Credits.**

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

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

Dwelling units allowed on site = (CA x DC + DA)/MLS, where:

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

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

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

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

C. Table of density credits.

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

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

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

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

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





**2015 Annual Amendment Application No. 2015-10  
Code Clean-up**

DRAFT ADMINISTRATIVE AND LAND USE REGULATORY CODE CHANGES  
*October 1, 2015*

**Chapter 13.02 – Planning Commission**

13.02.057 – Notice for public hearings

**Chapter 13.05 – Land Use Permit Procedures**

13.05.020 – Notice Process

13.05.040 –Decision of the Director

**Chapter 13.02**

**PLANNING COMMISSION**

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**13.02.057 Notice for public hearings.**

A. The Department shall give public/legal notice of the subject, time and place of the Planning Commission, or its advisory committee, public hearings in a newspaper of general circulation in the City of Tacoma prior to the hearing date. The Department shall provide notice of Commission public hearings on proposed amendments to the Comprehensive Plan and development regulations to adjacent jurisdictions, other local and state government agencies, Puyallup Tribal Nation, the applicable current neighborhood council board members pursuant to City Ordinance No. 25966 TMC 1.45, neighborhood business districts pursuant to TMC 1.47 and other individuals or organizations identified by the Department as either affected or likely to be interested.

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**Chapter 13.05**

**LAND USE PERMIT PROCEDURES**

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**13.05.020 Notice process.**

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2. Notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils pursuant to TMC 1.45 and business districts pursuant TMC 1.47 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.H.

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 Director shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Director 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.H; neighborhood councils [pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47](#) 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.

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2. Notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils [pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47](#) 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.H. 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.H. from the boundary of the PRD District.

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#### E. 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.F, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils [pursuant to TMC 1.45 and neighborhood business districts pursuant to TMC 1.47](#) 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.H. 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.H from the boundary of the PRD District.

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G. 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, [and Conditional Use Major Modifications](#), when:

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

2. The neighborhood council [pursuant to TMC 1.45 or the neighborhood business district pursuant to TMC 1.47](#) in the area of the proposed project requests a "public meeting"; or

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### **13.05.040 Decision of the Director.**

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#### **D. Mailing of Decision.**

1. A copy of the decision shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. A copy of the decision shall be mailed to those who commented in writing or requested a copy of the decision within the time period specified in Section 13.05.020 and a summary of the decision shall also be mailed by first-class mail to owners of the property, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances specified in Section 13.05.020.H; the Puyallup Indian Tribe for “substantial actions” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; neighborhood councils pursuant to TMC 1.45 or the neighborhood business districts pursuant to TMC 1.47 in the vicinity of the proposal; and qualified neighborhood or community organizations.





2015 Annual Amendment

Narrowmoor Addition Conservation District

September 30, 2015

**13.06.645 Variances.**

A. Administration.

1. All variances shall be processed in accordance with provisions of Chapter 13.05. Certain regulatory relief may be sought consistent with sections below that provide for potential variances in specified development situations.
2. A minor variance is one in which the code relief requested is within 10 percent of the quantified standard contained in the code and shall be processed in accordance with 13.05.020.B. Minor variances may be granted for quantitative development regulations (bulk, area), accessory building height, design, sign regulations, and off street quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.
3. A variance is one in which the code relief requested is beyond the threshold outlined above for minor variances and shall be processed in accordance with 13.05.020.C.
4. Both types of variances shall be subject to the same decision criteria found in this section. Minor variances shall not be granted for height in the View Sensitive Overlay District and for qualitative standards to which a 10 percent threshold would not apply.
5. In the exercise of his or her powers to grant variances to, or interpret, the regulations contained in this chapter, the Director and Hearing Examiner may not, by any act or interpretation, change the allowed use of a structure or land, change the boundaries of a zoning district, or change the zoning requirements regulating the use of land.
6. For variances affecting properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the Director shall refer the application to the Landmarks Preservation Commission for comment regarding whether the proposal appears to meet applicable historic guidelines and standards. Proposals that appear to conflict with applicable standards and guidelines may be denied on that basis.

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**13.07.320 Designation of the Narrowmoor Addition Conservation Special Review District – Purpose.**

A. In order that the West Slope neighborhood and the buildings within the neighborhood may not be injuriously affected; to promote the public welfare; to provide for the enhancement of the residential structures and the historic neighborhood development pattern of the West Slope, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of Tacoma's historic neighborhoods, maintaining productive and useful residential structures, and attracting visitors and new residents to the City; and in order that a reasonable degree of control may be exercised over the siting, development and architecture of public and private buildings erected in the West Slope neighborhood so that the goals set forth in this section and in this chapter may be realized, there is hereby created the Narrowmoor Conservation District, the boundaries of which are more particularly described in Sections 13.07.XXX and 13.07.XXX TMC hereof.

B. The West Slope neighborhood and the residential development pattern therein reflect significant aspects of Tacoma's midcentury architecture and culture. Such historic, architectural, and cultural significance is also reflected in the architectural cohesiveness of the neighborhood. For the foregoing reasons, many of the features contained in the buildings and structures in the neighborhood should be maintained and preserved.

C. Except where specifically exempted by TMC 13.07.XXX, all new construction, additions to existing buildings and the demolition of existing residences within the conservation district boundaries is subject to the review and approval of the Landmarks Preservation Commission prior to the initiation of work, per TMC 13.05.046.

**13.07.330 Designation of the of the Narrowmoor Addition Conservation Special Review District – Findings.**

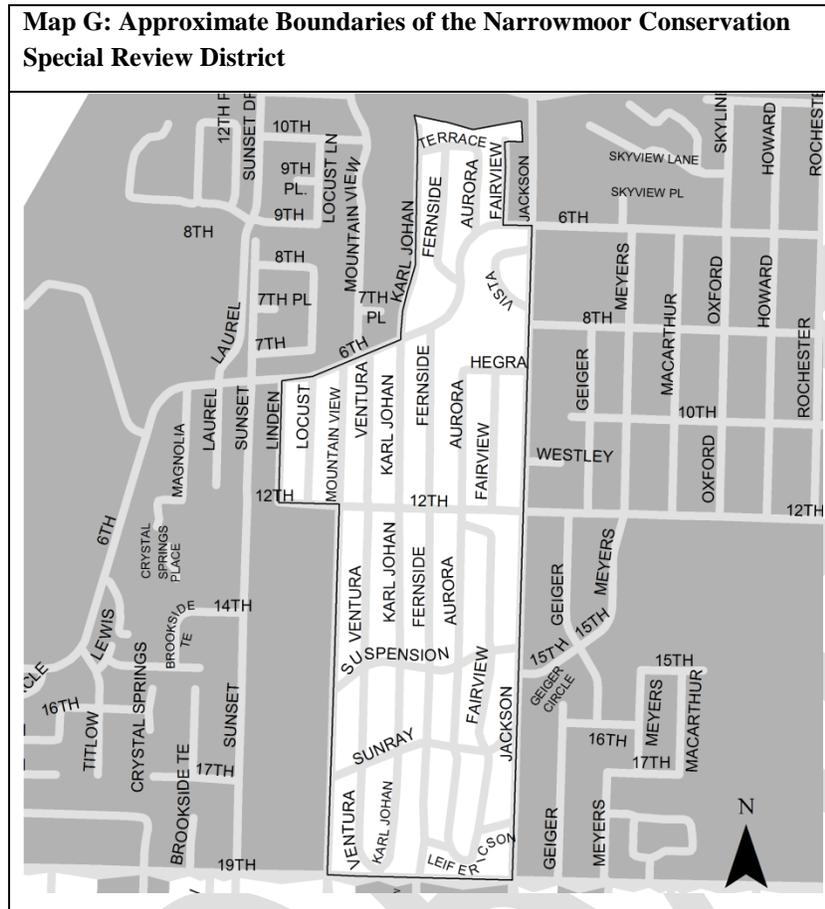
A. The Narrowmoor Conservation District is primarily significant for the design of the subdivision itself, including the layout of the subdivision and the effect of the controls on its historical development, as evidenced in the covenants that governed how the individual lots could be developed. The result is a unique design that responds to the topographical location and does not reflect the prevalent subdivision design models in use at the time, which was based on the picturesque landscape traditions and Federal Housing Administration guidelines.

B. The primary significance of the residential architecture in the Narrowmoor Conservation District concerns the placement of individual homes, which is part of the subdivision design. The design of the entire subdivision and the design of the individual lots is distinctive and contributes to the historic significance of this subdivision. The architecture of the homes themselves, which display the full range of World War II-era and post-war styles and building types, is not unique, although many homes share certain distinctive features, which should be preserved to the greatest extent possible. Most of the houses in the Narrowmoor Addition were constructed in the 1950s, although a significant number were built in the 1940s. The Period of Significance for the development is 1944, the date the first plat was recorded, to 1969, when architectural styles began to change.

C. The Narrowmoor Addition is an established and familiar neighborhood. Like several subdivisions in the Tacoma West Slope area, it overlooks the Tacoma Narrows and Tacoma Narrows Bridge. It is unique, however, for the way the subdivision and site design within individual lots was designed to respond to views. The visual features of the subdivision include large lots; sloping lots that are often terraced to create building sites that optimize views; low profile homes and landscaping to protect views; and site designs that were, in the past, controlled on a lot-by-lot basis. These characteristics, along with an overall suburban feel to the streetscapes within the subdivision, make the Narrowmoor Additions a unique and well known feature among Tacoma neighborhoods.

**13.07.340 Narrowmoor Addition Conservation Special Review District – Boundary Description.**

The legal description for the Narrowmoor Conservation District is described in Ordinance No. XXX and shall be kept on file in the City Clerk’s Office. The approximate boundaries are depicted in Map G below.



**13.07.350 Guidelines for building design review of the Narrowmoor Addition Conservation District.**

Pursuant to TMC 13.07.120, the Landmarks Preservation Commission shall adopt and maintain Guidelines for building design to ensure a certainty of design quality within the Narrowmoor Conservation District, protect the historic fabric of the district, enhance the economic vitality of the district through promotion of its architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies. These guidelines shall be made available to the public in electronic and printed formats.

**13.07.350 Development Standards for the Narrowmoor Addition Conservation District.**

A. Lot coverage. The cumulative footprint of the residence, garage and accessory buildings shall not exceed 25% of the square footage of the residential lot.

B. Lot subdivision. ~~Lot subdivisions are required to maintain a minimum lot frontage width of 60’.~~ Where the parent lot fronts streets on both the east and west ends of the lot, subdivision will be limited to an east-west orientation, such that new parcels will retain historical patterns with minimum street frontages occurring on both east and west streets, resulting in a generally rectangular lot.

**13.07.360 Narrowmoor Addition Conservation District – Specific Exemptions**

The following actions are exempt from the requirements imposed pursuant to this chapter:

Proposed Narrowmoor Addition Conservation District - DRAFT

A. The demolition of less than 50% of roof area or exterior walls, where the primary elevation remains intact, is exempt from to demolition review (TMC 13.05.048), but is still subject to design review requirements for the Conservation District per TMC 13.05.047 if an addition is made to the footprint of the existing building.

B. Any alterations to private residential structures or property that are specifically exempted from permit requirements in the Residential Building Code as adopted by the City.

DRAFT



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** John Harrington, Development Services Division  
**Subject:** **Public Hearing on Billboard Regulations**  
**Meeting Date:** October 7, 2015  
**Memo Date:** October 1, 2015

### **Action**

The Planning Commission will conduct a public hearing on October 7, 2015, at approximately 5:00 p.m., to receive testimony on the proposed land use regulations concerning the Billboard signs, and will keep the record open through October 9, 2015 to accept written comments.

