



AGENDA

MEETING: Regular Meeting
TIME: Wednesday, April 6, 2016, 4:00 p.m.
LOCATION: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

A. Call to Order and Quorum Call

B. Approval of Agenda and Minutes of March 16, 2016

C. Public Comments (up to three minutes per speaker)

Comments must be pertaining to items on the agenda, except the topic of a recent public hearing, which is "Marijuana Code Amendments". A public hearing was held on March 2, 2016 and the record was closed on March 7, 2016. No further comments will be accepted for this item.

D. Discussion Items

1. Marijuana Code Amendments

Review and approve of the draft *Findings of Fact and Recommendations Report*, the draft land use code amendments, and the draft *Letter of Recommendation to the City Council*.

(See "Agenda Item D-1"; Brian Boudet, 573-2389, bboudet@cityoftacoma.org)

2. Short-Term Rentals (an application for the 2016 Annual Amendment)

Review, and release for public review, the proposed code amendments.

(See "Agenda Item D-2"; Lihuang Wung, 591-5682, lwung@cityoftacoma.org)

3. Multifamily District Design Standards (an application for the 2016 Annual Amendment)

Review, and release for public review, the proposed code amendments.

(See "Agenda Item D-3"; Stephen Atkinson, 591-5531, satkinson@cityoftacoma.org)

4. Future Land Use Implementation (an application for the 2016 Annual Amendment)

Review, and release for public review, the proposed area-wide rezones and amendments to the Zoning Map.

(See "Agenda Item D-4"; Stephen Atkinson, 591-5531, satkinson@cityoftacoma.org)

5. 2016 Annual Amendment Package

Release the package of proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for public review and set May 4, 2016 as the date for a public hearing.

(Lihuang Wung, 591-5682, lwung@cityoftacoma.org)

E. Communication Items & Other Business

- (1) Infrastructure, Planning and Sustainability Committee meeting, April 13, 2016, 4:30 p.m., Room 16; agenda includes: Safe Routes to School; Six-Year Transportation Improvement Program; and Integrated Parking Management System Update.
- (2) Planning Commission meeting, April 20, 2016, 4:00 p.m., Room 16; agenda includes: BikeShare Program; Urban Forestry Program; Capital Facilities Program Update; Enhanced Demolition Permit Review; and Historic Preservation Program Update.

F. Adjournment





MINUTES (Draft)

TIME: Wednesday, March 16, 2016, 4:00 p.m.

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

PRESENT: Stephen Wamback (Vice-Chair), Donald Erickson, Jeff McInnis, Meredith Neal,
Anna Petersen, Brett Santhuff, Dorian Waller

ABSENT: Chris Beale (Chair), Scott Winship

A. CALL TO ORDER AND QUORUM CALL

Vice-Chair Wamback called the meeting to order at 4:02 p.m. A quorum was declared.

B. APPROVAL OF AGENDA AND MINUTES OF MARCH 2, 2016

The agenda was approved.

The minutes of the regular meeting and public hearing on March 2, 2016 were reviewed and approved as submitted.

C. PUBLIC COMMENTS

No members of the public came forward to provide comments.

D. DISCUSSION ITEMS

1. Marijuana Code Amendments

Brian Boudet, Planning Services Division Manager, stated that they were seeking feedback from the Commission on potential modifications to the proposal, in response to public comments received at the public hearing on March 2, 2016 and through the comment period. He noted that they had provided staff recommendations in the agenda packet based on analysis, research on other jurisdictions, public testimony, and the Commission's input. He commented that the intent of the staff recommendations was to find a middle ground that respects the will of the voters, respects the legislature, and provides reasonable access.

Molly Harris, Planning Services Division, provided a review of public testimony, staff recommendations, comparisons of key options, maps, and the upcoming schedule. She reviewed that there had been limited testimony during the public hearing and throughout the comment period. The testimony was generally supportive of the potential amendments with differing opinions on retail store dispersion requirements and some concerns related to medical marijuana access.. Ms. Harris provided a table comparing options from the existing regulations, the public review draft, and staff recommendations for sensitive use buffers, dispersion, requiring a medical endorsement, allowing cooperatives, and a cap on the total number of stores.

Sensitive use buffers were discussed. Ms. Harris reported that they were recommending 1000 feet from elementary, secondary schools, and playgrounds as per State law. For all other sensitive use buffers the staff recommendation was 500 feet Downtown and 1000 feet everywhere else. Mr. Boudet commented that staff was recommending reducing buffers to only 500 feet Downtown because it would open up numerous opportunities in the Downtown area and because a smaller buffer would not be reasonably functional. Commissioner Neal commented that a separate reduced buffer for transit centers might be necessary to address access issues. Discussion ensued. Commissioners concurred with requiring 500

foot buffers from all sensitive uses citywide with the exception of State buffers for elementary schools, secondary schools, and playgrounds which would remain at 1000 feet.

Dispersion was discussed. Ms. Harris reviewed that staff was recommending a dispersion of 500 feet Downtown out of recognition that there were not many locations available and 1000 feet elsewhere. Mr. Boudet noted that they were recommending a 1000 foot dispersion outside Downtown due to concerns about the potential impacts of overconcentration and in the interest of improving access by spreading stores out. Commissioner Erickson commented that they should also consider traffic impacts, noting that they would reduce trips by dispersing stores geographically around the City. Commissioner McInnis commented that he did not support dispersion as it was not realistic to push retailers into other areas where there may not be a market. Mr. Boudet noted that there was still a good deal of space in areas like 6th Avenue even with a dispersion requirement. A map of existing retail locations with the recommended dispersions was discussed. Commissioners concurred with requiring a dispersion of 300 feet between stores inside Downtown and 1000 feet everywhere else.

Medical endorsement requirements were discussed. Ms. Harris reported that the staff recommendation was to require that 50% of retailers have a medical endorsement. Mr. Boudet commented that requiring 50% was a good balance to try to ensure access to medical marijuana as new retail stores are opened and collective gardens are closed. He noted that they would not be able to ensure that stores with endorsements were selling medical products, but they could ensure that a percentage of stores had the endorsements. Commissioner Neal asked why they were recommending requiring only 50% if it was relatively easy to obtain the license. Ms. Harris responded that while medical endorsements were currently easy to get, it might not remain that way in the future. Vice-Chair Wamback commented that since the Department of Health had not yet released their rules to regulate the sale of medical products, it might not be appropriate to include an endorsement requirement in the zoning code. Vice-Chair Wamback added that if there was no requirement that stores with medical endorsements sell medical marijuana, then requiring an endorsement would not be the best way to ensure patient access. Commissioner Petersen commented that while the requirement does not guarantee medical marijuana will be available, requiring that all stores have the endorsement would improve the odds. Commissioner Petersen expressed concern about how they would determine which stores would be required to have an endorsement with a 50% requirement. Commissioner Santhuff commented that requirement should either be 100% or 0%. Commissioners concurred that they should require that either none or all of the retailers to obtain a medical endorsement.

Cooperatives were discussed. Ms. Harris reported that staff was recommending allowing cooperatives with a 1000 foot buffer from sensitive uses due to past code enforcement issues with collective gardens. Commissioner Petersen questioned if the State would take into consideration the buffer rules for individual jurisdictions when allowing cooperatives. Mr. Boudet responded that historically the State had not considered the rules for local jurisdictions. Vice-Chair Wamback expressed concern about how well the Liquor and Cannabis Board would enforce City restrictions on cooperatives and asked if they could maintain a moratorium until the State provided additional guidance. Mr. Boudet responded that they could, but it would effectively be a ban on cooperatives. Commissioner Neal commented that there were people who were growing medicinal strains that would be more difficult to find in recreational stores and that she would prefer to allow cooperatives with the State regulations to provide those people a legal avenue. Commissioner Santhuff commented that patients would still have the ability to grow their own product individually and that he did not want to open the risk of cooperatives going awry. Commissioners concurred with requesting that staff construct language both for banning cooperatives and for allowing cooperatives with the State requirements. Commissioners requested that staff incorporate language into the findings of fact stating that cooperatives should not impact retail stores.

Requiring a cap on the total number of retailers was discussed. Ms. Harris commented that they were recommending a citywide cap of 16 stores to place the total number of stores under local control. Commissioner McInnis expressed support for setting the cap at 16 retailers to keep control of the issue with the City. Commissioner Neal reviewed that there had been a significantly higher number of collective gardens than the current State cap, indicating that a higher number of retail stores would be supported. Commissioner Erickson recommended adding to the cap the number of retailers allocated to nearby jurisdictions with bans. Vice-Chair Wamback requested that staff provide the allocations numbers for

surrounding jurisdictions. Commissioner Santhuff commented that increasing the number of stores beyond the current cap would not improve access for surrounding jurisdictions as they already had to travel to Tacoma. Commissioners concurred with setting a cap at either 16 stores or higher.

Vice-Chair Wamback recessed the meeting at 5:48 p.m. The meeting resumed at 5:54 p.m.

2. Code Cleanups

Stephen Atkinson, Planning Services Division, provided a review of background information, key issues, and proposed clean-up revisions to the Land Use Regulatory Code. Code cleanups for consistency with the Comprehensive Plan included numerous updates to names and terminology throughout the code. For the Shoreline Code, code cleanups would include changes based on the best available science review and amendments to the 13.11 Critical Areas Preservation ordinance adopted in 2015 as well as changes to the Wetland Rating System.

Mr. Atkinson noted that there were circumstances throughout the City where the zoning for existing businesses had changed since permitting. City policy on nonconforming uses had changed in recent years to be more accommodating and to recognize that many nonconforming uses provide benefits and services to the City's neighborhoods. However, in many cases rezoning the uses would be inappropriate given the site context. Therefore, the staff recommendation was to provide a process for expansion and change of a nonconforming use, via a conditional use permit, rather than proposing land use designation or zoning changes to accommodate the uses. Mr. Atkinson noted that the current code allowed for a change of use and expansion within certain parameters, including no expansion of hours of operation and no increase in outdoor storage of goods and materials. The proposal would create a conditional use permit (CUP) process for these nonconforming uses with general CUP criteria as well as new criteria. The new criteria would include consideration for whether a rezone is inappropriate, what the positive impact of the expansion would be, and requiring that the business come into compliance with certain codes such as landscaping standards, buffering standards, pedestrian and bicycle support, off-street parking, and storage areas. Vice-Chair Wamback asked what the trigger would be for a business owner entering into the new process. Mr. Boudet responded that the CUP process would provide the opportunity for a property owner to ask for more than the current limitations of their nonconforming use.

Mr. Atkinson reported that other minor cleanups included updates to the mobile home/trailer court definition; conditional use criteria references; and fixing a reference loop between the Mixed-Use Center Height Bonus Palette and the Development Incentives portions of the Affordable Housing Incentives and Bonus Administrative Code. He reviewed that the Staff recommendation was to release the drafts for public review with a tentative May 4th public hearing date.

Commissioner Erickson motioned to release the code cleanups for a tentative public hearing on May 4th, 2016. Commissioner Waller seconded. The motion was approved unanimously.

3. Wireless Communication Facilities

Lihuang Wung, Planning Services Division, provided a review of the proposed code amendments for wireless communication facilities. Mr. Wung reviewed that the amendment would make changes to TMC 13.06.545 concerning Wireless Communications Facilities, to bring the code into compliance with Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 and the related Federal Communications Commission (FCC) rules. The amendment would also take the opportunity to enhance the code language to further minimize the visual impacts of wireless communication facilities.

Key revisions to respond to FCC rules included limiting minor modifications of Level 1 structures to cumulative changes and incorporation of FCC criteria for "substantial changes". If cumulative changes went beyond the definition of a minor modification, the changes would go through a Conditional Use Permit (CUP) review. Noting that the FCC language includes allowance for 20 foot antennas protruding from a tower, Mr. Wung commented that the current code requires applicants to go through an order of preference that prioritizes standards including collocation, concealment, camouflage, and screening.

Key revisions to address visual impacts included prohibiting rooftop antennas under Level 1 modifications; preference for collocation and concealed/flush-mounted preferred over non-concealed;

addition of siting criterion that also applies to View Sensitive, Historic and Conservation Overlay districts; encouraging flush-mounting and color-matching and allowing alternative designs; and the addition of photo examples for site location and development standards to showcase alternative treatments. Photo examples of alternative treatments for building-mounted facilities were discussed.

Key revisions to enhance the code language included language stating that Level 2 wireless facilities would also include building mounted antennas that exceed the associated limitations of Level 1 facilities. A more significant change to enhance code language would be the regrouping of zoning districts on the Use Table. Mr. Wung noted that the current code had six groups of uses, with three of them having the same review type. The proposed table would have uses grouped by the type of use: residential, commercial, light industrial, or heavy industrial.

Commissioner McInnis asked if there was a timeframe for cumulative changes. Mr. Boudet responded that cumulative changes, including those spread out over a long period of time, that go beyond minor modifications would have to go through the CUP process.

Commissioner Erickson motioned to authorize for public review the Wireless Communication Facilities proposal in preparation for the Public Hearing scheduled for May 4th, 2016. Commissioner Neal seconded. The motion was approved unanimously.

4. Short-Term Rentals

Mr. Wung provided a review of background information, key issues, and the proposed approach and framework for code amendments concerning short-term rentals. Mr. Wung reviewed that there was a growing peer-to-peer rental market of short-term, transient lodging largely in single-family homes. He reported that in the Tacoma area there were currently around 50 homes listed on VRBO and over 250 homes listed on Airbnb. Potential concerns included the presence of a non-residential/commercial use in residential areas; maintaining “neighborhood character”; tenant behavior and accountability; adequate owner oversight during the stay of tenants; and potential safety concerns. Potential benefits included providing an alternative form of lodging; support for tourism; supplemental income for home owners; efficient use of structures; and encouragement for economic development.

The proposed approach was discussed. Mr. Wung commented that there were several options: to keep monitoring the trend and tracking the complaints until a more appropriate time to address the issue; to prohibit the use outright; or to allow the use and modify development regulations accordingly. General trends observed from researching other cities included that some jurisdictions regulate and many do not; that the demand for short-term rentals is greater in vacation destinations; that some jurisdictions include zoning limitations on allowed locations, size, frequency, and duration; and some jurisdictions require special licensing.

The proposed regulatory framework was discussed. The proposal was to first provide a definition of “short term rentals”. They would then create requirements including registration, annual safety inspections, a conditional use permit review for accessory activities, whether owners should be required to be on site, safety signs, and a possible 600 foot dispersion between homes with 3 or more rooms or the entire house rented out. There would also be a requirement that, once the code amendments were adopted, existing short term rentals would have 6 months to register.

The current use table for a lodging house was discussed. Jana Magoon, Planning Manager, noted that the current code distinguished between the rental of 1 room, 2 rooms, and 3-9 rooms. There was currently no language concerning the rental of an entire dwelling. Mr. Wung reported that the proposed use table would replace the term “lodging house” with “short-term rental” which would be defined as the rental of one or more rooms (not more than 9) within an owner occupied dwelling, or the rental of an entire dwelling, for less than 30 days.

Mr. Boudet asked if Commissioners had any interest in allowing a CUP for bed and breakfasts in residential zones. Discussion ensued. Vice-Chair Wambach expressed support for separating bed and breakfasts from the short term rental discussion as not every bed and breakfast would be managed by the owner.

Commissioners provided the following comments and questions:

- Vice-Chair Wamback requested a comparison between the proposed framework and the existing requirements for home occupation.
- Commissioner Petersen asked why a 600 foot dispersion was proposed as a requirement. Ms. Magoon responded that it was recommended under the assumption that there would be a negative impact from having too many short-term rentals concentrated in one area.
- Commissioner Neal commented that renting an entire house might have a smaller impact than renting out 3-9 rooms separately. Ms. Magoon responded that when the entire house is rented the owner is less likely to be present, making it more difficult to manage behavior.
- Commissioner Erickson recommended specifying 'bedrooms' and not simply 'rooms' in the code language and that there be a required ratio of bathrooms to bedrooms.
- Commissioner Erickson expressed concern about allowing the rental of as many as 9 bedrooms and the associated parking and nuisance issues. He questioned why they were opening up R-3 and R-4L to the rental of 3-9 rooms on the proposed use table. Ms. Magoon responded that the reason was that both zones allowed uses greater than single family.
- Commissioner Neal expressed concern about the dispersion requirement and recommended against allowing 3-9 room rentals in R-3 and R-4 zones.
- Commissioner Neal asked how the proposed code would affect a bed and breakfast currently in an R-2 zone. Ms. Magoon responded that it would not be allowed under the current zoning or the proposed code.
- Vice-Chair Wamback suggested that in the requirements they clarify the responsibilities for the owners and the occupants especially in terms of consumption of marijuana.
- Commissioner Neal suggested that they consider a limit on the total number of people allowed to stay in a single home in the requirements.
- Commissioner Santhuff suggested that rentals in some of the zones on the proposed short term rental use table should be permitted only with a conditional use. Ms. Magoon responded that to be permitted, all short term rentals would need to sign a document like a notice on title, rental registration, or license instead of a conditional use permit.

E. COMMUNICATION ITEMS & OTHER BUSINESS

Mr. Boudet reported that the discussion of Enhanced Demolition Permit Review was currently going through the Landmarks Preservation Commission and would be coming to the Planning Commission as well. There would also be a process to improve and finalize the historic inventory that would be used to determine the level of review required.

Mr. Wung reported that the District 4, Environmental, and Architecture, Historic Preservation, and/or Urban Design positions would be expiring on June 30, 2016. He urged Commissioners to reapply for their positions and noted that the call for applications would go out on May 4th.

F. ADJOURNMENT

At 7:32 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: Brian Boudet, Planning Services Division
Subject: **Marijuana Code Amendments**
Date of Meeting: April 6, 2016
Date of Memo: March 30, 2016

At the meeting on April 6, 2016, the Planning Commission will review the draft Findings of Fact and Recommendations Report, the draft Land Use Code Amendments, and the draft Letter of Recommendation to the City Council. The Commission, after modifying these documents as necessary, is scheduled to make its final recommendation to the City Council.

To facilitate the Commission's review, attached are the draft documents mentioned above, developed based on the Commission's guidance. Note that the draft Land Use Code Amendments document is one of the four exhibits to the draft Findings of Fact and Recommendations Report; the other being the State's revised list of marijuana retail allocations and two maps depicting potential marijuana business and cooperative locations.

These documents are intended to support the Commission's consideration and deliberation, with three issues of particular importance as there was not clear direction provided at the Commission's last meeting:

- Cooperatives – to allow or ban
- Cap on number of retail stores allowed to operate in Tacoma – 16 or a larger number
- Medical endorsement – to require for all stores or not to require for any

In the draft Findings of Fact and Recommendations Report, **those sections that are relating to these issues are highlighted in yellow** and will be finalized based upon the Commission's decisions and suggestions.

If you have any questions, please contact me at 253-573-2389 or bboudet@cityoftacoma.org.

Attachments:

1. Draft Letter of Recommendation
2. Draft Findings of Fact and Recommendations Report
 - a. Exhibit "A": Proposed Marijuana Regulations (Amendments to TMC 13.06)
 - b. Exhibit "B": Preliminary Map of Potential Marijuana Business Locations
 - c. Exhibit "C": Preliminary Map of Potential Marijuana Cooperative Locations
 - d. Exhibit "D": State Retail Marijuana Allocations

c: Peter Huffman, Director



City of Tacoma
Planning Commission

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

April 6, 2016

*Draft Letter for the Planning
Commission's Consideration
April 6, 2016*

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

RE: Proposed Amendments to the Marijuana Regulations

Honorable Mayor Strickland and Members of the City Council,

On behalf of the Tacoma Planning Commission, I am forwarding our recommendations on the Proposed Amendments to the Marijuana Regulations contained in the Land Use Regulatory Code. Enclosed is the "*Planning Commission's Findings and Recommendations Report, April 6, 2016*" that summarizes the proposed amendments, the public review process, and the Planning Commission's deliberations.

The Planning Commission's recommendations were developed in response to Substitute Ordinance No. 28343 adopted by the City Council on January 12, 2016, that enacted an immediate temporary moratorium on new marijuana retail uses and the establishment of marijuana cooperatives for a period of six months or until earlier terminated if the City's marijuana-related regulations are updated. We recommend that the City Council amend the Marijuana Regulations to reflect changes to State law as well as to respond to community and business concerns and changing market conditions. The following items are discussed further in the *Findings and Recommendations Report*, but warrant attention here as these were the most deliberated and contentious items:

- Allowing or banning cooperatives
- Local cap on the number of retail stores
- Medical endorsement requirements for retail stores
- Buffers from sensitive uses
- Retail store dispersion (to limit concentrations)

These proposed recommendations are the result of intensive analyses, thorough research, and rigorous deliberations performed by the Planning Commission and City staff over the past five 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 proposal is intended to ensure the regulations are consistent with State law and address issues raised through community discussions, public comments and the recent Planning Commission public hearing on March 2, 2016. These recommendations consider how to regulate the impacts of marijuana-related land uses and to protect the public health, safety and general welfare while providing safe, secure and reasonable access for recreational marijuana consumers and qualified medical marijuana patients. The buffer, dispersion, medical

endorsement, cap and other requirements and recommendations are intended to balance interests by having sufficient areas within which marijuana uses may locate while also preventing overconcentration in any one area and limiting potential impacts. It is with these views in mind, and keeping the intent behind voter-approved Initiative 502, the recent State law changes, and the City Council's existing ordinances in the forefront, that these recommendations were developed.

The Commission also recognizes that there is not widespread community agreement on all of these issues – that was certainly true based on the positive but relatively split vote for I-502 and that continues to be the case both here and around the state. Additionally, although marijuana is now recognized as being legal in Washington State, federal law still designates cannabis as a Schedule I controlled substance. Suffice to say, we are in the midst of a cultural shift relative to marijuana, what it is, how good or bad it is, how it can and should be used, and how it should be integrated into our communities. Not only has this not really been done before, but much of this transition has not yet occurred, making it difficult to fully understand and definitively manage. It is likely that the market will continue to evolve over the next decade, community opinions may continue to evolve, state and national laws may change, and thus it is likely that the City's standards will also change in the future in response to these forces. At this point, it is clear that the citizens have indicated that this unique use deserves a specific, intentional, measured approach. Recognizing all of this, the Commission's recommendation is designed to reflect a thoughtful, moderate, reasoned approach that is provided for the Council's consideration.

Tacoma is and should continue to be a leader in providing access to both medical and recreational marijuana to its citizens, while also protecting the citizenry, and especially young children, from adverse impacts and unintended consequences of efforts to standardize the legal use of marijuana. It is important to note that while the majority of the jurisdictions surrounding Tacoma, including Lakewood, Gig Harbor, University Place, Fircrest, Pierce County and others, have directly or indirectly banned marijuana land uses from their communities, Tacoma has provided a flexible market in which to operate. With this recommendation, Tacoma will continue to provide ample and adequate commercial and industrial land for these uses, while supporting the continuing transition away from the black and gray markets and providing reasonable controls for its citizenry.

The Planning Commission believes the proposed Marijuana Regulations will help achieve the City's strategic goals for strengthening and supporting a safe city with healthy residents. We respectfully request the City Council adopt the above-mentioned recommendations of the Planning Commission.

Sincerely,

CHRIS BEALE, Chair
Tacoma Planning Commission

Enclosure



MARIJUANA USES PROPOSED LAND USE REGULATION AMENDMENTS

TACOMA PLANNING COMMISSION FINDINGS OF FACT AND RECOMMENDATIONS APRIL 6, 2016

This draft report is prepared for the Planning Commission's review and consideration for approval on April 6, 2016. It summarizes the Commission's deliberations and preliminary decisions on various topics to date, except for those sections highlighted in yellow, which identify issues that the Commission as a whole has yet to come to conclusions with.

A. SUBJECT:

Proposed Land Use Regulation Amendments regarding Marijuana Uses.

B. SUMMARY OF PROPOSED AMENDMENT:

The Proposed Marijuana Regulations, as shown in Exhibit "A", would amend the Tacoma Municipal Code, Chapter 13.06 – Zoning (mainly, Section 13.06.565 Marijuana Uses) and Chapter 13.06A – Downtown Tacoma. The proposal would retain most of the provisions of the existing code, and make several additions and modifications.

Specifically, the following provisions of the existing code would be retained and incorporated in the permanent regulations contained in *TMC 13.06.565*:

- Prohibits all marijuana production, processing, and retail uses in residential and shoreline districts;
- Allows marijuana producers and processors outright in intensive industrial zones, with applicable standards and requirements;
- Allows marijuana retailers outright in most commercial, mixed-use, industrial, and downtown zoning districts, with applicable standards and requirements;
- Prohibits marijuana uses from locating within 1,000 feet of playgrounds, secondary and elementary schools, pursuant to WAC 314-55;
- Requires marijuana uses to comply with additional development standards concerning odor controls, drive-throughs, size and hours of operation, signage and advertisement, off-site and outdoor sales, product visibility, and other applicable standards; and,

In addition to retaining the above provisions, the proposed regulations would incorporate the following modifications:

- Adds "marijuana researcher" to the list of definitions in accordance with the respective terms as defined in RCW 69.50.101;
- Allows marijuana researchers outright in intensive industrial zones, with applicable standards and requirements;

- Prohibits marijuana uses from locating within 500 feet of public parks, recreation centers or facilities, libraries, child care centers, game arcades, public transit centers; correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, or detoxification centers;
- Requires retail marijuana stores to be dispersed 300 feet from each other in the downtown area and 500 feet from each other in the rest of the City (measured by property lines);
- Allows cooperatives if at least 1 mile from retailers and 1,000 feet from elementary schools, secondary schools, playgrounds, child care centers, game arcades, libraries, public parks, public transit centers, and recreation centers or facilities, pursuant to WAC 314-55;
- **OR Do not allow cooperatives;**
- Allows a maximum of sixteen (16) OR twenty-five (25) retail stores; and
- Requires OR Does not require all retail stores to have a State medical endorsement.

C. BACKGROUND:

In November 2012, Washington voters passed Initiative 502, which establishes precedent for the production, processing and retail sale of marijuana for recreational purposes. In April 2015, the State passed two new laws concerning marijuana uses: 2SSB 5052 and 2E2SHB 2136. The laws establish regulations for the formerly unregulated medical aspects of the marijuana system, align these with the existing recreational system, and establish a “medical marijuana endorsement” that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers. The statutes regarding “collective gardens” were repealed, effective July 1, 2016 and instead provides for Washington State Liquor and Cannabis Board (LCB)-certified “cooperatives” with a maximum of four patients or designated providers.

The State cap on licensed marijuana retailers for Tacoma was eight; however, in January 2016, the State raised Tacoma’s cap to sixteen. Tacoma currently has nine licensed marijuana retailers and anticipates that seven more will open after completing the state and local licensing process.

The City Council enacted a moratorium on new licensed marijuana retailers and cooperatives in January 2016 after the State issued a license to a ninth retail store in Tacoma, before the Council had the opportunity to establish new regulations in concert with the community’s desires.

Since November 2015, the Planning Commission has been presented with background information, comparable approaches of other jurisdictions in Washington State, various draft regulatory options for discussion and the Commission has also heard from various medical patients and providers, business and property owners and both recreational and medical marijuana advocates. On March 2, 2016, the Planning Commission held a public hearing on this matter.

D. FINDINGS OF FACT:

1. Initiative 502 was passed by the voters of the State of Washington in November 2012, providing a framework under which marijuana producers, processors and retailers can become licensed by the State of Washington.
2. Under Initiative 502, the Washington State Liquor and Cannabis Board (LCB) is tasked with the responsibility to adopt rules governing the licensing and operation of marijuana producers, processors, and retailers. *Chapter 314-55 Marijuana Licenses, Application, Process, Requirements, and Reporting* of the Washington Administrative Code was finalized and became effective on November 16, 2013.
3. The State passed two new laws in April 2015, 2SSB 5052 and 2E2SHB 2136. The laws establish regulations for the formerly unregulated aspects of the marijuana system and establish a “medical marijuana endorsement” that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers. The statutes regarding “collective gardens” were repealed, effective July 1, 2016 and instead provides for Washington State Liquor and Cannabis Board (LCB)-certified “cooperatives” with a maximum of four patients or designated providers.
4. Part of the State legislation is designed to meet the concerns of the federal government as expressed in the “Cole memo,” and to move toward an integrated marijuana industry in the state with uniform regulations and accountability. As a result of this legislation, there will be an increase in the number of licensed retail stores, and it is very likely that this increase will decrease the amount of unregulated and untaxed marijuana being sold in the state. As the marijuana industry matures there will be fluctuations in the supply and demand, but the retail price of licensed marijuana product should move lower and be more competitive with prices offered by illegal street dealers.
5. The LCB has set the total number of marijuana retail outlets as limited to 556 statewide and the allocation per county is proportionate to the respective population and marijuana consumption level. The Pierce County allocation is 39, including 16 in the City of Tacoma, 6 in other specific jurisdictions and 17 at-large. It is, however, important to note that while the City of Tacoma’s allocation was raised from 8 to 16 in order to accommodate increased recreational demand and the integration of the medical market the allocations for other jurisdictions in Pierce County was not similarly raised as the state chose to not increase the allocations in jurisdiction currently banning these uses. It is possible that the allocations in surrounding jurisdiction will similarly increase if those jurisdictions choose to eliminate their bans. (See Exhibit “D.”)
6. Local land use and zoning regulations apply to the siting of marijuana production, processing, research and retail locations. All producers, processors, researchers and retailers of marijuana are required to obtain a license issued by the LCB. Under WAC 314-55-160, cities have the ability to object to the granting of a proposed license, based on specific, limited criteria laid out in the state’s rules.
7. It is noted that federal law still identifies marijuana as a dangerous drug and that the illegal distribution and sale of marijuana is a serious crime that provides sources of revenue to large-scale criminal enterprises, gangs, and cartels. Washington State residents involved in

marijuana production/retailing or marijuana users could still be subject to federal prosecution. However, President Obama has indicated that prosecution of recreational users will not be a priority. The U.S. Department of Justice issued a Memorandum for All United States Attorneys on August 29, 2013 providing “Guidance Regarding Marijuana Enforcement” and indicating that federal prosecutors are not going to interfere with those operating marijuana businesses or using marijuana in accordance with state law.

8. Staff of the Planning and Development Services Department have and continue to outreach to stakeholders and have received inquiries from numerous interested parties and prospective/potential marijuana license applicants. It is clear from this outreach, as well as input from public hearings, Planning Commission meetings and the City Council, that this community is concerned both about the potential negative impacts from this industry and these types of uses, and interested in respecting the desires of Washington voters in a manner that is consistent with this community’s overall goals and interests.
9. There is significant community concern over access to medical marijuana, as evidenced by constituent discussions with the City Council as well as comments at Planning Commission meetings and public hearings.
10. Concerning medical marijuana access, according to new State laws qualifying patients or designated providers could obtain medicinal marijuana from retailers; qualifying patients or designated providers could grow six (6) plants or up to fifteen (15) plants with the authorization of a health care professional; qualifying patients who choose not to register with the State medical database can have up to four (4) plants; and medical marijuana is exempt from State retail sales taxes.
11. “Collective gardens” have been instrumental in providing medical marijuana and will be prohibited by State law effective July 1, 2016.
12. Cooperatives are regulated by RCW 69.51A.250. Cooperatives may be formed by qualifying patients or designated providers in order to share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative.
13. Cooperatives, with a maximum of four patients or designated providers, may be authorized and certified by the LCB.
14. Cooperatives can have up to four (4) qualifying patients and/or designated providers, may grow up to sixty (60) plants and members must share responsibility for production and processing. Cooperatives must be in a domicile of one of the participants; must be registered with the LCB; must be at least one mile from existing retailers and 1,000 feet from sensitive uses (unless reduced by the local jurisdiction); must wait 60 days before a new member may fill a vacancy; may produce marijuana only for the medical use of members; and minors cannot participate.
15. The City of Tacoma has had numerous issues with the “collective gardens” and Planning Commissioners and staff, including Tacoma Police Department and nuisance enforcement officers, are concerned about potential impacts of “cooperatives.”