### **Public Hearing Subject**

The proposal would amend the Tacoma Municipal Code, by removing Section 13.06.521 M Billboards and Subsections 13.06.521 N. 5 and N. 6 pertaining to non-conforming billboard signs and add new Section 13.06.523 Billboards. The signage use table in Section 13.06.522 will be modified to refer to the new Section 13.06.523 for billboard signs. The proposed amendment would regulate billboards to protect general public health, safety and general welfare.

### **Public Review Document**

The Public Review Document includes the complete text of the proposed amendments and the associated environmental review, and has been made available to the general public (upon request) for review during the public hearing process.

### **Environmental Evaluation**

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on September 23, 2015 (SEPA File Number SEP2015-40000254986), based upon a review of an environmental checklist. The City will reconsider the preliminary determination based on timely public comments regarding the checklist and determination that are received by October 9, 2015 and unless modified, the preliminary determination will become final on October 16, 2015.

### **Notification**

Notification for the public hearing has been disseminated to a broad-based audience, through the following efforts that occurred during September 22-October 7, 2015:

1. Public Hearing Notice – A 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, and other known stakeholders and interested entities.
2. Library – A request was made to the Tacoma Public Library to make the public hearing notice and the proposal available for patrons' review at all eight branches.

3. News Media – An advertisement was placed on The News Tribune on September 28, 2015; a legal notice regarding the environmental determination was placed on the Tacoma Dailey Index on September 28, 2015; and an e-mail news release, “Tacoma News”, was issued through the City’s Media and Communications Office on September 30, 2015.
4. 60-Day Notices – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce (per RCW 36.70A.106), and the Joint Base Lewis-McChord (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney’s Office, requesting 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).
5. Website – The public hearing notice and all information associated with the proposal are posted on the Planning Services Division’s website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) (and linked to “Billboard Regulations”).

#### **Next Steps**

The Planning Commission is scheduled to review public comments at the next meeting on October 21, 2015, consider modifications to the proposal as appropriate, and make a recommendation to the City Council.

#### **Attachment**

- Billboard Regulations Staff Analysis Report (with Exhibit A – Proposed Code Amendments and Exhibit B – 250-foot Buffer Maps)

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

c: Peter Huffman, Director



# Billboards Code Amendment

## Staff Analysis Report

<b>Proposed Amendment:</b>	Replace TMC 13.06.521 M – Special regulations governing billboards with new TMC 13.06.523 - Billboards
<b>Location &amp; Size of Area:</b>	City-wide
<b>Current Land Use &amp; Zoning:</b>	All land use and zoning districts
<b>Neighborhood Council Area:</b>	All Neighborhood Council Areas
<b>Staff Contact:</b>	John Harrington, Development Services Division (253) 591-2069, <a href="mailto:jharrington@cityoftacoma.org">jharrington@cityoftacoma.org</a>
<b>Date of Report:</b>	September 30, 2015 (Review)

### I. Description of the Proposed Amendment:

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

The proposal would repeal TMC Sections 13.06.521.M (Billboards), 13.06.521.N.5 (Nonconforming Signs, Billboards), 13.06.521.N.6 (Amortization), 13.06A.050.B.5 (Downtown Billboards), and the portions of the tables in Sections 13.06.522.J, K and L that are specific to “Billboards.” The definition of billboard (contained in TMC 13.06.700) would also be clarified.

The new section TMC 13.06.523 would create an exchange program in which new billboards would be allowed in certain areas in exchange for removing non-conforming billboards. As proposed, the program would expand the areas where billboards would be allowed, reduce some development standards, incentivize removals from certain sensitive areas, and require removal or correction of all non-conforming billboards within 5 years.

Some of the notable elements of the proposed regulations are:

- a. Provides for relocation credits which emphasize removal of pole-mounted billboard signs in favor of billboard wall signs;
- b. Opens the following additional zones to billboard wall signs:
  - Downtown Commercial Core (DCC)
  - Downtown Mixed Use (DMU)
  - Warehouse Residential (WR)
  - Planned Development Business (PDB)
  - Urban Commercial Mixed-Use (UCX)
  - Community Commercial Mixed-Use (CCX)
  - Commercial Industrial Mixed-Use (CIX)
  - Neighborhood Commercial Mixed-Use (NCX)

- c. The NCX zone would open up for new wall-mounted billboards only after the 17 billboard faces are removed from the residential and shoreline districts, the General Neighborhood Commercial (C-1) district; the Residential Commercial Mixed-Use (RCX) district and the Conservation (CONS) overlay district.
- d. Freestanding billboard pole signs up to 300 square feet in size would be able to be relocated in the General Community Commercial (C-2), Light Industrial (M-1), Heavy Industrial (M-2), and Port Maritime & Industrial (PMI) zoning districts;
- e. Allows billboard wall signs over 300 square feet with staff review;
- f. Increases height limit to 35 feet in areas over 500 feet from areas not permitting billboards;
- g. Reduces required distance between both pole mounted and wall mounted billboards;
- h. Reduces the buffer distance from no-billboard zones and sensitive uses (such as schools, parks, historic properties) from 500 feet to 250 feet;
- i. Reduces design standards while retaining prohibition of pole signs that are off-set, over-cantilevered, extend over buildings, and have more than one face per side of the billboard;
- j. Requires efficient lighting and no illumination between midnight and 5 am;
- k. Requires stricter enforcement for signs with graffiti; and
- l. Retains amortization as a means to remove non-conforming billboards.

The complete text of the draft code section proposed by the Planning Commission is attached (Exhibit A).

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

The City of Tacoma is exploring alternatives to its existing billboard regulations, which has resulted in litigation against the City. The goal is to have an overall reduction of billboards and protect neighborhoods and sensitive uses such as historic districts and shoreline areas.

This work is intended to be the extension and refinement of recommendations made by the Tacoma Billboards Community Working Group (CWG). The CWG was a 17 member group representing neighborhood councils, business districts, Scenic and Historic Tacoma, commercial real estate, billboard owners, Port of Tacoma, the advertising industry, non-profits, the Planning Commission and Clear Channel Outdoor. Their mission was to develop at least two viable alternative regulatory approaches for billboards – with these regulatory approaches being different from current code, in favor of an approach that better balances the interests of all the various stakeholders.

The CWG’s work spanned six months, during which they conducted eleven public meetings and heard from billboard opponents, Clear Channel Outdoor, local firms and non-profits using billboards, City Legal and Planning staff and WSDOT staff. They also completed many hours of homework to augment the meetings, which were run by an independent facilitator. The facilitator also prepared the final report of recommendations and along with the co-chairs of the group, presented them to the City Council. The Council voted to send the recommendations to the Planning Commission for additional work and development of a code amendment recommendation.

**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.**

Billboards will be limited to zones which permit them. Currently, four zones permit billboards, the C-2, M-1, M-2 and PMI districts. Nearly all of the existing billboards not in these districts are non-conforming because the billboards were installed when the installation site was in one of these districts.

One of the major proposed changes is to add additional zoning districts that will permit wall-mounted billboards. The CWG proposed the addition of four mixed use center zones (UCX, CCX, CIX, and NCX), three downtown zones (DCC, DMU, WR) and one commercial zone (PDB). Therefore, the area of the city affected by these regulations will increase with the addition of these zones. The addition of these zones will afford new billboard market areas and potential sites on high traffic arterials. Adding new zones will also put billboards in parts of the city that currently do not have billboards.

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

Additional information regarding the Planning Commission’s draft code amendments is provided below, based on the following basic components of the regulations:

- a. Location/Zoning
- b. Exchange Program
- c. Size and Dimensions
- d. Height
- e. Design Standards
- f. Lighting
- g. Dispersal
- h. Buffering from Sensitive Uses/Areas
- i. Landscaping
- j. Maintenance
- k. Amortization

**a. Location/Zoning**

One of the apparent reasons for the failure of amortization to cause non-complying billboards to be moved in the past has been the limited number of zones permitting billboards. In addition, the arterials in the four zones that permitted billboards were already fairly saturated with billboards. The main focus of the CWG was to remedy this by looking at additional zones that would be desirable to the billboard companies while still meeting the underlying goal of limiting impacts on residential and other sensitive areas. After considering all zones where billboards are not desired, the CWG identified a handful of zones that could potentially be opened up for new billboards. The Planning Commission’s draft regulations follow this general philosophy and provide the following additional zones where billboards could be allowed to encourage an overall reduction of billboards and the relocation of billboards from areas where they are not wanted:

- 1) DCC Downtown Commercial Core is intended to focus high rise office buildings and hotels, street level shops, theaters, and various public services into a compact, walkable area, with a high level of transit service. There are currently five billboard faces in this district. The proposal is to permit wall signs on the secondary facades of buildings in the downtown, even allowing for signs larger than 300 square feet with staff review that insures compatibility with

building size and character (this size flexibility would apply to all areas where new wall-mounted billboards are allowed).

- 2) DMU Downtown Mixed-Use is intended to contain a high concentration of educational, cultural, and governmental services, together with commercial services and uses. There are also five existing billboard faces in this zone. Wall signs are also proposed for this district.
- 3) The WR Warehouse/Residential, the last of the downtown districts proposed to allow billboards, contains a predominance of mid-rise, higher density, urban residential development, together with places of employment and retail services. There are 18 existing billboard faces in this zone..
- 4) UCX Urban Center Mixed Use is characterized by a dense concentration of residential, commercial and institutional development including regional shopping centers, supporting business and service uses, and other regional attractions. Tacoma Mall is at the center of this zoning district and while residential uses exist, such as the two new multi-family medium rise buildings on the west entrance to the mall, the overwhelming land use along the high traffic arterials is commercial development. This has been recognized as a very desirable market area for billboard companies.
- 5) CCX Community Commercial Mixed Use districts provide for commercial and retail businesses intended to serve many nearby neighborhoods and draw people from throughout the City. Uses include shopping centers with a wide variety of commercial establishments; commercial recreation; gas stations; and business, personal and financial services. While residential development in mixed-use developments is encouraged in the CCX, it is not common today in this zone. These areas are bordered or intersected by high volume arterials and some of the CCX districts are located away from many of the areas where billboards currently exist, thus making them a desirable new market area for billboards. The CCX districts include areas within the Westgate, James Center, Tacoma Central, 72<sup>nd</sup> & Portland, 72<sup>nd</sup> & Pacific, 34<sup>th</sup> & Pacific, and the Lower Portland Avenue Mixed-Use Centers.
- 6) CIX Commercial Industrial Mixed Use provides for a mix of commercial and light industrial uses including light manufacturing, assembly, distribution, and storage of goods. Residential development is permitted but does not exist in the only CIX zoned area of S Washington Street between S 47th Street and S 60<sup>th</sup> Street. There are four billboard faces in this district and a number of larger scale buildings. It has been identified as an area that is potentially appropriate for more billboards.
- 7) NCX Neighborhood Commercial Mixed Use provides 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. There are 37 billboard faces in this district and a number of buildings where wall mounted billboards could be located. The CWG, being split on whether to allow billboards in this district, did not make a recommendation regarding the NCX district. The Planning Commission feels that by opening the NCX district to wall signs, it will provide an incentive to remove other signs that more adversely impact the community and encourage the conversion of pole-mounted billboards into wall-mounted billboards, which is more compatible with the desired character of these areas.

- 8) PDB Planned Development Business District. This district is intended to provide limited areas for a mix of land uses that includes warehousing, distribution, light assembly, media, education, research, and limited commercial. Although this is a very limited zone in Tacoma and there are currently no billboards in this zone, it was added by the CWG and Planning Commission because of the light industrial and commercial character of the zone.

**b. Exchange Program**

While the CWG indicated interest in an exchange program, they did not make any specific recommendations on how one should be structured. The Commission’s draft regulations include an exchange system to allow the removal of billboard faces and to relocate the square footage, in all or in part, in another location. As proposed, the exchange program operates as follows:

- 1) In the existing “allowed” districts (M1, M2, PMI, and C2), new pole-mounted billboards would be permitted in exchange for removal of an equivalent nonconforming billboard.
- 2) In the “newly allowed” districts, only wall-mounted billboards would be allowed.
- 3) The following exchange “values” are assigned providing for square footage on a newly located billboard for each square foot removed of an existing nonconforming billboard. The ratios are as follows:
  - Relocating a non-conforming pole-mounted billboard in any zone to a wall-mounted billboard downtown (DCC, DMU, and WR) or in the UCX district would be at a 2:1 ratio. Two square feet of new billboard wall signage would be granted for every one foot of pole-mounted billboard signage removed.
  - Relocating a non-conforming pole-mounted billboard to a wall-mounted billboard in the same district or a “newly allowed” zone will result in a 1.5:1 exchange. One and a half square feet of new wall-mounted billboard signage will be granted for every one foot of pole-mounted billboard signage removed.
  - All other sign relocation in the C-2 and industrial zones would be at a 1:1.5 ratio, granting 1 square foot of new pole-mounted billboard signage for every one and a half square feet of non-conforming billboard removed.
  - Relocation from non-conforming pole-mounted billboards to wall-mounted billboards in the NCX district would be allowed at a 1:1 ratio, but only after the following non-billboard zones and overlay zone are rid of non-conforming billboards (R-2, R-4, RCX, CONS, S10, and C1 – 17 total billboards).

**c. Size and Dimensions**

The Commission’s draft regulations include the following provisions regarding allowed billboard sizes:

- Maximum size of 300 square feet for all non-industrial zones permitting billboards
- Maximum size of 672 square feet in M-1, M-2, and PMI for existing freestanding billboards
- Maximum of 672 square feet for wall-mounted billboards in all districts allowing billboards, with larger sizes permitted with staff review.

The Planning Commission’s proposal also retains the existing vertical and horizontal face dimensions for pole-mounted billboards, but provides for flexibility on vertical and horizontal dimensions for wall-mounted billboards.

**d. Height**

The Planning Commission’s proposal is that for any freestanding billboard within 500 feet of residential, shoreline, view-sensitive, historic, and conservation districts the maximum height should be 30 feet; with building mounted billboards allowed to be higher based on staff review. If a billboard is located more than 500 feet from residential, shoreline, view-sensitive, historic, and conservation districts the maximum height would be 35 feet.

Wall mounted signs must be at least 8 feet from the ground to discourage vandalism. The bottom of pole mounted signs must be at least 10 feet from the ground.

**e. Design Standards**

The Planning Commission concurs with the CWG and recommends removing the requirement that billboard faces are within five degrees of perpendicular of the roadway, as well as deleting the 10-foot maximum setback requirement. Wall mounted billboards must meet the requirements for on-premises wall signs found in TMC 13.06.521, and may not be located on the primary façade of a structure. Pole-mounted billboards would be subject to the applicable sections of the freestanding on-premises sign regulations in TMC 13.06.521.

Further, the Planning Commission has proposed the deletion of the restriction on cantilevered design; however, offset faces would still not be allowed. Pole-mounted billboards would be required to be a single pole only, to reduce the amount of visible structure.

For sites with an existing freestanding on-site sign, a billboard may be allowed only if it is building-mounted. No freestanding billboard would be allowed.

**f. Lighting**

The Planning Commission proposes that any billboard lighting be LED or equivalently efficient lighting and be shielded to prevent light spillover. All billboard lights must be turned off from midnight until 5 a.m. and during daylight hours.

**g. Dispersal**

In order to open up new areas that can facilitate a reduction in the number of billboards in undesirable areas, the Commission proposes the following changes to the dispersal language in the current code (which has a 500-foot dispersal restriction on all billboards):

- Billboard faces over 300 sf in size, not located on the same structure, shall be a minimum of 500 feet apart, including billboards which may be located outside the City limits.
- Billboard faces of 300 sf or less in size, not located on the same structure, and shall be a minimum of 300 feet apart, including billboards which may be located outside the City limits.
- Wall mounted billboards shall not be located within 200 feet of another billboard within the same view corridor (i.e., billboards on opposite or perpendicular faces of a building may be closer).

**h. Buffering from Sensitive Uses/Areas**

The Planning Commission proposes a buffer of 250 feet from all “non-billboard zones”, overlays, and protected uses. This would be a reduction from the existing, 500-foot buffer requirements. In addition, religious institutions are proposed to be removed from the list of buffered uses, unless deemed historically significant by the Historic Preservation Officer.

**i. Landscaping**

The Planning Commission concurs with the CWG and proposes to delete the section about the required landscaping buffer at the base of billboard pole supports. The remaining language would be retained.

**j. Maintenance**

The Planning Commission concurs with the CWG and proposes to retain existing code provisions related to maintenance.

The Commission also proposes including language specific to immediate graffiti removal from a billboard. In most case, when a correction letter is sent, a property owner has 18 days to abate graffiti. The Planning Commission recommends stricter language for billboards, requiring abatement within 48 hours of notification.

**k. Amortization**

The Planning Commission recommends the retention of an amortization program that can ensure that nonconforming billboards or moved or modified to come into compliance with the new regulations, or in the event that they are not that they are removed. The new amortization provision would provide for two tiers, as follows:

- The first tier is a 3-year period from the time of adoption of the code, within which the 17 billboards currently located in the R-2, R-4, S-10, C-1 and RCX districts and the Conservation overlay district would have to be removed.
- The second tier is at 5-years, when all remaining non-conforming signs would have to be brought into compliance or removed.

**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?**

The proposed alternatives for billboard regulations are consistent with the Washington State Highway Advertising Control regulations, the Comprehensive Plan and other development regulations by limiting billboards to zoning districts that are characterized by major commercial and industrial development.

One of the main goals of the project has been to explore alternatives that could end nearly eight years of litigation with Clear Channel Outdoor over the City's billboard regulations.

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

- a. Address inconsistencies or errors in the Comprehensive Plan or development regulations;**
- b. 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;**
- c. Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or**
- d. Enhance the quality of the neighborhood.**

The proposed regulatory alternatives will enhance the quality of neighborhoods by providing incentives to move billboards from zones where billboards are not desired to non-residential zoning

districts and provide a 250-foot buffer from any billboard to a residential zone. Additionally, the new rules will set conditions for a continued reduction of billboards in the City.

- 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.**

The proposed amendment will allow the continued use of billboards in the City, provide new business opportunities for billboard companies and continue to allow the option of billboards as an advertising medium for businesses, public agencies and non-profit organizations in Tacoma.

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

The major effort to involve the community in creating new billboard regulations was the formation of the Tacoma Community Working Group (CWG) for Billboards. The CWG worked for three months and produced a final report of recommendations provided to the City Council and Planning Commission. The CWG was comprised of a wide variety of groups in the city: neighborhoods, historic preservation, scenic preservation, business organizations, and the advertising industry.

Additional input was sought from the Tacoma Community Council and the Cross District Association, who were given presentations by staff and asked for input on how billboards impact the livability and business climate in the city. The main input from these groups was that billboards were acceptable in some areas as long as they were maintained in good condition.

- 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 new regulations will benefit the city by providing a mechanism to reduce the number of billboards and remove billboards from undesirable locations and relocate them in areas that are more acceptable (high intensity areas with commercial or industrial uses).

### **III. Staff Analysis:**

The Planning Commission's draft billboard regulations continue to control where billboards can be located and what they look like. The proposal includes a new exchange program by which new billboards would be permitted in exchange for removing nonconforming billboards. To facilitate this shift, the proposal would open up some additional areas. The proposal also reduces some of the existing buffer and separation requirements, and some design standards. However, staff notes that, based on a preliminary assessment applying the proposed regulations, only 24 of the existing 311 billboard faces would comply, an increase of just 21 faces over what is permitted with the existing regulations. In addition, preliminary mapping (see Exhibit B) indicates that the combination of proposed buffering and separation requirements severely restricts the amount of space that would be available in the new zones. This map shows new areas opened only to wall-mounted billboards in blue and areas open for relocation of freestanding billboard signs in red. For example, while the draft regulations would theoretically permit new wall-mounted billboards in the downtown (i.e. the DCC, DMU, and WR districts), there is very little area within those districts that would be available for new billboards because of the proposed 250-foot buffers from historic and conservations districts, historic buildings, and the Downtown Residential district, which is proposed to prohibit billboards. It is also important to understand that the areas shown

as available on the maps do not reflect the fact that, under this proposal, only wall-mounted billboards would be allowed in the new zones, which significantly reduces the opportunities for billboards in those areas.

The proposal also includes a two-tiered multi-year amortization clause that is intended to compel the movement or modification of non-conforming billboards over time to comply with the existing regulations. Under this proposal, non-complying billboards still in place at the end of the amortization periods must be removed.

Staff notes that previous lawsuits regarding the City's billboards regulations have focused on this type of amortization clause. In staff's opinion, it is probable that a billboard code that includes an amortization clause, such as included here, will lead to further legal disputes, particularly if substantial new opportunities are not opened up for relocating the significant number of nonconforming billboards in this community.

#### **IV. Exhibits:**

- A. Draft of proposed amendments to the Tacoma Municipal Code pertaining to billboards.
- B. 250 foot buffer map indicating potential areas for new wall and pole mounted sign locations.





## Billboard Code Amendments

### DRAFT LAND USE REGULATORY CODE AMENDMENTS September 23, 2015

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

#### **13.06 – Zoning**

- 13.06.521 – General Sign Regulations
- 13.06.522 – District Sign Regulations
- 13.06.523 – Billboard Sign Regulations (*proposed new section*)
- 13.06.700 - Definitions

#### **13.06A – Downtown Tacoma**

- 13.06A.050 – Additional use regulations.

\*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. Where existing text is being modified, new text is underlined and text that is deleted is shown in ~~strikethrough~~.

#### **Repeal the following Code Sections:**

TMC Sections 13.06.521.M (Billboards), 13.06.521.N.5 (Nonconforming Signs, Billboards), 13.06.521.N.6 (Amortization), 13.06A.050.B.5 (Downtown Billboards), and the portions of the tables in Sections 13.06.522.J, K and L that are specific to “Billboards”

#### **Modify the following Code Sections:**

##### **13.06.700.B Definitions**

\* \* \*

Billboard, standard. ~~An Any permanent~~ off-premises sign ~~greater than 72 square feet in size~~. This type of sign is generally composed of materials (panels or modules) mounted on a building wall or freestanding structure, or painted directly on the wall or freestanding structure, that are changed on a regular basis.

Billboard, digital. ~~An Any permanent~~ off-premises sign ~~greater than 72 square feet in size~~, utilizing digital message technology capable of changing the message or copy on the sign electronically. Digital billboards are not considered under the definitions of animated sign, changing message centers, electrical signs, illuminated signs, or flashing signs.