16. Issues with home-based growing, and concerns about potential issues with the proposed “cooperatives,” have included unpermitted and substandard work especially in single family dwellings; health risks associated with mold and mildew from poor ventilation; the use of cooking products to extract oils; smoke odor; improper discarding of materials; storage and handling of butane, hexane, propane and other chemicals and gases in a residential setting; and hazards to abutting property owners. Other concerns include increased foot traffic in residential areas; sixty (60) plants being too many for a residential setting; risks to children in the homes; and smoke and odor complaints being difficult to enforce. There may be similar risks for individuals growing their own plants but the risks generally drop with the number of plants.
17. The Tacoma Police Department has commented that grow operations often comprise a hazardous environment and tactics teams with special equipment including breathing apparatuses are required to investigate because grow operations are often in an enclosed oxygen deficient environment with mold and mildew present.
18. Grow and processing operations can be fire hazards, and in the last year at least two homes caught fire due to efforts to extract oil using butane.
19. Due to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) laws, the City will likely not be notified of cooperative locations.
20. Cooperatives are regulated and controlled by the State; per the State’s draft rules, cooperatives will be required to register with the State and there is no clear involvement or notice of local jurisdictions or the community. The City will likely have to rely on the LCB to enforce cooperatives.
21. The regulations associated with cooperatives will likely be almost impossible to enforce, particularly at the local level, and the City staff has little confidence that the State will take an active role in enforcement.
22. The State took little to no role in addressing the issues associated with the “collectives” and the City, like many jurisdictions, found itself in the untenable position of being held accountable for enforcing a problem it did not create and for which enforcement was virtually impossible.
23. If the City were given power by the LCB to enforce cooperatives, it might be difficult due to right of entry limitations and limited staff resources.
24. Cooperatives are much smaller and quite different from “collective gardens.” See findings #12, 13 and 14.
25. The cooperative concept was designed to help ensure access where there is likely to be limited access to licensed stores. Cooperatives can fill a potential void in medical access to marijuana. See findings #12, 13 and 14.
26. Due to state locational standards, cooperatives are not allowed within 1 mile of a licensed store (this buffer cannot be modified) and not within 1,000 feet of sensitive uses (these buffers can be modified by local jurisdictions, with limitations, similar to the retail stores). The existing distribution of stores already significantly limits the areas that would be available for cooperatives based on the State’s required 1-mile separation from retail stores.

and this available area will be further limited as the additional stores are licensed. Due to these restrictions, there are limited locations in Tacoma where cooperatives could be allowed. See “Potential Marijuana Cooperative Locations” map (Exhibit “C”).

27. Reasonable patient access to medical marijuana is critical.
28. Since there is no licensed medical production and sales yet, the cost of retail medical marijuana is highly uncertain and is likely that it will take some time to stabilize.
29. While it is unclear whether all stores will provide all medical products there is already fairly good distribution of stores in Tacoma and that will be improved as the additional stores come on-line.
30. The fact that stores are fairly well distributed throughout the City means that it will be difficult for residents and City staff to have a clear understanding of where cooperatives are allowed and where they aren't, and this allowed area will shift as the store locations shift (including when stores are opened or closed in neighboring jurisdictions).
31. Cooperatives are clearly a new attempt by the State to create a small-scale medical option, which was the intent behind the previous “collectives” concept that was completely abused, facilitated creation/expansion of the “grey” market, and created significant impacts on this and other communities.
32. Given those concerns, along with the uncertainty of medical marijuana access once collective gardens are no longer allowed, and recognizing that medical marijuana access is important to Tacoma's citizenry, preserving the option for cooperatives is important but only with a careful and measured approach.
33. RCW 35.63.220 and Tacoma Municipal Code (TMC) 13.02.055 permit the establishment of moratoria or interim zoning when it is found to be necessary as a protective measure.
34. The City Council adopted Substitute Ordinance No. 28343 on January 12, 2016, enacting an immediate temporary moratorium on new marijuana retail uses and the establishment of marijuana cooperatives for a period of six months or until earlier terminated if the City's marijuana-related regulations are updated.
35. Pursuant to TMC 13.02.055, the City Council referred the moratorium to the Planning Commission to develop findings of fact and recommendations, including the need for and duration of the proposed temporary moratorium. As part of its findings of fact and recommendation, the Planning Commission acknowledged the facts, background information and rationale for the enactment of the moratorium and noted that, in order to protect the legitimacy and viability of the City's legislative process, the moratorium is necessary and warranted and the adopted duration is appropriate for the City to accomplish the update of the marijuana-related regulations.
36. Before the moratorium was enacted, in November 2016, the Commission had already begun the process of reviewing the Land Use Regulatory Code in response to the Cannabis Patient Protection Act and the associated State rules. The Commission's goal was to ensure reasonable access to both recreational and medical marijuana in a responsible way that balances the community's multiple goals and encouraged the ongoing, critical shift from

access through the grey and black markets towards access through licensed, regulated operations.

37. The Planning Commission continued its review of background information associated with Initiative 502, draft Rules proposed by the LCB and presentations by City staff, Association of Washington Cities staff, and medical and business advocacy groups at meetings on December 16, 2015 and January 20, February 3 and February 17, 2016.
38. Based on the State laws adopted in April 2015, the draft Rules proposed by the LCB, research and analysis, review of other City codes and standards, initial community outreach, previous discussions with the City Council, and community comments received at Planning Commission meetings and public hearing, staff developed a staff report and recommendation for amending the Land Use Regulations.
39. The proposed amended regulations would continue to allow marijuana producers and marijuana processors outright in intensive industrial zones; continue to allow marijuana retailers outright in most commercial, mixed-use, industrial, and downtown zoning districts; allow marijuana researchers outright in intensive industrial zones; further limit retailers' location based on dispersion; reduce retailer buffering standards from certain sensitive uses; and put a cap on the number of retail stores.
40. The proposed amended regulations would require retail marijuana stores to be dispersed 300 feet from each other in the downtown area and 500 feet from each other in the rest of the City (measured by property lines).
41. Neither State nor Tacoma laws currently regulate how close licensed marijuana retailers can be to each other.
42. Over-concentration and inequity (of both access and potential impact) have been a concern continuously expressed by some community members and City Council members.
43. The community has expressed concern about the number, location and clustering of licensed marijuana retailers
44. Dispersion is a common zoning tool used to separate uses for which the community has concerns about the impacts of an over-concentration (both perceived and real); the City has numerous uses for which dispersion is required. At the same time, excessive dispersion could result in a significant reduction in the allowable areas for retail stores.
45. The dispersion recommended would help to prevent clustering and over-concentration of licensed marijuana retailers in one part of town and help to ensure more equitable access throughout the community, while not significantly impacting the ability to site the additional stores to be licensed.
46. The proposed amended regulations would reduce, as allowed pursuant to WAC 314-55, the required 1,000-foot buffer to 500 feet for public parks, recreation centers or facilities, libraries, child care centers, game arcades, and public transit centers – for retailers, in order to expand areas for operations while also protecting the public health, safety and welfare of the citizens of Tacoma.

47. The Commission is recommending 500-foot buffers from public transit centers, in part, to ensure that access to stores via multiple transportation modes is available.
48. The proposed amended regulations would also reduce the required 1,000-foot buffer to 500 feet for correctional facilities, court houses, and drug rehabilitation facilities, substance abuse facilities, and detoxification centers – for retailers, in order to expand areas for operations while also protecting the public health, safety and welfare of the citizens of Tacoma.
49. The proposed buffer reductions are intended to promote equitable distribution of potential store locations, especially for downtown Tacoma (the largest Mixed-Use Center and the area where the highest concentration of retail use is generally allowed and expected).
50. The recommended buffer reductions are a reasonable and prudent way to provide equitable retail space while still maintaining buffer areas called for by voters, the State legislature, and the Council at a level that has some effect on separating marijuana retail uses from sensitive uses.
51. The proposed buffers are shown on Exhibit “B,” the Preliminary Map of Potential Marijuana Business Locations.
52. The proposed amended regulations would not change the regulations for producers and processors but would allow marijuana researchers in the same industrial zones as these uses.
53. The proposed amended regulations would allow cooperatives if at least 1 mile from retailers and 1,000 feet from elementary schools, secondary schools, playgrounds, child care centers, game arcades, libraries, public parks, public transit centers, and recreation centers or facilities, pursuant to WAC 314-55 and as shown on Exhibit “C.”
54. The State’s original cap for stores in Tacoma was eight (8) (to accommodate the recreational marketplace); the State’s new cap on retail stores for Tacoma is sixteen (16) (to accommodate both the recreational and medical marketplaces).
55. This cap is determined by the LCB and the board can change this cap, or eliminate it, at any time by adopting new rules; in fact, the LCB originally proposed eliminating the caps statewide but decided to instead increase them after getting significant pushback from stakeholders, including Tacoma.
56. The State’s cap was based on a December 2015 study that evaluated market demand and revenue (prepared by BOTEC Analysis Corp.).
57. In addition to the State’s allocation of sixteen (16) retail licenses to the City of Tacoma, the State has allocated an additional nine (9) retail licenses to the jurisdictions near and adjacent to Tacoma, including Federal Way (3), Bonney Lake (1), Lakewood (2), Puyallup (2), and University Place (1).
58. The State has allocated seventeen (17) “at large” retail licenses to the Pierce County. The “at large” stores are retail stores that will be issued licenses for locations within a county, but not within a listed city. The “at large” stores could be located in unincorporated areas of the county or in an incorporated city or town that is not listed.

59. Tacoma has been serving a wider market since surrounding jurisdictions, including Pierce County and those cities mentioned above have either banned or prohibited by moratorium marijuana land uses from their communities.
60. Tacoma currently has nine (9) State licensed retail marijuana stores and more than thirty (30) “collective gardens.”
61. The LCB has issued four (4) additional retail licenses for locations in the City of Tacoma, and one hundred and twenty (120) licenses are “pending” for locations in Pierce County and close proximity to or in Tacoma.
62. As of March 31, 2016, the LCB has stopped taking retail license applications for Tacoma.
63. The State's allocations to adjacent jurisdictions (including Federal Way, Bonney Lake, Lakewood, Puyallup, and University Place) amount to nine (9), and with the bans and moratoriums proclaimed by these jurisdictions, the number of pending licenses, and the State’s analysis, it appears to be appropriate and reasonable to cap Tacoma's retail stores at twenty-five (25), nine (9) more than the State’s cap, which would allow adequate room for Tacoma’s market to grow to be capable of providing reasonable medical and recreational marijuana access and accommodating the needs of the larger community.
64. In order for more retail licenses to be issued to Tacoma locations, the State would have to raise their cap.
65. If the City had previously put a cap in place, it is likely that the recent Council-adopted emergency moratorium would not have been necessary.
66. While the City makes no assumption that twenty-five (25) or sixteen (16) is, or forever will be, the “right” number of stores in Tacoma, the Commission has serious concerns about having no locally-adopted cap as that would mean that there is no local control over this issue and instead the State has total control over how many stores are appropriate in Tacoma.
67. With a City cap, we can be assured that the City will always have the ability to decide the appropriate number and locations for this community (recognizing that the cap may need to change in the future based on changes in market demand or other factors).
68. The proposed amended regulations would require all retail stores to have a State medical endorsement. This is intended to encourage retail store owners to serve the medical marijuana market and to signal that access to medical marijuana is important.
69. While requiring medical endorsements can help to ensure medical access, it cannot guarantee that the stores carry all of the different varieties of medical products and/or provide them at reasonable cost, which is a particularly significant issue considering that medical marijuana is not generally covered by medical insurance. Dictating what a retail store can and should sell is also not a typical zoning requirement found in a land use code.
70. Tacoma currently has twenty-one (21) State licensed marijuana production and processing facilities and zero (0) State licensed marijuana researchers.
71. The LCB has not issued any researcher licenses for City of Tacoma locations.
72. To support the Commission’s process, staff conducted policy analysis, benchmarking of other jurisdictions’ regulations, consulted with the LCB, conducted site visits, and engaged with

staff from multiple City departments, identified stakeholders, business and community groups, and interested members of the community.

73. On February 17, 2016 the Commission authorized the distribution of a public review draft proposal and set a public hearing date of March 2, 2016 with written comments due by March 7, 2016.
74. The Planning Commission public review draft contained the following potential regulatory alternatives to the Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma (and potentially other TMC sections for consistency including TMC Chapter 6B – License Code and TMC 8.30 – Nuisance Code), with the following provisions:
 - Set a 100-foot minimum buffer between retail marijuana stores and child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities;
 - Set a 300-foot minimum buffer between retail marijuana stores and correctional facilities, court houses, drug rehabilitation centers, or detoxification centers;
 - Maintain a 1,000-foot minimum buffer between retail marijuana stores and properties containing elementary schools, secondary schools, or playgrounds
 - Require all retail stores to have a State medical endorsement;
 - Require retail marijuana stores to be located no closer than 300 feet from each other in the downtown area and 500 feet in the rest of the City (measured by property lines); and
 - Allow cooperatives as per State law but with sensitive buffers reduced from 1,000 feet to 100 feet from child care centers, game arcades, libraries, public parks, public transit centers, recreation centers or facilities;
 - Allow cooperatives with additional standards to ensure they are conducted in a manner that is clearly secondary and incidental to the primary use of the property as a residence and do not significantly alter the exterior of the property or affect the residential character of the neighborhood; and
 - Allow cooperatives under the condition they will not displace or limit the location of retail stores.
75. More than 300 notices announcing the public hearing were mailed on February 19, 2016 to interested parties including state agencies, neighborhood councils and business district representatives, adjacent jurisdictions, civic groups and agencies, major employers in the Tacoma area, the news media, and City of Tacoma internal staff. An e-mail notice was sent on February 19, 2016 to more than 500 recipients that include marijuana interested parties, those on the Planning Commission’s distribution list, state agencies, and community activists. An advertisement on the public hearing was published in the Tacoma News Tribune on February 22, 2016. A legal notice regarding the environmental determination was published in the Tacoma Dailey Index on February 22, 2016. A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent on February 22, 2016 to the State Department of Commerce (per RCW 36.70A.106). A 60-day notice was sent on February 19, 2016 to Joint Base Lewis-McChord soliciting their comments (per RCW 36.70A.530 (4)). The Tacoma Main Library was notified on February 19, 2016 of the public hearing and asked to distribute a copy of the notice to each of the eight branches for posting on their bulletin boards. The City’s website was updated to provide information associated with the public

hearing (including the hearing notice, the public review document and the DNS/SEPA) at www.cityotacoma.org/planning (and click on “Marijuana Regulations”). In addition, in March 2016, staff presented information on the proposal to the Cross District Association and Community Council.

76. Environmental Review – Pursuant to WAC 197-11-340(2) and the City's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) for the Proposed Marijuana Regulations was issued on February 19, 2016 (SEPA File Number LU16-0028), based upon a review of an environmental checklist. The DNS and the environmental checklist have been provided or made available to appropriate entities that had received the City Council’s public hearing notice, and a legal notice announcing the availability for review was placed in the City’s official newspaper, the Tacoma Daily Index, on February 22, 2016. Comments were required by March 7, 2016. The determination became final on March 14, 2016.
77. On March 2, 2016 the Planning Commission held a public hearing on the draft proposal. The Commission received a total of thirteen (13) oral and written comments by March 7th. The comments reflect a broad range of strongly held perspectives on all sides of the issues associated with marijuana.
78. On March 16, 2016 the Planning Commission reviewed a staff Comments and Responses Report which summarized the key issues raised in public testimony and provided staff analysis. Copies of all written comments were included in the report and provided to the Planning Commission.
79. On March 16, 2016 and April 6, 2016 the Planning Commission deliberated and provided direction on changes to the proposal to reflect public input and additional Commission deliberations. The final recommended code changes proposed include:
 - Adds marijuana researcher to the list of definitions in accordance with the respective terms as defined in RCW 69.50.101;
 - Allows marijuana researchers outright in intensive industrial zones, with applicable standards and requirements;
 - Prohibits marijuana uses from locating within 500 feet of public parks, recreation centers or facilities, libraries, child care centers, game arcades, and public transit centers, pursuant to WAC 314-55;
 - Prohibits marijuana uses from locating within 500 feet of correctional facilities, court houses, or drug rehabilitation facilities, substance abuse facilities, or detoxification centers;
 - Allows cooperatives if at least 1 mile from retailers and 1,000 feet from elementary schools, secondary schools, playgrounds, child care centers, game arcades, libraries, public parks, public transit centers, and recreation centers or facilities, pursuant to WAC 314-55 ;
 - **OR Do not allow cooperatives;**
 - Allows a maximum of sixteen (16) or twenty-five (25) retail stores; and
 - **Requires OR Does not require all retail stores to have a State medical endorsement.**

80. In addition to land use code changes, the Planning Commission is recommending that the nuisance regulations in TMC Title 8 be amended to provide consistency with the proposed amended regulations and to ensure adequate tools to support abatement of nuisances.
81. On April 6, 2016 the Planning Commission finalized their recommendations and forwarded them to the City Council for consideration. The tentative dates for Council action are as follows:
- April 26, 2016 – Council Study Session and public hearing
 - May 3, 2016 – Council Study Session and first reading of adopting ordinance
 - May 10, 2016 – Council final reading of adopting ordinance
 - May 22, 2016 – Effective date of amended regulations

E. CONCLUSIONS:

The Planning Commission concludes that:

- (a) Given the provisions of State law allowing for production, processing, researching and retailing of recreational marijuana under voter-approved I-502 and recent changes to State laws regulating marijuana, there is need to adopt amended regulations for marijuana-related land uses.
- (b) The Proposed Marijuana Regulations support the City’s strategic goals for a safe, clean, attractive, and environmentally sustainable city and foster economic diversity; and,
- (c) The Proposed Marijuana Regulations will benefit the City as a whole, will not adversely affect the City’s public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

E. RECOMMENDATIONS:

The Planning Commission recommends that the City Council adopt the proposed amendments to Tacoma Municipal Code, Chapters 13.06 and 13.06A as set forth in Exhibit “A”. The Planning Commission also recommends that the nuisance regulations in TMC Title 8 be amended to provide consistency with the proposed amended land use regulations and to ensure adequate tools to support abatement of nuisances.

F. EXHIBITS:

- “A”: Proposed Amendments to the Marijuana Regulations (TMC Chapters 13.06 and 13.06A)
- “B”: Preliminary Map of Potential Marijuana Business Locations
- “C”: Preliminary Map of Potential Marijuana Cooperative Locations
- “D”: State Retail Marijuana Allocations



Marijuana Land Use Regulations

DRAFT LAND USE REGULATORY CODE CHANGES
For Planning Commission's Review, April 6, 2016

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

Chapter 13.06 Zoning and Chapter 13.06A Downtown Tacoma

13.06.565 Marijuana Uses ~~Businesses~~

A. Intent. In November 2012, Washington voters passed Initiative 502, which establishes precedent for the production, processing and retail sale of marijuana for recreational purposes. In April 2015, the state Legislature enacted two laws, 2SSB 5052 and 2E2SHB 2136. The new laws establish regulations for the formerly unregulated aspects of the marijuana system, align these with the existing recreational system, and establish a "medical marijuana endorsement" that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers, and attempt to align these changes with the existing recreational system.

Pursuant to RCW 69.50, the State has adopted rules establishing a state-wide regulatory and licensing program for marijuana uses (WAC 314-55). It is therefore necessary for the City to establish local regulations to address such uses.

It is the intent of these regulations to ensure that such state-licensed uses are located and developed in a manner that is consistent with the desired character and standards of this community and its neighborhoods, minimizes potential incompatibilities and impacts, and protects the public health, safety and general welfare of the citizens of Tacoma. Recognizing the voter-approved right to establish certain types of marijuana businesses, it is also the intent of these regulations to provide reasonable access to mitigate the illicit marijuana market and the legal and personal risks and community impacts associated with it.

B. Applicability. The provisions of this Section shall apply city-wide. The specific development standards provided in this Section shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district. All licensed marijuana uses are required to fully comply with the provisions of this Section.

1. No Marijuana use ~~that purports to be a marijuana producer, processor or retailer, as defined and~~ regulated herein and in WAC 314-55, that ~~was engaged in that activity~~ existed prior to the enactment of Ord. 28182 Ex. A on Nov. 5, 2013 ~~this ordinance~~ shall be deemed to have been a legally established use or entitled to claim legal non-conforming status.

2. As of July 1, 2016, in accordance with 2SSB 5052 and as regulated and defined in RCW 69.51A with state law, collective gardens are prohibited.

~~3.~~ For purposes of this Section and the standards applicable to state-licensed ~~recreational~~ marijuana uses, the terms and definitions provided in WAC 314-55 shall generally apply unless the context clearly indicates otherwise.

C. Standards.

1. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher and marijuana retailer) shall only be permitted as allowed under RCW 69.50 and WAC 314-55.

2. Marijuana uses shall only be allowed within the City of Tacoma if licensed by the State of Washington and the City of Tacoma, and operated consistent with the requirements of the State and all applicable City ordinances, rules, requirements and standards.

3. Marijuana uses shall only be allowed in those zoning districts where it is specifically identified as an allowed use (see the zoning district use tables, Sections 13.06.100, -.200, -.300, and -.400 and Chapter 13.06A).

4. Marijuana uses shall be designed to include controls and features to prevent odors from travelling off-site and being detected from a public place or, the public right-of-way, or properties owned or leased by another person or entity.

5. Marijuana retail uses shall not include drive-throughs, exterior, or off-site sales.

6. In accordance with WAC 314-55-147, marijuana retail uses shall not be open to the public between the hours of 12 a.m. and 8 a.m.

7. Signage and advertising shall be allowed only in accordance with the standards set forth in TMC Sections 13.06.520 - .522, the additional standards set forth in WAC 314-55, and any other applicable standards or requirements.

8. Displays against or adjacent to exterior windows shall not include marijuana or marijuana paraphernalia.

9. Marijuana cooperatives, as defined in RCW 69.51A.250 and WAC 314-55-410, are not allowed. OR Marijuana cooperatives, as defined in RCW 69.51A.250 and WAC 314-55-410, are allowed in accordance with State law requirements and the following additional standards:

a. Marijuana cooperatives must be conducted in a manner that is clearly secondary and incidental to the primary use of the property as a residence and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

b. No outdoor display or storage of marijuana growing, processing or producing materials, goods, supplies, or equipment is allowed.

c. No change in the outside appearance of the building or premises, or other visible evidence that the residence is being used for a cooperative is permitted.

d. The cooperative shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards.

10. All Marijuana retail uses must have a State license and medical endorsement in accordance with RCW 69.50 and WAC 314-55 in order to obtain a City business license. (If Commission decides against this, delete entire sentence).

911. Location requirements.

a. As provided in RCW 69.50.331 and WAC 314-55-050, marijuana uses shall not be allowed to locate within 1,000 feet of elementary schools, secondary schools, or ~~playgrounds, public parks, playgrounds, recreation/community centers, libraries, child care centers, schools, game arcades, and public transit centers.~~ For purposes of this standard these uses are as defined in WAC 314-55.

b. Marijuana retail uses shall not be allowed to locate within 500 feet of public parks, recreation centers or facilities, libraries, child care centers, schools, game arcades, and public transit centers. For purposes of this standard, these uses are as defined in WAC 314-55.

~~c~~b. Marijuana retail uses shall not be allowed to locate within ~~1,000~~500 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, and detoxification centers.

~~d.~~ Marijuana producer, processor and researcher uses shall not be allowed to locate within 1,000 feet of public parks, recreation centers or facilities, libraries, child care centers, schools, game arcades, and public transit centers. For purposes of this standard, these uses are as defined in WAC 314-55.

e. Marijuana retail uses shall be dispersed a minimum of 1,000 feet from each other, except in all downtown districts where a dispersal separation of at least 300 feet is required.

f. Marijuana cooperatives cannot be located within one-mile of a marijuana retailer nor within 1,000 feet of primary and secondary schools, playgrounds, public parks, recreation centers or facilities, libraries, child care centers, schools, game arcades, and public transit centers.

g. The methodology for measuring the distances outlined above in subsections 11.a through g., ~~11.b., 11.e., 11.d., 11.e., 11.f and 11.g~~ shall be the shortest straight line from the closest parcel line in which the state licensed marijuana retailer, processor, producer, researcher or cooperative is located to the closest parcel line of any of the uses in this subsection.

e. The methodology for measuring the buffers outlined above in subsections 9.a., and 9.b. and 9.c. shall be as provided in WAC 314.55.

dh. It shall be the responsibility of the owner or operator of the proposed state-licensed marijuana use or cooperative to demonstrate and ensure that a proposed location is not within one of the buffers outlined above in subsections 911.a through g., ~~and 911.b., 11.e. and 11.d., 11.e., 11.f, and 11.g.~~

ei. An existing nonconforming use located within a zoning district that would otherwise not permit marijuana uses, such as an old convenience store in a residential district, shall not be allowed to convert to a marijuana use.

j. A maximum of sixteen (16) or twenty-five (25) retail marijuana stores are allowed to operate in the City of Tacoma.

* * *

13.06.700 Definitions and illustrations.

* * *

Cooperative. As regulated by RCW 69.51A.250 and provided herein by reference, qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative.

Marijuana. As defined in RCW 69.50.101 and provided herein for reference. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

Marijuana processor. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Marijuana producer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

Marijuana researcher. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

Marijuana-infused products. As defined in RCW 69.50.101 and provided here for reference. Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana.

Marijuana retailer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor ~~and cannabis control~~ board to sell ~~useable~~ marijuana ~~concentrates, and useable marijuana, and~~ marijuana-infused products in a retail outlet.

* * *

13.06.200 Commercial Districts.

3. Use table abbreviations.

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

4. District use table.

Uses	T	C-1	C-2	PDB	Additional Regulations ^{2,3} (also see footnotes)
Marijuana processor, <u>producer and researcher</u>	N	N	N	N	
Marijuana producer	N	N	N	N	
Marijuana retailer	N	P	P	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. See additional requirements contained in Section 13.06.565

* * *

13.06.300 Mixed-Use Center Districts.

3. District use table.

Uses	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Regulations ^{2,3} (also see footnotes)
Marijuana processor, <u>producer and researcher</u>	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
Marijuana producer	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
Marijuana retailer	P	P	P	N	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District. See additional requirements contained in Section 13.06.565

* * *

13.06.400 Industrial Districts.

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Marijuana processor, <u>producer and researcher</u>	P	P	P	See additional requirements contained in Section 13.06.565
Marijuana producer	P	P	P	See additional requirements contained in Section 13.06.565
Marijuana retailer	P~	P~	N	~Within the South Tacoma M/IC Overlay District, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. See additional requirements contained in Section 13.06.565

* * *

13.06A Downtown Tacoma

* * *

13.06A.050 Additional use regulations.

A. Use Categories.

1. Preferred. Preferred uses are expected to be the predominant use in each district.
2. Allowable. Named uses and any other uses, except those expressly prohibited, are allowed.
3. Prohibited. Prohibited uses are disallowed uses (no administrative variances).

B. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:

1. Adult retail and entertainment.
2. Heliports.
3. Work release facilities.
4. Jails and correctional facilities.
5. Billboards
6. Drive-throughs not located entirely within a building.

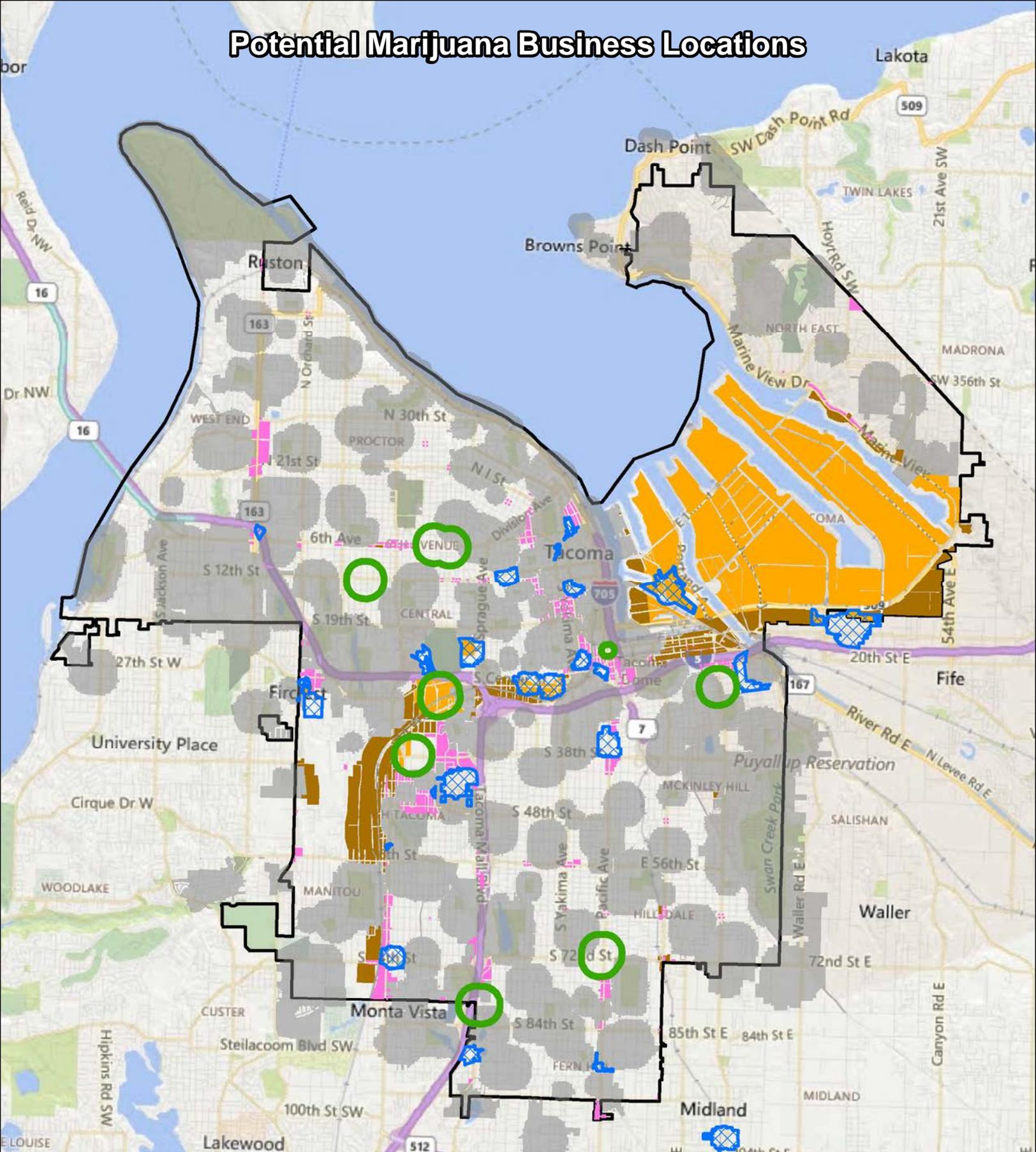
C. Special needs housing shall be allowed in all downtown districts in accordance with the provisions of Section 13.06.535.

D. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.570.

E. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher and marijuana retailer). Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.565. Marijuana producers, ~~and~~ marijuana processors and marijuana researchers shall be prohibited in all downtown districts.