\* \* \*

**Enact the following new section:**

**13.06.523 Billboards**

**A. New billboard faces.**

1. Any new billboard must be installed in compliance with this chapter. In no case shall the number of billboard faces and total square footage of billboards in the City of Tacoma exceed 311 billboard sign faces and 93,684 square feet of total billboard sign area.
2. Installation/placement of any new or relocated billboard structure and/or face requires a sign permit.
3. New billboards shall only be allowed through an exchange program under which the removal of nonconforming billboards generates credits and the construction of new billboards consumes credits, based on the following structure:
  - a. Relocating from a nonconforming freestanding billboard in any zone to a wall-mounted billboard in a permitted downtown district (DCC, DMU, WR) or the UCX mixed-use district is allowed at a 2:1 exchange ratio (two square feet of new wall-mounted billboard sign area will be allowed for every one square foot of freestanding billboard signage removed).
  - b. Relocating from a nonconforming freestanding billboard to a wall-mounted billboard in the same district or the CCX, CIX, or PDB districts will result in an allowed 1.5:1 exchange ratio (One and a half square feet of new wall-mounted billboard sign area will be granted for every one foot of freestanding billboard signage removed).
  - c. All other freestanding billboard relocations in the C-2 and industrial zones will be allowed based on a 1:1.5 exchange ratio (one square foot of new freestanding billboard sign area will be granted for every one and a half square feet of nonconforming billboard area removed).
  - d. Relocation from nonconforming freestanding billboards to wall-mounted billboards in the NCX district will be allowed at a 1:1 ratio, but only after the R-2, R-4, RCX, CONS, S-10, and C-1 districts are free of nonconforming billboards.
4. Demolition. Removal of all faces from a billboard structure shall also require the issuance of a demolition permit for the structure itself and removal of billboard faces (and their associated structures, if necessary) shall be completed prior to the construction of new or relocated billboard faces. Structures removed shall be removed to grade and the grade restored at the site.

**B. Location.**

1. Billboards shall only be allowed per the following table.

**Billboard Use Matrix**

Size (Sq. Ft.)	Type of Sign	Zones											
		PMI	M2	M1	C2	CIX	UCX	NCX	CCX	DCC	DMU	WR	PDB
≤ 72	Wall Mounted	P	P	P	P	P	P	P+	P	P	P	P	P
	Freestanding	Relocated only				Not Permitted							
73 to 300	Wall Mounted	P	P	P	P	P	P	P+	P	P	P	P	P
	Freestanding	Relocated only				Not Permitted							
> 300	Wall Mounted	P	P	P	P	P	P	P+	P	P	P	P	P
	Freestanding	P*	P*	P*	Not Permitted								

P = permitted

P\*= existing billboards permitted, but no new

P+= permitted once all billboards are removed from R, SHR, CONS, RCX and C-1 Districts

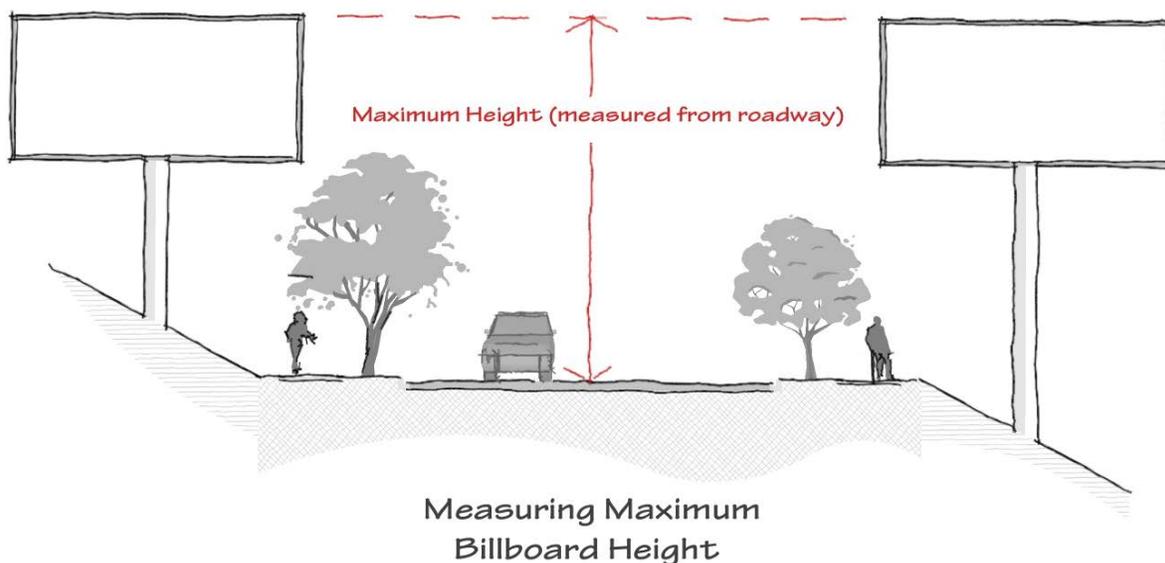
2. Billboards are prohibited in all zoning districts not shown in the above table.
3. Billboards are also prohibited in the following overlay zoning districts: the HIST Historic and CONS Conservation, and VSD View Sensitive districts.
4. Digital billboards are prohibited in the City of Tacoma.

**C. Size.**

1. The maximum area of any one freestanding billboard sign shall be 300 square feet, with a maximum vertical sign face dimension of 12 feet and maximum horizontal sign face dimension of 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members; provided, cutouts and extensions may add up to 20 percent of additional sign area.
2. Existing 672 square foot billboards shall have a maximum vertical sign face dimension of 14 feet and maximum horizontal sign face dimension of 48 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members.
3. Wall-mounted billboard faces are not subject to specific height or width limitations, and may be larger than 300 square feet in area, subject to staff review to ensure that any larger billboard will not create significant impacts on surrounding uses, the desired character of the area, or the architecture of the building to which it is attached.
4. Legally-established freestanding billboards larger than 300 square feet in area that were in existence on the date of adoption of this section are permitted in the industrial districts.

**D. Height.**

1. The maximum height of all billboard signs shall be as follows:
  - a. 30 feet for freestanding billboards located within 500 feet of any boundary of residential, shoreline, view-sensitive, historic, or conservation districts;
  - b. 35 feet for freestanding billboards located more than 500 feet from residential, shoreline, view-sensitive, historic, and conservation districts;
  - c. Wall-mounted billboards may extend higher than 35 feet, subject to staff review to ensure that any additional height will not create significant impacts on surrounding uses, the desired character of the area, or the architecture of the building to which it is attached; and
  - d. For the purpose of this section, height shall be the distance to the top of the normal display face from the established grade of the road from which the billboard is to be viewed (see diagram below).



2. The bottom edge of the sign face of freestanding billboards shall be at least 10 feet above the established grade of the road from which the billboard is to be viewed.
3. The bottom edge of the sign face of wall-mounted billboards shall be at least 8 feet above the ground level at the base of the wall.

#### **E. Design standards.**

1. Billboard sign structures must, at all times, include a facing of proper dimensions to conceal back bracing, electrical equipment, and framework of structural members to present an attractive and finished appearance. During periods of repair, alteration, or copy change, such facing may be removed for a maximum period of 48 consecutive hours.
2. No more than two billboard faces shall be located on a single structure. Billboard faces located on the same structure shall be positioned back-to-back (i.e., their backs shall be parallel to each other).
3. Billboard faces must be in line with the support structure; offset or over-cantilevered structure designs are not allowed.
4. No billboard can be located in a manner that positions any portion of the sign face or structure above a building.
5. No freestanding billboard may be constructed on a site where there is a freestanding on-premises sign.
6. Wall-mounted billboard signs must also meet the requirements for wall signs in Section 13.06.521 E.
7. Freestanding billboard signs must also meet the requirements for freestanding on-premises signs in TMC Section 13.06.521.G.

#### **F. Lighting.**

1. No internally illuminated billboards are allowed.
2. All billboard lighting shall be directed toward the billboard face and utilize cutoff shields or other means to prevent spillover onto adjacent properties or skyward.
3. No flashing billboards shall be permitted.
4. Signs shall not imitate or resemble traffic control devices.
5. Lighting must utilize LED or equivalently efficient lighting.
6. All billboard lights must be turned off during daylight hours and from midnight to 5 a.m.

#### **G. Dispersal.**

1. Freestanding billboard signs larger than 300 square feet in area shall be a minimum of 500 feet apart, excepting billboard faces located on the same structure. This requirement also applies to any billboards within the City limits that would be too close to any billboard located outside the City limits.
2. Freestanding billboard signs 300 square feet in area or less shall be a minimum of 300 feet apart, excepting billboard faces located on the same structure. This requirement also applies to any billboards within the City limits that would be too close to any billboard located outside the City limits.
3. Wall-mounted billboards shall not be located within 200 feet of another billboard visible along the same road corridor.

#### **H. Buffering.**

1. Sensitive uses/areas. No billboard shall be located in or within 250 feet of the following, whether within or outside the Tacoma City Limits:
  - a. A residential district;
  - b. The RCX, NRX, URX, and HMX mixed-use districts;
  - c. Any shoreline district;
  - d. Any view sensitive district;

- e. Any designated historic or conservation district or individually-listed historic property, whether on the federal, state, or local register of historic places;
- f. Any publicly-owned open space, playground, park, or recreational property, as recognized in the adopted Open Space Habitat and Recreation Element, as amended;
- g. Any primary or secondary school; or
- h. Any religious institution located in a historically significant structure, based on the opinion of the Historic Preservation Officer.

**I. Landscaping.**

- 1. No required landscaping may be diminished for the installation of a billboard, unless equivalent replacement landscaping is provided.
- 2. Any alteration to any street tree (removal or pruning) is subject to City review and approval.

**J. Maintenance.**

- 1. All billboards, including paint and structural members, shall be maintained in good repair and in compliance with all applicable building code requirements. Billboards shall be kept clean and free of debris.
- 2. Failure to maintain a billboard or its structure, including exterior painting, shall constitute a violation of this section and be subject to strict enforcement under the Land Use Code Enforcement procedures and penalties (TMC Section 13.05.100), which may include removal by the City at the expense of the property owner, sign owner, or permittee.
- 3. Graffiti on billboard sign faces or structures shall be abated by the property owner within 48 hours of notification or fines prescribed in TMC Section 13.05.100 for non-compliance will be levied against the property owner.

**K. Nonconforming Billboards**

- 1. All billboards within the City which are not in compliance with the requirements of this section are considered to be nonconforming billboards. In addition to the provisions of TMC 13.06.523.L, nonconforming billboards shall be made to conform with the requirements of this section under the following circumstances:
  - a. When any substantial alteration is proposed on a property upon which a nonconforming billboard is located, the billboard shall be removed or brought into conformance with this section. For purposes of this provision, “substantial alteration” means all alterations within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code, excluding purchase costs of the property and/or structure.
  - b. Whenever a building, or portion thereof, that has a nonconforming wall-mounted billboard (such as upon the roof or attached to a wall) is proposed to be expanded and/or remodeled, all nonconforming billboards shall be removed or brought into compliance with this section if the value of the alterations within any two-year period is greater than or equal to 50-percent of the value of the existing building, as determined by the Building Code, excluding purchase costs of the property and/or structure.

**L. Amortization.**

- 1. All legal nonconforming billboard signs shall be discontinued and removed or made conforming according to the following schedule (collectively the “amortization period”):
  - a. All nonconforming billboards within the R-2, R-4, S-10, C-1, RCX zoning districts and the CONS overlay district, shall be discontinued and removed or made conforming within three years after (the date of adoption).
  - b. All other nonconforming billboards (those not within the R-2, R-4, S-10, C-1, RCX zoning districts or the CONS overlay district) shall be discontinued and removed or made conforming within five years after (the date of adoption).
- 2. Nonconforming billboards that are not made conforming or removed by the above dates will result in enforcement action being taken pursuant to TMC Section 13.05.100.

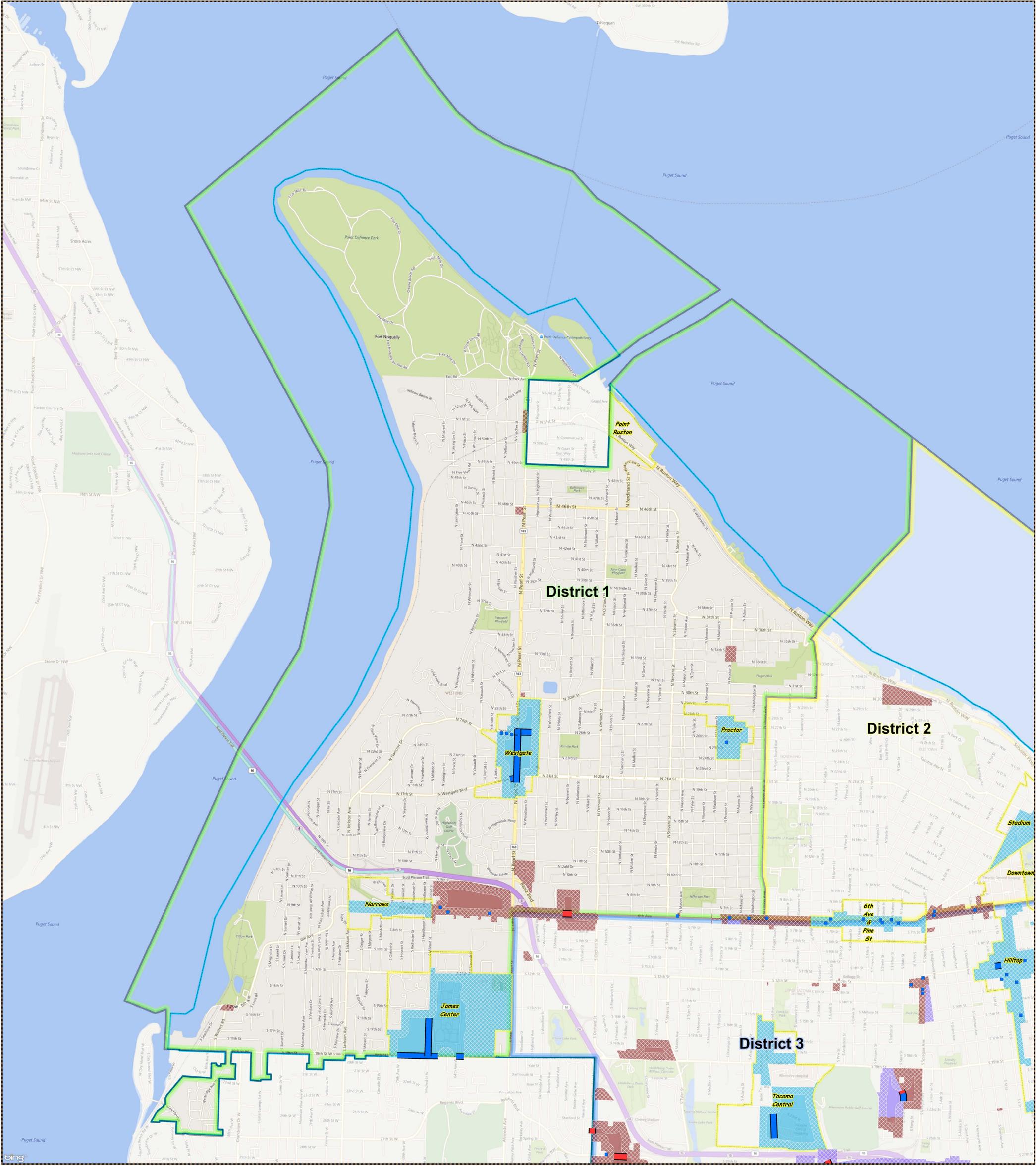
**M. Severability.**

1. If any section, subsection, paragraph, sentence, clause or phrase of this Chapter or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Chapter or its application to any other person or situation.

# Billboards - 250' Option

## City of Tacoma By Councilmanic District

### District: 1



- Non-conforming Billboards (234 within 250' sensitive use buffer)
- Conforming Billboards (77 outside 250' sensitive use buffer)
- Arterials Available for Wall Billboards Only (DCC, DMU, WR, UCK, CCX, CIX, NCX, PDB; 250' sensitive use buffer - 6.2 total miles)
- Arterials Available for All Billboards (C2, M1, M2, PM1; 250' sensitive use buffer - 16.3 total miles)
- Downtown (DCC, DMU, WR - 4 billboards, 1.4 miles available)
- Mixed Use (CCX, CIX, NCX; UCK - 8 billboards, 4.7 miles available)
- Commercial (C2; PDB - 8 billboards, 0.8 miles available)
- Industrial (M1; M2; PM1 - 57 billboards, 15.5 miles available)
- Buffer Area within Inclusion Zone (250' sensitive use; 300' & 500' billboard dispersal)
- Mixed Use Centers

**NOTE:** This map represents a preliminary analysis of the proposed buffering standards. It is not 100% accurate and is subject to further review and refinement. Verification of the availability of a particular site may necessitate more detailed analysis to ensure the accurate location of buffered uses in the particular area.



City of Tacoma  
Community & Economic Development Department  
GIS Analysis & Data Services

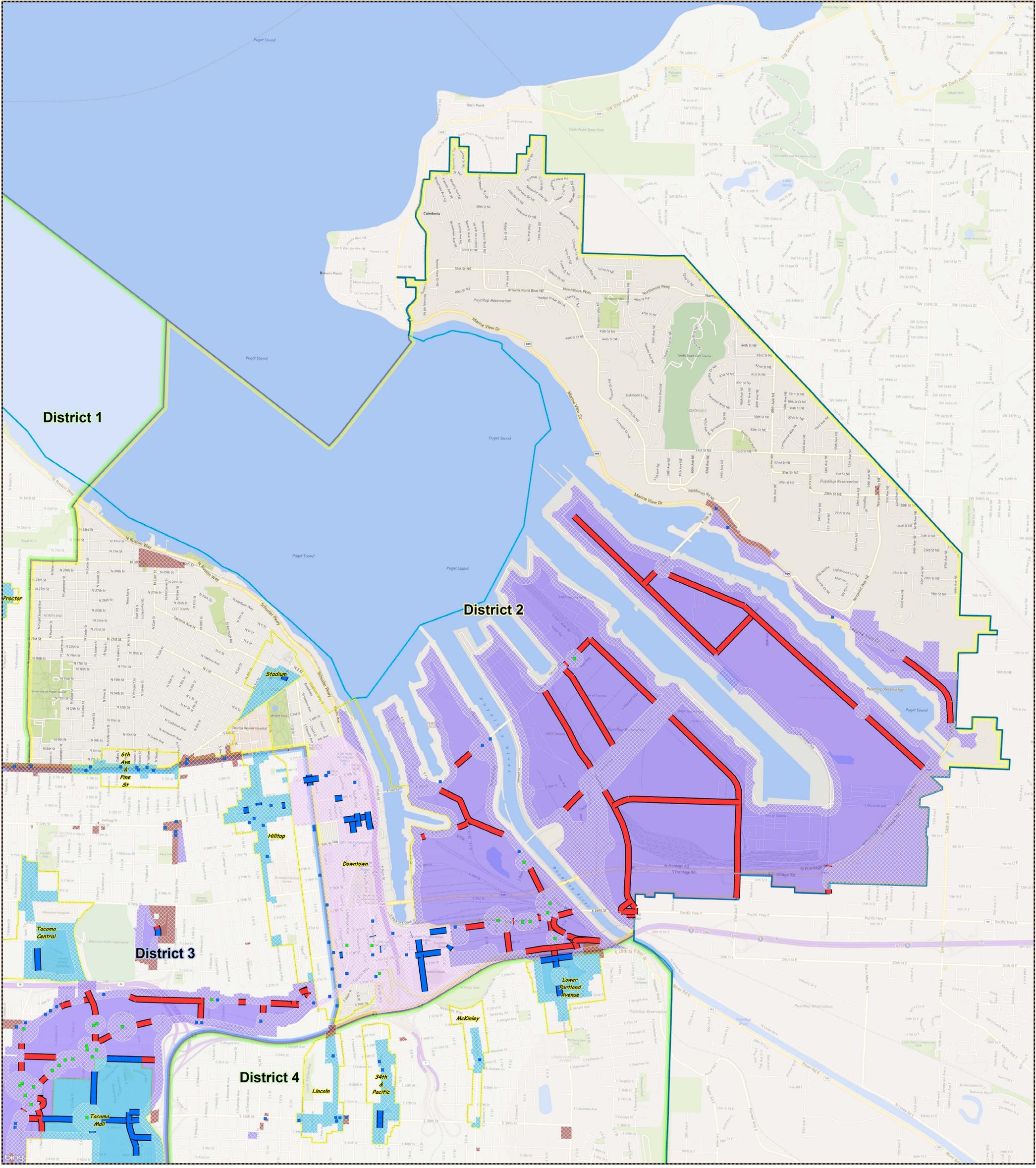
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This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. It is to be used for reference purposes only.

# Billboards - 250' Option

## City of Tacoma By Councilmanic District

### District: 2



- Non-conforming Billboards (234 within 250' sensitive use buffer)
- Conforming Billboards (77 outside 250' sensitive use buffer)
- Aerials Available for Wall Billboards Only (DCC, DMU, WR, UCX, CCX, CIX, NCX, PDB; 250' sensitive use buffer - 6.2 total miles)
- Downtown (DCC, DMU, WR - 4 billboards, 1.4 miles available)
- Mixed Use (CCX, CIX, NCX, UCX - 8 billboards, 4.7 miles available)
- Commercial (C2, PDB - 8 billboards, 0.8 miles available)
- Industrial (M1, M2, PM1 - 57 billboards, 15.5 miles available)
- Buffer Area within Inclusion Zone (250' sensitive use, 300' & 500' billboard dispersal)
- Mixed Use Centers

**NOTE:** This map represents a preliminary analysis of the proposed buffering standards. It is not 100% accurate and is subject to further review and refinement. Verification of the availability of a particular site may necessitate more detailed analysis to ensure the accurate location of buffered uses in the particular area.