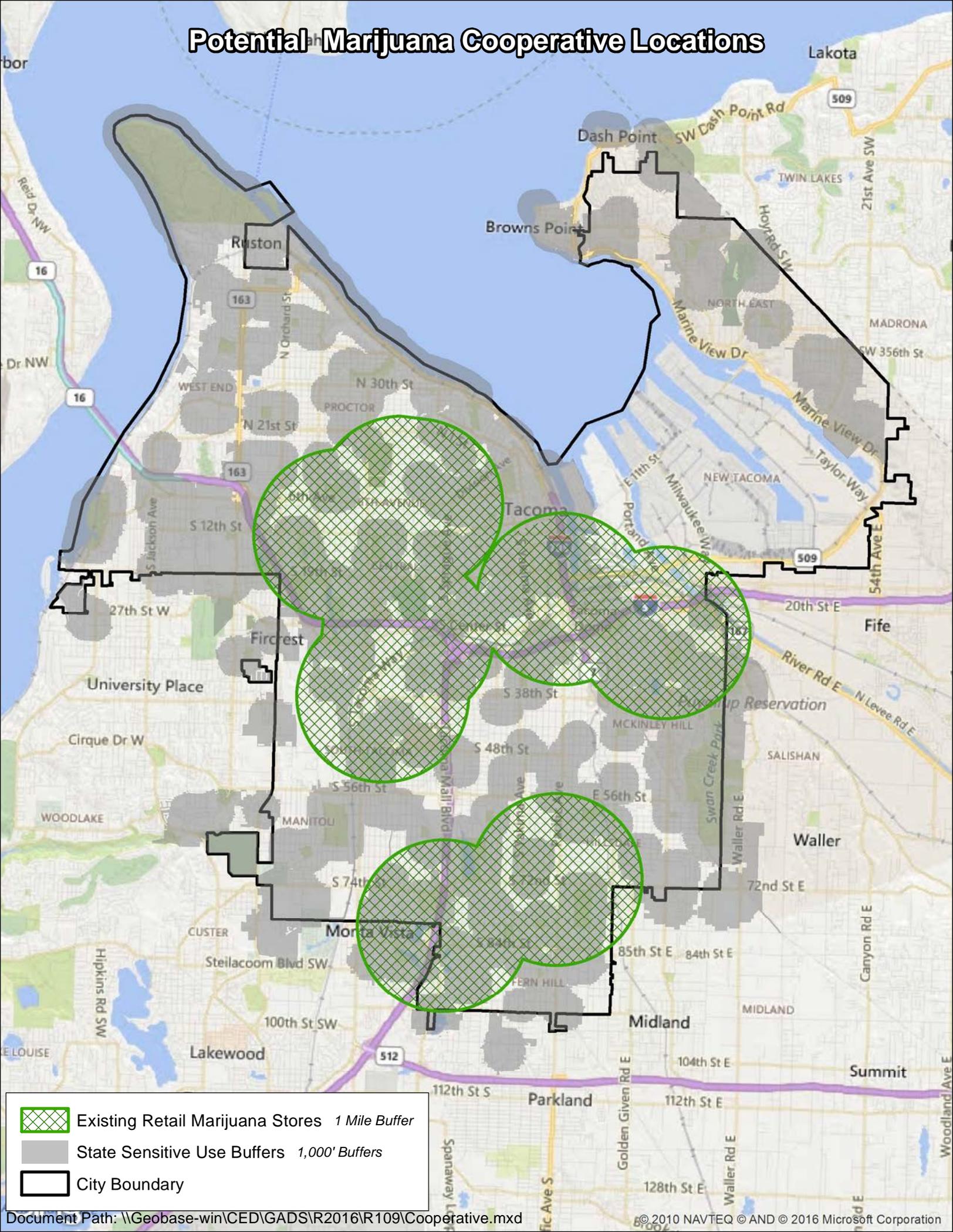
* * *

Potential Marijuana Business Locations



- Existing Retail Store Dispersion 300' Downtown, 1,000' Outside Downtown
- City Sensitive Use Buffers 500'
- State Sensitive Use Buffers 500' & 1,000'
- City Boundary
- Retail
- Production, Processing
- Retail, Production, Processing

Potential Marijuana Cooperative Locations



-  Existing Retail Marijuana Stores 1 Mile Buffer
-  State Sensitive Use Buffers 1,000' Buffers
-  City Boundary



Washington State Liquor and Cannabis Board

Legend

Counties increased by 75%	
Counties increased 100%	
Ban or Moratorium	

Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
Adams County					
At Large	2	0	1	3	
Asotin County					
At Large	2	2	1	3	
Benton County					
At Large	2	2	0	2	Moratorium
Kennewick	4	1	0	4	Ban
Richland	3	0	0	3	Ban
West Richland	1	1	0	1	Ban
Chelan County					
At Large	3	3	0	3	Moratorium
Wenatchee	3	2	2	5	
Clallam County					
At Large	3	3	2	5	
Port Angeles	2	2	1	3	
Sequim	1	1	1	2	
Clark County					
At Large	6	5	0	6	Ban
Battle Ground	1	1	1	2	
Camas	1	1	0	1	Ban
Vancouver	6	6	6	12	
Washougal	1	1	0	1	Ban

Columbia County					
At Large	1	0	0	1	Ban

Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
Cowlitz County					
At Large	3	3	3	6	
Kelso	1	0	1	2	
Longview	3	3	3	6	
Douglas County					
At Large	2	3	0	2	Moratorium
East Wenatchee	1	1	1	2	
Ferry County					
At Large	1	1	1	2	
Franklin County					
At Large	1	0	0	1	Ban
Pasco	4	3	0	4	Ban
Garfield County					
At Large	1	0	0	1	Ban
Grant County					
At Large	3	2	2	5	
Ephrata	1	1	1	2	
Moses Lake	2	2	1	3	
Quincy	1	0	0	1	Ban
Grays Harbor County					
At Large	3	3	2	5	
Aberdeen	1	2	1	2	
Hoquiam	1	1	1	2	
Ocean Shores	1	1	1	2	
Island County					
At Large	3	3	2	5	
Oak Harbor	1	1	1	2	

Jefferson County					
At Large	3	3	2	5	
Port Townsend	1	1	1	2	
Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
King County					
At Large	11	11	11	22	
Auburn (part)	2	2	2	4	
Bellevue	4	4	4	8	
Burien	1	0	1	2	
Des Moines	1	1	1	2	
Federal Way	3	4	0	3	Moratorium
Issaquah	1	1	1	2	
Kent	3	3	0	3	Ban
Kirkland	2	2	2	4	
Maple Valley	1	0	1	2	
Mercer Island	1	0	1	2	
Redmond	2	2	2	4	
Renton	3	3	3	6	
Sammamish	1	0	0	1	Ban
SeaTac	1	1	0	1	Ban
Seattle	21	27	21	42	
Shoreline	2	2	2	4	
Tukwila	1	0	1	2	
Kitsap County					
At Large	7	7	7	14	
Bainbridge Island	1	1	1	2	
Bremerton	2	3	2	4	
Kittitas County					
At Large	2	2	1	3	
Ellensburg	2	2	1	3	
Klickitat County					
At Large	3	2	2	5	
Goldendale	1	1	0	1	Ban

Lewis County					
At Large	4	3	3	7	
Centralia	2	2	1	3	
Chehalis	1	1	1	2	
Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
Lincoln County					
At Large	2	0	1	3	
Mason County					
At Large	4	4	3	7	
Shelton	1	1	1	2	
Okanogan County					
At Large	4	3	3	7	
Omak	1	1	0	1	Ban
Pacific County					
At Large	2	2	1	3	
Pend Oreille County					
At Large	2	1	1	3	
Pierce County					
At Large	17	17	0	17	Ban
Bonney Lake	1	1	0	1	Ban
Lakewood	2	2	0	2	Ban
Puyallup	2	2	0	2	Ban
Tacoma	8	9	8	16	
University Place	1	0	0	1	Ban
San Juan County					
At Large	0	0	0	0	
San Juan Island	1	1	1	2	
Lopez Island	1	1	1	2	
Orcas Island	1	1	1	2	

Skagit County					
At Large	4	4	4	8	
Anacortes	1	1	1	2	
Burlington	1	1	1	2	
Mount Vernon	3	3	3	6	
Sedro-Woolley	1	1	1	2	
Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
Skamania County					
At Large	2	2	1	3	
Snohomish County					
At Large	16	16	16	32	
Arlington	1	1	1	2	
Bothell (part)	1	1	1	2	
Edmonds	2	1	2	4	
Everett	5	5	5	10	
Lake Stevens	1	1	1	2	
Lynnwood	2	2	2	4	
Marysville	3	3	0	3	Ban
Mill Creek	1	1	0	1	Ban
Monroe	1	0	1	2	
Mountlake Terrace	1	1	1	2	
Mukilteo	1	0	1	2	
Spokane County					
At Large	7	7	7	14	
Spokane	8	8	8	16	
Spokane Valley	3	3	0	3	Moratorium
Stevens County					
At Large	4	3	3	7	
Thurston County					
At Large	6	6	6	12	
Lacey	2	2	2	4	
Olympia	2	2	2	4	
Tumwater	1	1	1	2	

Wahkiakum County					
At Large	1	0	1	2	
Walla Walla County					
At Large	2	2	0	2	Ban
Walla Walla	2	2	1	3	
Jurisdiction	Allotments	Current or pending license	Proposed Additional Allotment	Total Proposed Allotment	Ban or Moratorium
Whatcom County					
At Large	7	6	7	14	
Bellingham	6	6	6	12	
Ferndale	1	1	1	2	
Lynden	1	0	0	1	Ban
Whitman County					
At Large	1	0	1	2	
Pullman	3	3	2	5	
Yakima County					
At Large	6	5	0	6	Ban
Grandview	1	0	0	1	Ban
Selah	1	0	0	1	Ban
Sunnyside	1	1	0	1	Ban
Yakima	5	5	0	5	Moratorium
Total	334	305	222	556	35



City of Tacoma
Planning and Development Services

**Agenda Item
D-2**

To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: **Short-Term Rentals**
Date of Meeting: April 6, 2016
Date of Memo: March 30, 2016

At the next meeting on April 6, 2016, the Planning Commission will continue to review (from the March 16th meeting) the subject of short-term rentals, which is a part of the 2016 Annual Amendment.

Specifically, the Commission will review the proposed amendments to the Tacoma Municipal Code (TMC), Sections 13.06.100 Residential Districts, 13.06.150 Accessory Dwelling Units, 13.06.200 Commercial Districts, 13.06.300 Mixed-Use Center Districts, 13.06.400 Industrial Districts, 13.06.510 Off-street Parking and Storage Areas, 13.06.575 Short-Term Rentals (new section), 13.06.640 Conditional Use Permit, and 13.06.700 Definitions and Illustrations.

Upon completing the review, the Commission will be requested to consider releasing the proposal, as may be modified, for public review, in preparation for the public hearing on the 2016 Annual Amendment package tentatively scheduled for May 4, 2016.

Attached to facilitate the Commission's review and discussion is a staff analysis report, prepared pursuant to TMC 13.02.045.F, that summarizes the proposal as well as the rationale for and the potential effects of the proposal. Attached to the staff report is the text of the proposed code amendments.

If you have any questions, please contact me at 253-591-5682 or lwung@cityoftacoma.org.

Attachment

c: Peter Huffman, Director



**2016 Annual Amendment
to the Comprehensive Plan and Land Use Regulatory Code**

Staff Analysis Report

Proposed Amendment:	Short-Term Rentals Development Regulations
Applicant:	Planning and Development Services Department
Location & Size of Area:	Citywide
Current Land Use & Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Lihuang Wung, Planning Services Division (253) 591-5682, lwung@cityoftacoma.org
Date of Report: (Planning Commission review date; draft or final)	April 6, 2016 (for Planning Commission’s Review)

I. Description of the Proposed Amendment:

Proposal

The proposal would establish development regulations pertaining to short-term rentals by amending the Tacoma Municipal Code (TMC), Chapter 13.06 Zoning. (See Exhibit A)

The goals and intents for the proposal are to acknowledge and track the growing peer-to-peer short-term rental market, proactively address potential impacts (especially concerning life-safety, liability and residential neighborhood character) of this rapidly emerging sharing economy, and set the stage for a boarder policy discussion and a more coordinated regulatory update that includes zoning, tax and licensing, nuisance code, and administration and enforcement program components.

Background

The relatively new industry of short-term rentals of homes and rooms (generally less than 30 days) has been facilitated by on-line “sharing” sites such as Airbnb, VRBO and HomeAway. It is positioned somewhere between traditional residential rentals and traditional hotels, and thus does not fit cleanly into current regulatory or licensing structures.

Currently (as of February 2016), there are approximately 53 units listed on VRBO and 245 units listed on Airbnb within the City limits. A majority of the VRBO listings are rentals of entire houses or apartment/condo units. A majority of the Airbnb units are either bedrooms or mother-in-law style units within a house. In both cases, most of the units are in the North End.

While short-term rentals have some potential benefits, such as being an alternative form of lodging, making efficient use of structures, supporting tourism, and providing supplemental income and entrepreneurial opportunity for owners, they bring about a number of real and potential concerns, such as being a non-residential/commercial use in residential areas, making it challenging to maintain the “residential character, increased safety concerns due to transient nature of short term renters, concerns about tenant behavior and the associated accountability, and owner oversight (or the lack of).

Many jurisdictions around the country regulate short-term rentals, such as Portland, OR, San Francisco, CA, New York, NY, Austin, TX, and Durango, CO, while many do not. Some jurisdictions include zoning limitations and some require special licensing. There seems to be greater focus of short-term rentals in vacation destinations.

The Tacoma City Council initiated a policy discussion in November 2014, followed by another review in September 2015, and has requested staff to continue to explore the need for a legislative change to the Tacoma Municipal Code that would create a definition and regulatory and licensing construct for short-term rentals.

Existing Regulations

When renting a bedroom, the activity meets the definition of “lodging house” – a building with not more than nine guest rooms where lodging or lodging and boarding is provided for compensation. This use, which includes bed and breakfasts, is often operated in conjunction with and within a single-family detached dwelling. When renting an entire house/apartment/condo, the definition of “family” applies – one or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students, or a group of not more than six unrelated persons, living together as a single nonprofit housekeeping unit. The code does not specifically address duration of rentals in this scenario. The following table provides a snapshot of the applicability of “lodging house” in various zoning districts.

Table 1. Current Use Table for “Lodging House”				
<i>Lodging house. A building with not more than nine guest rooms where lodging or lodging and boarding is provided for compensation. This use, which includes bed and breakfasts, is often operated in conjunction with, and within a single-family detached dwelling.</i>				
Zoning District \ Rental Unit	1 room	2 rooms	3-9 rooms	Dwelling*
R-1	N	N	N	
R-2	P	N	N	
R-2SRD	P	N	N	
HMR-SRD	P	N	N	
R-3	P	P	N	
R-4L	P	P	N	
R-4	P	P	CU	
R-5	P	P	CU	
T	P	P	P	
C-1	P	P	P	
C-2	P	P	P	
PDB	P	P	P	
NCX	P	P	P	
CCX	P	P	P	
UCX	P	P	P	
RCX	P	P	P	
CIX	P	P	P	
HMX	P	P	P	
URX	P	P	P	
NRX	CU	CU	CU	
M1	P/N	P/N	P/N	
M2	N	N	N	
PMI	N	N	N	
N = Not Allowed; P = Permitted; CU = Conditional Use Permit				
*Code is silent related to short term rental of entire dwellings				

Key Revisions

The proposal would establish a basic regulatory framework that defines “Short-Term Rental” and where it would be allowed, requires registration and inspection of the rental units, requires conditional use permits for accessory activities (such as wedding, retirement parties, corporate events, etc.) on the premise, requires parking of ½ stall per guest room for 3-9 guest rooms rental, and addresses nonconforming uses. Such a regulatory framework is intended to set the stage for a broader policy discussion of the matter and the continued regulatory updates.

The following table illustrates the general approach for regulating short-term rentals:

Table 2. Proposed Use Table for “Short-Term Rental”				
<i>Short-Term Rental.</i> The rental of not more than nine guest rooms within an owner occupied dwelling, or the rental of an entire dwelling, for less than thirty days, where lodging or lodging and boarding is provided for compensation. This use includes bed and breakfast.				
Zoning District	Rental Unit	1-2 guest rooms*	3-9 guest rooms*	Dwelling*
R-1		P/CU	N/CU	P/CU
R-2		P/CU	N/CU	P/CU
R-2SRD		P/CU	N/CU	P/CU
HMR-SRD		P/CU	N/CU	P/CU
R-3		P/CU	CU	P/CU
R-4L		P/CU	CU	P/CU
R-4		P/CU	CU	P/CU
R-5		P/CU	CU	P/CU
T		P	P	P
C-1		P	P	P
C-2		P	P	P
PDB		P	P	P
NCX		P	P	P
CCX		P	P	P
UCX		P	P	P
RCX		P/CU	CU	P/CU
CIX		P	P	P
HMX		P	P	P
URX		P	P	P
NRX		P/CU	CU	P/CU
M1		N	N	N
M2		N	N	N
PMI		N	N	N
N = Not Allowed; P = Permitted; CU = Conditional Use Permit;				
P/CU = Permitted with Conditional Use Permit required for accessory activities				
*Subject to standards				

Specifically, as shown in Exhibit A, revisions are being proposed to the TMC Sections 13.06.100 Residential Districts, 13.06.150 Accessory Dwelling Units, 13.06.200 Commercial Districts, 13.06.300 Mixed-Use Center Districts, 13.06.400 Industrial Districts, 13.06.510 Off-street Parking and Storage Areas, 13.06.575 Short-Term Rentals (new section), 13.06.640 Conditional Use Permit, and 13.06.700 Definitions and Illustrations:

- 13.06.100.C.4 – In the residential district use table, replace “Lodging house” with “Short-term rental” and revise the use requirements and the notes for additional regulations based on the information as referenced in Table 2 above.
- 13.06.100.H – Add “13.06.575 Short-term rental” to the list of common requirements applicable to residential districts.
- 13.06.150.C – Add a provision to allow the use of an accessory dwelling unit as a short-term rental.
- 13.06.200.C.4 – In the commercial district use table, replace “Lodging house” with “Short-term rental” and revise the use requirements and the notes for additional regulations based on the information as referenced in Table 2 above.
- 13.06.200.F – Add “13.06.575 Short-term rental” to the list of common requirements applicable to commercial districts.
- 13.06.300.D.3 – In the mixed-use center district use table, replace “Lodging house” with “Short-term rental” and revise the use requirements and the notes for additional regulations based on the information as referenced in Table 2 above.
- 13.06.300.H – Add “13.06.575 Short-term rental” to the list of common requirements applicable to mixed-use center districts.
- 13.06.400.C.4 – In the industrial district use table, replace “Lodging house” with “Short-term rental” and revise the use requirements and the notes for additional regulations based on the information as referenced in Table 2 above.
- 13.06.510 – Add a parking requirement of 0.5 stalls per guest room applicable to short-term rentals of 3-9 guest rooms.
- 13.06.575 – Add a new section of “Short-Term Rental” providing a purpose statement and the specific criteria, standards and requirements based on the information as referenced in Table 2 above.
- 13.06.640.I – Replace “Lodging house” with “Short-term rental”.
- 13.06.700 – Delete the definition for “Lodging house” and add one for “Short-term rental” based on the information as referenced in Table 2 above.

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 amendment would establish development regulations concerning the emerging industry of short-term rentals, which provides supplemental income and entrepreneurial opportunity to the hosts, offers visitors an alternative form of lodging, and supports tourism. The proposal conforms to the following policies as set forth in the Economic Development (“EC”) element of *One Tacoma: Comprehensive Plan*:

Policy EC-1.12 Actively seek investments to grow Tacoma’s presence in the following target industries: (a) bio-medical and medical, (b) information technology and cyber security, (c) professional services, (d) industrial and manufacturing, (e) tourism and hospitality, (f) creative economy, (g) international trade, and (h) finance and insurance.

Policy EC-4.4 Review development regulations periodically to ensure that new user types that are consistent with the intent of the Comprehensive Plan can locate within the city.

Also, allowing and encouraging short-term rentals would stimulate repair and rehabilitation of existing residential structures owned by those interested in short-term rentals. The proposed regulations also are intended to protect established neighborhoods. From these perspectives, the proposal conforms to and fulfills the following provisions of the Tacoma Municipal Code (TMC):

“TMC 13.06.100.A District purposes. The specific purposes of the Residential Districts are to:

.....

4. Protect and enhance established neighborhoods, and ensure that new development is in harmony with neighborhood scale and character.

.....

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.”

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

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

The proposal responds to changing circumstances with respect to the growing peer-to-peer short-term rental market, intends to maintain the compatibility of short-term rentals with existing land uses and surrounding development patterns, and should help maintain and enhance the quality of neighborhoods.

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

The proposed amendment acknowledges and supports short-term rentals, which generate positive economic impacts by providing visitors an alternative form of lodging, supporting tourism, making efficient use of structures, and providing supplemental income and entrepreneurial opportunity to the hosts.

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

A summary of the 2016 Annual Amendment Package, including a description of this proposal, was included in the *Planning Manager’s Letter to the Community* that was distributed to community members in January 2016 to solicit inquiries or early comments from the community. Additional public comments will be solicited during the public review process through the Planning Commission’s public hearing in May 2016.

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?

This proposal would benefit the City as a whole by stimulating economic development, as mentioned above. This proposal does not adversely affect the City's public facilities or services. By requiring inspections of the properties for short-term rentals and posting of safety signs on the doors of the rental guest rooms, this proposal also bears a reasonable relationship to the public health and safety.

III. Staff Recommendation:

Staff recommends that the proposed amendments to the Tacoma Municipal Code, Sections 13.06.100 Residential Districts, 13.06.150 Accessory Dwelling Units, 13.06.200 Commercial Districts, 13.06.300 Mixed-Use Center Districts, 13.06.400 Industrial Districts, 13.06.510 Off-street Parking and Storage Areas, 13.06.575 Short-Term Rentals (new section), 13.06.640 Conditional Use Permit, and 13.06.700 Definitions and Illustrations, as depicted in Exhibit A, be distributed for public review prior to the Planning Commission's public hearing tentatively scheduled for May 4, 2016.

IV. Exhibit:

- A. Proposed Amendments to the Tacoma Municipal Code, Chapter 13.06 Zoning, concerning Short-Term Rentals.



Short-Term Rentals Code Amendments

DRAFT LAND USE REGULATORY CODE CHANGES
For Planning Commission's Review, April 6, 2016

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

Chapter 13.06
ZONING

13.06.100 Residential Districts.

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

13.06.200 Commercial Districts.

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

13.06.300 Mixed-Use Center Districts.

- 13.06.300.A District purposes.
- 13.06.300.B Districts established.
- 13.06.300.B.1 NCX Neighborhood Commercial Mixed-Use District.
- 13.06.300.B.2 CCX Community Commercial Mixed-Use District.
- 13.06.300.B.3 UCX Urban Center Mixed-Use District.
- 13.06.300.B.4 RCX Residential Commercial Mixed-Use District.
- 13.06.300.B.5 CIX Commercial Industrial Mixed Use District.
- 13.06.300.B.6 NRX Neighborhood Residential Mixed-Use District.

- 13.06.300.B.7 URX Urban Residential Mixed-Use District
- 13.06.300.B.8 HMX Hospital Medical Mixed-Use District
- 13.06.300.C Applicability and pedestrian streets designated.
- 13.06.300.D Land use requirements.
- 13.06.300.E Building envelope standards.
- 13.06.300.F Maximum setback standards.
- 13.06.300.G Residential X-District Yard Space Standards.
- 13.06.300.H Common requirements.
- 13.06.400 Industrial Districts.**
- 13.06.400.A Industrial district purposes.
- 13.06.400.B Districts established.
- 13.06.400.B.1 M-1 Light Industrial District.
- 13.06.400.B.2 M-2 Heavy Industrial District.
- 13.06.400.B.3 PMI Port Maritime & Industrial District.
- 13.06.400.B.4 ST-M/IC South Tacoma Manufacturing/Industrial Overlay District.
- 13.06.400.C Land use requirements.
- 13.06.400.D Building envelope standards.
- 13.06.410 *Repealed.*
- 13.06.420 *Repealed.*
- 13.06.430 *Repealed.*
- 13.06.500 Requirements in all preceding districts.**
- 13.06.501 Building design standards.
- 13.06.502 Landscaping and buffering standards.
- 13.06.503 Residential transition standards.
- 13.06.510 Off-street parking and storage areas.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.513 Drive-throughs.
- 13.06.520 Signs.
- 13.06.521 General sign regulations.
- 13.06.522 District sign regulations.
- 13.06.525 Adult uses.
- 13.06.530 Juvenile community facilities.
- 13.06.535 Special needs housing.
- 13.06.540 Surface mining.
- 13.06.545 Wireless communication facilities.
- 13.06.550 Work release centers.
- 13.06.555 View-Sensitive Overlay District.
- 13.06.560 Parks, recreation and open space.
- 13.06.565 Marijuana Businesses.
- 13.06.570 Live/Work and Work/Live.
- 13.06.575 *Shor-term rental.*
- 13.06.600 Zoning code administration – General purposes.**
- 13.06.601 Public Facility Sites – Development Regulation Agreements Authorized.
- 13.06.602 General restrictions.
- 13.06.603 Mineral resource lands.
- 13.06.605 Interpretation and application.
- 13.06.610 *Repealed.*
- 13.06.620 Severability.
- 13.06.625 *Repealed.*
- 13.06.630 Nonconforming parcels/uses/structures.
- 13.06.635 Temporary use.
- 13.06.640 Conditional use permit.
- 13.06.645 Variances.
- 13.06.650 Application for rezone of property.
- 13.06.655 Amendments to the zoning regulations.
- 13.06.700 Definitions and illustrations.**

* * *

13.06.100 Residential Districts.

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)

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.F
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535
* * *									
Juvenile community facility	CU	CU	Subject to additional requirements contained in Section 13.06.530.						
Live/Work	N	N	N	N	N	N	N	N	
Lodging house	N	P	P	P	P	P	P/CU	P/CU	For R-2, R-2SRD, and HMR-SRD lodging is limited to one guest room only, provided such use shall not be in connection with a foster home for children or foster home for adults which may otherwise be authorized. For R-3 and R-4-L, lodging is limited to two guest rooms, provided such use shall not be in connection with a foster home for children, a foster home for adults, or lodging which may otherwise be authorized. For R-4 and R-5, lodging is limited to two guest rooms, provided that lodging with for more than two guest rooms may be allowed subject to the approval of a conditional use permit.
Marijuana processor	N	N	N	N	N	N	N	N	
Marijuana producer	N	N	N	N	N	N	N	N	
* * *									
Seasonal sales	TU	TU	Subject to additional requirements contained in Section 13.06.635.						
Self-storage	N	N	N	N	N	N	N	N	
<u>Short-term rental (1-2 guest rooms)</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Subject to additional requirements contained in Sections 13.06.575 and 13.06.150. A Conditional Use Permit is required if the short-term rental is proposed to include accessory activities such as wedding, retirement parties, corporate events, etc.</u>						

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹
<u>Short-term rental (3-9 guest rooms)</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>N/CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>Subject to additional requirements contained in Sections 13.06.575, 13.06.150 and 13.06.510. For R-3, R-4-L, R-4 and R-5, a Conditional Use Permit is required. For R-1, R-2, R-2SRD and HMR-SRD, subject to Conditional Use in building listed on the Tacoma Register of Historic Places; see Section 13.06.640.I.</u>
<u>Short-term rental (entire dwelling)</u>	<u>P/CU</u>	<u>Subject to additional requirements contained in Section 13.06.575 and 13.06.150. A Conditional Use Permit is required if the short-term rental is proposed to include accessory activities such as wedding, retirement parties, corporate events, etc.</u>							
Staffed residential home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Student housing	CU								
* * *									

Footnotes:

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

² 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.

* * *

H. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.100 by reference:

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

* * *

13.06.150 Accessory dwelling units.

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. Short-term rental. The use of an ADU as a short-term rental shall be allowed, subject to compliance with Sections 13.06.150 and 13.06.575.
78. 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.

* * *

13.06.200 Commercial Districts.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety,

including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

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

[See next page for table.]

3. Use table abbreviations.

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

4. District use table.

Uses	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Adult family home	P	P	P	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	N	Prohibited except as provided for in Section 13.06.525.
* * *					
Juvenile community facility	N	N	N	N	Prohibited except as provided for in Section 13.06.530.
Live/Work	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Lodging house	P	P	P	P	
Marijuana processor	N	N	N	N	
Marijuana producer	N	N	N	N	
* * *					
Seasonal sales	TU	TU	TU	TU	Subject to Section 13.06.635.
Self-storage	N	N	P	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.503.B.
Short-term rental	P	P	P	P	Subject to additional requirements contained in Section 13.06.575, 13.06.150 and 13.06.510.
Staffed residential home	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Student housing	P	P	P	P	
* * *					

Uses	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2, 3} (also see footnotes at bottom of table)
<p>Footnotes:</p> <ol style="list-style-type: none"> 1. Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and customer service offices. 2. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements. 3. Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635. 					

* * *

F. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.200 by reference.

Refer to Section 13.06.500 for the following requirements in Section 13.06.200 districts:

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

* * *

13.06.300 Mixed-Use Center Districts.

D. Land use requirements.

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

2. Use table abbreviations.

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

3. District use table.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3,4,5} (also see footnotes at bottom of table)
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX. ² Not subject to minimum densities found in Section 13.06.300.E.
Adult retail and entertainment	N	N	N	N	N	N	N	N	Prohibited, except as provided for in Section 13.06.525.
* * *									
Juvenile community facility	P	P	P	P/CU	P	N	P/CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² See Section 13.06.530 for additional information about size limitations and permitting requirements.
Live/Work	P	P	P	P	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Lodging house	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. ²
Marijuana processor	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
Marijuana producer	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
* * *									
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Self-storage	N	P	P	N	P	N	N	N	See specific requirements in Section 13.06.503.B. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ²
Short-term rental (1-2 guest rooms)	P	P	P	P/CU	P	P	P	P/CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. ² Subject to additional requirements contained in Section 13.06.575 and 13.06.150. For RCX and NRX, a Conditional Use Permit is required if the short-term rental is proposed to include accessory activities such as wedding, retirement parties, corporate events, etc.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)
<u>Short-term rental (3-9 guest rooms)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.² Subject to additional requirements contained in Section 13.06.575, 13.06.150 and 13.06.510. For RCX and NRX, short-term rental of three to nine guest rooms is subject to the approval of a conditional use permit.</u>
<u>Short-term rental (entire dwelling)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P/CU</u>	<u>Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.² Subject to additional requirements contained in Section 13.06.575 and 13.06.150. For RCX and NRX, a Conditional Use Permit is required if the short-term rental is proposed to include accessory activities such as wedding, retirement parties, corporate events, etc.</u>
Staffed residential home	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX and CCX Districts. ² Not subject to minimum densities found in Section 13.06.300.E.
Student housing	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. ²
* * *									

Footnotes:

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

* * *

H. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.300 by reference.

Refer to Section 13.06.500 for the following requirements for development in Mixed-Use Center Districts:

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

* * *

13.06.400 Industrial Districts.

13.06.400.C Land use requirements.

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

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

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

3. Use table abbreviations.

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

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.

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Uses	M-1	M-2	PMI	Additional Regulations ¹
* * *				
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.
Live/Work	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Lodging house	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Marijuana processor	P	P	P	See additional requirements contained in Section 13.06.565
Marijuana producer	P	P	P	See additional requirements contained in Section 13.06.565
* * *				
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.635.
Self-storage	P	P	P	See specific requirements in Section 13.06.503.B.
Short-term rental	N	N	N	
Staffed residential home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Student housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
* * *				

Footnotes:

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

* * *

13.06.500 Requirements in all preceding districts.

Applicability. The regulations of this section are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

* * *

13.06.510 Off-street parking and storage areas.

* * *

TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}		
Use	Unit	Required parking spaces
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home ^{1, 2, 12}	Dwelling.	2.00
Two-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
* * *		
Lodging		
Hotel or Motel ¹	Guestroom or suite.	0.50
<u>Short Term Rental, 3-9 guestrooms</u>	<u>Guestroom</u>	<u>0.50</u>
Institutional		
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
* * *		

* * *

13.06.575 Short-term rental.

A. Purpose. The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; to support tourism; to make efficient use of structures and provide alternative form of lodging; and to protect neighborhood character. This is accomplished by establishing criteria and standards to ensure that short-term rentals are conducted in a manner that is clearly secondary and incidental to the primary use of the property as residential, with proper oversight by the owner, and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

B. Criteria and standards.

1. Registration and inspections. The owner of the property for short-term rentals must register with the City of Tacoma’s Tax and License Department and is subject to a \$100.00 one-time registration fee. Upon registration, the owner must demonstrate that a mandatory inspection has been completed. The fee for the inspection is \$150.00. In addition, the owner must pay an annual fee of \$150.00 to cover an annual mandatory inspection.

2. Owner occupancy. For short-term rentals that involve rental of individual guest rooms within a dwelling, the property must be owner occupied during rental. For short-term rentals that include rental of the entire dwelling, the dwelling must be owner occupied a minimum of nine months a year.

3. Safety sign. There must be a clearly printed sign inside the door of each rental guest room with the locations of fire extinguishers, gas shut-off valves, fire exits, and/or pull fire alarm.

4. Parking requirement. Refer to Section 13.06.510.

E. Nonconforming short-term rentals. Existing short-term rentals have six months from date of ordinance to register (including paying applicable fees). Continuation of the short-term rental will be subject to compliance with minimum life safety codes. Except for life safety standards, if an existing short-term rental is determined to be nonconforming to any of the above standards, and provided the short-term rental is registered within six months, the short-term rental will be designated nonconforming. To demonstrate an existing short-term rental, owner must provide documentation such as rental records. There will be a \$300.00 one-time fee for a nonconforming letter (to cover research and administration time).

* * *

13.06.640 Conditional use permit.

* * *

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.

1. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.

2. 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 use permit:

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.

3. The proposed re-use shall promote the preservation and/or restoration of the designated historic structure(s) on the site.

4. The proposed reuse and design of any modifications to the historic structure(s) and site shall be approved by the Landmarks Preservation Commission.

5. The proposed use shall be limited to one of the following:

Art/craft production	Assembly facilities	Continuing care retirement community
Cultural institutions	Extended care facility	Group housing
Intermediate care facility	Lodging house Short-term rental	Multi-family dwellings
Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement home	Retail, only as an incidental use to one or more of the other listed uses	

* * *

13.06.700 Definitions and illustrations.

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Live/work. A dwelling or sleeping unit in which up to 50 percent of the space includes a commercial business use. The business owner lives in the residential space.

Loading space. An off-street space, having a paved surface, within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials and which has direct access to a street or alley.

~~Lodging house. A building with not more than nine guest rooms where lodging or lodging and boarding is provided for compensation. This use, which includes bed and breakfasts, is often operated in conjunction with and within a single family detached dwelling.~~

Lot. A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise created by legal action.

Lot, corner. A lot abutting upon two or more streets at their intersection.

* * *

Setback line. A line within a lot parallel to a corresponding lot property line, which is established to govern the location of buildings, structures, or uses. Where no minimum front, side, corner side, or rear yard setbacks are specified, the setback line shall be coterminous with the corresponding lot line.

Shopping center. A unified grouping of two or more commercial establishments, such as retail, eating and drinking, office, and personal service uses, which are located on a single site with common/shared parking facilities. Shopping centers may occupy a single structure or separate structures that are physically or functionally related, but establishments with accessory uses, such as a grocery store with an accessory coffee shop, are not, by themselves, considered a shopping center. A shopping center may include pads for future buildings.

~~Short-term rental. The rental of not more than nine guest rooms within an owner occupied dwelling, or the rental of an entire dwelling, for less than thirty days, where lodging or lodging and boarding is provided for compensation. This use includes bed and breakfast.~~

Shrub. Any woody perennial plant that is generally less than fifteen feet in height at maturity.

Sign. Any materials placed or constructed, or light projected, that (a) convey a message or image, and (b) are used to inform or attract the attention of the public, but not including any lawful display of merchandise. Some examples of “signs” include placards, A-boards, posters, murals, diagrams, banners, flags, billboards, or projected slides, images or holograms. The applicability of the term “sign” does not depend on the content of the message or image conveyed.

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City of Tacoma
Planning and Development Services

**Agenda Item
D-3**

To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: **Multi-family Design Standards**
Date of Meeting: April 6, 2016
Date of Memo: March 30, 2016

At the meeting on April 6, 2016, the Planning Commission will review proposed amendments to the Tacoma Municipal Code Chapter 13.06 in support of the 2016 Annual Amendment, Multi-family Design Standard Update. Upon completing the review, the Commission will be requested to consider releasing the proposal, as may be modified, for public review in preparation for the public hearing on the 2016 Annual Amendment package tentatively scheduled for May 4, 2016. The scope of work for the multi-family design standards was discussed previously with the Commission at the March 2, 2016 meeting.

Attached, to facilitate the Commission's review and discussion, is a staff analysis report, prepared pursuant to TMC 13.02.045.F, that summarizes the proposal as well as the rationale and the potential effects of the proposal. Attached to the staff report is the text of the proposed code amendment and a map of the designated pedestrian streets.

Staff will continue to conduct public outreach during the public comment period and will be conducting site specific case studies to identify any potential code conflicts and to ensure that the proposed amendments will perform across multiple scales of development sites.

If you have any questions, please contact me at 591-5531 or satkinson@cityoftacoma.org.

Attachment

c: Peter Huffman, Director



2016 Annual Amendment *Staff Analysis Report*

Proposed Amendment:	Multi-family Design Standards
Applicant:	Planning and Development Services Department
Location & Size of Area:	Citywide
Current Land Use & Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Stephen Atkinson, Planning Services Division (253) 591-5531, satkinson@cityoftacoma.org
Date of Report: (Planning Commission review date; draft or final)	March 30, 2016

I. Description of the Proposed Amendment:

Proposal

The proposed amendments (Exhibit A) would update building and site design standards of TMC 13.06 for residential zoning districts broadly and for multi-family residential development specifically. This application would establish designated pedestrian streets in all districts and amend requirements for:

- Front lot setbacks;
- Building coverage;
- Usable yard space;
- Tree canopy;
- Pedestrian and bicycle circulation;
- Parking location and design;
- Mass reduction;
- Roofline standards;
- Transparency;
- Façade surface standards;
- Pedestrian standards; and
- Fencing and utility screening.

Intent

The intent of the proposed amendments is to implement the broad goals and policies of the Comprehensive Plan and to ensure that new multi-family residential development in all districts supports the following design principles, derived from the goals and policies of the Plan:

1. Promote high quality and durable materials and design;
2. Promote the human scale and orient towards the pedestrian;
3. Enhance the legibility of the public and private realms;
4. Respect the context of the site and patterns of Tacoma's neighborhoods;

5. Encourage a sense of community through interaction;
6. Integrate nature into everyday life and respond to the natural characteristics of the City;
7. Promote creative expression through design and the interaction of public and private spaces.

Background

Currently, there are significant gaps in the City's design standards relating to multi-family residential development. The City's building design standards do not apply to the R-Districts broadly nor to specific multi-family development types. While the City has had strong urban design related goals and policies in past Comprehensive Plans, they have not been fully implemented.

In addition, the City is currently undertaking a multi-phased approach to implementing the Future Land Use Map of the One Tacoma Plan. This implementation includes significant area-wide rezones throughout the City. Typically, the City has relied more prominently on site-specific rezones to implement the Plan. The site-specific approach allows the City to condition projects depending on the specific proposal and context. However, it also adds uncertainty, time, and cost to development. As the City begins to put the appropriate zoning in place to implement the Plan, there is a greater need to have the appropriate development standards in place to ensure that new development is meeting the policies of the Plan. The proposed amendment would ensure that reasonable minimum design standards for multi-family residential development are in place to support the design policies of the One Tacoma Plan.

Key Revisions

Designated Pedestrian Streets: See Exhibit B for streets proposed to be designated as pedestrian streets for the purposes of applying design standards.

Minimum Density: Varies by residential zoning district.

Purpose: To ensure that service capacity is used efficiently and the City's housing goals are met.

Applicability: All residential development in the R-3, R-4L, R-4, and R-5 zoning districts.

Code Citations: 13.06.100.D Residential districts lot size and building envelope standards.

Build-to Area: 5' minimum front lot setback, 20' maximum front lot setback.

Purpose: To create an environment that is inviting to pedestrians and transit users and creates a legible, defined public realm.

Applicability: All development in the R-3, R-4L, R-4 and R-5 Districts with frontage on a designated pedestrian street. Maximum setback only applies to frontages on the designated corridor.

Code citations: 13.06.100 Residential Districts.

Building Coverage: Restricts the percent of the lot occupied by a building. Varies by district.

Purpose: Building coverage limits the overall bulk of structures, ensuring that larger buildings will not have a footprint that overwhelms adjacent development

Applicability: All developments in the R-3, R-4L, R-4 and R-5 Districts and residential development in the Commercial Districts where applicable.

Code citations: 13.06.100 Residential Districts, 13.06.200 Commercial Districts.

Usable yard space: Varies by residential building type (single, duplex, triplex, townhouse, multi-family).

Purpose: The usable yard space standards assure opportunities for outdoor relaxation or recreation. The standards work with the building coverage and tree canopy standards to assure that some of the land not covered by buildings is of adequate size, shape, and location to be usable for outdoor recreation or

relaxation. Usable yard spaces are an important aspect in addressing the livability of a residential property by providing outdoor living opportunities, some options for outdoor privacy, and a healthy environment.

Applicability: All residential development, except in X-Districts.

Code citations: 13.06.100 Residential Districts, 13.06.200 Commercial Districts, 13.06.400 Industrial Districts.

Tree canopy: Requires a percentage of tree canopy coverage as percent of lot size.

Purpose: The standards for tree canopy areas are intended to enhance the overall appearance of residential developments. The tree canopy improves the residential character of the area, breaks up large expanses of paved areas and structures, provides privacy to the residents, and provides separation from streets. Tree canopy helps cool the air temperature, intercept rainfall and reduce stormwater run-off.

Applicability: Residential development in all districts, except X-Districts.

Code citations: 13.06.100 Residential Districts, 13.06.200 Commercial Districts, 13.06.400 Industrial Districts.

Pedestrian and bicycle circulation: Internal and external connectivity for bicyclists and pedestrians.

Purpose: The pedestrian and bicycle standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

Applicability: All new development, including residential development.

Code citation: 13.06.512 Pedestrian and Bicycle Support Standards.

Parking location and design: Limits the location and overall amount of parking on pedestrian streets. No more than 50% of the pedestrian street frontage or more than 150' continuous parking.

Purpose: The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods and to break up monotonous street frontages with active uses and to create a defined public realm.

Applicability: Multi-family residential development on designated pedestrian streets, except for X-Districts.

Code citation: 13.06.510 Off-street Parking.

Mass reduction: Design choices include upper story setbacks, plazas, and wall modulation.

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

Applicability: Multi-family residential development, depending on building size, except for X-Districts.

Code citation: 13.06.501 Building Design.

Roofline standards: Provides roofline choices (sloped, modulated, corniced).

Purpose: These requirements are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

Applicability: All multi-family residential development, except in X-Districts.

Code citation: 13.06.501 Building Design.

Transparency: Requires ground level transparency and overall façade transparency.

Purpose: These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility and to provide a visual connection between the living area of the residence and the street.

Applicability: Multi-family residential development, except in X-Districts.

Code citation: 13.06.501 Building Design.

Façade surface standards: Addresses blank walls, façade variety and building face orientation.

Purpose: The following standards are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.

Applicability: All multi-family residential development, except in X-Districts.

Code citation: 13.06.501 Building Design.

Pedestrian Standards: Addresses entrances, weather protection, and transition areas.

Purpose: These requirements are intended to enhance pedestrian mobility and safety by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

Applicability: All multi-family residential development, except in X-Districts.

Code citation: 13.06.501 Building Design.

Fencing and utility screening. Addresses specific unsightly features which detract from the appearance of residential areas.

Purpose: Improve the visual quality of neighborhoods and ensure that features along the public-right-of-way do not detract from the public realm.

Applicability: All multi-family residential development, except in X-Districts.

Code citation: 13.06.501 Building Design.

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 amendment would improve consistency between the One Tacoma Plan and the following VISION 2040 multi-county planning policies:

Goal: The region will use design to shape the physical environment in order to create more livable communities, better integrate land use and transportation systems, and improve efforts to restore the environment.

MPP-DP-43: Design communities to provide an improved environment for walking and bicycling.

MPP-DP-46: Develop and implement design guidelines to encourage construction of healthy buildings and facilities to promote healthy people.

MPP-DP-35: Develop high quality, compact urban communities throughout the region's urban growth area that impart a sense of place, preserve local character, provide for mixed uses and choices in housing types, and encourage walking, bicycling, and transit use.

MPP-DP-37: Support urban design, historic preservation, and arts to enhance quality of life, improve the natural and human-made environments, promote health and well-being, contribute to a prosperous economy, and increase the region's resiliency in adapting to changes or adverse events.

The proposed amendments support numerous goals and policies in the One Tacoma Plan, including: Policy DD-1.2 Promote site and building design that provides for a sense of continuity and order while allowing for creative expression.

Policy DD-1.3 Design buildings and streetscape of a human scale to create a more inviting atmosphere for pedestrians.

Policy DD-1.11 Encourage building and site designs that limit reductions in privacy and solar access for residents and neighbors, while accommodating urban scale development.

Policy DD-4.3 Encourage residential infill development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow a range of architectural styles and expression, and respect existing entitlements.

Policy DD-4.6 Promote the site layout of residential development where residential buildings face the street and parking and vehicular access is provided to the rear or side of buildings. Where multifamily developments are allowed in established neighborhoods, the layout of such developments should respect the established pattern of development, except where a change in context is desired per the goals and policies of the Comprehensive Plan.

Policy DD-4.7 Emphasize the natural physical qualities of the neighborhood (for example, trees, marine view, and natural features) and the site in locating and developing residential areas, provided such development can be built without adversely impacting the natural areas. Where possible, development should be configured to utilize existing natural features as an amenity to the development.

Policy DD-4.8 Provide on-site open space for all types of residential uses.

Policy DD-4.9 Promote multifamily residential building design that is compatible with the existing patterns of the area. Building design should incorporate:

- a. Façade articulation that reduces the perceived scale of the building and adds visual interest.
- b. For infill residential in established neighborhoods, encourage the use of similar façade articulation and detailing as existing structures.
- c. Covered entries visible from the street and/or common open space.
- d. Utilize building materials that are durable and provide visual interest.

Policy DD-5.3 Promote building and site designs that enhance the pedestrian experience in centers and corridors, with windows, entrances, pathways, and other features that provide connections to the street environment.

Policy DD–5.9 Integrate natural and green infrastructure, such as street trees, native landscaping, green spaces, green roofs, gardens, and vegetated stormwater management systems, into centers and corridors.

Policy DD–5.10 Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses and services adjacent to these spaces that relate to and promote the use of the space.

Policy DD–5.15 Strengthen the continuity of development and streetscape by using architectural features, street furniture, and other elements that unify and connect individual areas.

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

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

The design amendments have been proposed to directly achieve multiple objectives, including enhancing the design quality of the City’s neighborhoods, enhancing the compatibility of new multi-family residential development with existing and planned land uses, and responding to the needs and desires of the community.

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 amendments will likely increase the cost of developing multi-family residential housing in order to incorporate the design standards proposed herein. However, these likely costs will be offset by overall improvements to the design quality, aesthetics, health, and environmental quality of the new development.

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

In January the Planning Division Manager sent a letter to the Neighborhood Councils, the Planning Commission distribution list, and other interested parties regarding the 2016 Annual Amendment and other ongoing Planning Division project.

In early February, staff provided a second round of public notification vis-a-vis pamphlets mailed to approximately 1300 residents within or in close proximity to areas proposed for potential rezone. The pamphlets provided information on all of the annual amendments.

Additional outreach will be conducted and public comments will be solicited during the public review process through the Planning Commission’s public hearing in May 2016. Notice of the public hearing and comment period will again be distributed to all taxpayers affected by the proposed area-wide rezones as well as residents within 400’ of the subject sites.

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

The proposed amendments will benefit the City as a whole, establishing a minimum design standard for multi-family residential development that promotes the public health, safety, and welfare of our community.

III. Staff Recommendation:

Staff recommends that the proposed amendments to the Tacoma Municipal Code, as depicted in Exhibit A and B be distributed for public review prior to the Planning Commission's public hearing tentatively scheduled for May 4, 2016.

IV. Exhibits:

- A. Proposed Amendments to Tacoma Municipal Code Chapter 13.06
- B. Pedestrian Streets Designated

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 areas with steep topography or an established pattern of larger lots.
3. R-2 Single-Family Dwelling District. This district is intended primarily for single-family detached housing but, in addition to the uses listed above, may also allow a limited number of compatible uses including lodging uses, 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.
4. R-2SRD Residential Special Review District. This district is intended primarily for 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.
5. 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 are consistent with the historic character of the district and are not conversions of historically contributing single-family houses. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.
6. 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

Tacoma Municipal Code

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.

7. 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.

8. 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.

9. 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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets." The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

43. 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.

54. 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 ¹
Wireless communication facility	CU	CU	CU	N	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.545 and the time limitations set forth in Chapter 13.05, Table G.
Work/Live	N	N	N	N	N	N	N	N	
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	

Footnotes:
¹ For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.
² 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.

D. Lot size and building envelope standards.

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Minimum Lot Area (in square feet, unless otherwise noted)								
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	4,500	2,500	2,500	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	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		

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
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	<p>Reductions to minimum detached single-family dwelling lot area requirements, as shown above, may be allowed pursuant to Section 13.06.145. Lots smaller than the Minimum Lot Area for Standard Lots must meet the applicable Design Standards of Section 13.06.145.</p> <p>Single-family Small lot development must be oriented such that the lot frontage and the front façade of the house face the street.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>							
Single-family detached dwellings – Small Lots (Level 2): Additional exceptions to Minimum Lot Area Requirements	<p>One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. In no case shall a new lot be smaller than the following without grant of a variance: 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>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.</p> <p>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.</p> <p>Alley lot area credit: In R-1, 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.</p> <p>Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.145.F.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>							
Critical Areas Density Bonus	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.							
Planned Residential Districts	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.							

Tacoma Municipal Code

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Lot Measurements (in feet)								
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
	The minimum lot frontage requirement does not apply to townhouse dwellings. Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.							
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.							
Lot-Building Coverage (percentage)								
Maximum lot-building coverage, percent of lot	-	-	-	-	-50	35 50	-65	-85
Minimum Density (units per gross acre)								
	=	=	=	=	<u>10</u>	<u>14</u>	<u>18</u>	<u>22</u>
Max. Height Limits (in feet)								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15-feet							
Exceptions	Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602. Single-family Small Lot development on lots with an average width between 40 and 50 feet: Maximum height is 30 feet. Single-family Small Lot development on lots with an average width of less than 40 feet: Maximum height is 25 feet.							
Setbacks (in feet)	These residential setback requirements are designed to provide yard areas that help to minimize impacts between neighboring uses, allow space for recreational activities, allow access to light and air, serve as filtration areas for storm water run-off, provide a level of privacy and comfort, provide emergency and utility access around and into buildings, provide public view corridors, create a pleasing, rhythmic streetscape, promote consistency with existing development patterns, and promote the desired character of residential neighborhoods. Certain conditional uses may require different minimum setbacks. See Section 13.06.640.							

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Minimum Front Setback <u>(for structures not meeting the “build-to” standards below).</u>	25	20	20	20	20	20	15	10
<u>Build-to area for lots located on a designated pedestrian street.</u>	=	=	=	=	<u>At least 50% of pedestrian street frontages must have structures located between 5 and 20 feet from the lot line abutting the pedestrian street right-of-way.</u> <u>Exception: porches, entries, landscaping and transition areas may be located within 5’ of the lot line abutting the pedestrian street right-of-way. Maximum setbacks do not apply to structures associated with park and recreation or education facilities.</u>			
Townhouse Dwelling Minimum Front Setback	For townhouse dwellings, the minimum front yard setback shall apply only along the front property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							
Vehicular Doors Facing the front property Line	Vehicular doors that face the front property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front property line or private road easement.							
Pipestem Lot Setback	Pipestem lots shall provide the required front setback along one of the property lines that abut or are nearest to the accessway/lot extension. The accessway/lot extension shall not be included when measuring the setback. The front yard setback will determine the orientation of the other required setbacks.							

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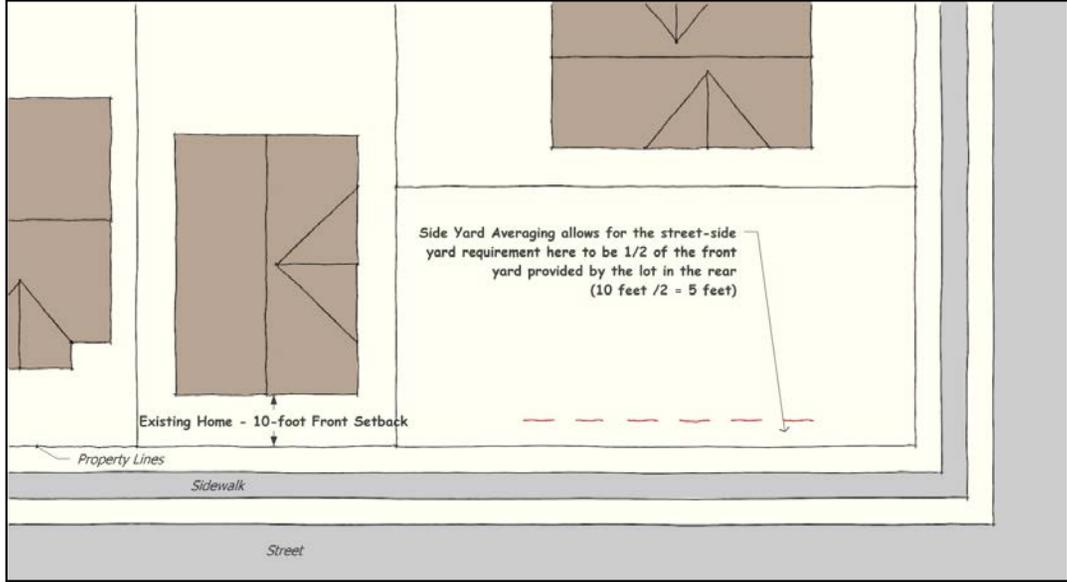
Tacoma Municipal Code

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Front Setback Averaging	<p>For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less. <u>Averaging does not apply to structures meeting the front yard "build-to area" requirement.</u></p> <p>Front yard averaging allows for this front yard to be the average of the front yards provided by the two abutting homes: $20 \text{ ft.} + 10 \text{ ft.} / 2 = 15\text{-foot front yard required}$</p> <p>20-foot front setback</p> <p>10-foot front setback</p> <p>Sidewalk</p> <p>Street</p>							

Tacoma Municipal Code

	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>Front yard averaging allows for this front yard to be the average of the front and corner-side yards provided by the two abutting homes: $5 \text{ ft.} + 10 \text{ ft.} / 2 = 7.5\text{-foot front yard required}$</p>								
<p>(2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house.</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>Minimum Side Setback (Interior Lots)</p>	7.5	5	5	5	5	5	5	<p>5 ft. for buildings less than 6 stories</p> <p>Each side yard setback shall be increased 1-ft. in width for each story, or part thereof, above 6 stories.</p>

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

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Additional Residential Development Standards								
<u>Minimum Usable Yard Space</u>	<p><u>1. Single family dwellings.</u> All lots shall provide a contiguous rear or side usable yard space equivalent to at least 10% of the lot size. This usable yard space shall meet all of the following standards:</p> <ul style="list-style-type: none"> • Have no dimension less than 15-feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet • Not include structures, parking, alley or driveway spaces or required critical area buffers • Not be located in the front yard 							
	<p><u>24. Duplexes and Triplexes.</u> At least 200 square feet of private yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.</p>							
	<p><u>3. Townhouse Development.</u> At least 200 square feet of private yard space is required for each townhouse. Required yard space could include a combination of private front or rear yard space, porches, balconies, rooftop decks, or shared common yard space amongst groups of townhouses. Vehicular access areas and required walkways and buffers shall not count as yard space.</p>							
	<p><u>43. Multi-Family.</u> At least 150 square feet of yard space is required for each dwelling unit. Required setback and buffer areas, vehicular access areas and required walkways and buffers shall not count towards the yard space requirement. A minimum of 35% of the yard space shall be provided in common. The remainder can be provided as private or common yard space, through any combination of the following types of areas/features:</p> <p>a. <u>Common Yard space.</u> This includes landscaped courtyards or decks, front porches, community gardens with pathways, children’s play areas, or other multi-purpose recreational and/or green spaces. Requirements for common yard spaces include the following:</p> <ol style="list-style-type: none"> (1) No dimension shall be less than fifteen feet in width (except for front porches). (2) Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity. (3) Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable. (4) Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable. (5) Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible. (6) Common yard space shall be open to the sky, except for clear atrium roofs and shared porches. 25% of the common open space may be covered, but not enclosed. (7) Shared porches qualify as common yard space provided no dimension is less than eight feet. <p>b. <u>Private balconies, porches, decks, patios or yards.</u> To qualify as yard space, such spaces shall be at least 50 square feet, with no dimension less than five feet.</p> <p>c. <u>Rooftop decks.</u> To qualify, rooftop decks must meet the following standards:</p> <ol style="list-style-type: none"> (1) Must be accessible to all dwelling units. (2) Must include amenities such as seating areas and landscaping. (3) Must feature hard surfacing appropriate to encourage residential use. (4) Must include lighting for residents’ safety. (5) No dimension shall be less than 15 feet in width. 							
<u>Tree Canopy, percentage of</u>	=	=	=	=	30	30	20	15

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	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
<u>lot</u>					Calculations may include the canopy coverage from street trees planted in the the abutting right-of-way that overhang the lot. Tree canopy provided as a result of other landscaping requirements of this Chapter may be used to fulfill this requirement. Tree canopy shall be calculated and provided in accordance with the standards in Section 13.06.502.C General Landscaping Requirements applicable to all required landscaping and the Urban Forest Manual. Trees may be located within private or common usable yard space.			
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. In the case of Small Lots, see the additional provisions of Section 13.06.145.							
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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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 square feet in 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 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.
(Ord. 28336 Ex. B; passed Dec. 1, 2015)

13.06.200 Commercial Districts.

- A. District purposes. The specific purposes of the Commercial Districts are to:
1. Implement goals and policies of the City's Comprehensive Plan.
 2. Implement Growth Management Act goals, county-wide, and multi-county planning policies.
 3. Create a variety of commercial settings matching scale and intensity of use to location.
 4. Attract private investment in commercial and residential development.
 5. Provide for predictability in the expectations for development projects.
 6. Allow for creative designs while ensuring desired community design objectives.

B. Districts established.

1. T Transitional District. This district is intended as a transition between commercial or institutional areas and residential areas. It may also provide a transition between residential districts and commercial districts on arterial street segments supported by the Comprehensive Plan. It primarily consists of office uses with negligible off-site impacts. It is characterized by lower traffic generation, fewer operating hours, smaller scale buildings, and less signage than general commercial areas. Residential uses are also appropriate. A T Transitional District may, in limited circumstances, also be applied to locations that meet the unique site criteria of the Comprehensive Plan. This classification is not appropriate inside a designated mixed-use center.
2. C-1 General Neighborhood Commercial District. This district is intended to contain low intensity land uses of smaller scale, including office, retail, and service uses. It is characterized by less activity than a community commercial district. Building sizes are limited for compatibility with surrounding residential scale. Residential uses are appropriate. Land uses involving vehicle service or alcohol carry greater restriction. This classification is not appropriate inside a plan designated mixed-use center or single-family intensity area.
3. C-2 General Community Commercial District. This district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.
4. PDB Planned Development Business District. This district is intended to provide limited areas for a mix of land uses that includes warehousing, distribution, light assembly, media, education, research, and limited commercial. The developments in this district are intended to have fewer off-site impacts than would be associated with industrial or community commercial areas. Retail uses are size limited and signage is reduced. These areas should be designed for improved residential compatibility on boundaries by landscaping and other design elements. Sites should have reasonably direct access to a highway or major arterial. This district is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.
2. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets." The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.
3. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

[See next page for table.]

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43. Use table abbreviations.

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

54. District use table.

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



Uses	T	C-1	C-2 ¹	PDB	Additional Regulations ^{2, 3} (also see footnotes at bottom of table)
<p>Footnotes:</p> <ol style="list-style-type: none"> 1. Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and customer service offices. 2. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements. 3. Commercial shipping containers shall not be an allowed type of accessory building in any commercial zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635. 					

D. Building envelope standards.

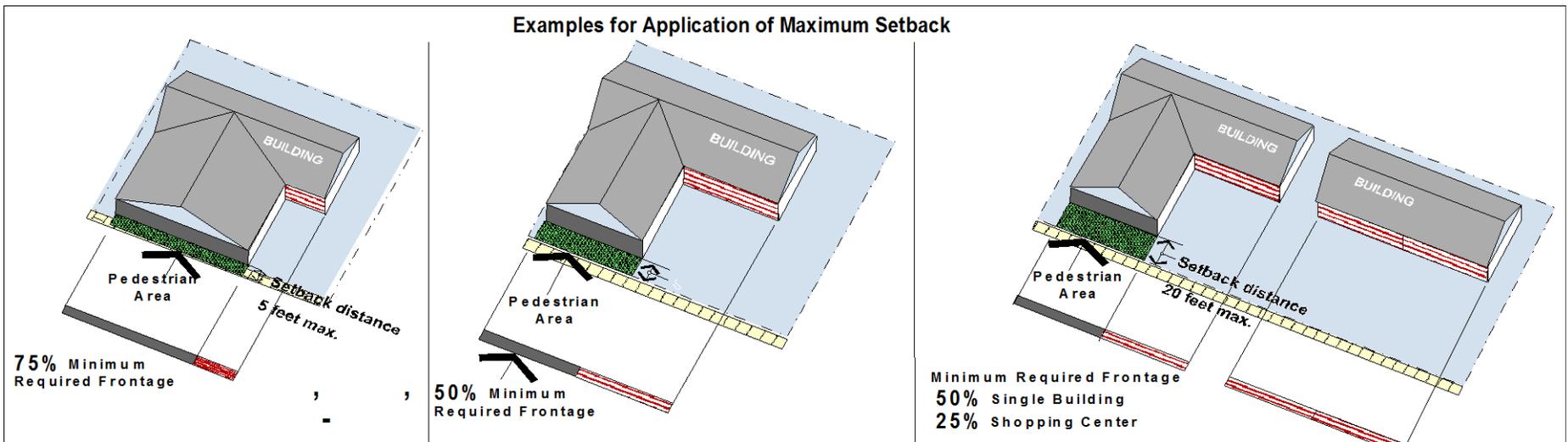
	T	C-1	C-2	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0; <u>1,500 square feet per residential unit</u>	0; <u>1,000 square feet per residential unit</u>	0; <u>1,500 square feet per residential unit</u>
Minimum Lot Width	0	0	0	0
Maximum Lot Building Coverage <u>(percent of lot)</u>	None; <u>50 for multi-family residential development.</u>	None; <u>50 for multi-family residential development.</u>	None; <u>65 for multi-family residential development.</u>	None; <u>65 for multi-family residential development.</u>
Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.200.E) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.			
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue. <u>Multi-family residential development on designated pedestrian streets.</u> <u>In addition to the standards in 13.06.200.E, at least 50% of pedestrian street frontages must have residential structures located between 5 and 20 feet from the lot line abutting the pedestrian street right-of-way.</u> <u>Exception: porches, entries, landscaping and transition areas may be located within 5' of the lot line abutting the pedestrian street right-of-way. Maximum setbacks do not apply to structures associated with park and recreation facilities.</u>			
Maximum Height Limit	35 feet	35 feet	45 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.			
Maximum Floor Area	20,000 square feet per building	30,000 square feet per building	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.	7,000 square feet per business for eating and drinking, retail and personal services uses
<u>Minimum Usable Yard Space – for residential development</u>	<p>1. Single family dwellings. All lots shall provide a contiguous rear or side usable yard space equivalent to at least 10% of the lot size. This usable yard space shall meet all of the following standards:</p> <ul style="list-style-type: none"> • <u>Have no dimension less than 15-feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet</u> • <u>Not include structures, parking, alley or driveway spaces or required critical area buffers</u> • <u>Not be located in the front yard</u> <p>2. Duplexes and Triplexes. At least 200 square feet of private yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required</p>			

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	<p>walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.</p> <p>3. <u>Townhouse Development.</u> At least 200 square feet of private yard space is required for each townhouse. Required yard space could include a combination of private front or rear yard space, porches, balconies, rooftop decks, or shared common yard space amongst groups of townhouses. Vehicular access areas and required walkways and buffers shall not count as yard space.</p> <p>4. <u>Multi-Family.</u> At least 150 square feet of yard space is required for each dwelling unit. Required setback and buffer areas, vehicular access areas and required walkways and buffers shall not count towards the yard space requirement. A minimum of 35% of the yard space shall be provided in common. The remainder can be provided as private or common yard space, through any combination of the following types of areas/features:</p> <p>a. <u>Common Yard space.</u> This includes landscaped courtyards or decks, front porches, community gardens with pathways, children’s play areas, or other multi-purpose recreational and/or green spaces. Requirements for common yard spaces include the following:</p> <ol style="list-style-type: none"> (1) <u>No dimension shall be less than fifteen feet in width (except for front porches).</u> (2) <u>Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity.</u> (3) <u>Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.</u> (4) <u>Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable.</u> (5) <u>Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.</u> (6) <u>Common yard space shall be open to the sky, except for clear atrium roofs and shared porches. 25% of the common open space may be covered, but not enclosed.</u> (7) <u>Shared porches qualify as common yard space provided no dimension is less than eight feet.</u> <p>b. <u>Private balconies, porches, decks, patios or yards.</u> To qualify as yard space, such spaces shall be at least 50 square feet, with no dimension less than five feet.</p> <p>c. <u>Rooftop decks.</u> To qualify, rooftop decks must meet the following standards:</p> <ol style="list-style-type: none"> (1) <u>Must be accessible to all dwelling units.</u> (2) <u>Must include amenities such as seating areas and landscaping.</u> (3) <u>Must feature hard surfacing appropriate to encourage residential use.</u> (4) <u>Must include lighting for residents’ safety.</u> (5) <u>No dimension shall be less than 15 feet in width.</u> 			
<p><u>Tree Canopy Coverage (percent of lot)</u></p>	<p><u>25</u></p>	<p><u>25</u></p>	<p><u>25</u></p>	<p><u>25</u></p>
<p>Lot percentage may be calculated based on the canopy coverage from trees located on the lot or from street trees planted in the the abutting right-of-way. Tree canopy provided as a result of other landscaping requirements of this Chapter may be used to fulfill this requirement. Tree canopy shall be calculated and provided in accordance with the standards in Section 13.06.502.C General Landscaping Requirements applicable to all required landscaping. Trees may be located within private or common usable yard space. Tree retention credits from Section 13.06.502.D may be applied.</p>				

E. Maximum setback standards on designated streets. To achieve a pedestrian supportive environment, where buildings are located in close proximity to the street and designed with areas free of pedestrian and vehicle movement conflicts, maximum building setbacks are required as follows:

Designated Pedestrian Streets in Commercial Districts	Requirements
1. Designated Pedestrian Streets Requiring Maximum Setback	a. 6th Avenue (Madison Street to Alder Street). b. 6th Avenue (Sprague Avenue to I Street). c. North 30th Street (from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline).
2. Maximum Setback Applied	a. 10 feet maximum front and/or corner side setback from property lines at the public right-of-way shall be provided for at least 75 percent of building facing the designated street frontage. b. When the site is adjacent to a designated pedestrian street, that street frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the façade as indicated above. c. This requirement supersedes any stated minimum setback. d. Maximum setback areas shall be designed to be sidewalk, pedestrian plaza, public open space, landscaping, and/or courtyard and to be free of motor vehicles at all times.
3. Exceptions	a. Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback.. b. Buildings that are 100 percent residential do not have a maximum setback. c. The primary building of a gas station, where gas stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt. d. Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.