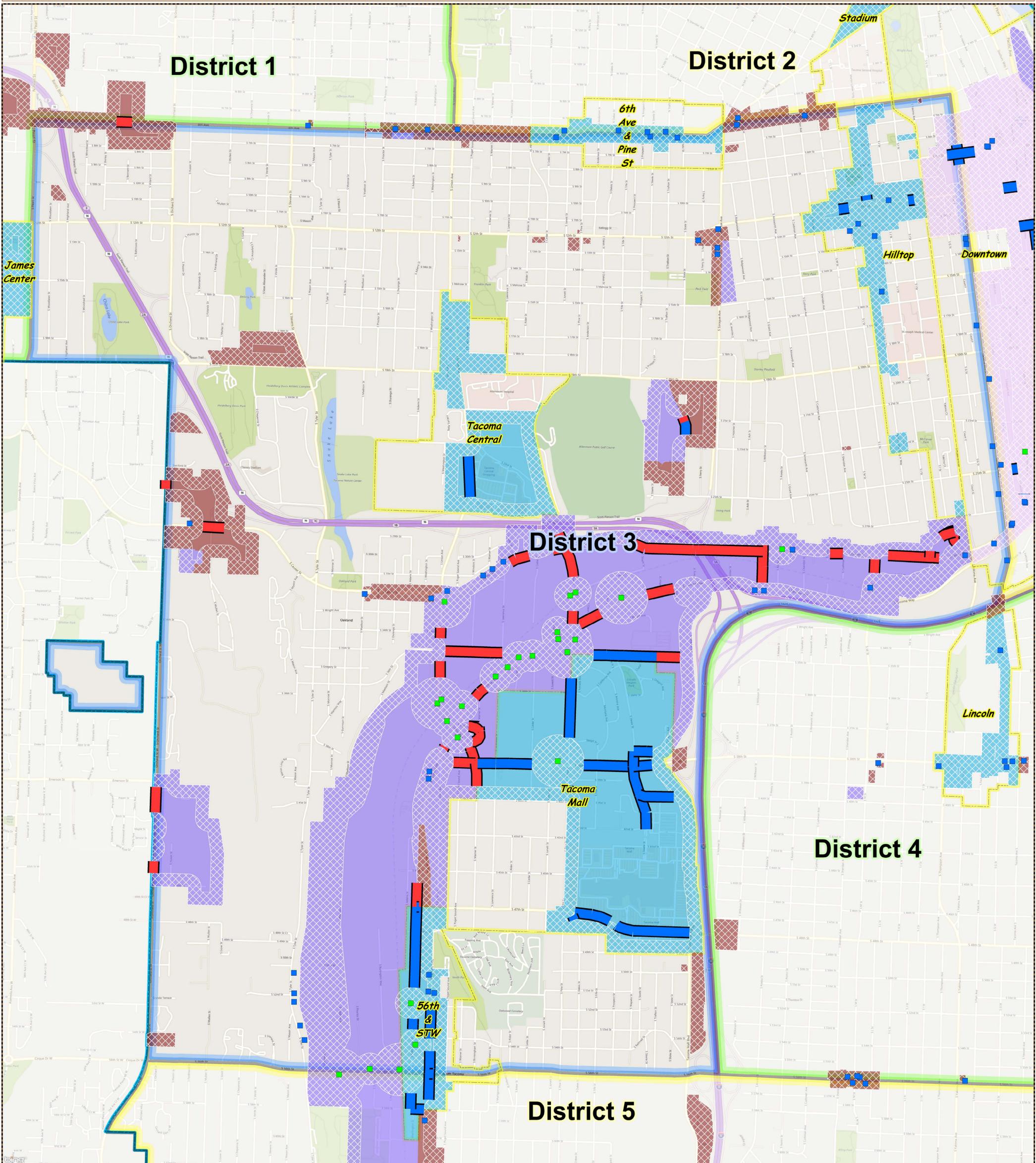
City of Tacoma  
Community & Economic Development Department  
GIS Analysis & Data Services

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# Billboards - 250' Option

## City of Tacoma By Councilmanic District

### District: 3



- Non-conforming Billboards (234 within 250' sensitive use buffer)
- Conforming Billboards (77 outside 250' sensitive use buffer)
- Aerials Available for Wall Billboards Only (DCC, DMU, WR, UCX, CCX, CIX, NCX, PDB; 250' sensitive use buffer - 6.2 total miles)
- Aerials Available for All Billboards (C2, M1, M2, PM1; 250' sensitive use buffer - 16.3 total miles)
- Downtown (DCC, DMU, WR - 4 billboards, 1.4 miles available)
- Mixed Use (CCX, CIX, NCX, UCX - 8 billboards, 4.7 miles available)
- Commercial (C2, PDB - 8 billboards, 0.8 miles available)
- Industrial (M1, M2, PM1 - 57 billboards, 15.5 miles available)
- Buffer Area within Inclusion Zone (250' sensitive use; 300' & 500' billboard dispersal)
- Mixed Use Centers

**NOTE:** This map represents a preliminary analysis of the proposed buffering standards. It is not 100% accurate and is subject to further review and refinement. Verification of the availability of a particular site may necessitate more detailed analysis to ensure the accurate location of buffered uses in the particular area.



City of Tacoma  
Community & Economic Development Department  
GIS Analysis & Data Services

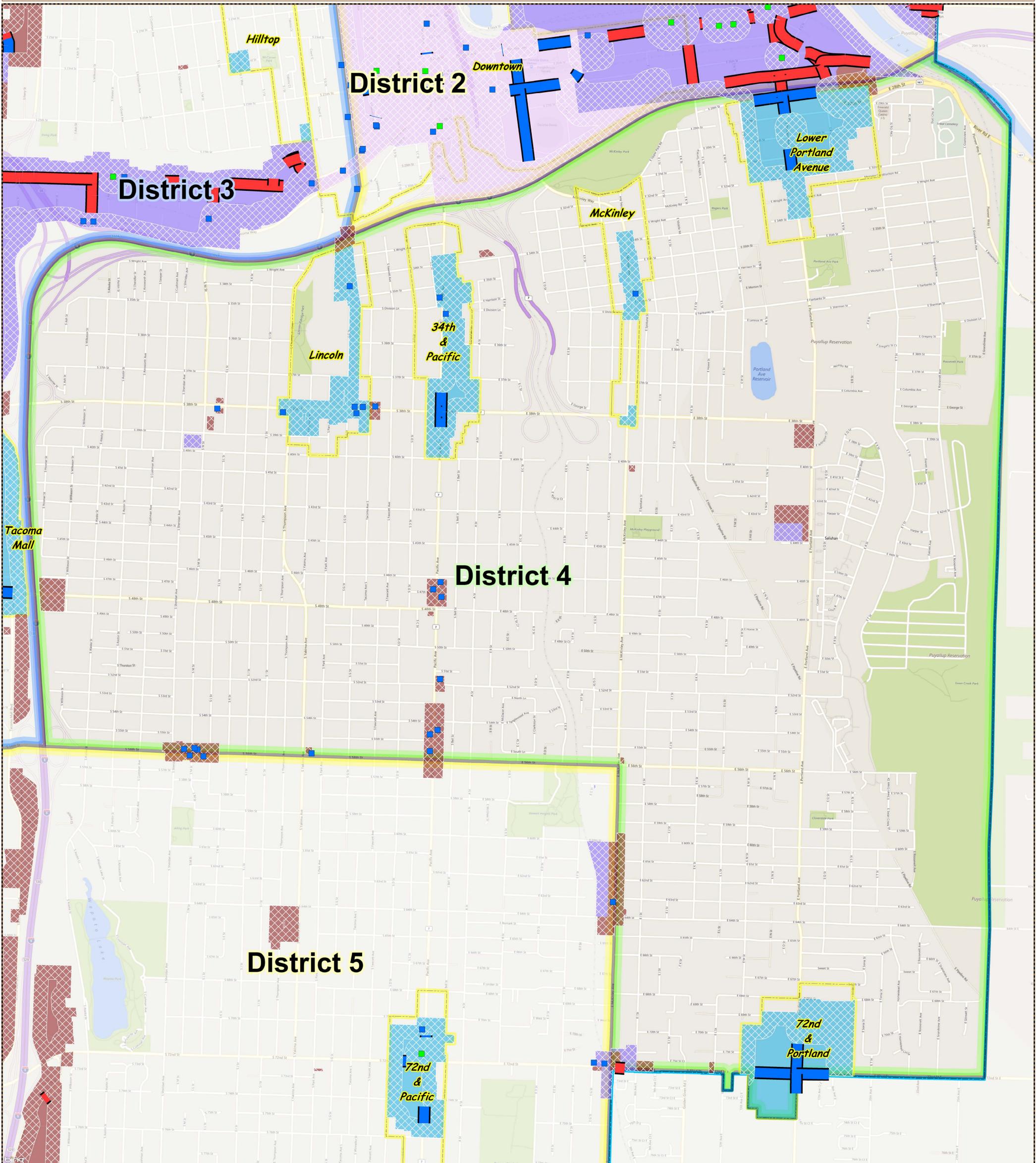
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# Billboards - 250' Option

## City of Tacoma By Councilmanic District

### District: 4



- Non-conforming Billboards (234 within 250' sensitive use buffer)
- Conforming Billboards (77 outside 250' sensitive use buffer)
- Arterials Available for Wall Billboards Only (DCC, DMU, WR, UCC, CCX, CIX, NCX, PDB; 250' sensitive use buffer - 6.2 total miles)
- Arterials Available for All Billboards (C2, M1, M2, PM1, 250' sensitive use buffer - 16.3 total miles)
- Downtown (DCC, DMU, WR - 4 billboards, 1.4 miles available)
- Mixed Use (CCX, CIX, NCX, UCC - 8 billboards, 4.7 miles available)
- Commercial (C2, PDB - 8 billboards, 0.8 miles available)
- Industrial (M1, M2, PM1 - 57 billboards, 15.5 miles available)
- Buffer Area within Inclusion Zone (250' sensitive use; 300' & 500' billboard dispersal)
- Mixed Use Centers

**NOTE:** This map represents a preliminary analysis of the proposed buffering standards. It is not 100% accurate and is subject to further review and refinement. Verification of the availability of a particular site may necessitate more detailed analysis to ensure the accurate location of buffered uses in the particular area.



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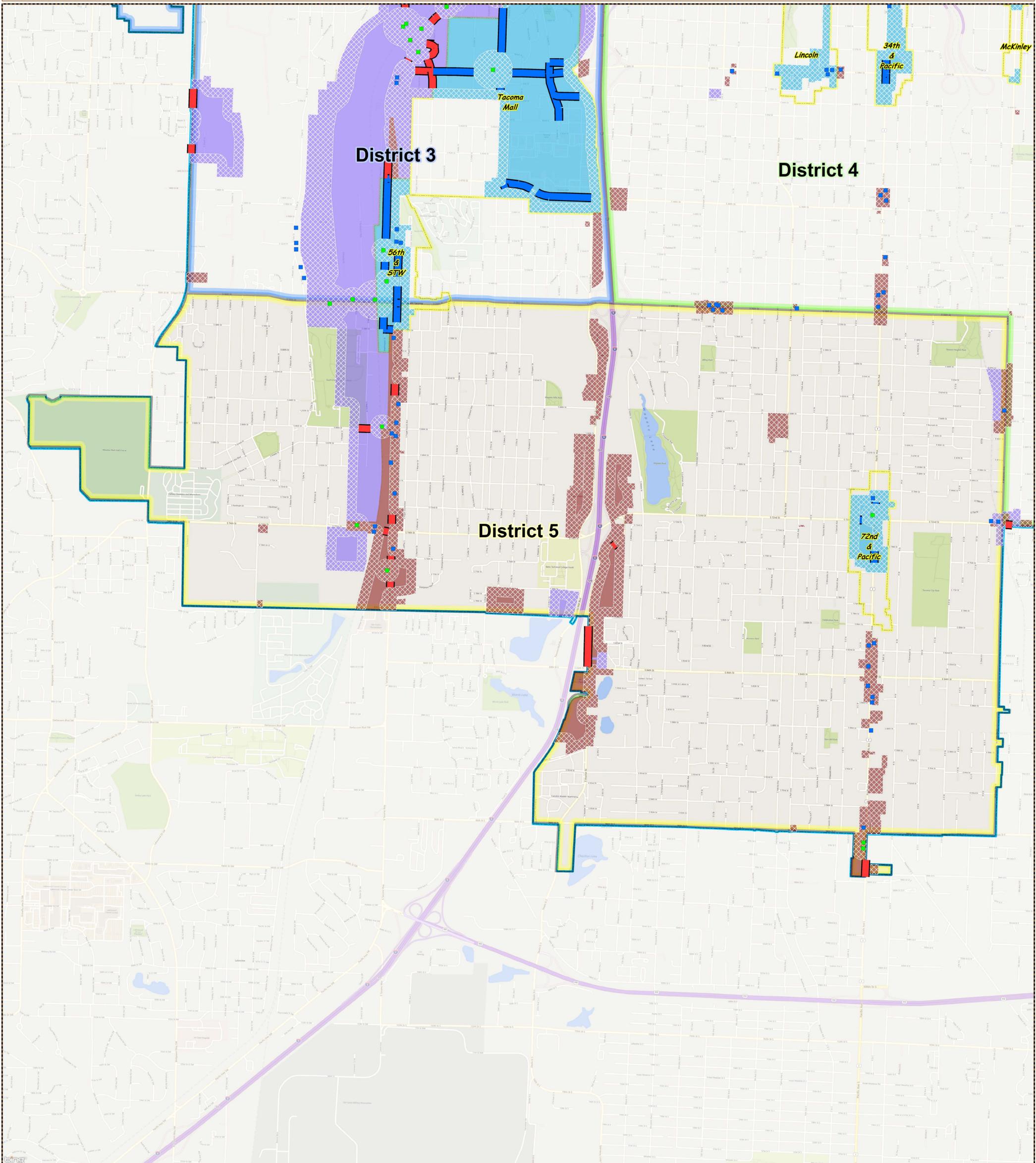
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# Billboards - 250' Option