Ord. 28157 Ex. F; passed Jun. 25, 2013; Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 28088 Ex. A; passed Sept. 25, 2012; Ord. 28077 Ex. C; passed Jun. 12, 2012; Ord. 28050 Ex. C; passed Feb. 14, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27818 Ex. A; passed Jul. 28, 2009; Ord. 27772 § 3; passed Dec. 9, 2008; Ord. 27665 §§ 4,6,8,12,14, Ex. A; passed Dec. 4, 2007; Ord. 27644 Ex. A; passed Sept. 18, 2007; Ord. 27539 § 14; passed Oct. 31, 2006; Ord. 27407 § 2; passed Nov. 1, 2005; Ord. 27375 § 1; passed Jun. 28, 2005; Ord. 27364 § 2,3; passed Jun. 28, 2005; Ord. 27296 § 18; passed Nov. 16, 2004; Ord. 27245 § 10; passed Jun. 22, 2004; Ord. 27079 § 23; passed Apr. 29, 2003; Ord. 26947 § 51; Ord. 26966 § 10; passed Jul. 16, 2002; Ord. 26947 § 51; passed Apr. 23, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.400 Industrial Districts.

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

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

(Ord. 27574 §§ 2,3; passed Mar. 20, 2007; Ord. 27079 § 24; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.400.A Industrial district purposes.

The specific purposes of the Industrial districts are to:

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

(Ord. 27079 § 25; passed Apr. 29, 2003)

13.06.400.B Districts established.

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

1. M-1 Light Industrial District. This district is intended as a buffer between heavy industrial uses and less intensive commercial and/or residential uses. M-1 districts may be established in new areas of the City. However, this classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.
2. M-2 Heavy Industrial District. This district is intended to allow most industrial uses. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.
3. PMI Port Maritime & Industrial District. This district is intended to allow all industrial uses and uses that are not permitted in other districts, barring uses that are prohibited by City Charter. The Port of Tacoma facilities, facilities that support the Port’s operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area’s employees.

Expansion beyond current PMI District boundaries should be considered carefully, as such expansion may decrease the distance between incompatible uses.

Expansion should only be considered contiguous to the existing PMI District. This classification is only appropriate inside Comprehensive Plan areas designated for high intensity uses.

4. ST-M/IC South Tacoma Manufacturing/Industrial Overlay District. This overlay district is intended to provide additional protection to industrial and manufacturing uses within the designated boundary of the South Tacoma M/IC by placing further restrictions on incompatible uses within this defined area. Standards established through the overlay zone are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply. The additional requirements imposed through the South Tacoma M/IC Overlay District are intended to preserve this area for long term urban industrial and manufacturing use consistent with policy direction in the Comprehensive Plan. Expansion of the overlay district beyond the current boundaries can only be done in conjunction with an expansion of the designated South Tacoma M/IC Center in the Comprehensive Plan. Expansion beyond current boundaries should be carefully considered, as such expansion may decrease the distance between incompatible uses and will impose additional restrictions on the development of residential and commercial uses in affected areas.

(Ord. 27772 §§ 2,3,5-18; passed Dec. 9, 2008: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27680 § 2; passed May 13, 2008: Ord. 27665 §§ 11,13; passed Dec. 4, 2007: Ord. 27362 § 3; passed Jun. 7, 2005: Ord. 27079 § 26; passed Apr. 29, 2003)

13.06.400.C Land use requirements.

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

2. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

4. Use table abbreviations.

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

5. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
Agricultural uses	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area.
Airport	CU	CU	CU	
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
Assembly facility	P	P	N	
Brewpub	P	P	P	

Uses	M-1	M-2	PMI	Additional Regulations ¹
Warehouse/storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
Wholesale or distribution	P	P	P	
Wireless communication facility	P*/CU**	P*/CU**	P*/CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work/Live	P	N	N	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
Work release center	CU	CU	P	Subject to development standards contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	P	
Footnotes:				
1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.				

E. Multi-family Residential Development

1. Minimum Usable Yard Space. Multi-family residential development shall provide usable yard space in accordance with the provisions of 13.06.200.

2. Tree canopy coverage. Multi-family residential development shall meet the tree canopy coverage requirements in 13.06.200.

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

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

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

(Ord. 28336 Ex. C; passed Dec. 1, 2015; Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28281 Ex. A; passed Feb. 17, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28182 Ex. A; passed Nov. 5, 2013; Ord. 28157 Ex. F; passed Jun. 25, 2013; Ord. 28050 Ex. C; passed Feb. 14, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. D; passed Jun. 30, 2009; Ord. 27771 Ex. C; passed Dec. 9, 2008; Ord. 27644 Ex. A; passed Sept. 18, 2007; Ord. 27539 § 15; passed Oct. 31, 2006; Ord. 27245 § 11; passed Jun. 22, 2004; Ord. 27079 § 27; passed Apr. 29, 2003)

13.06.410 M-1 Light Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 29; passed Apr. 29, 2003; Ord. 26966 § 11; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.420 M-2 Heavy Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 30; passed Apr. 29, 2003; Ord. 26966 § 12; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.430 M-3 Heavy Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 31; passed Apr. 29, 2003; Ord. 26966 § 13; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.500 Requirements in all preceding districts.

Applicability. The regulations of this section are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

(Ord. 26933 § 1; passed Mar. 5, 2002)

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, and, as well as to townhouses in R districts,~~ as outlined below and, except as follows:

1. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
2. Alterations. Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:
 - a. Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.
 - b. Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.
 - c. Level III alterations include all remodels and/or additions 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. Such alterations shall conform to ALL standards.
 - d. The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.
 - e. No addition or remodel shall increase the level of nonconformity or create new nonconformities to the development or design standards.
3. Super regional malls. Additions to super regional malls of less than 10,000 square feet of floor area are exempt from the design standards of this section.
4. Temporary. Temporary structures are exempt from the design standards of this section.

Tacoma Municipal Code

5. Residential and/or mixed-use. Single, two, and three-family dwellings are subject only to the design standards in Subsection N. Townhouses are subject only to the design standards in Subsection O. For other residential uses, such as mixed-use buildings and multi-family dwellings of 4 units or more, the standards herein apply unless otherwise noted.

a. Single-family dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-family dwellings shall not increase the level of nonconformity.

6. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.

7. Religious assembly facilities which can demonstrate that the design standards impose a substantial burden, administratively or financially, on their free exercise of religion, shall be exempt from compliance.

8. Floor area. For purposes of this section of the code (Section 13.06.501), “floor area” shall not include spaces below grade.

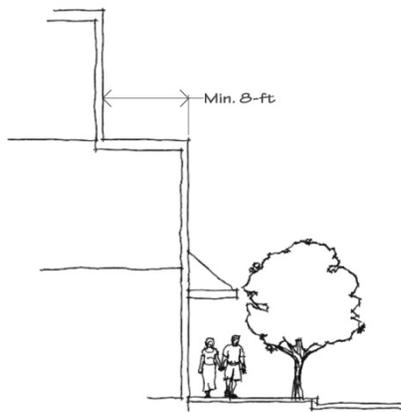
9. Parks, recreation and open space uses. Accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the design standards of this section.

B. Commercial District Minimum Design Standards

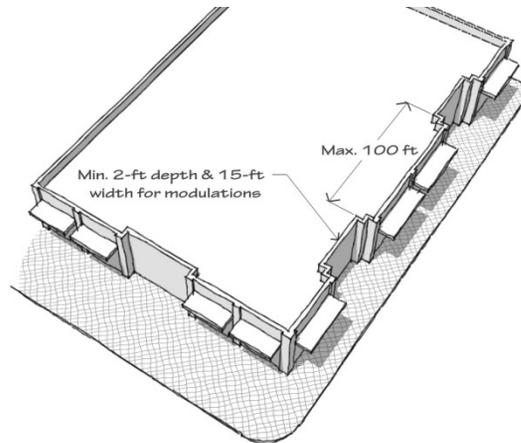
1. Applicability. The following requirements apply to the C1, C2, T, and PDB zoning districts. See Section 13.06.501.H, below, for X-District requirements. Single-use multi-family residential developments in the C1, C2, T, and PDB zoning districts are subject to the requirements in Section 13.06.501.D Multi-family Residential Minimum Design Standards.

1B. General Mass Reduction Standards. ~~The following requirements apply to the C1, C2, T, and PDB zoning districts. See Section 13.06.501.H, below, for X-District requirements.~~
Purpose: The ~~design choices of this item~~ following standards are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.

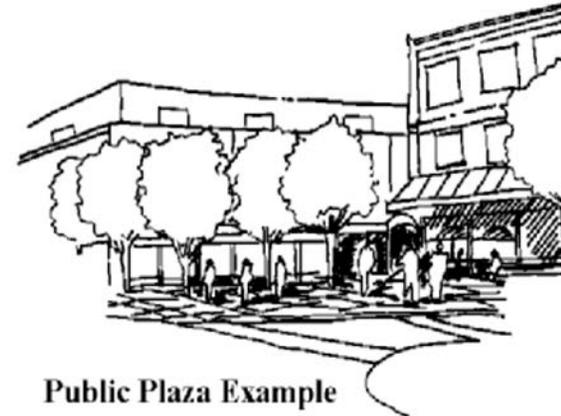
<u>a1.</u> Size to choice ratio for 2 below	<p><u>(1)a.</u> Buildings under 7,000 square feet of floor area are not required to provide mass reduction.</p> <p><u>(2)b.</u> Buildings from 7,000 square feet of floor area to 30,000 square feet of floor area shall provide at least one mass reduction feature.</p> <p><u>(3)e.</u> Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.</p>
<u>b2.</u> Mass reduction choices	<p><u>(1)a.</u> Upper story. Buildings with a maximum footprint of 7,000 square feet of floor area, that do not exceed 14,000 square feet of floor area, may count use of a second story as a mass reduction feature.</p> <p><u>(2)b.</u> Upper story setback. An 8 feet minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of 2 elevations.</p> <p><u>(3)e.</u> Wall modulation. Maximum 100 feet of wall without modulation, then a minimum 2 feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses.</p> <p><u>(4)d.</u> Public plaza. A public plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater. The plaza shall be located within 50 feet of and visible to the primary public entrance; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or art work for each 200 square feet of plaza area. Plaza contents may count toward other requirements when meeting the required criteria. Walkways do not count as plazas. Plazas shall not be used for storage. Required parking stalls may be omitted to the minimum necessary if needed to provide the plaza. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. Plazas may be permeable pavement or pavers where feasible. Low Impact Development vegetated stormwater features may be used for up to 30% of the plaza requirement where feasible.</p> <p><u>(5)e.</u> Housing. The provision of upper story residential dwelling units at a site density consistent with the applicable land use intensity designation of the Comprehensive Plan.</p>



Upper Story Setback



Wall Modulation Example



Public Plaza Example

Tacoma Municipal Code

2C. General Roofline Standards. The following requirements apply to the C-1, C-2, T, and PDB zoning districts. See Section 13.06.501.I, below, for X-District requirements.

Purpose: These requirements following standards are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

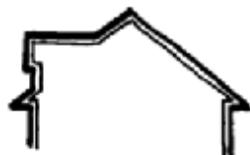
a. Roofline Choices (All buildings shall use one or more of the roofline options)

- (1). Sloped roof. Use of a roof form with a pitch no flatter than 5/12. Rounded, gambrel, and/or mansard forms may be averaged.
- (2). Modulated roof. Use of features, which are a minimum of 2 feet in height, such as a terracing parapet, multiple peaks, jogged ridge lines, dormers, etc., with a maximum of 100 feet uninterrupted roofline between roof modulation elements. Modulation elements shall equal a minimum of at least 15 percent of the roofline on each elevation. The maximum shall be 50 feet of uninterrupted roofline along the eave between roof modulation elements in C-1 Districts and on sides facing residential uses or districts. Roof forms with a pitch flatter than 5/12 are permitted with this option; provided, the appropriate modulation is incorporated.
- (3). Corniced roof*. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. The height of the cornice shall be at least 12 inches high for buildings 10 feet or less in height; 18 inches for buildings greater than 10 feet and less than 30 feet in height; and 24 inches for buildings 30 feet and greater in height. Cornices shall not project over property lines, except where permitted on property lines abutting public right-of-way.
- (4). Canopy Exemption. Fueling station canopies, drive-through canopies, or similar canopies are exempt from roofline requirements.

Modulated Roof



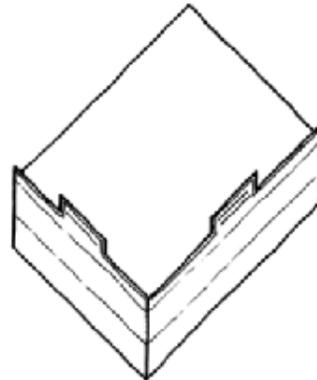
Sloped Roof



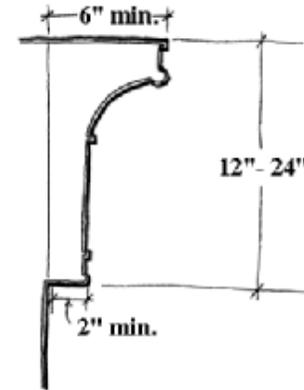
Sloped Roof



Sloped Roof



Modulated Roof Example



Cornice Example

Roofline Examples

3D. General Windows and openings. ~~The following requirements apply to the C-1, C-2, T, and PDB zoning districts. See Section 13.06.501.J, below, for X-District requirements.~~

Purpose: The following standards~~se requirements~~ are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, and to provide architectural detailing and variety to building elevations on each story.

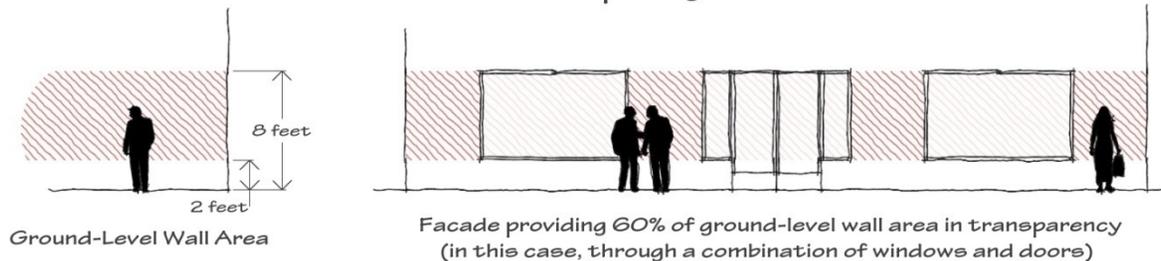
<p><u>a4.</u> Street level</p>	<p>(1)a. Front, side, or corner side exterior walls facing streets or that contain customer entrances and face customer parking lots of 20 stalls or greater shall have transparent window or openings for at least 50 percent of the ground level wall area. This standard shall apply on a maximum of 2 such building elevations. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for portions of façades where the grade level of the sidewalk of the abutting street is 4 feet or more above or below the adjacent floor level of the building. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades and the correlating location of the floor plates of the building. Rough openings are used to calculate this requirement.</p> <p>(2)b. Required view. Required windows or openings must provide either views into building work areas, sales areas, lobbies, merchandise displays, or artworks. Art and display windows shall be at least 2 feet deep, recessed and integrated into the façade of the building (tack on display cases do not qualify).</p> <p>(3)e. The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.</p> <p>(4)d. Limited alternatives. Alternatives of decorative grilles, art work, or similar features can be substituted for those portions of uses where the provision of natural light can be demonstrated to nullify the intended use (examples include movie theater viewing areas and light sensitive laboratories) and for parking structures, provided an equivalent wall area is covered.</p>
<p><u>b2.</u> Upper levels</p>	<p>(1)a. Front, side, or corner side exterior walls facing streets or walls that contain customer entrances and face customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor on a minimum of 2 such building elevations.</p> <p>(2)b. Upper level windows shall be a different type than the ground level windows on the same elevation.</p> <p>(3)e. For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.</p>

c4. Exemptions.

~~a.~~ Residential privacy. On sides where C, T, or PDB District boundaries adjoin R-1, R-2, R-2SRD, or R-3 District boundaries, structures within the C, T, or PDB District that are set back at least 7 feet from the property line and screened by landscaping to a minimum height of 6 feet are exempt from the window and opening requirements on the effected side.

- ~~• b.~~ Residential buildings. Residential buildings or residential portions of mixed use buildings are exempt from street level windows or openings.

Development Requirements for Facades
Windows/Openings



Tacoma Municipal Code

4E. General Façade Surface Standards. ~~The following requirements apply to the C-1, C-2, T, and PDB zoning districts. See Section 13.06.501.K, below, for X-District requirements.~~

~~Purpose:~~ ~~These requirements following standards~~ are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.

<p>a1. Blank wall limitation</p>	<p>(1)a. Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or customer parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.</p>
<p>b2. Façade variety</p>	<p>(1)a. Buildings with under 2,000 square feet of floor area are exempt from the variety requirement. (2)b. Buildings with 2,000 square feet of floor area to 30,000 square feet of floor area shall use at least 2 different materials, textures, or patterns on each building elevation. (3)e. Buildings with over 30,000 square feet of floor area shall use at least 3 different materials, textures, or patterns on each building elevation. (4)d. For purposes of this requirement, each material, texture, or pattern must cover a minimum of 10 percent of each building elevation. Glass does not count toward this requirement. Different texture or pattern shall be visibly different from adjacent public right-of-way or parking area.</p>
<p>c3. Building face orientation</p>	<p>(1)a. The building elevation(s) facing street or highway public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters. (2)b. This requirement applies to a maximum of 2 building elevations on any given building.</p>

5F. General Pedestrian Standards. ~~The following requirements apply to all development in the C-1, C-2, T, and PDB districts, except where noted or specifically exempted. See Section 13.06.501.L, below, for X-District requirements~~

~~Purpose:~~ ~~These requirements following standards~~ are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

<p>a1. Customer entrances</p>	<p>(1)a. Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation. (2)b. Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.200.E or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
<p>b2. Street level weather protection</p>	<p>(1)a. Weather protection shall be provided above a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage. (2)b. Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping. (3)e. Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.</p>

6G. General Fencing and Utilities. The following requirements apply to the C 1, C 2, T, and PDB zoning districts. See Section 13.06.501.M, below, for X District requirements.

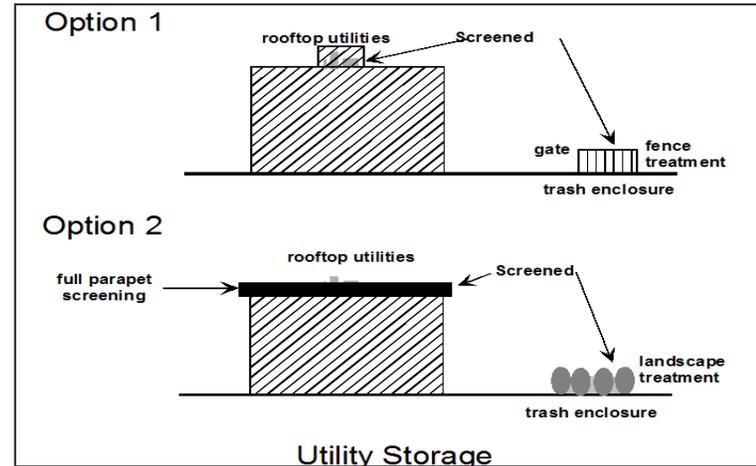
Purpose: These requirements following standards are intended to minimize visibility of utilities, mechanical equipment, and service areas to mitigate visual impact on residential privacy, public views, and general community aesthetics.

a+. Utility screening

a(1). Rooftop. All rooftop mechanical equipment for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form or an equivalent architectural feature which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. Limited flexibility in this standard is allowed to ensure that the function of the HVAC equipment is not compromised by the screening requirement.

(2)b. All ground level. Mechanical or utility equipment, loading areas, and dumpsters shall be screened from adjacent public street right-of-way, including highways, or residential uses. Items that exceed 4 feet in height must use fencing, structure, or other form of screening, except landscaping. Items that do not exceed 4 feet above ground level may be screened with landscaped screening. All landscape screening should provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting. Limited flexibility in this standard is allowed to ensure that the function of the utility equipment is not compromised by the screening requirement.

(3)e. Chain link fencing, with or without slats, is prohibited for required screening.



b2. Fencing type limitation

- a. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.
- b. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.
- c. Electrified. The use of electrified fencing is prohibited in all zoning districts.

C. Mixed-Use District Minimum Design Standards

1. Applicability: The following requirements apply to all development located in any X-District, except where noted or unless specifically exempted.

2H. Façade Articulation.

Purpose: The following standards are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation. ~~**X-District Mass Reduction Standards.** The following requirements apply to all development located in any X-District, unless specifically exempted.~~

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

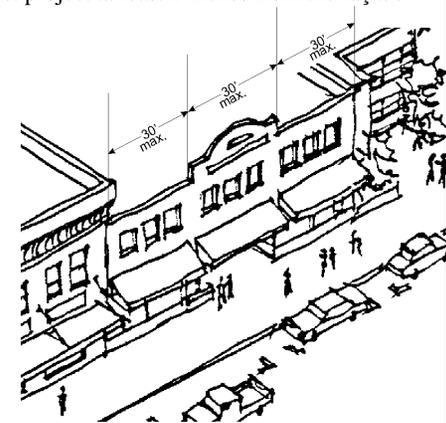
a. All building façades fronting directly on a Designated Pedestrian Street must include at least two of the following articulation features at intervals no greater than 40 feet to reinforce the desired pattern of small storefronts adjacent to the sidewalk. Buildings that have 60 feet or less of frontage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

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

Example Figures

Right: This building uses roofline modulation, window configurations, and weather protection elements to reinforce the pattern of small storefronts.

Below: Other acceptable façade articulation examples. All use window configurations to reinforce the desired small storefront pattern. Other features used in these examples to meet the standards include:



Vertical piers elements



Roofline modulation



Different weather protection

	
<p>b. All non-residential façades fronting on a non-Pedestrian Designated Street or containing a pedestrian entrance must include at least three of the following articulation features at intervals no greater than 60 feet. Buildings that have 120 feet or less of frontage on the non-designated street are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.</p>	<ol style="list-style-type: none"> (1) Use of window configurations and/or entries that reinforce the pattern of storefront spaces. (2) Vertical building modulation. The minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.I. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively. (3) Use of separate weather protection features that reinforce the pattern of storefront spaces. (4) Roofline modulation as defined in Section 13.06.501.I (5) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 feet of the façade. (6) Change in building material or siding style. (7) Use of vertical piers. Such piers must project at least 2 inches from the façade and extend from the ground floor to the roofline. (8) Providing a trellis, tree, or other landscape feature within each interval. Such feature must be at least one-half the height of the building (at planting time for any landscaping element).

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c. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all façades facing a street, common open space, or common parking areas. Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.

- (1) Repeating distinctive window patterns at intervals less than the required interval.
- (2) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.I Otherwise, minimum depth and width of modulation is 10 and 15 feet, respectively. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade at least 18 inches.
- (3) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 percent of the façade
- (4) Roofline modulation as defined in Section 13.06.501.I
- (5) Vertical articulation of the façade. This refers to design treatments that provide a clear delineation of the building’s top, middle and bottom.
 - (a) Top features may include a sloped roofline or strong cornice line as defined in Section 13.06.501.I. For façades utilizing upper level stepbacks, the “top” design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building’s front vertical wall (provided the top of the building is visible from the centerline of the adjacent street).
 - (b) Middle features: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing
 - (c) Bottom: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of both contrasting window design/configuration and contrasting exterior materials
 - (d) Façade reduction elements including balconies and bay windows may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way



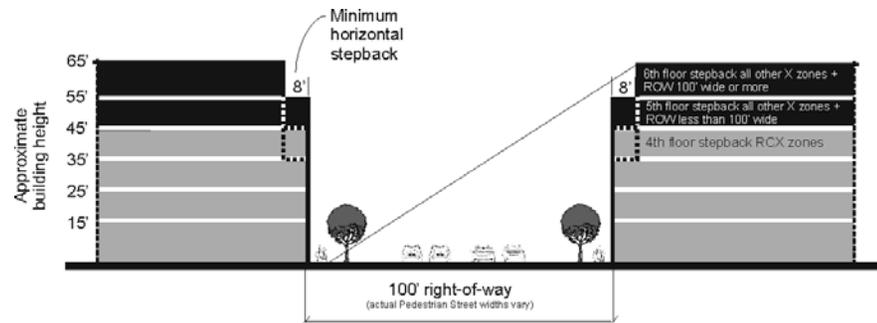
Above: Residential building articulation at 30-foot or less intervals. Below: Articulation examples of mixed-use buildings containing residential uses on upper floors. These examples include vertical and horizontal modulation and changes in building materials at no more than 30-foot articulation intervals.



32. Mass Reduction: Upper Floor Streetfront Stepbacks.

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

- a. 8' minimum setback along the streetfront façade for 4th floor and above in RCX Districts.
- b. 8' minimum horizontal setback along for 5th floor and above in X Districts other than RCX, where the ROW width is less than 100'.
- c. 8' minimum horizon setback for 6th floor and above in X zones other than RCX, where the ROW width is 100' or greater.
- d. Exceptions to b and c above: One distinctive design element of no more than 25 feet in width is allowed to extend vertically without these required stepbacks for each façade along a designated pedestrian street.



43. ~~Mass Reduction:~~ Maximum Façade Widths.

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

- a. Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.
- b. Use of a contrasting vertical modulated design component that extends through all floors above the first floor fronting on the street (upper floors that are stepped back more than 10 feet from the façade are exempt) and featuring at least two of the following:
 - (1) Utilizes a change in building materials that effectively contrast from the rest of the façade.
 - (2) Component is modulated vertically from the rest of the façade by an average of 6 inches.
 - (3) Component is designed to provide roofline modulation per 13.06.501.I, below.
- c. Façade employs building walls with contrasting articulation that make it appear like two distinct buildings. To qualify for this option, these contrasting façades must employ the following:
 - (1) Different building materials and/or configuration of building materials.
 - (2) Contrasting window design (sizes or configurations).



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

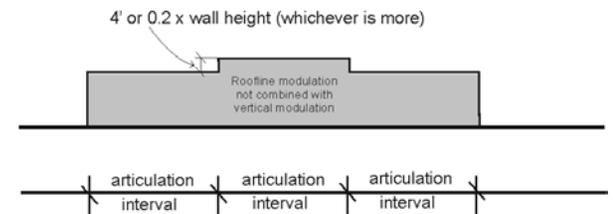
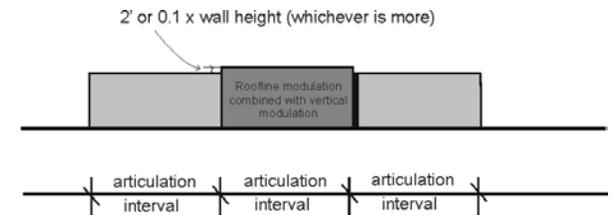
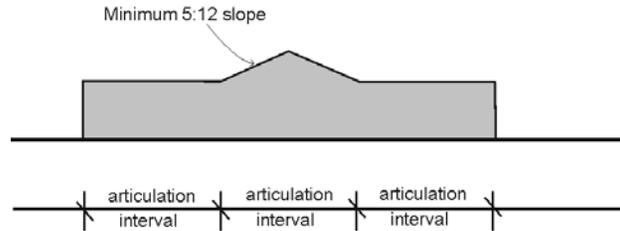
5I. X-District Roofline Standards. The following requirements apply to all development located in any X-District, unless specifically exempted:

Purpose: The following standards are intended to ensure that roofline is addressed as an integral part of building design to discourage flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with human scale development.

a1. Roofline modulation. Roofline modulation is not required of all buildings. However, in order to qualify as a façade articulation element in other mass reduction standards herein, the roofline shall meet the following modulation requirements along façades facing a street:

(1)a. For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.

(2)b. Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components (such as gabled, hipped, shed, or other similar roof forms) at the interval required per the applicable standard in Section H, above. Rounded, gambrel, and/or mansard forms may be averaged.



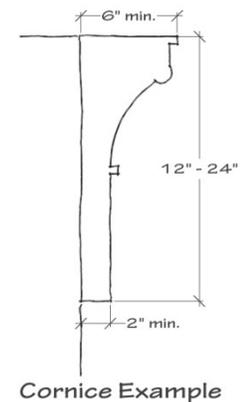
b2. Flat roof standards. Buildings or portions thereof featuring flat roofs (horizontal roofs with either no slope or only a slope sufficient to effect drainage, often which incorporate surrounding parapets) that do not incorporate roofline modulation, as described above, shall employ decorative roofline treatments incorporating one or more of the following design elements along façades facing a street:

(1)a. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. See graphic at right. The height of the cornice shall be at least 12-inches high for buildings 10 feet or less in height; 18-inches for buildings greater than 10 feet and less than 30 feet in height; and 24-inches for buildings 30 feet and greater in height. The cornice must extend along at least 75 percent of the façade.

(2)b. A one-piece cornice element that projects at least 18 inches from the façade for buildings four stories or less or at least 2 feet from the façade for buildings taller than 4 stories. The cornice line must extend along at least 75 percent of the façade.

(3)c. Use of balcony/deck railings that function as a visual roofline element. Such railings must be at least 2 feet in height and extend along at least 75 percent of the façade and shall be visible from the adjacent street centerline.

(4)d. Use of contrasting building materials on the top floor or top two floors for buildings five stories or taller, for at least 75 percent of the façade.



c3. Roofline elements shall not project over property lines, except where permitted on property lines abutting public right-of-way.

d4. Canopy Exemption. Fueling station canopies, drive through canopies, or similar canopies are exempt from roofline requirements.

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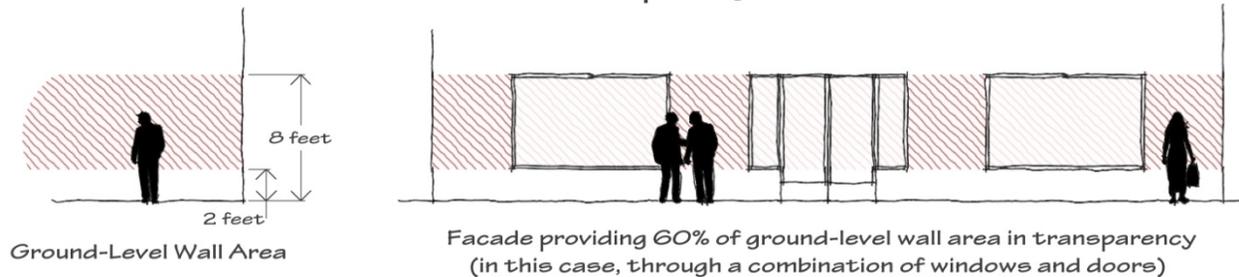
6J. X-District Windows and Openings: Façade Transparency and Solar Access.

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

a+. Street level transparency standards for non-residential uses:

- (1)a. Façades facing a designated Core Pedestrian Street shall have transparent windows or openings for at least 60 percent of the ground level wall area.
- (2)b. Façades facing a designated Pedestrian Street shall have transparent windows or openings for at least 50 percent of the ground level wall area.
- (3)e. Façades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater shall have transparent windows or openings for at least 40 percent of the ground level wall area.
- (4)d. Flexibility for sloping properties. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for building elevations where the finished grade level adjacent to the building is four feet above or below the level of the sidewalk. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades running parallel to the elevation and crossing the floor plates of the building.
- (5)e. Flexibility for industrial uses. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for the façades of industrial uses located along designated Pedestrian Streets and reduced to 20 percent of the ground level wall area for the façades of industrial uses facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater.
- (6)f. Flexibility for structured parking. For structured parking or portions of a building containing structured parking that is located at the ground level and subject to these requirements, the window and opening requirement for that portion of the ground-level wall area shall be reduced to 30 percent along façades facing designated Pedestrian Streets and 20 percent along façades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater. Additionally, alternatives such as decorative grilles, art work, display windows, or similar features can be substituted for the transparency required in that portion of the ground-level façade.
- (7)g. Required view. Required windows or openings must provide either views into building work areas, sales areas or lobbies. Art or display windows may substitute for transparent elements for up to 25% of the requirement on façades facing designated Pedestrian Streets and up to 50% on all other applicable façades. Art and display windows shall be at least 2 feet deep, recessed and integrated into the façade of the building (tack on display cases do not qualify).
- (8)h. The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.
- (9)i. This standard shall apply on a maximum of 2 such building elevations, and shall apply in the order provided above. As an example, for a building that faces a Core Pedestrian Street, a non-pedestrian street, and a qualifying parking lot, the requirements would apply to the façade facing the Core Pedestrian and either the façade facing the non-designated street or the façade facing the parking lot.
- (10)j. Rough openings are used to calculate this requirement.

Development Requirements for Facades Windows/Openings



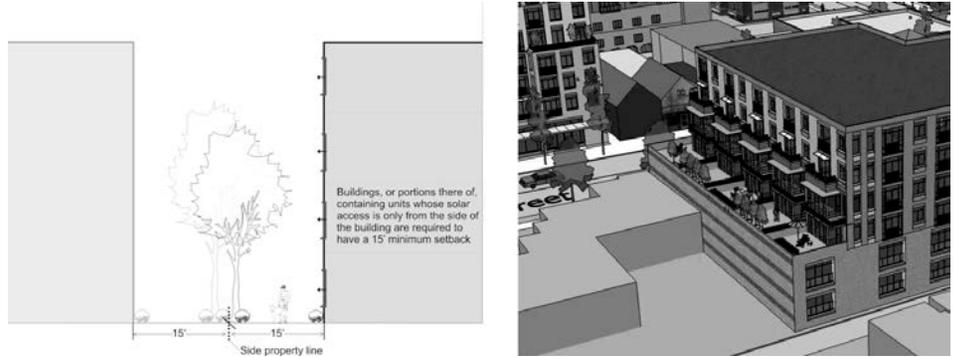
b2. Upper level transparency standards for non-residential uses:

- (1)a.** Exterior walls facing streets or containing a customer entrance and facing customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor.
- (2)b.** Upper level windows shall be a different type than the ground level windows on the same elevation.
- (3)e.** For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.

c3. Residential buildings and residential portions of mixed-use buildings shall incorporate transparent windows and doors equal to at least 15% of all vertical façade surfaces facing the street and equal to at least 10% of all vertical surfaces facing alleys, courtyards, plazas and surface parking lots.

d4. Solar access for residential units.

a. Buildings or portions thereof containing dwelling units whose solar access is only from the side or rear of the building (facing towards the side or rear property line) shall be set back from the applicable side or rear property lines at least 15 feet. This standard shall not apply in cases where the rear or side property line abuts an alley. Examples are provided below.



e5. Window/Trim Detailing. Building façades shall employ techniques to recess or project individual windows or groupings of windows above the ground floor at least two inches from the surrounding façade or incorporate window trim at least four inches wide surrounding the windows. Windows on façades that face the rear property line or alleys are exempt from this standard.

Examples:

Recessed window OK

Projected window OK

Window with trim OK

Unacceptable



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~~7K. X-District Façade Surface Standards. The following requirements apply to all development in any X-Districts, unless specifically exempted.~~

~~Purpose:~~ The ~~following se standardsrequirements~~ are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.

<p>a1. Blank walls limitation</p>	<p>(1)a. Blank wall definition: A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door</p> <p>(2)b. Blank walls facing a street, internal pathway, or customer parking lot of 20 stalls or greater must be treated in one or more of the following ways:</p> <p>(a) Transparent windows or doors.</p> <p>(b) Display windows at least 2 feet in depth and integrated into the façade (tack-on display cases do not qualify).</p> <p>(c) Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60 percent of the wall’s surface within 3 years.</p> <p>(d) Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall’s surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.</p>
<p>b2. Building face orientation</p>	<p>(1)a. The building elevation(s) facing street public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</p> <p>(2)b. For buildings that have more than 2 qualifying elevations, this requirement shall only be applied to two of them.</p>

c3. Building Details for Core Pedestrian Streets

(1) All façades facing designated Core Pedestrian Streets shall be enhanced with appropriate details. All new buildings shall employ at least one detail element from each of the three categories below. To qualify as an element, features must be used continuously along the façade or at 30-foot intervals.

(a)a. Window and/or entry treatment:

- ~~(1)~~ Display windows divided into a grid of multiple panes.
- ~~(2)~~ Transom windows.
- ~~(3)~~ Roll-up windows/doors.
- ~~(4)~~ Recessed entry.
- ~~(5)~~ Decorative door.
- ~~(6)~~ Arcade.
- ~~(7)~~ Landscaped trellises or other permanent decorative elements that incorporate landscaping near the building entry.

(b)b. Decorative façade attachments:

- ~~(1)~~ Decorative weather protection element(s) such as a steel canopy or glass, fixed-fabric, or retractable awning.
- ~~(2)~~ Decorative building-mounted light fixtures.

(c)c. Decorative building materials and other façade elements:

- ~~(1)~~ Use of brick, stonework, and architectural pre-cast concrete for at least 10 percent of siding material on the façade.
- ~~(2)~~ Incorporating a decorative mix of building materials.
- ~~(3)~~ Decorative kick-plate, pier, or belt course.

(2) Decorative elements referenced above must be distinct and unique elements or unusual designs that require a high level of craftsmanship. The examples below include a decorative door, use of materials, transom windows, and a retractable awning (left image), decorative lights, arcade, use of brick, and decorative planters near the entry (center image), and decorative canopies, decorative windows, and use of brick (right image).



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<p>8L. X-District Pedestrian Standards. The following requirements apply to all development in any X District, except where noted or specifically exempted.</p> <p>Purpose: These The following requirements standards are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.</p>	
<p>a1. Customer entrances</p>	<p>(1)a. Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>(2)b. Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.200.E or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
<p>b2. Street level weather protection</p>	<p>(1)a. Weather protection shall be provided above a minimum of 50 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage. Façades or portions of façades where planting strips of more than 5 feet in width separate the walkway from the building wall are exempt from these standards.</p> <p>(2)b. Mixed-Use Center District designated pedestrian streets. Weather protection shall be provided above a minimum of 80 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>(3)e. Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>(4)d. Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar accessories to not less than 3 feet in width.</p> <p>(5)e. Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.</p>

<p>9M. X-District Fencing, Retaining Wall and Utility Standards. The following requirements apply to all development in any X-District, unless specifically exempted.</p> <p>Purpose: They are following standards are intended to provide for thoughtful placement and design of utilities, mechanical equipment, service areas and fences to mitigate visual impact on public views, general community aesthetics and residential privacy.</p>	
<p>a1. Utility screening</p>	<p>(1)a. Rooftop. All rooftop mechanical for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form or an equivalent architectural feature which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. Limited flexibility in this standard is allowed to ensure that the function of the HVAC equipment is not compromised by the screening requirement.</p> <p>(2)b. All ground level. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street and other pedestrian areas. If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, customer parking lots (alleys are excluded), or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. All landscape screening shall provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting. Items that exceed 4 feet in height must use an opaque fence or structure to screen the element. Limited flexibility in this standard is allowed to ensure that the function of the utility equipment is not compromised by the screening requirement.</p> <p>(3)e. Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Where there is no alley available, service elements shall be located and/or screened to minimize the negative visual, noise, odor, and physical impacts.</p>
<p>b2. Fencing type limitation</p>	<p>(1)a. Chain link fencing, with or without slats, is prohibited for required screening.</p> <p>(2)b. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.</p> <p>(3)e. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.</p> <p>(4)d. Electrified. The use of electrified fencing is prohibited in all zoning districts.</p> <p>(5)e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided the portion of the fence between 3 and 7 feet above grade is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment. Fences required by the Washington State Liquor Control Board shall also be exempt from the maximum height limitation, provided any portion of the fence between 3 and 7 feet above grade is at least 50 percent transparent.</p> <p>(6)f. Fences along alleys are allowed provided fences greater than 3 feet in height are at least 20% transparent between 3 and 7 feet above grade. If no transparency is provided, the maximum height of such fence shall be 3 feet.</p>
<p>c3. Retaining Walls.</p> <p>a. Retaining walls located adjacent to public street rights-of-way shall be terraced such that individual sections are no greater than 4 feet in height. Bench areas between retaining wall sections shall be planted with Type C or D landscaping to soften the view of the wall and contribute to the pedestrian environment.</p>	

D. Multi-family Residential Minimum Design Standards

1. Applicability: The following requirements apply to multi-family residential developments in all districts, except, see Section 13.06.501.C Mixed-Use District Minimum Design Standards for X-District requirements. Multi-family residential development with commercial ground floor uses are subject to the requirements of 13.06.501.B Commercial District Minimum Design Standards.

Tacoma Municipal Code

2. Mass Reduction Standards.

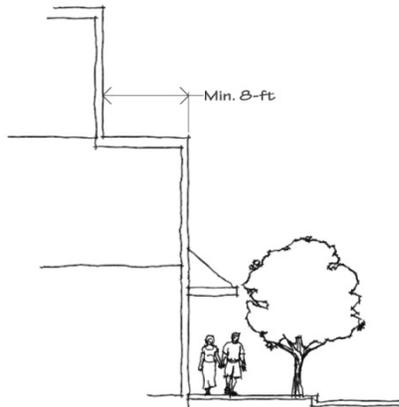
Purpose: The following standards are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.

a. Size to choice ratio for 2 below

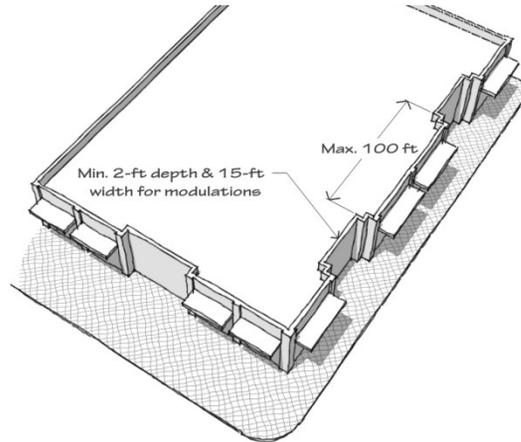
- (1). Buildings under 7,000 square feet of floor area are not required to provide mass reduction.
- (2). Buildings from 7,000 square feet of floor area to 30,000 square feet of floor area shall provide at least one mass reduction feature.
- (3). Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.

b. Mass reduction choices

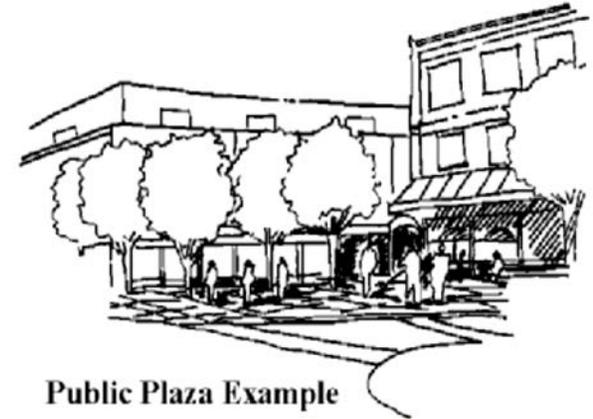
- (1). Upper story setback. An 8 feet minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of 2 elevations.
- (2). Wall modulation. Maximum 100 feet of wall without modulation, then a minimum 2 feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses.
- (3). Plaza. A plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater shall be located within 50 feet of and visible to the primary public entrance; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or art work for each 200 square feet of plaza area. Plaza contents may count toward other requirements when meeting the required criteria. Walkways do not count as plazas. Plazas shall not be used for storage. Required parking stalls may be omitted to the minimum necessary if needed to provide the plaza. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. Plazas may be permeable pavement or pavers where feasible. Low Impact Development vegetated stormwater features may be used for up to 30% of the plaza requirement where feasible.



Upper Story Setback



Wall Modulation Example



Public Plaza Example

3. Roofline Standards.

Purpose: These following standards are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

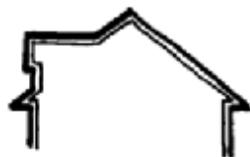
a. Roofline Choices (All buildings shall use one or more of the roofline options)

- (1). Sloped roof. Use of a roof form with a pitch no flatter than 5/12. Rounded, gambrel, and/or mansard forms may be averaged.
- (2). Modulated roof. Use of features, which are a minimum of 2 feet in height, such as a terracing parapet, multiple peaks, jogged ridge lines, dormers, etc., with a maximum of 100 feet uninterrupted roofline between roof modulation elements. Modulation elements shall equal a minimum of at least 15 percent of the roofline on each elevation. The maximum shall be 50 feet of uninterrupted roofline along the eave between roof modulation elements in C-1 Districts and on sides facing residential uses or districts. Roof forms with a pitch flatter than 5/12 are permitted with this option; provided, the appropriate modulation is incorporated.
- (3). Corniced roof^{f*}. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. The height of the cornice shall be at least 12 inches high for buildings 10 feet or less in height; 18 inches for buildings greater than 10 feet and less than 30 feet in height; and 24 inches for buildings 30 feet and greater in height. Cornices shall not project over property lines, except where permitted on property lines abutting public right-of-way.
- (4). Canopy Exemption. Fueling station canopies, drive-through canopies, or similar canopies are exempt from roofline requirements.

Modulated Roof



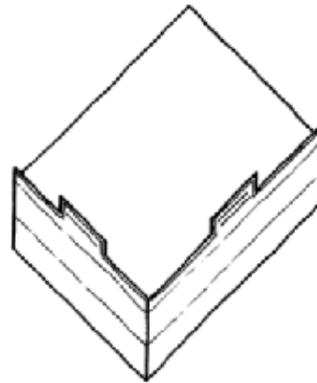
Sloped Roof



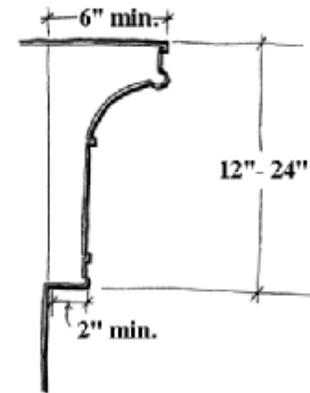
Sloped Roof



Sloped Roof



Modulated Roof Example



Cornice Example

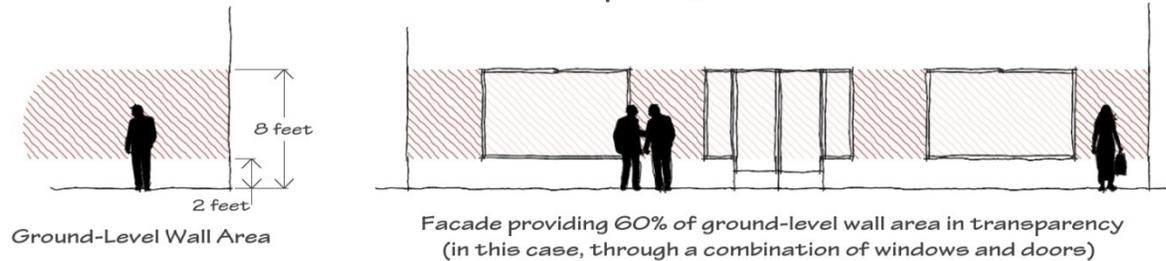
Roofline Examples

4. Transparency.

Purpose: These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps to encourage pedestrian mobility and to provide a visual connection between the living area of the residence and the street.

<p>a. Street level</p>	<p>(1). <u>Front, side, or corner side exterior walls facing designated pedestrian streets shall have transparent windows or openings equal to at least 35 percent of the ground level wall area. Rough openings are used to calculate this requirement. This standard shall apply on a maximum of 2 such building elevations. The requirement shall be reduced to 15 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades and the correlating location of the floor plates of the building. Rough openings are used to calculate this requirement. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard a door must be facing the street property line.</u></p> <p>(2). <u>The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.</u></p>
<p>b. Transparency</p>	<p>(1). <u>Vertical façade surfaces facing a street shall incorporate transparent doors and windows equal to at least 15% of all vertical façade surfaces. Vertical façade surfaces facing alleys, courtyards, plazas, and surface parking lots shall incorporate transparent doors and windows equal to at least 10% of all vertical façade surfaces. Rough openings are used to calculate this requirement. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard.</u></p>

Development Requirements for Facades
Windows/Openings



Tacoma Municipal Code

5. Façade Surface Standards.

Purpose: The following standards are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.

a. <u>Blank wall limitation</u>	<u>(1). Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.</u>
b. <u>Façade variety</u>	<u>(2). Buildings with under 2,000 square feet of floor area are exempt from the variety requirement. (3). Buildings with 2,000 square feet of floor area to 30,000 square feet of floor area shall use at least 2 different materials, textures, or patterns on each building elevation. (4). Buildings with over 30,000 square feet of floor area shall use at least 3 different materials, textures, or patterns on each building elevation. (5). For purposes of this requirement, each material, texture, or pattern must cover a minimum of 10 percent of each building elevation. Glass does not count toward this requirement. Different texture or pattern shall be visibly different from adjacent public right-of-way or parking area.</u>
c. <u>Building face orientation</u>	<u>(1). The building elevation(s) facing street or highway public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters. (2). This requirement applies to a maximum of 2 building elevations on any given building.</u>

6. Pedestrian Standards.

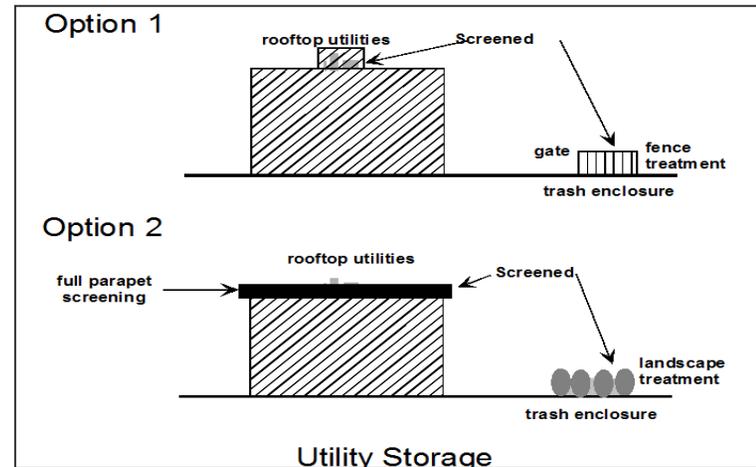
Purpose: These requirements are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

a. <u>Entrances</u>	<u>(1). Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. • <u>(a) The entrance must face the street or be at an angle of up to 45 degrees from the street.</u> • <u>(b) The entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis.</u> <u>(c) Buildings that have a shared main entrance must use the shared entrance to fulfill the requirements of this standard.</u></u>
b. <u>Weather Protection</u>	<u>(1). Buildings meeting the maximum setback for designated pedestrian streets shall provide weather protection above a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing building entries or facing public street frontage. <u>(a) Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</u> <u>(a) Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.</u></u>

<p><u>c. Transition areas</u></p>	<p>(1). Residential buildings meeting the “build-to” requirements along designated pedestrian streets shall provide a transition area between the public right-of-way and the ground floor dwelling units.</p> <p>(a) Transitions can be accomplished through grade changes that elevate the ground floor units and main entry or through landscaping and other design elements, such as plazas, artwork, fountains, bioswales, or other amenities.</p> <p>(b) Fences, walls, and gateways may be used to provide some visual separation of private residences, but not to hide the transition area.</p> <p>(c) Fences over 3’ in height must be transparent and cannot exceed 5’ in height.</p> <p>(d) The transition area may be used to meet usable yard space requirements.</p> <p>(e) Parking may not be used as a feature of the transition area.</p>
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8. Fencing and Utilities.
Purpose: The following standards are intended to minimize visibility of utilities, mechanical equipment, and service areas to mitigate visual impact on residential privacy, public views, and general community aesthetics.

<p>a. <u>Utility screening</u></p>	<p>(1). Rooftop. All rooftop mechanical equipment for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form or an equivalent architectural feature which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. Limited flexibility in this standard is allowed to ensure that the function of the HVAC equipment is not compromised by the screening requirement.</p> <p>(2). All ground level. Mechanical or utility equipment, loading areas, and dumpsters shall be screened from adjacent public street right-of-way, including highways, or residential uses. Items that exceed 4 feet in height must use fencing, structure, or other form of screening, except landscaping. Items that do not exceed 4 feet above ground level may be screened with landscaped screening. All landscape screening should provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting. Limited flexibility in this standard is allowed to ensure that the function of the utility equipment in not compromised by the screening requirement.</p> <p>(3). Chain link fencing, with or without slats, is prohibited for required screening.</p>
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<p>b. <u>Fencing type limitation</u></p>	<p>(1). Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use.</p> <p>(2). Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses.</p> <p>(3). Electrified. The use of electrified fencing is prohibited in all zoning districts.</p>
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E. Single, Two and Three-Family Dwelling Design Standards

Tacoma Municipal Code

1. Applicability: 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.

2. Purpose: The following standards are intended to promote pedestrian access, compatibility with residential neighborhoods, building orientation to the street, and to minimize the impacts of vehicular access.

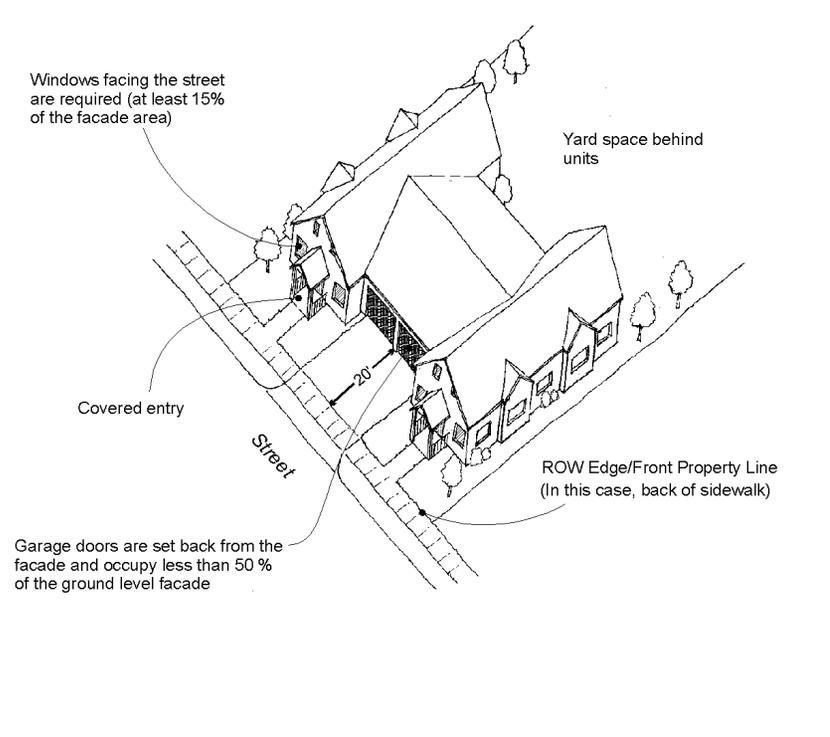
~~N. Single, Two, and Three-Family Dwelling Standards. The following requirements apply to all single, two, and three-family dwellings in X Districts, and to all two and three-family dwellings in all districts. They are intended to emphasize pedestrian access, compatibility with residential neighborhoods,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

~~3. 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.~~

~~434. Covered entries are required for each common entry or individual dwelling unit entry with minimum dimensions of 4 feet by 6 feet.~~

~~52. 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.~~

- ~~63. 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.



~~74. 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.~~

- ~~85. **Building design, duplexes and triplexes**Articulation. Duplexes and triplexes shall be articulated to either look like two or three distinct dwelling units from the street or to look like one single-family dwelling. Specifically:~~
- a. Buildings articulated to look like distinct dwelling units shall include individual covered entries plus one of the following:
 - (1) Roofline modulation consistent with Section 13.06.501.I.1 to distinguish one unit from another (or the appearance of separate units) as viewed from the street; or
 - (2) Vertical building modulation to help distinguish between the different units in the building. The minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.
 - b. Buildings designed to look like one large single-family dwelling shall feature only one entrance visible from the street. This could be a common entrance for all units, or the entrances for additional units could be provided at the side or rear of the building.

Tacoma Municipal Code

- ~~96. Building design, single family detached~~ Facade variety. Single-family detached dwellings shall not use front façades that are duplicative with adjacent single-family detached dwellings. 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:
- Different window opening locations and designs,
 - One and two-story dwellings,
 - Different exterior finish materials and finishes, or
 - Different garage location, configuration and design.

107. Utilities.

- Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.
- Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.

118. Fencing.

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

F. Townhouse Design Standards.

1. Applicability. The following requirements apply to all townhouse dwellings in all districts.

2. Purpose. The following standards are intended to provide façade articulation that emphasizes individual units and reduces the apparent mass of structures, minimize impacts of vehicular access and service elements, and emphasize pedestrian access and building orientation to the street.

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

3. 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.

44. Building Mass:

- The maximum number of units in one building is six, with minimum spacing between buildings of 10 feet.
- Unit articulation. Façades with more than two townhouses facing a street, alley, common open space or common parking area shall be articulated to emphasize individual units. This can be accomplished by either roofline modulation consistent with Section 13.06.501.I.1 and/or vertical building modulation. To qualify for vertical building modulation, the minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.

<p><u>52.</u> Garage Orientation & Vehicular Access:</p> <ul style="list-style-type: none"> a. Garages shall not face any street b. Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as abutting right-of-way that is or can be developed, is available. c. Where street-front vehicular access is necessary, driveway approaches shall be limited to no more than one for every 9 units in the development. d. Driveway approaches shall also be consistent with the standards in Section 13.06.510. 	 <p>The sketch shows a row of three townhouse units. Each unit has a gabled roof with decorative bargeboards. The roofs are staggered in height and position, creating a varied silhouette. Each unit has a small balcony on the second floor. The drawing is a black and white line sketch.</p>
<p><u>63.</u> Pedestrian Orientation:</p> <ul style="list-style-type: none"> a. All townhouses on lots with street frontage must have an individual entry that faces and is accessible from the street/sidewalk. Townhouses on corner lots only need to provide such an entry to one of the two adjacent streets/sidewalks. b. <u>b.</u> A continuous pedestrian walkway, which can be a shared walkway, must be provided between the front entrance of each unit and the nearest public sidewalk. Walkways shall be either a raised sidewalk or composed of materials different from any adjacent vehicle driving or parking surfaces. Walkways accessing individual units shall be a minimum of 4 feet wide and walkways accessing multiple units shall be a minimum of 5 feet wide. 	
<p><u>74.</u> Windows on the street. At least 15 percent of the façade (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.</p>	
<p><u>85.</u> Utilities:</p> <ul style="list-style-type: none"> a. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features. b. Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk. 	
<p><u>96.</u> Fencing.</p> <ul style="list-style-type: none"> a. Chain link fencing, with or without slats, is prohibited for required screening. b. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use. c. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses. d. Electrified. The use of electrified fencing is prohibited in all zoning districts. e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment. 	

(Ord. 28336 Exs. B,C; passed Dec. 1, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28157 Ex. F; passed Jun. 25, 2013; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27818 Ex. A; passed Jul. 28, 2009; Ord. 27813 Ex. D; passed Jun. 30, 2009; Ord. 27278 § 1; passed Oct. 26, 2004; Ord. 27079 § 32; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002)

Tacoma Municipal Code

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.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

Applicability. Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas:

- B4.** Off-street parking spaces - quantity. The quantity of off-street parking shall be provided in accordance with the standards of the tables below.
- 1a.** Fractions. Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.
- 2b.** Multiple uses. Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.
- 3e.** Use not listed. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.
- 4d.** Historic buildings and sites. Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.
- 5e.** For buildings in existence prior to the adoption of the Tacoma Municipal Code on May 18, 1953, no additional parking shall be required for changes in use. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.
- 6f.** In Commercial Districts (T, C-1, C-2, HM, and PDB), no additional parking shall be required for a change of use in a structure that existed prior to September 25, 2012. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.
- 7g.** If a new use would have required more parking before October 8, 2012, the accessible parking requirements shall be based on the standards in place before October 8, 2012, except in cases where, after consulting with the City’s ADA coordinator, the Building Official approves an alternative to providing on-site accessible parking upon a determination that the alternative is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.

TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}		
Use	Unit	Required parking spaces
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home ^{1, 2, 12}	Dwelling.	2.00
Two-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Townhouse dwelling in R-2SRD, R-3, R-4L and R-4 Districts.	Dwelling	1.00
Three-family in R-2SRD, HMR-SRD and R-3 ^{1, 2, 12}	Dwelling.	2.00

TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}		
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents ^{1, 16}	Room, suite or dwelling	1.00
Small Lots, Cottage Housing and lots not conforming to area/width ³	Dwelling.	1.00
Mobile home park ^{1, 2, 12}		
Multiple-family dwelling ^{1, 2, 12, 16}		
Located in R-4-L, T, HMR-SRD, and PRD Districts ¹²	Dwelling.	1.50
Located in R-4, C-1, C-2, HM, and M-1 Districts ¹²	Dwelling.	1.25
Located in R-5 District ¹²	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club ¹	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Chapter 13.06A.	
Retail ^{10 (View-Sensitive)}		
Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area	1,000 square feet of floor area.	2.50
Shopping Center	1,000 square feet of floor area.	4.00
Retail commercial establishments, except as otherwise herein	1,000 square feet of floor area.	4.00
Eating and drinking establishments ^{11 (View-Sensitive)}	1,000 square feet of floor area.	6.00
Office		
Business and professional offices	1,000 square feet of floor area.	3.00
Medical and dental clinics	1,000 square feet of floor area.	3.00
Lodging		
Hotel or Motel ¹	Guestroom or suite.	0.50
Institutional		
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
Special needs housing, as listed in the use table in Section 13.06.535.B and not otherwise listed in this table	Bed	0.10 plus one per employee
Extended care facilities	Bed.	0.33
Religious assembly	Seat ⁴	0.20
Elementary, middle, and junior high schools	Classroom	1.20
High school	Student.	0.40
College and university	Student.	0.75
Work release or juvenile rehabilitation	Employee.	1.00 ⁵
Recreational		
Auditoriums, stadiums, and theaters	Seat ⁴	0.25
Miniature golf course	1,000 square feet of lot area, excluding parking.	2.50
Skating rink	1,000 square feet of floor area.	6.00
Bowling establishment	Lanes.	5.00
Public dance halls and private clubs	1,000 square feet of floor area.	7.50

TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}		
Marina	Moorage space.	0.50
Boat launch	Ramp.	25.00 ⁶
Recreational uses not listed elsewhere	Same as retail, based on size.	
Warehouse/Industrial ¹³		
Self-service storage	Storage unit.	See note 7.
Warehousing	2,000 square feet of floor area.	1.00
Industrial/manufacturing	1,000 square feet of floor area.	1.00
Services		
Laundromat	Washing and dry-cleaning machine.	0.50
Car wash	Wash stall or 25 feet of wash lane.	4.00 ⁸
Day-care centers	Each 10 children in care.	2.00

TABLE 1 Footnotes
<p>1. Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required. The parking requirements may be reduced to one parking space every three dwelling units; provided, the following conditions exist:</p> <ul style="list-style-type: none"> a. The use will provide residency for retirement age persons with an estimated average persons-per-dwelling unit factor of 1.5 or less, low-income individuals or households, or a combination thereof; b. Yard space is available on the same lot the use is to be located upon or an adjoining lot, where off-street parking at a future time could be provided should the use be converted to an apartment or for other reasons additional parking is needed to serve the premises. <p>If these conditions do not exist, a variance of the number of parking spaces to be provided is required.</p>
<p>2. For purposes of this regulation, a mobile home shall be construed to be a single-family dwelling. Tandem parking is permitted for single-family, two-family, and three-family dwellings.</p>
<p>3. 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 lots which were 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.</p>
<p>4. Seat, 18 inches of bench or 25 square feet of floor space.</p>
<p>5. There shall be 2 visitor-parking stalls provided for each 10 required employee stalls.</p>
<p>6. Parking spaces shall be minimum 10 feet wide and 40 feet long.</p>
<p>7. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide when storage facilities open onto one side of the lane only and at least 25 feet wide when storage facilities open onto both sides of the lane. Driving lanes shall be designed to accommodate single unit vehicles. Two parking spaces shall be provided adjacent to the manager’s quarters. One parking space for every 200 storage spaces or fraction thereof shall be located adjacent to, or within 100 feet of, the office. A minimum of two such spaces shall be provided. Required parking spaces may not be rented as, or used for, long-term vehicular storage.</p>
<p>8. The required stalls may include waiting and finishing or drying space.</p>
<p>9. The number and size of required handicapped accessible parking spaces shall be consistent with the applicable Building Code.</p>

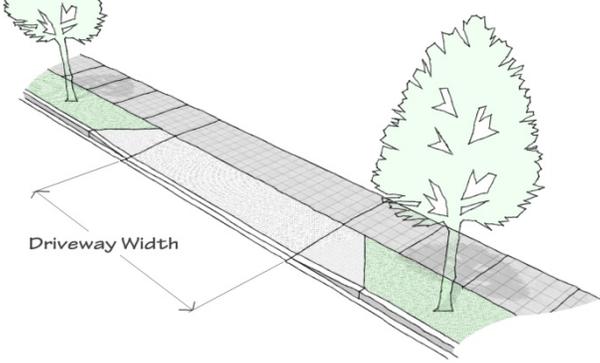
10. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 3,000 square feet of retail space.
11. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 750 square feet of eating and drinking establishments.
12. Additional off-street parking for existing residential uses, including those nonconforming as to off-street parking, in all “R” Residential Dwelling Districts shall only be required if the number of dwelling units is increased.
<p>13. Storage warehousing, distribution warehousing, and industrial uses.</p> <p>a. The off-street parking requirements, set forth in Table 1 of this section, shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed utilizing the requirements set forth in Table 1.</p> <p>b. In determining whether to apply the parking standard based on floor area or the standard based on the number of employees, the City shall consider the following:</p> <p>(1) The extent to which automation is utilized in the operation of the facility;</p> <p>(2) The long-term versus the short-term nature of the use;</p> <p>(3) The means of product delivery and distribution;</p> <p>(4) The need for storage of company vehicles on-site;</p> <p>(5) The availability of accurate employee counts;</p> <p>(6) Future expansion plans;</p> <p>(7) The amount of available area which could be converted to additional off-street parking should the need arise; for example, due to an increase in the work force or change in use.</p> <p>If, after reviewing the project in light of the above factors, the City finds that the off-street parking standard based on number of employees more accurately reflects the parking needs of the facility while still protecting the general health, safety, and welfare of the community, such standards shall be applied.</p>
14. In instances where the parking requirement is based on number of employees and the employees work in shifts, the number of regular employees in the largest shift shall be used for the purpose of determining the required number of parking stalls.
15. For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.
16. Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (Table 2), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table (Table 1).