City of Tacoma By Councilmanic District

*District: 5*



- Non-conforming Billboards (234 within 250' sensitive use buffer)
- Conforming Billboards (77 outside 250' sensitive use buffer)
- Arterials Available for All Billboards Only (DCC, DMU, WR; UCX, CCX, CIX, NCX, PDB; 250' sensitive use buffer - 6.2 total miles)
- Arterials Available for All Billboards (C2; M1, M2, PM1, 250' sensitive use buffer - 16.3 total miles)
- Downtown (DCC, DMU, WR - 4 billboards, 1.4 miles available)
- Mixed Use (CCX, CIX, NCX; UCX - 8 billboards, 4.7 miles available)
- Commercial (C2; PDB - 8 billboards, 0.8 miles available)
- Industrial (M1; M2; PM1 - 57 billboards, 15.5 miles available)
- Buffer Area within Inclusion Zone (250' sensitive use; 300' & 500' billboard dispersal)
- Mixed Use Centers

**NOTE:** This map represents a preliminary analysis of the proposed buffering standards. It is not 100% accurate and is subject to further review and refinement. Verification of the availability of a particular site may necessitate more detailed analysis to ensure the accurate location of buffered uses in the particular area.



City of Tacoma  
Community & Economic Development Department  
GIS Analysis & Data Services

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City of Tacoma  
Planning and Development Services

**Agenda Item  
E-1**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Minutes of Billboard Task Force's Meetings**  
**Meeting Date:** **October 7, 2015**  
**Memo Date:** September 30, 2015

Attached for your information is a compilation of the minutes of the Billboard Task Force's meetings on August 17, August 18, August 25, September 8, and September 10, 2015.

The task force was established by the Planning Commission on August 5, 2015 to work through issues concerning billboards and develop draft code amendments for the Commission's consideration. Members of the task force included Vice-Chair Wamback and Commissioners Erickson, Petersen and Neal, with Commissioner Santhuff as an alternate. Vice-Chair Wamback was designated the chair of the task force.

The task force presented its recommendations to the Commission on September 16, 2015, and was sunset thereafter, having successfully completed its mission. The Commission will be conducting a public hearing on October 7, 2015, on the proposed land use regulations that were developed based on the task force's recommendations.

If you have any questions, please contact me at 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachment

c: Peter Huffman, Director





City of Tacoma  
Planning Commission Billboards Task Force

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

**MINUTES** (Draft)

**TIME:** Monday, August 17, 2015, 6:00 p.m.  
**PLACE:** Room 335, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Donald Erickson, Meredith Neal, Brett Santhuff (Alt.)  
**ABSENT:** Anna Petersen

**A. CALL TO ORDER**

Planning Commission Vice-Chair and Task Force Chair Stephen Wamback called the meeting to order at 6:00 p.m.

**B. APPROVAL OF AGENDA**

**C. DISCUSSION ITEMS**

Chair Wamback outlined the role of the Task Force. The schedule and role of the Planning Commission were reviewed. The objectives of the Billboard Community Working Group (CWG) were reviewed. A worksheet with billboard comparisons was discussed.

Brian Boudet, Planning Services Division, noted that it was a public process and a component of work being done by the Planning Commission.

Chair Wamback noted that the meetings of the Task Force would not be public hearings or negotiations with Clear Channel Outdoor (CCO). He reviewed the timeframe.

Commissioner Erickson discussed differences between billboards and off-site signage, issues relating to pedestrian size signs, vinyl signs, visually unappealing support structures, and wall signs. Mr. Boudet commented that the definition being used for billboards included wall signs.

Commissioner Erickson commented that regulations on height, size, dispersal, and zones depend on other factors.

Chair Wamback discussed how to cover for Commissioner Santhuff not being present at future meetings, suggesting that he should collaborate with Commissioner Petersen.

Mr. Boudet commented that wall signs were an opportunity to consolidate signs and noted that the Task Force mission would lead up to the Planning Commission discussion. Mr. Boudet noted that allowing larger sizes could be a mechanism for consolidation.

Commissioner Erickson commented that he had concerns with tying size to zoning, noting that size should be tied to the speed of the nearby arterial.

Commissioner Erickson commented that if amortization were unenforced it raises the value of existing billboards.

The exchange ratio was discussed. Chair Wamback noted that the CWG had not discussed an exchange ratio. Mr. Boudet commented that the exchange ratio could be square footage for square footage suggesting an example with 2.5 square feet being exchanged for 1 square foot in a new billboard. Commissioner Neal suggested that a 4 to 1 ratio would be worth it to get the larger sized billboards. Commissioner Erickson suggested that digital might be acceptable with a large enough exchange ratio. Mr. Boudet noted that digital was a volatile subject. Commissioner Santhuff commented that he did not want digital.

Allowing wall signs downtown was discussed. Commissioner Santhuff commented that he did not want wall signs on the primary façade of buildings. Commissioner Erickson concurred adding that he was not opposed to other wall signs. He added that he would be okay with 325 square foot signs in the Mall area with larger signs being possible with design review. Chair Wamback noted that they were all in agreement that pole signs should not be allowed downtown. He noted the difficulty in separating on-site and billboard signage. Commissioner Santhuff suggested that they should allow flexibility on the proportions for wall signs.

Chair Wamback asked what other tools they had to reduce the overall number of faces, noting that they needed to recommend something that would do that. Commissioner Erickson noted that they were doing that with the discussion of wall signs and pedestrian size signs. Pedestrian scale signs would include signs on bus shelters and kiosks.

Buffers were discussed. Chair Wamback suggested having a larger buffer for larger sized signs.

The Task Force discussed areas that they would want prioritized for protection from new signs like scenic routes such as Shoreline, VSDs, Fireman's Park, and Landmarked buildings.

Height was discussed.

Task force members concurred with allowing wall signs downtown with larger signs possibly allowed with a CUP.

Priority zones for removal were discussed. Concern was expressed about allowing signs in HMX.

#### **D. ADJOURNMENT:**

At 8:00 p.m., the meeting of the Planning Commission Billboards Task Force was concluded.



City of Tacoma  
Planning Commission Billboards Task Force

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

**MINUTES** (Draft)

**TIME:** Tuesday, August 18, 2015, 6:00 p.m.  
**PLACE:** Room 335, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Donald Erickson, Meredith Neal, Anna Petersen  
**ABSENT:** Brett Santhuff (Alt.)

**A. CALL TO ORDER**

Task Force Chair Wamback called the meeting to order at 6:00 p.m.

**B. APPROVAL OF AGENDA**

**C. DISCUSSION ITEMS**

Chair Wamback reviewed the discussion from the previous meeting.

Commissioner Erickson reviewed the reasoning for allowing larger signs.

Chair Wamback commented that the exchange mechanism needed to come up with alternatives. Commissioner Ericson noted that what was acceptable to Clear Channel Outdoor (CCO) was unknown. Mr. Boudet explained the City's goals, Billboards Community Working Group's mission and the need for community based alternatives. Commissioner Neal commented that the exchange mechanism was needed before alternatives could be developed. Commissioner Erickson suggested that amortization should stay on the table. Chair Wamback responded that amortization should stay until they reach the target.

Mr. Boudet noted that John Harrington, primary staff for the Task Force, would be unavailable for future meetings due to military duty.

Commissioner Erickson discussed other alternatives such as moving towards urban signs that were wall mounted or pedestrian oriented.

The discussion of buffers from the previous meeting was continued. Commissioner Erickson recommended buffers for landmarked structures and structures designated as significant by the Historic Preservation Officer. It was recommended that the religious institution buffer be removed. Commissioner Petersen recommended reducing buffers for certain types of billboards. Commissioners discussed different buffers based on the type and size of billboards. Commissioner Erickson commented that the director could make the call making exceptions for buffers in special situations such as topography reducing a signs visible distance.

Dispersal was discussed with Commissioners concurring on recommendations of 500' for 672 square foot signs, 300' for 288 square foot signs, and 200' dispersal for wall signs.

**D. ADJOURNMENT:**

At 7:32 p.m., the meeting of the Planning Commission Billboards Task Force was concluded.





City of Tacoma  
Planning Commission Billboards Task Force

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

**MINUTES** (Draft)

**TIME:** Tuesday, August 25, 2015, 6:00 p.m.  
**PLACE:** Room 335, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Donald Erickson, Meredith Neal, Brett Santhuff (Alt.)  
**ABSENT:** Anna Petersen

**A. CALL TO ORDER**

Task Force Chair Wamback called the meeting to order at 6:04 p.m.

**B. APPROVAL OF AGENDA**

**C. DISCUSSION ITEMS**

The schedule was discussed. Brian Boudet, Planning Services Division Manager, noted that the Task Force would require at least five meetings. There was concurrence for holding the next two meetings on September 8 and 10.

Shirley Schultz, Development Services Division, reviewed the areas where billboards were currently allowed and noted their locations on a map. She reviewed that the Billboards Community Working Group (CWG) had proposed adding six zones to the list of allowable areas. It was noted that most of the zones added by the CWG were high density commercial zones.

The Urban Center Mixed-Use District (UCX) was discussed. Commissioner Erikson expressed support for possibly allowing wall signs in the area, but commented that free standing signs would not be appropriate. Commissioner Neal expressed support for additional signage including wall signs and suggested that the Tacoma Mall area is one of the few areas where larger signs could be appropriate. Chair Wamback commented that it would be important to provide appropriate buffering from the adjacent residential neighborhood. Discussion ensued on alternative methods for buffering such as buffering based on land use, sign orientation, and potentially limiting to certain types of arterials. Commissioners concurred with keeping UCX on the list of new areas to allow billboards.

The Community Commercial Mixed-Use District (CCX) was discussed. It was noted that roughly half of the Mixed-Use Centers, mainly those characterized as Crossroads Centers, were zoned CCX. Commissioners discussed whether buffers were more important for some residential zones than others. Chair Wamback expressed preference for buffering from all residential zones equally. Commissioners discussed whether limiting lighting would change the appropriate distance for buffering. Chair Wamback commented that he would be comfortable going forward with possibly allowing billboards in CCX depending on the buffer from residential areas.

The Commercial Industrial Mixed-Use District (CIX) was discussed, where there were currently 4 billboard faces along South Washington Street. Mr. Boudet noted that there was a mix of small and large uses and that residential was possible in the district. Commissioners expressed support for allowing billboards in CIX.

The Downtown Commercial Core (DCC) was discussed. Mr. Boudet noted that there had been discussion of allowing wall signs in the area. Commissioners agreed that new pole signs should not be allowed, but expressed openness to allowing wall mounted signs.

The Planned Development Business District (PDB) was discussed. Mr. Boudet noted that it was an intensive commercial zone that is typically a small area. It was noted that buffers would eliminate most of the available space in most of the PDB areas. Commissioners agreed to allow new billboards in PDB.