TABLE 2 – Required Off-street ParkingParking Spaces in Mixed-Use CenterX-Districts	
Quantity	<p>Residential Uses. Minimum 1.0 stall per unit.</p> <p>Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area.</p> <p>Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1.</p> <p>See Section 13.06.510.B.2.f for use of compact stalls.</p> <p>For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.</p>

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Exemptions	<p>No parking is required for any structure in existence upon the date the Mixed-Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required.</p> <p>In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated pedestrian streets (see Section 13.06.300.C).</p> <p>In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.</p> <p>Small, affordable housing types: Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided that within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption.</p>
<p>Table 3 - Parking Quantity Reductions. The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts may be reduced as follows:</p>	
Transit Access	<p>Parking requirement shall be reduced by 25% for sites located within 500 feet of a transit stop and 50% for sites located within 500 feet of a transit stop at which a minimum of 20-minute peak hour service is provided (routes which serve stops at least every 20 minutes during peak hours). Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 500 feet of the site.</p>
Trip Reduction Plan	<p>Parking requirement shall be reduced by 25% for developments that create and implement a site-specific Trip Reduction plan and program that includes features such as employer-provided transit passes, telecommuting, ridesharing, carpooling, car-sharing, bicycling, flexible work schedules, etc. The trip reduction plan shall be reviewed and approved by the City’s CTR Coordinator and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.</p>
Car-Sharing Stalls	<p>Parking requirements shall be reduced by one stall for each stall that is dedicated and designated for use by a locally-operating car sharing program, such as “Zipcar.”</p>
Mixed-Use/Shared Parking Credit	<p>No parking shall be required for the residential units in a mixed-use project where at least 50 percent of the floor area is designed for commercial or institutional use.</p>
On-Street Parking Credit	<p>Parking requirements shall be reduced ½ stall per each new public, on-street parking stall provided as part of the project (through the installation of angled or perpendicular spaces with bulb-outs and curbs or other methods). Any modifications to the right-of-way are subject to the acceptance and approval of the Public Works Department. This one-time credit applies at the time of the development and shall not be affected by any future changes to the right-of-way configuration, design or alignment.</p>
Bicycle Parking Credit	<p>For every five non-required bicycle parking spaces provided on the site (beyond the standard requirements, as found in Section 13.06.512.D), the automobile parking requirement shall be reduced by one space. This credit is limited to a maximum of 5 automobile spaces, or 15% of the standard parking requirement for the development, whichever is less.</p>
Motorcycle/Scooter Parking Credit	<p>For every 4 motorcycle/scooter parking spaces provided, the automobile parking requirement shall be reduced by one space. Each motorcycle/scooter parking space must be at least 4 feet wide and 8 feet deep and may be located in areas that are otherwise unusable for automobile parking (such as in corners, at aisle ends and near pillars). This credit is limited to a maximum of 5 automobile spaces, or 5% of the standard automobile parking requirement for the development, whichever is less.</p>
<p>The Director or designee shall have the authority to require any and all necessary agreements or documentation, as they deem appropriate, to ensure that projects utilizing this parking quantity reduction program maintain all required features for the life of the project. Any such agreements or documentation shall be in a format acceptable to the City Attorney and shall be recorded on the title of the property.</p>	

C. Off-street parking development standards Development Standards—Location.	
<u>1. Applicability: The following standards apply to all X-Districts and to residential development in all districts, except where otherwise noted.</u>	
<u>2. Purpose: The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods and to break up monotonous street frontages with active uses and to create a defined public realm.</u>	
<u>3. Off-Street Parking Location</u>	
<u>a.</u> NCX, RCX, NRX, and URX Districts	Parking shall be located to the rear, side, within, or under a structure, or on a separate lot. Surface parking located to the side of a structure shall not exceed a maximum of 60 feet in width for paved vehicular area along designated pedestrian street frontages.
<u>b.</u> CCX, UCX, HMX and CIX Districts	Parking may be located on any side provided maximum setback requirements are met.
<u>c.</u> Multi-Family Development Parking	<p><u>On designated pedestrian streets:</u></p> <ul style="list-style-type: none"> • <u>Surface parking shall not occupy more than 50% of the street level frontage and more than 150’ in continuous street level frontage.</u> • <u>Surface parking located to the side of a structure meeting the maximum setback shall not exceed a maximum of 60 feet in width for paved vehicular area.</u> • <u>Surface parking shall not be located between a structure meeting the maximum setbacks and the pedestrian street lot line.</u> <p>In multi-family residential developments with multiple buildings, off-street surface parking and circulation areas shall, to the extent practicable, be located on the sides and rear portions of the development site. <u>Surface parking located to the side of a structure shall not exceed a maximum of 60 feet in width for paved vehicular area along designated pedestrian street frontages.</u></p> <p><u>On designated pedestrian streets: Surface parking shall not occupy more than 50% of the street level frontage and more than 150’ in continuous street level frontage.</u></p> <p><u>In X-Districts, a</u> Areas between buildings and along street frontages shall be used to fulfill yard space requirements (see Section 13.06.501.N).</p>
<u>d.</u> Loading Spaces	In NCX and RCX Districts, off-street loading spaces for retail sales and service uses shall only be required in shopping centers.
<u>4. Development Standards— Compact Stalls.</u>	
<u>a.</u> Compact Stalls	A maximum 30 percent of the parking spaces provided may be composed of compact stalls, except that for any parking provided in excess of the minimum quantity requirements, up to 50% of those excess stalls may be composed of compact stalls.
<u>5. Development Standards— Driveways.</u>	
Driveways shall be located and developed in a manner that recognizes the overall goals for promoting pedestrian activity over vehicle orientation. They shall be limited in size and number and located in the preference order described below:	
<u>a.</u> Driveway location	Driveways shall meet the location requirements of TMC 10.14.050.

<p><u>b.</u> Driveway size _____</p>	<p>The maximum driveway approach width shall be 25 feet on designated pedestrian streets and 30 feet on all other streets.</p> <p>For two and three-family and townhouse dwellings, driveway approach widths on streets are limited to 14 feet when serving one unit and 20 feet in width when serving multiple units.</p> <p>In all cases, the driveway approach width limitations indicated are exclusive of the radii of the returns (see graphic below).</p>  <p style="text-align: center;">Measuring Driveway Width</p>
<p><u>c.</u> Pedestrian street driveway frequency, <u>applicable to X-Districts and multi-family residential in all districts.</u></p>	<p>Driveways shall be no closer than 150 feet to another driveway as measured from centerlines on designated pedestrian streets.</p> <p>The centerline of a driveway shall be no closer than 50 feet to a designated pedestrian street corner.</p>
<p><u>d.</u> Review of new driveways</p>	<p>New driveways in Mixed-Use Center Districts are subject to review and approval by the City Engineer pursuant to Chapter 10.14, taking into account safe traffic flow, existing and planned transit operations, the objectives and requirements of this chapter, and the efficient functioning of the development.</p> <p>In addition to these standards, the driveway standards contained in Chapter 10.14 shall apply. When portions of Chapter 10.14 or this chapter are in conflict, the more restrictive shall apply.</p> <p>Exceptions may be allowed by the City Traffic Engineer for public safety or if strict application of these standards would prohibit vehicular access to a development, pursuant to Chapter 10.14.</p> <p>Any proposed exception to the standards and/or requirements for driveways in Chapter 10.14 or this chapter shall be forwarded to Pierce Transit for review and comment.</p>
<p>6. Development Standards—Parking Garages. The following standards apply to parking garages. They are intended to limit parking garage impacts on the pedestrian environment and reduce opportunities for crime in parking garages.</p>	
<p><u>a.</u> Core Pedestrian Streets</p>	<p>Parking garages are prohibited at street level along the frontage of designated core pedestrian streets. These areas are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</p>
<p><u>b.</u> Pedestrian Streets</p>	<p>Parking garages shall not occupy more than 50% of the length of a building’s street-level frontage along a designated pedestrian street. The remaining portions are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</p>

<p>c. Parking Garage Design Standards</p>	<p>These standards apply to parking garages for five or more vehicles.</p> <p>Parking garage openings, including vehicular access openings, shall not exceed 50% of the total ground floor façade adjacent to a public street or sidewalk.</p> <p>Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate decorative grilles, architectural elements, planters, and/or artworks that effectively reduce the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20% transparent but not more than 80% transparent. Vehicular access openings shall be exempt from this standard.</p> <p>For structured parking located within upper floors along designated pedestrian and core pedestrian streets, openings shall be designed to follow the rhythm and scale of the prevailing window pattern for the occupied spaces along the same elevation.</p> <p>Sloped parking decks and ramps should not be located along designated pedestrian or core pedestrian street elevations or, where such design is infeasible, shall be concealed from public view.</p>
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D2. Off-site parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make off-site parking desirable. Therefore, an exception is provided that off-street parking areas may be constructed on a parcel separate from the main building or buildings occupied by such uses, under the following circumstances:

- 1.a.** Where allowed. The parking area shall be considered an extension of the use it serves. The parking area shall be permitted, prohibited, or subject to conditional use permit in the same manner as the associated land use.
 - 2b.** Proximity to use. The parcel(s) for such off-site parking area shall be located within 500 feet of the parcel(s) to be served. The distance shall be measured between the nearest points of pedestrian access between the two parcels.
 - 3e.** Availability confirmation. Required parking spaces within such an off-site parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.
 - 4d.** Sign. A sign with a maximum area of 1.5 square feet shall be posted on the principal site providing notice of the availability and location of the additional parking. Said sign area will not be subtracted from any sign allowance in Section 13.06.520.
 - 5e.** Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk or pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility from the off-site parking to the use it serves when conditions warrant such improvements.
- E3.** Shared parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make shared parking desirable. Therefore, two or more uses may share common parking facilities, subject to the following:
- 1a.** Off-site. The shared parking site shall comply with the provisions of off-site parking (subsection 2 above).
 - 2b.** Performance. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
 - 3e.** Availability confirmation. Required parking spaces within such a shared parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.
 - 4d.** Total spaces. When two or more uses share common parking facilities, the total number of parking spaces required shall be the sum of spaces required for those uses individually.
- (a+)** General exception. Where the uses involved are both daytime and nighttime uses, as defined below, the total required parking for all uses may be reduced by 50 percent of the daytime use requirement or the nighttime use requirement, whichever is smaller.
- (b2)** Religious assembly and school exception. All of the parking spaces required by this section for a religious assembly or for an auditorium incidental to a public or private school, college, or university may be supplied by the off-street parking areas provided by daytime uses.
- (c3)** Daytime uses established. For the purposes of this section, the following uses are considered as daytime uses: banks; business and professional offices; retail stores; daycare centers, manufacturing and warehouse buildings; and similar primarily daytime uses as determined by the City Engineer.

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(d4) Nighttime uses established. For the purposes of this section, the following uses are considered as nighttime uses: auditoriums incidental to a public or private school; college; or university; churches; bowling alleys; dance halls; theatres; taverns; cocktail lounges; night clubs; or restaurants; and similar primarily nighttime uses as determined by the City Engineer.

(e5) Similar sharing of parking may be allowed between other uses whose parking demand generally occurs at different times, such as between those that operate primarily on weekdays and those that operate primarily on weekends, as determined by the City Engineer.

5e. Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk and pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility between the uses sharing parking and the parking area shared when conditions warrant such improvements.

F4. Other limitations on parking areas.

1a. Where the principal use is changed and additional parking space is required as a result, it is unlawful and a violation of this chapter to begin or maintain such altered use until such time as the required off-street parking provisions of this chapter are complied with.

2b. Where the minimum number of required off-street parking spaces has been provided to serve a use, such parking area shall not be subsequently reduced in the number of parking spaces provided.

3e. Where off-street parking areas are developed and operated as a business and where a parking fee is charged, the parking area shall be located only in a commercial or industrial district.

G5. Driveways. Except as otherwise stipulated in the TMC, driveways shall be constructed according to the requirements of TMC 10.14.050 (or as amended), which include the following standards:

4a. Except as otherwise provided by TMC 10.14.050, the width of any driveway shall not exceed 30 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street, unless special authorization is given by the Director of Public Works;

5b. The width of any driveway shall not be less than 10 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street;

6e. All driveways for other than single-family residences and duplexes shall be a minimum of 20 feet in width, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street. The radius of all driveway returns shall be a minimum of 10 feet, except on non-arterial streets for single-family residences or duplexes, which shall have a minimum radius of five feet;

7d. The total width of all driveways on a street for any one parcel shall not exceed 50 percent of the frontage of that parcel along the street, and shall not be more than two in number except as allowed under TMC 10.14.050.B.6.e.

~~H6. Vehicle access and parking for single, two and three dwelling residential uses, except, see Section 13.06.510.C for applicable standards in X-Districts, in R-Districts. 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. In the case of Small Lots, see the additional provisions of Section 13.06.145. Additional limitations on vehicular access and parking in R-Districts are contained in Section 13.06.100.D.~~

~~IB. Off-street parking area development standards.~~

1. Intent. In order to assure proper and uniform development of safe parking areas, protect adjoining property from undue invasion of privacy and peace, provide for pedestrian circulation, minimize nuisance factors, and maintain in appropriate locations a landscaped setting in keeping with accepted, sound standards of residential landscaping practice, every parcel of land hereafter used as an off-street parking area, as defined in this chapter, shall be developed in accordance with the following minimum standards.

2. Minimum standards. A parking area for five or more motorized vehicles, trailers, or a combination thereof, shall be developed in accordance with the following requirements:

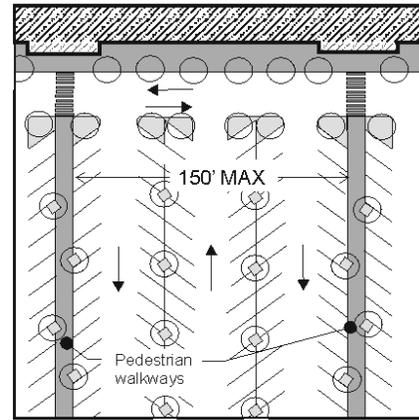
a. Entrances and exit. The location and design of all entrances and exits shall be subject to the review and approval of the City Engineer, taking into consideration factors including, but not limited to, emergency vehicle mobility, safe turn movements, right-of-way width, speed limits, proximity to street intersections and/or other entrances or exits, street classification for

13.06.512 Pedestrian and bicycle support standards.

A. General Applicability.
1. Application. The pedestrian and bicycle support standards apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein. The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.
2. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
3. Super regional malls. Additions to super regional malls which add less than 10,000 square feet of floor area shall be exempt from these standards. Larger additions shall meet the requirements of this table at a ratio of at least 1 to 3 for the entire mall site (in the same manner described above, under subsection 3), except that additions of an anchor tenant or 140,000 or more square ft. shall require full provision of these requirements for the entire mall site.
4. Temporary. Temporary structures are exempt from the standards of this section.
5. Residential or Mixed-Use. Residential structures of 4 dwelling units or fewer only need to comply with the standards of subsection B, below. Mixed-use structures shall comply with all of the standards.
6. Parks, recreation and open space uses shall meet the standards of this table, except as specifically exempted below.
7. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.
8. Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.
B. <u>Walkways Bicycle and Pedestrian Connections (Illustrated).</u> To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including access to uses from public ways and access from parking areas. The pedestrian and bicycle standards encourage a safe, direct, attractive, and usable multimodal circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the development site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.
1. <u>Direct Connection between streets and entrances.</u> A direct walkway shall be provided between all customer and/or public entrances and the nearest public sidewalk. For residential dwellings, the required walkway shall be provided between the front entrance and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. Generally there must be a connection between one main entrance of each building on the site and the adjacent street. The route may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less.
Where there is more than one street frontage, an additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance of each building.

3. Minimum connection frequency. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 150 feet of street frontage or every three parking aisles, whichever is less. Walkways shall be located to provide the shortest practical route from the public sidewalk or walkway network to customer and/or public building entrances. This standard does not apply to residential uses containing 4 or fewer dwelling units.

Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street frontage greater than 500 feet in length (unless topography, critical areas or public safety issues preclude reasonable provision of such additional accesses).



2. Route directness.

- Connections to streets shall be designed and located to facilitate direct travel to all bus stops, transit stations/centers, schools, public bicycle facilities, trails, or shared-use paths in proximity of the development site.

3. Internal system. On sites larger than 10,000 square feet, an internal pedestrian connection system must be provided. The system must connect all main entrances on the site that are more than 20 feet from the street, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities

2. Multiple use sites. Shopping centers and sites with multiple uses shall provide a walkway network along building façades and through the parking lot that provides pedestrian circulation within the development and that links all customer and/or public building entrances to the public sidewalk. Facility Design.

Lighting and landscaping. For walkways that are longer than 25 feet, trees shall be provided adjacent to the walkways at a ratio of 3 per 100 feet and pedestrian-scaled lighting at a ratio of 2 per 100 feet. For example, a 50-foot long walkway would require 2 trees and 1 pedestrian-scaled light while a 90-foot long walkway would require 3 trees and 2 pedestrian-scaled lights. Trees shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards.

Size and materials.

- Required walkways must be hard-surfaced and at least 5 feet wide, excluding vehicular overhang, except for walkways accessing less than 4 residential dwelling units, where the minimum width shall be 4 feet. When more than one walkway is required, at least one walkway must be 10 feet wide. Permeable pavement surfaces are encouraged where feasible.
- Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.
- Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

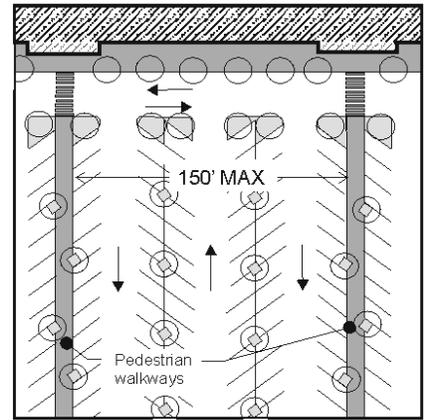
Bicycle facilities. At least one driveway and travel lane on site shall be designed to accommodate bicycles in accordance with the Public Works Design Manual. Where a 10' walkway is provided, it may be used as a shared-use path for both pedestrians and bicyclists. The route shall include signage to direct bicyclists to on-site bicycle parking facilities.

Weather protection.

- Weather protection shall be provided for at least one main entrance for each building for a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.
- Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.
- Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.

~~3. Minimum connection frequency. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 150 feet of street frontage or every three parking aisles, whichever is less. Walkways shall be located to provide the shortest practical route from the public sidewalk or walkway network to customer and/or public building entrances. This standard does not apply to residential uses containing 4 or fewer dwelling units.~~

~~— Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street frontage greater than 500 feet in length (unless topography, critical areas or public safety issues preclude reasonable provision of such additional accesses).~~

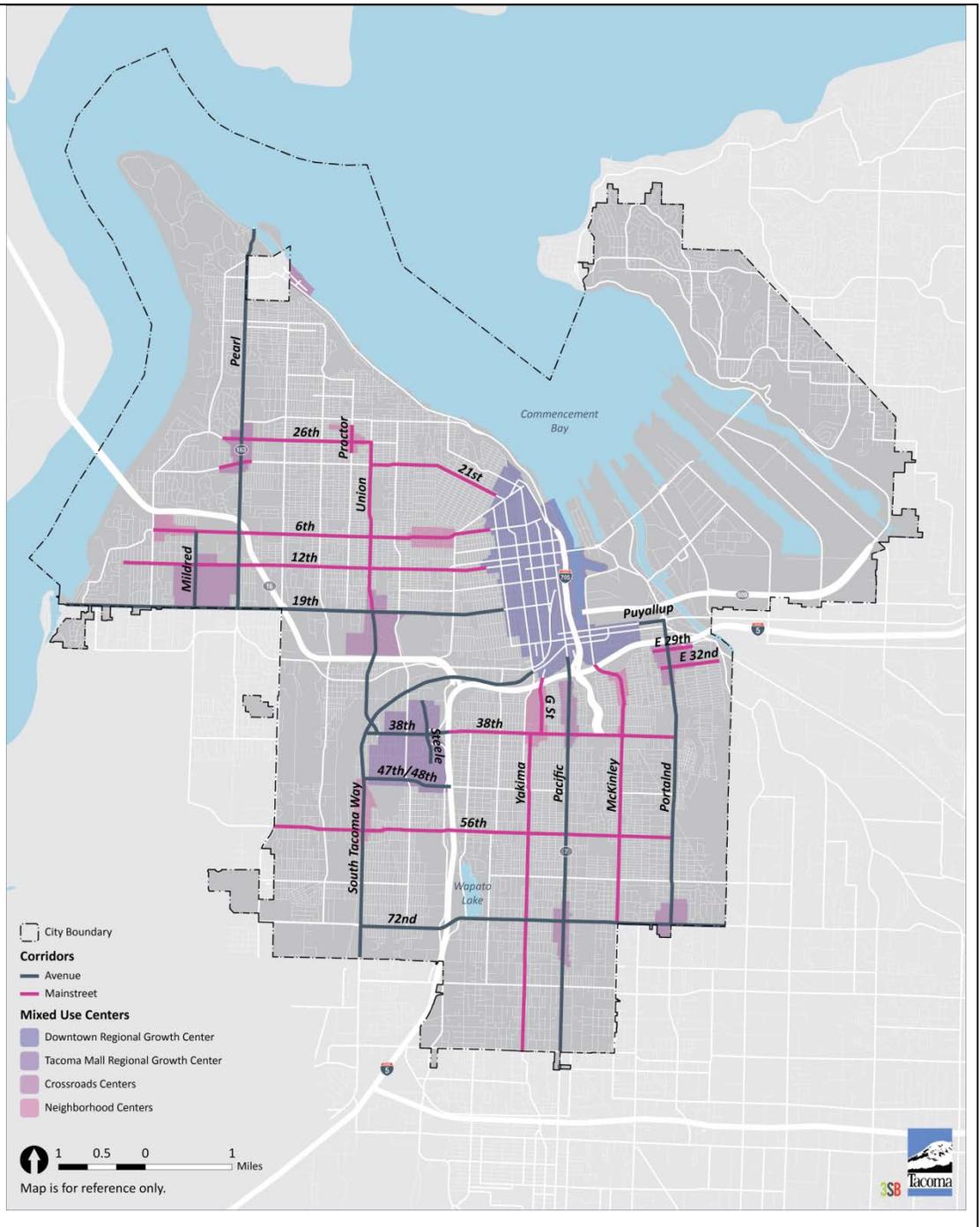


~~5.4. Size and materials. All walkways must either be a raised sidewalk or composed of materials different from parking lot and vehicle access areas. Required walkways must be at least 5 feet wide, excluding vehicular overhang, except for walkways accessing individual residential dwelling units, where the minimum width shall be 4 feet. When more than one walkway is required, at least one walkway must be 10 feet wide. Permeable pavement surfaces are encouraged where feasible.~~

~~5. Transit access. A direct walkway shall be provided between the principal customer and/or public building entry and any bus stop adjacent to the site. This may be the same as the walkways above. A separate walkway is required if the bus stop is not within 100 feet of a walkway connection to the sidewalk. This standard does not apply to residential structures of 4 dwelling units or fewer, or to parks, recreation and open space uses without buildings adjacent to the street.~~

Exhibit B: Pedestrian Streets Designated

Street	Corridor Type
Pearl	Avenue
N 26th	Main Street
N 21st	Main Street
Mildred	Avenue
6 th Ave	Main Street
12 th	Main Street
19 th	Avenue
Union	Avenue Main Street
S 38 th Street	Main Street
South Tacoma Way	Avenue
56 th	Main Street
72nd	Avenue
Yakima Ave	Main Street
Pacific Ave	Avenue
McKinley Ave	Main Street
Portland Ave	Avenue
Puyallup Ave	Avenue





City of Tacoma
Planning and Development Services

**Agenda Item
D-4**

To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: **Future Land Use Implementation**
Date of Meeting: April 6, 2016
Date of Memo: March 30, 2016

At the meeting on April 6, 2016, the Planning Commission will review proposed area-wide rezones in support of the 2016 Annual Amendment, Future Land Use Implementation. Upon completing the review, the Commission will be requested to consider releasing the proposal, as may be modified, for public review, in preparation for the public hearing on the 2016 Annual Amendment package tentatively scheduled for May 4, 2016. The scope of work and assessment report for the code cleanup was discussed previously with the Commission at the March 2, 2016 meeting.

Attached, to facilitate the Commission's review and discussion, is a staff analysis report, prepared pursuant to TMC 13.02.045.F, that summarizes the proposal as well as the rationale and the potential effects of the proposal. Attached to the staff report is a description of each study area, including an aerial photo, current land use designation, and the proposed area rezone. The descriptions also include frequently asked questions pertaining to each study area.

If you have any questions, please contact me at 591-5531 or satkinson@cityoftacoma.org.

Attachment

c: Peter Huffman, Director



2016 Annual Amendment *Staff Analysis Report*

Proposed Amendment:	Future Land Use Implementation – Phase 1
Applicant:	Planning and Development Services Department
Location & Size of Area:	Citywide
Current Land Use & Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Stephen Atkinson, Planning Services Division (253) 591-5531, satkinson@cityoftacoma.org
Date of Report: (Planning Commission review date; draft or final)	March 30, 2016

I. Description of the Proposed Amendment:

Proposal

Area-wide rezones are proposed for the following study areas (see Exhibit A):

1. Nob Hill, South Downtown
2. McKinley Police Substation in the McKinley Neighborhood Center
3. Franke Tobey Jones, on N Vassault St.
4. N 33rd and Pearl St.
5. North of Tacoma Community College to 6th Ave
6. S Alaska and 72nd St.
7. South Tacoma Industrial Zones
8. Cheney Stadium and Foss High School

Intent

To implement the goals and policies of the One Tacoma Plan through appropriate area-wide rezones consistent with the Future Land Use Map and Land Use Designations; to rectify inconsistencies between the One Tacoma Plan and implementing zoning districts and between zoning districts and existing uses; to support the development of compact, complete and connected neighborhoods with a variety of housing choices in close proximity to schools, parks, transit, and other amenities; to support the continued development of the mixed-use center trade areas to stimulate new customer activity and new economic development opportunities.

Background

The Future Land Use Map illustrates the City's intended future land use pattern through the geographic distribution of residential and commercial areas, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and single-family detached designations. This land use distribution was a result of analysis of the urban form policies, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the designations.

Historically, the City of Tacoma has had embedded inconsistencies between the Comprehensive Plan and Zoning District boundaries. These inconsistencies were studied and discussed as part of the Comprehensive Plan update in 2015. One of the high priority actions identified in the One Tacoma Plan is to begin a multi-phase effort to rectify these inconsistencies between the land use designations in the Plan and the implementing zoning. Both state law in the Growth Management Act and local ordinances require that the City bring the zoning districts into conformance with the Plan. Ultimately, the Plan and Code must be internally consistent.

In the past, the City has relied on site-specific rezones to bring the zoning into conformity with the Plan. Relying on site specific rezones, however, is problematic: 1. They add time, uncertainty, and cost to development proposals that may be supported by City goals and policies, and 2. They are less transparent for the public insofar as someone may see that they are living in a single-family residential zoning district, but not realize that the Plan supports higher density or intensity uses and development patterns.

The proposed area-wide rezones are the first phase of the City's effort to bring the zoning districts into conformity with the Plan, or vice versa as may be deemed appropriate, and to do so on an area-wide basis to increase the transparency and predictability of the process.

Key Revisions

See the attached maps and proposed area-wide rezone descriptions (Exhibit A).

II. Analysis of the Proposed Amendment:

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

The proposed area-wide rezones support multiple State, Regional and local goals, including:

Growth Management Act RCW 36.70a

Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

VISION 2040 – Multicounty Planning Policies

The City of Tacoma is designated a Metropolitan City within the region and is expected to plan for an additional 127,000 residents and 97,000 new jobs by 2040.

Development Patterns Goal. The region will focus growth within already urbanized areas to create walkable, compact, and transit-oriented communities that maintain unique local character. Centers will continue to be a focus of development. Rural and natural resource lands will continue to be permanent and vital parts of the region.

Housing Goal. The region will preserve, improve, and expand its housing stock to provide a range of affordable, healthy, and safe housing choices to every resident. The region will continue to promote fair and equal access to housing for all people.

One Tacoma Comprehensive Plan

Urban Form Goal. Guide development, growth and infrastructure investment to support positive outcomes for all Tacomans.

Urban Form Goal. Establish designated corridors as thriving places that support and connect Tacoma's centers.

Policy UF-1.2: Implement Comprehensive Plan land use designations through zoning designations and target densities shown in Table 3, Comprehensive Plan Land Use Designations and Corresponding Zoning.

Policy UF-1.3: Promote the development of compact, complete and connected neighborhoods

Housing Goal. Ensure adequate access to a range of housing types for a socially and economically diverse population.

Housing Goal. Concentrate new housing in and around centers and corridors near transit and services to reduce the housing/transportation cost burden.

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

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

The proposal supports multiple objectives depending on the specific study area. The following is a summary of how each proposed rezone responds to the objectives above.

1. Nob Hill, South Downtown

In 2006 the City Council adopted a Resolution officially recognizing Nob Hill as part of the official Downtown. In 2008 the Downtown Element of the Comprehensive Plan was updated to include the expanded Downtown boundaries. Nob Hill was later part of the South Downtown Subarea Plan effort. The Downtown Center is intended to be the highest concentration of residential and commercial activity within the City. This area-wide rezone would rectify an inconsistency between the current policies of the One Tacoma Plan and the existing zoning district for this neighborhood. The zoning change would also bring this neighborhood into conformity with the current design and development standards for the Downtown Center and enhance the compatibility of the area with the planned uses and development patterns of the Downtown.

2. McKinley Police Substation in the McKinley Neighborhood Center

The McKinley substation is a publicly-owned surplus property at the heart of the McKinley Neighborhood Center. The station is located on two parcels, with the structure on one parcel and the parking lot on a parcel behind. The parcels are split zoned, hampering City efforts to attract private development and to reutilize the site. The City is currently working on a proposal for

work/live artist units at this site. The rezone would address a longstanding inconsistency in the zoning district boundaries and promote the re-use of the site in a way that will enhance the overall quality of the neighborhood.

3. Franke Tobey Jones, on N. Vassault St.

As part of the One Tacoma Comprehensive Plan update, the City transitioned to a more descriptive Land Use Designation framework, intended to make the long-term land use vision more readily transparent and directive. One of staff's recommendations was to implement designations in accordance with existing Planned Residential Developments zoning districts. However, in this case, the designation of Multi-family (low density) that was applied to the Franke Tobey Jones did not recognize the existing R-4 High Density Multifamily Residential District that exists at the core of the development site. This amendment would modify the land use designation for the site to recognize the existing zoning, consistent with the approach to other Planned Residential Developments.