The General Neighborhood Commercial District (C-1) zoning was discussed. Commissioners suggested that billboards should not be allowed in C-1 as the zones were too small and would be eliminated by buffers. Chair Wamback commented that since there isn't a long term plan to make C-1 more intensive it should be kept off the list. Commissioners agreed to not allow billboards in C-1.

The Transitional District (T) was discussed. Ms. Schultz noted that they were typically even smaller areas than C1. Commissioners concurred with not allowing new billboards in Transitional Districts.

The Neighborhood Commercial Mixed-Use District (NCX) was discussed. It was noted that many of the billboards that citizens have objected to are in the NCX zone. Commissioners concurred to allow wall mounted signs while not allowing any new pole signs in the zone. Chair Wamback suggested that they could possibly recommend a more favorable exchange ratio for removal of signs from zones like NCX.

Landscaping was discussed. Ms. Schultz noted that currently new pole signs have to maintain a landscaping bed around the base of the sign and can't remove existing onsite landscaping. Commissioners discussed whether construction of new billboards should trigger the landscaping requirement. It was noted that the CWG had voted to eliminate the required 5 foot radius of landscaping under new signs. Commissioners concurred with the recommendation of the CWG.

Ms. Schultz noted that she would return at the next meeting with an exchange ratio matrix and a matrix with the different buffers for size and zoning.

Chair Wamback reviewed that the next Task Force meeting would be on September 8, 2015 at 6 p.m.

#### **D. ADJOURNMENT:**

At 8:17 p.m., the meeting of the Planning Commission Billboards Task Force was concluded.



City of Tacoma  
Planning Commission Billboards Task Force

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

**MINUTES** (Draft)

**TIME:** Tuesday, September 8, 2015, 6:00 p.m.  
**PLACE:** Room 335, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Donald Erickson, Meredith Neal, Anna Petersen,  
**ABSENT:** Brett Santhuff (Alt.)

**A. CALL TO ORDER**

Task Force Chair Wamback called the meeting to order at 6:05 p.m.

**B. APPROVAL OF AGENDA**

**C. DISCUSSION ITEMS**

Shirley Schultz, Development Services Division, reviewed the discussion from the previous meeting and the upcoming meeting schedule. Ms. Schultz asked for clarification on the Task Force recommendation for limitations on height. Commissioner Neal reported that they had concurred on a maximum 35 feet for pole mounted signs and possibly allowing a greater maximum height for wall mounted signs with review. For Port Maritime and Industrial (PMI) there was no consensus on a height limit for pole mounted signs.

Design was discussed. Ms. Schultz reviewed the recommendations of the Billboards Community Working Group (CWG). There was agreement that billboards should not be allowed on a property where there is already a freestanding business sign and some openness to allowing wall mounted signs instead. Commissioners concurred with deleting the 10 feet setback requirement and requiring that the backs of the billboards be parallel. Commissioner Neal suggested adding language to express preference for building mounted signs over pole mounted. A matrix with the allowed zones, sizes, and style of signs was shown and discussion ensued on whether or not pole signs should be allowed in new areas. Commissioners concurred to not allowing new pole signs and only allowing wall mounted signage in new areas. There was some discussion of additional pedestrian scale signage.

Maintenance was discussed. Commissioners discussed adding language requiring that graffiti be removed quickly. Task Force Chair Wamback commented that, since billboards were so prominent, he would support stricter standards for graffiti removal than what is currently required.

Lighting was discussed. Commissioner Erickson suggested that there should be incentives for LED lighting and limitations on when the signs could be illuminated. Commissioners considered reasons for not requiring restrictions on hours of operation including roads that are busy at all hours and signs near 24 hour businesses. Ms. Schultz noted that they could restrict lighting by zoning, time, or nearby buffered uses. Commissioners concurred to requiring that lights be off between midnight and 5am and requiring high efficiency lights such as LED.

Dispersal requirements were discussed. Commissioners concurred to requiring wall sign dispersal requirement of 200 feet within a view corridor. Task Force Chair Wamback suggested adding language on streetscape signage. Commissioners concurred to adding language expressing openness to research into streetscape signage.

Size for wall mounted signage was discussed. Commissioners concurred to allowing wall mounted signs in all new zones and allowing wall signs over 300 square feet in C2. In response to concern that signs could cover a façade, Ms. Schultz noted that current code would not allow signs to cover windows.

Commissioners concurred to requirements specifying that signs cannot cover windows or extend beyond the edge of the wall. There was agreement that the definition for wall mounted signs would include painted signs, separate structures, and hanging fabric signs. Structures for wall mounted signs were discussed and examples were shown. Commissioners expressed concern that the framing structure was not ideal. Minimum heights for wall signs were considered and Commissioners concurred with requiring that wall mounted signs be at least 10 feet from the ground with an exception for pedestrian designated streets.

Buffers were discussed. It was noted that Commissioners had concurred to not allowing any new pole signs at all. Task Force Chair Wamback noted that if no new pole signs were going to be allowed, buffers would only be about what existing signs might no longer be non-conforming. The Task Force concurred with the 1997 ordinance, requiring 250 foot buffers and no longer buffering from churches.

The exchange program was discussed. Concern was expressed that removing a few billboards from a dense area while adding a billboard to a new area would create the impression that the overall number was not being reduced. Ms. Schultz reviewed a proposed exchange mechanism that designated which billboards could be transferred to new areas and which could only be transferred to existing allowable areas. Commissioners expressed opposition to a possible 1:1 ratio of exchange for moving signs in existing zones. Task Force Chair Wamback commented that they needed to decide whether to prioritize reducing the overall number faces or structures. Commissioner Erickson commented that he would prefer to prioritize removal of structures. It was noted that there were signs that might not be legally non-conforming and there was discussion of possibly giving less credit to signs that have been non-conforming for a longer period of time. Commissioner Erickson suggested basing the value of exchange on how long a sign had been nonconforming, with signs that had been nonconforming longer worth less. Discussion ensued on how to incentivize removal of signs that were priority for removal. Commissioners concurred starting by basing the exchange ratio on the date of non-conformance and considering other factors at the following meeting.

#### **D. ADJOURNMENT:**

At 8:13 p.m., the meeting of the Planning Commission Billboards Task Force was concluded.



City of Tacoma  
Planning Commission Billboards Task Force

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Donald Erickson  
Meredith Neal  
Anna Petersen  
Brett Santhuff  
Dorian Waller  
Scott Winship  
(vacant)

**MINUTES** (Draft)

**TIME:** Thursday, September 10, 2015, 6:00 p.m.  
**PLACE:** Room 335, Tacoma Municipal Building  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Donald Erickson, Meredith Neal, Brett Santhuff (Alt.)  
**ABSENT:** Anna Petersen

**A. CALL TO ORDER**

Task Force Chair Wamback called the meeting to order at 6:06 p.m.

**B. APPROVAL OF AGENDA**

**C. APPROVAL OF MINUTES**

The minutes of August 17, 18, and 25 were reviewed and approved as submitted.

**D. DISCUSSION ITEMS**

Task Force Chair Wamback reviewed the discussion from the September 8<sup>th</sup> meeting, noting the recommendations of the task force on the topics including design, lighting, dispersal, wall signs, buffers, and the mechanics of the proposed exchange program. He reviewed that they had considered providing less square footage in exchange for billboards that had been non-conforming for longer periods of time.

Amortization was discussed. Shirley Schultz, Development Services Division, commented that the exchange program could replace amortization. Commissioner Erickson commented that he could not vote to get rid of amortization until there had been a significant reduction in the overall number of billboards. Ms. Schultz suggested a possible sunset clause after a number of billboards had been removed. Task Force Chair Wamback commented that they would need to consider the current code as well as the previous recommendations of the Planning Commission and be consistent with the Commission's history by not removing amortization. Commissioner Erickson concurred, adding that they did not know if the industry would ultimately embrace the new areas for billboards.

Basing exchange ratios on the length of time that billboards had been non-conforming was discussed. Ms. Schultz noted the difficulty in determining the years of nonconformity and the various factors that could result in nonconformity. A spreadsheet with the full billboard inventory with reasons for non-conformity based on current code was discussed. It was suggested that they should start instead by examining billboards that were nonconforming for more than one reason to determine which billboards should be prioritized for removal.

Commissioner Erickson asked if highway facing billboards could be allowed, so long as they were outside of the minimum required distance. Task Force Chair Wamback noted that signs along highways would include additional regulations including compensation should the signs be removed in the future. There was discussion of the possible consequences of MAP 21. It was noted that with the exchange program, there would not be compensation for removal of billboards.

Exchange ratios were discussed. Commissioner Santhuff commented that the exchange made sense only with amortization as a motivating factor for billboard owners. He suggested that they should start by prioritizing removal of billboards in zones where they are not allowed. Zones recommended for highest priority of exchange included Residential, Shoreline, Residential Commercial Mixed-Use, and Conservation Districts. Zones recommend for the second highest priority of exchange included C1

Commercial and Transitional. Discussion ensued on whether to allow an exchange ratio greater than one to one for certain billboards to incentivize removal. Task Force Chair Wamback suggested allowing a greater than 1:1 exchange ratio for moving from a pole sign to a wall sign. Discussion ensued on the appropriate ratio to incentivize exchange with some concern expressed that giving Clear Channel Outdoor (CCO) more than one square foot for each square foot removed would not look like progress. Commissioners concurred to allowing relocation of a pole sign in any zone to a wall sign downtown with a great than 1:1 ratio. The Task Force agreed that before any relocation could occur all illegal signs would need to be removed.

The Task Force discussed the concept of concentrating billboard square footage onto existing billboards that are conforming by allowing larger faces. It was suggested that extra square footage could be awarded for expanding an existing sign, provided that it could be made conforming. Discussion ensued. There was concurrence that they should not incentivize the expansion of existing signs. Support was expressed for not allowing any additional 672 square foot signs that were not wall signs.

Allowing existing pole signs to be relocated within existing allowed areas was discussed. Task Force Chair Wamback expressed concern that large signs would be exchanged for multiple small signs. Commissioner Neal expressed concern that the appearance of new pole signs would create the impression of more signs. Task Force members agreed that only pole signs less than 300 square feet should be allowed to relocate.

Discussion of the exchange ratio continued. Discussing the incentivization of relocating pole signs to wall signs downtown, the Task Force agreed to include DCC, DMU, UCX and WR DR in zones where there would be a greater than 1:1 ratio for the exchange of pole signs to walls. Commissioner Santhuff suggested that signs being removed from high priority areas should not be given a better rate of exchange than 1:1. The Task Force concurred and recommended that for signs that were not prioritized for removal would require more than one square foot of sign face to be removed to receive a square footage elsewhere.

When to open NCX up for new signs was discussed. Commissioner Santhuff suggested tying it to when all billboards are out of the R, RCX, CONS, SHR, and C1 zones. He added that they should be certain that there are no existing HIST, NRX, VSD or similarly zoned billboards. Task Force members concurred.

Task Force members reviewed the content of the document and suggested revisions. For the design section, Commissioners recommended clarifying that wall signs must meet the requirements of all wall signs and cannot be on the primary façade. Commissioner Santhuff recommended restrictions on cantilevered signs and not allowing offset signs. Commissioners also concurred that signs should be limited to one pole. Task Force Chair Wamback recommended giving relocation of pole signs to wall signs downtown the highest priority exchange ratio. The task force reviewed the cover memo and recommended including language about picking up where the CWG left off and building on the work of the 2011 Planning Commission. Commissioners also recommended including the matrix that had been referenced during discussion.

Commissioner Erickson made a motion to approve and forward the report and memorandum, as edited, to the Planning Commission. Commissioner Neal seconded. The motion was approved unanimously.

#### **E. ADJOURNMENT:**

At 9:13 p.m., the meeting of the Planning Commission Billboards Task Force was concluded.