4. N 33rd and Pearl St.

The area along Pearl St. from N 30th to N 39th has seen considerable demand for multi-family development. The area consists of multiple Planned Residential Developments that incorporate a variety of housing choices. This area constitutes one of the largest concentrations of dense, multi-family residential housing options north of N 21st Street. The development patterns are well established from Pearl St east to N. Shirley St. The parcels proposed for re-zone are in close proximity to the Westgate Crossroads Center, amenities like Vassault Park, transit service on Pearl St. and education facilities like Truman Middle School. The Multi-family (low-density) Land Use Designation identified on the Future Land Use Map of the One Tacoma Plan recognizes these location factors and supports expanding housing options in areas well-served with amenities. The re-zone would follow established land use patterns in the area, correct an inconsistency between the Plan and the Zoning and respond to the housing demands in the area.

5. North of Tacoma Community College to 6th Ave

The area along north of Tacoma Community College, between 12th St. and 6th Ave has seen considerable demand for multi-family development. The area consists of multiple Planned Residential Developments that incorporate a variety of housing choices of a similar scale. The current land use patterns consist of very large and incomplete grid systems with new developments that are not well connected to each other. Parcel lines are inconsistent along 6th Ave creating irregular lot configurations and multiple properties with split zones. The area is in close proximity to the Narrows Neighborhood Center and the James Crossroads Center as well as a transit hub at Tacoma Community College. Commercial areas are within walking distance though route directness is hindered by the incomplete grid system. The rezone would recognize the changing land use patterns in this area, from a site of civic organizations to more intensive multi-family residential development. The rezone would create potential for significant investment in expanding housing options and to improve the overall quality of the neighborhood.

6. S Alaska and 72nd St.

The proposed area-wide rezone would address a discrepancy between the One Tacoma Plan land use designation and the zoning. The area is currently designated Neighborhood Commercial, transitioning north along Wapato Lake to Multi-family (low density). The current zoning is R-2 single family dwelling district. This area has had a long standing policy to intensify the land uses across from the lake, to allow for either new commercial amenities that would complement the park and recreation area, or to enable more housing options in close proximity to a community amenity and focal point. The area has transitioned in the past to more freeway oriented commercial development and there have been frequent inquiries about rezoning and developing

the single family residences along 72nd and Alaska St. The rezone is intended to respond to the changing land use patterns and to rectify the current Plan and Code discrepancies, while seeking to provide additional housing and commercial activity in conjunction with the park and recreation opportunities at Wapato Lake.

7. South Tacoma Industrial Zones

The proposed area-wide rezones would address long standing discrepancies between the One Tacoma Plan and the zoning in this area as well as resolve split zoned parcels. The proposed rezone would not significantly change the intent or character of the area, but would better reflect the current uses and land use patterns of the area. The boundaries of the Manufacturing and Industrial Center would not be impacted.

8. Cheney Stadium and Foss High School

The proposed area-wide rezone would rectify a current inconsistency between the zoning and the existing uses. The area consists of large institutional and park and recreation uses, but is zoned for single family residential development. The area is bounded by Highway 16, 19th St, and Snake Lake Park. There are no residential uses immediately abutting the subject sites. Currently, the destination facilities on site, such as Foss High School, Cheney Stadium, and Heidelberg Park are conditional uses. Commercial uses are prohibited. The proposal would establish a zoning district consistent with the scale of the destination facilities, where the existing uses would be permitted by right and not condition.

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 area-wide rezones would have varying degrees of impacts and potential benefits. In some cases the rezones are intended to rectify inconsistencies between the Plan and Code, or the Code and the existing uses and land use patterns. In these cases staff does not expect a significant impact or change to occur. In some cases, staff expects that the rezones will support new residential infill in areas that are well served by transit, schools, and other amenities. The infill development will, in turn, provide new markets to stimulate economic activity in nearby commercial areas and centers.

Conducting the rezones on an area-wide basis provides more certainty to potential developers, makes the potential development opportunities more transparent for property owners, and reduces the time and costs associate with the site-specific rezone process that would be necessary to support the development trends in these areas.

While traffic volumes are likely to increase as a result of new residential or commercial development, the traffic modeling performed as part of the Transportation Master Plan demonstrates sufficient City-wide capacity to accommodate the City's growth allocations. More specific and detailed traffic impact analyses would be conducted as part of a project specific environmental review.

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

In January the Planning Division Manager sent a letter to the Neighborhood Councils, the Planning Commission distribution list, and other interested parties regarding the 2016 Annual Amendment and other ongoing Planning Division project.

In early February, staff provided a second round of public notification vis-a-vis pamphlets mailed to approximately 1300 residents within or in close proximity to areas proposed for potential rezone. The pamphlets provided information on all of the annual amendments.

Staff has spoken to numerous residents and interested parties regarding the study areas and proposed area-wide rezones. Most of the comments received to this point have been directed to study areas 3, 4, 6, and 8. Comments have ranged from predominantly supportive for study area 3, to a mix of support and concern over the impacts of proposed rezones in study area 4, to predominant concern over the intent and implications for study area 8.

Additional outreach will be conducted and public comments will be solicited during the public review process through the Planning Commission's public hearing in May 2016. Notice of the public hearing and comment period will again be distributed to all taxpayers affected by the proposed area-wide rezones as well as residents within 400' of the subject sites.

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

The proposed area-wide rezones will benefit the City as a whole by expanding opportunities for new housing choices in areas well-served by transit, parks, and other amenities, and by expanding access to commercial amenities in walking distance of residential neighborhoods. The proposed area-wide rezones support the City's goals of maintaining and enhancing the public health, safety and welfare of our community.

III. Staff Recommendation:

Staff recommends that the proposed area-wide rezones, as depicted in Exhibit A, be distributed for public review prior to the Planning Commission's public hearing tentatively scheduled for May 4, 2016.

IV. Exhibits:

A. Proposed Area-wide Rezones

Exhibit A: Proposed Area-Wide Rezones

Study Area 1: Nob Hill, South Downtown

Location: Generally bounded by Pacific Ave to the east and S Yakima to the west; I-5 to the south and South Tacoma Way to the north.

Current Uses: The area is predominantly residential but also includes Holy Rosary Church and some vacant land and commercial uses along Pacific Ave.

Type of Change: Area-wide Rezone

Frequently Asked Questions

Is this a private rezone request?

No. This is a City initiated proposal to apply an appropriate downtown zoning district to this neighborhood within the Downtown Regional Growth Center.

Why is this neighborhood part of the Downtown?

This neighborhood became part of the Downtown in 2006 by Council Resolution. In 2008 the Downtown Element of the Comprehensive Plan was updated to include the new Downtown boundaries adopted by the City Council. Nob Hill was later part of the South Downtown Subarea Plan effort as well. Each of these documents includes policies related to future development in Nob Hill.

What is the impact of a rezone to a Downtown zoning district?

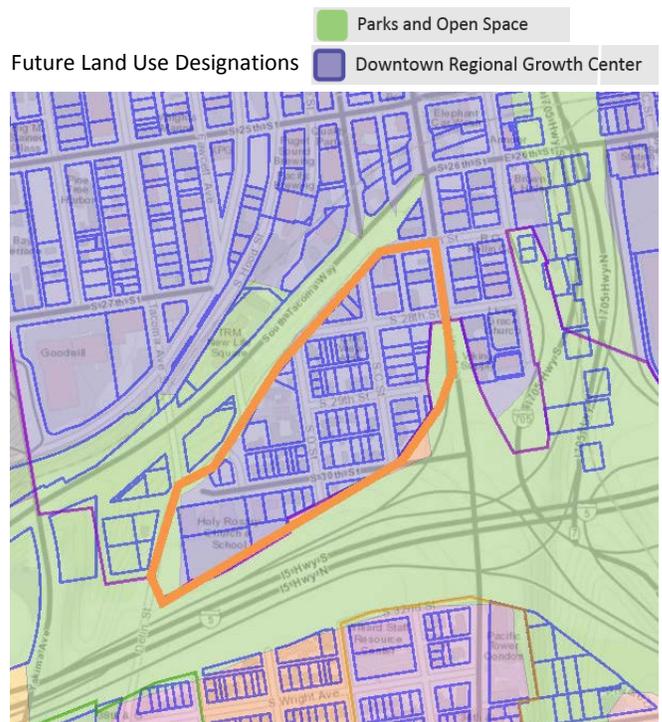
Unlike the current zoning, the Downtown zones allow a mix of residential and commercial uses. The Downtown Residential zoning district allows for development heights up to 90'.

What types of uses are preferred Downtown?

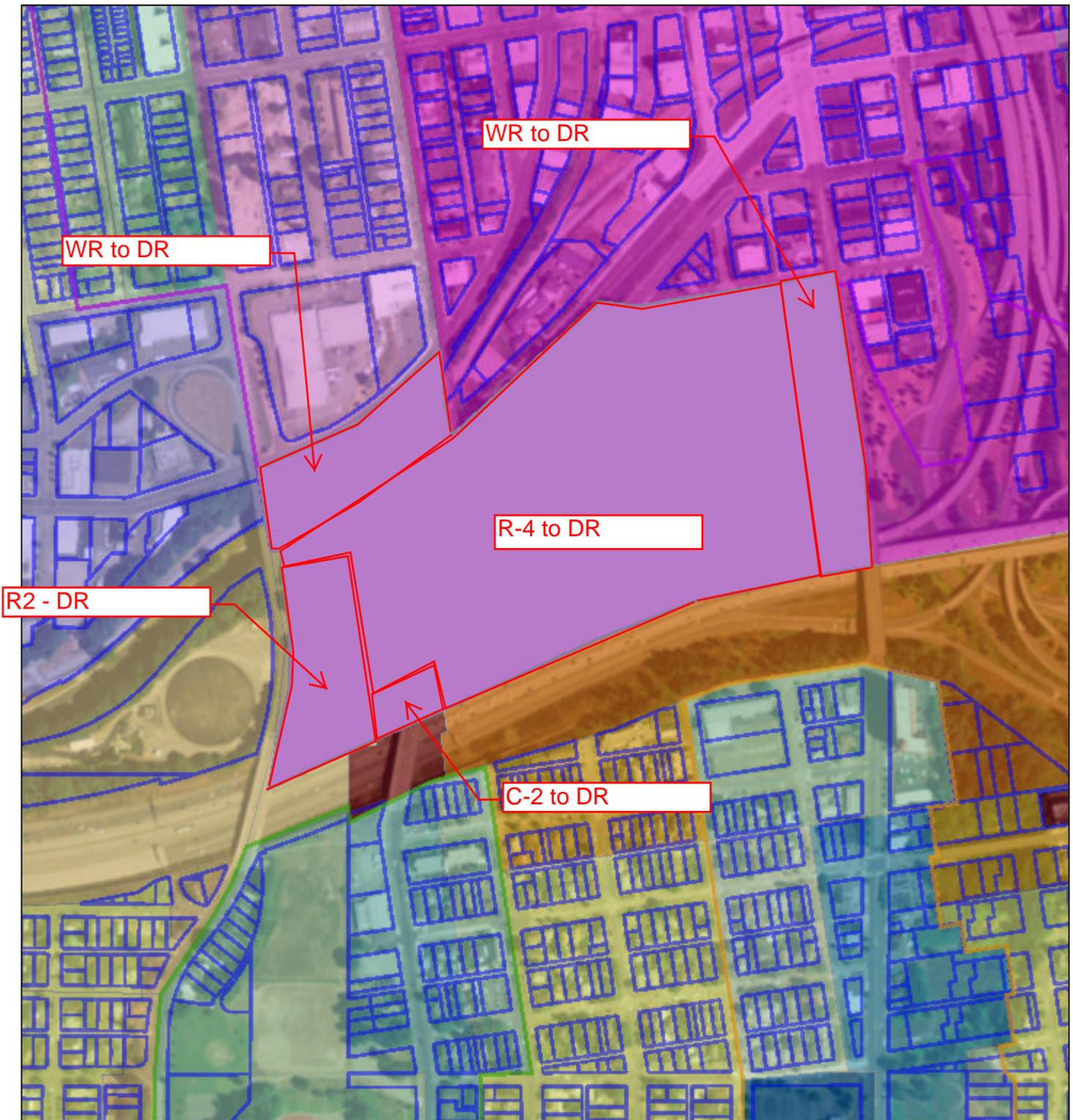
Residential uses would still be preferred uses, but other uses like hotel, retail, and offices would also be allowed. The zoning change would likely result in a change of use in the area.



Study Area 1 Outline



Study Area 1: Proposed Rezone



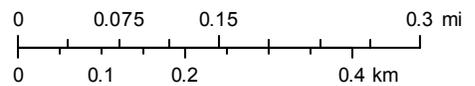
March 17, 2016

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- Tacoma City Boundary
- Base Parcel

Mixed Use Centers

- Downtown Regional Growth
- Crossroads Center
- Neighborhood Center



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Tacoma Community & Economic Development Department

Study Area 2: McKinley Police Substation

Location: 705 E Morton St at the intersection of McKinley Ave and E Morton St. in the McKinley Neighborhood Center.

Current Uses: The site is comprised of a single use, a surplus Tacoma Police Substation.

Type of Change: Area-wide Rezone

Frequently Asked Questions

Is this a private rezone request?

No. This is a City initiated rezone request.

What is the intent of the proposed rezone?

The intent of the proposed rezone is to support the adaptive reuse of the surplus police substation. The site is comprised of two parcels, one with the structure and the second with a parking lot. The two parcels are zoned differently, with the structure having an NCX zone and the parking lot a URX zone. The rezone would apply a uniform zoning district to the entirety of the site.

What is the difference between NCX and URX?

While both districts are mixed-use, the NCX supports commercial ground floor uses, whereas the URX is more predominantly a residential use district.



Study Area 2 Outline



Study Area 2: Proposed Rezone



March 17, 2016

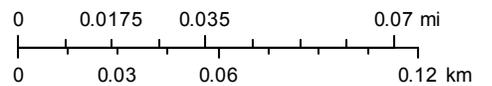
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 Tacoma City Boundary

Mixed Use Centers

 Neighborhood Center

 Base Parcel



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Tacoma Community & Economic Development Department

Study Area 3: Franke Tobey Jones

Location: 5335 N. Vassault St.

Current Uses: Franke Tobey Jones is a not-for-profit retirement community.

Type of Change: Comprehensive Plan Future Land Use Map amendment.

Frequently Asked Questions

Is this a request?

Franke Tobey Jones submitted comments as part of the 2015 Comprehensive Plan update requesting staff to evaluate the zoning for this site. This staff review is following up on those comments submitted last year.

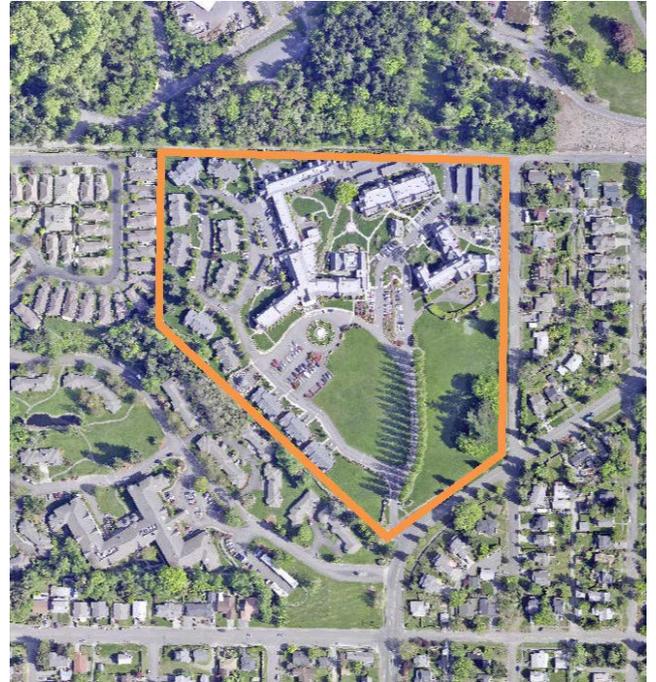
What are the plans for expansion?

Currently Franke Tobey Jones has not yet submitted a permit application. Until such time, the specific expansion plans, including overall building location, heights, and unit types, are subject to change. For the latest news, see the following announcement:

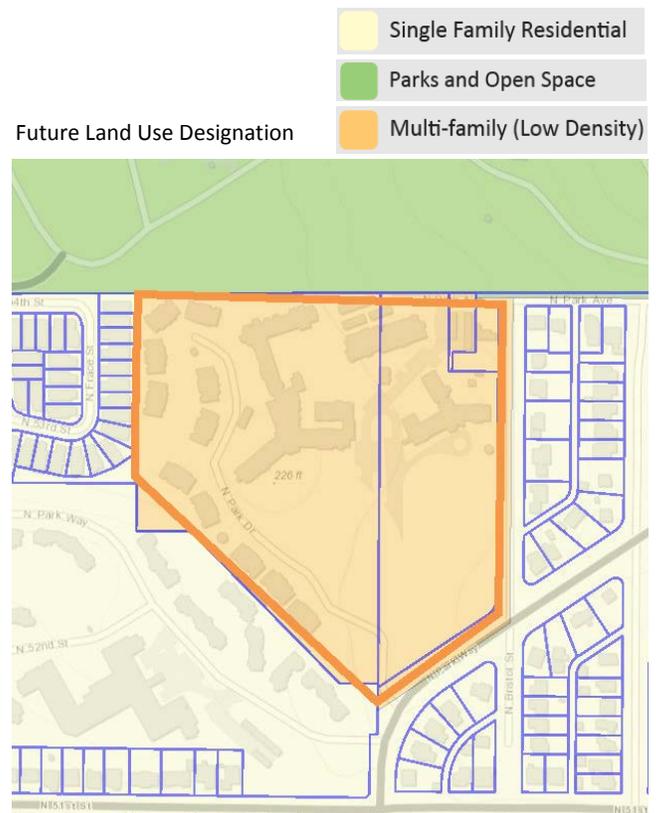
<http://www.franketobeyjones.com/files/2012/05/Franke-Tobey-Jones-Announces-Expansion-Plans.pdf>

Will there be additional public notice when permits are submitted?

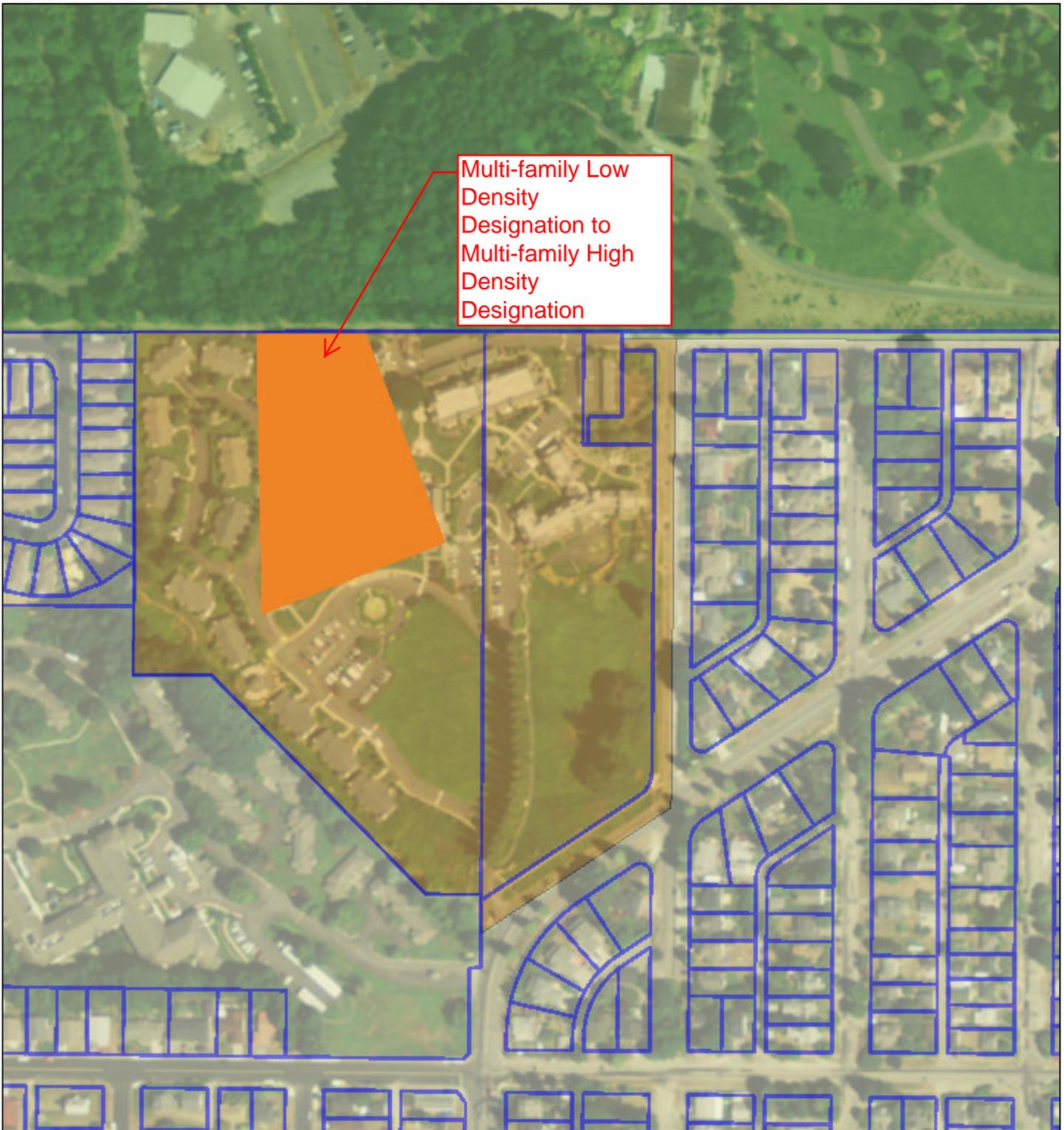
Yes. Based on the information provide so far during the scoping phase, there may be a site rezone application, PRD modification, required SEPA Determination and associated building permits. There will be additional public process and area notification as part of any site rezone request or PRD modification.



Study Area 3 Outline



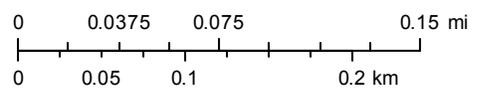
Study Areas 3: Proposed Land Use Designation



March 17, 2016

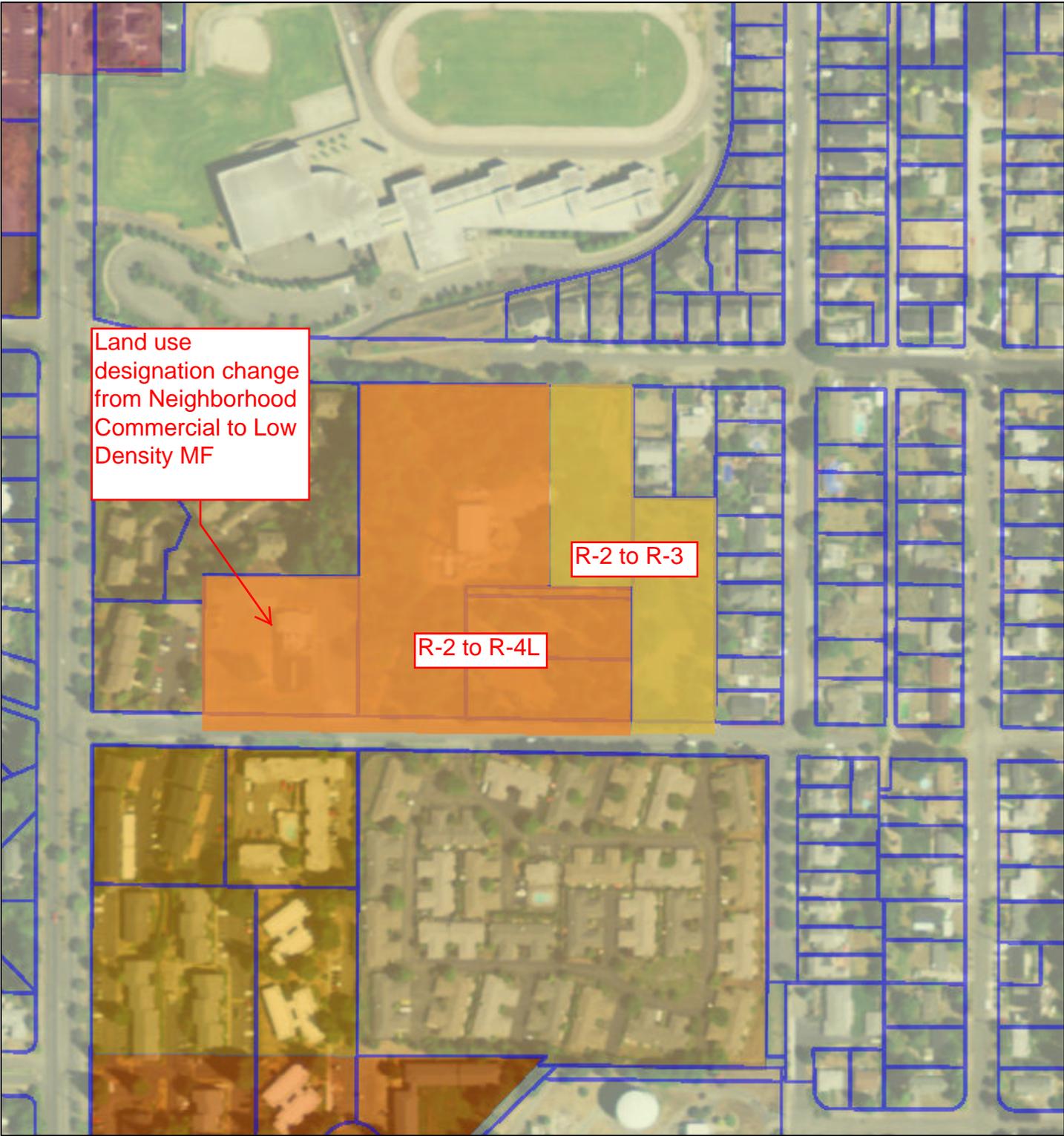
 Tacoma City Boundary

1:4,514



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Tacoma Community & Economic Development Department

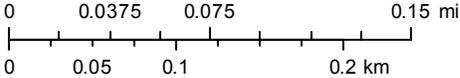
Study Area 4: Proposed Rezone



March 17, 2016

 Tacoma City Boundary

1:4,514



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Tacoma Community & Economic Development Department

Study Area 5: North of TCC to 6th Ave

Location: Generally that area between S 12th St and 6th Ave, between S Mildred and S Pearl.

Current Uses: 6th Ave is predominantly commercial with residential uses clustered behind and along S 12th. Other significant uses include two churches, the YMCA, Hunt Middle School and the Afifi Shrine.

Type of Change: Area-wide rezone and Comprehensive Plan Future Land Use Map amendment



Study Area 5 Outline

Frequently Asked Questions

Is this a private rezone request?

No, this is not a private rezone request. This is a City initiated rezone.

What is the intent for the proposed rezone?

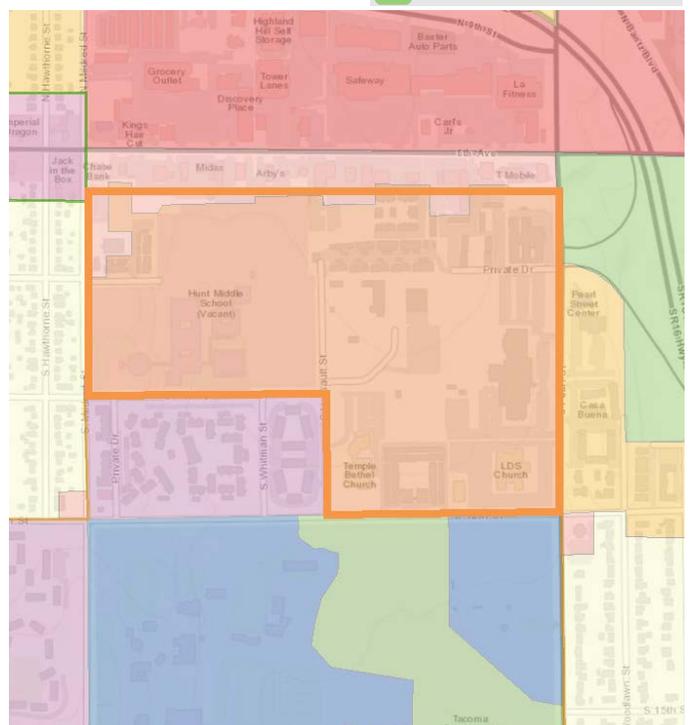
To facilitate new multi-family residential development. In the past, there has been a sufficient market demand for residential construction to lead to site specific rezones in this area to accommodate new multi-family development. The City has broad goals that support creating new housing choices within the City in areas that are opportunity rich (i.e. have good access to services, transit, parks and recreation, and other amenities). This is an area where there is demonstrated demand for multi-family development in close proximity to two designated mixed-use centers, open space areas, and transit service.

What would the proposed zoning allow?

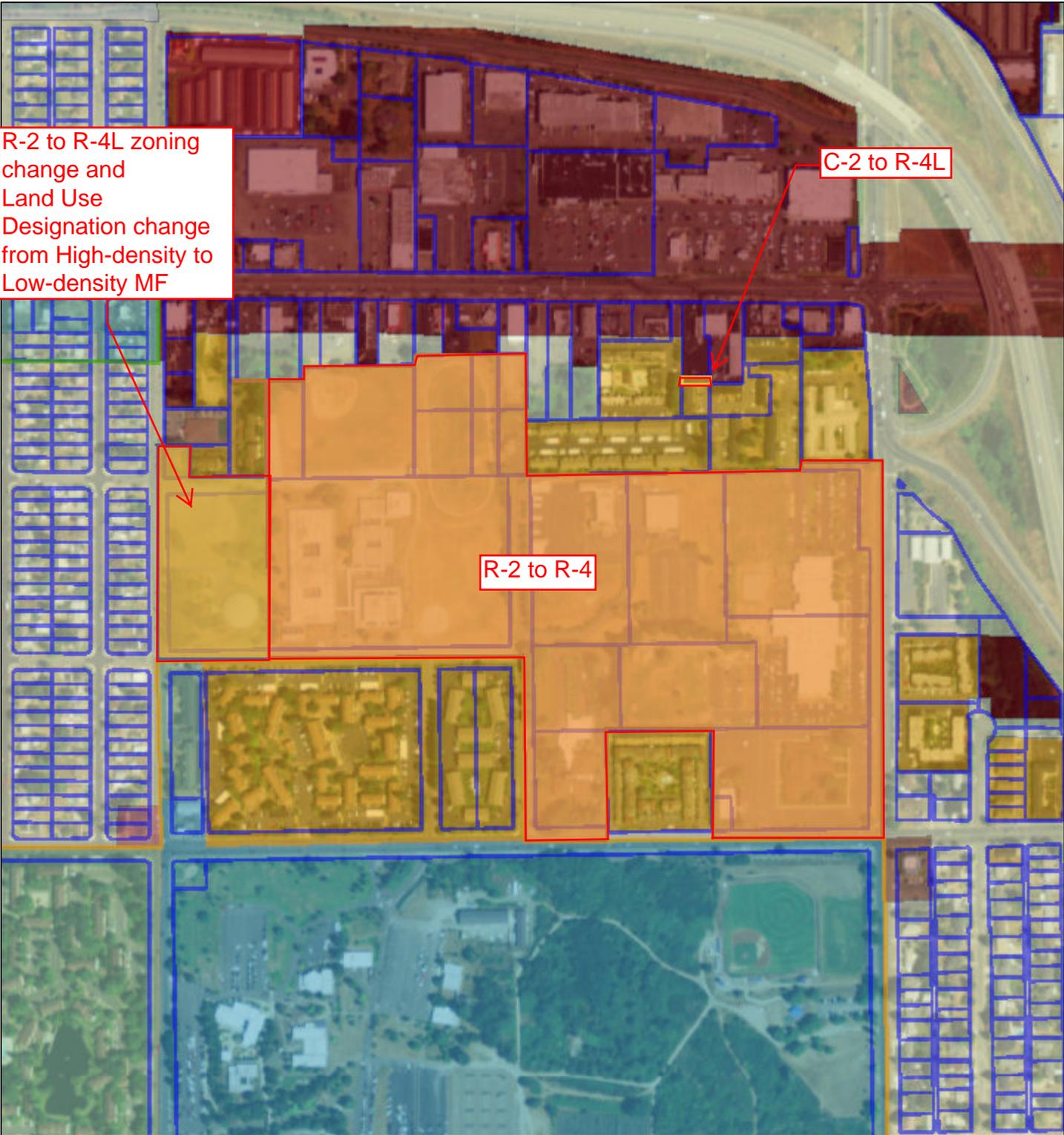
The proposed zoning would predominantly allow for multi-family development up to 60' in height. Non-residential uses would remain restricted.



Future Land Use Designations



Study Area 5: Proposed Rezone



March 17, 2016

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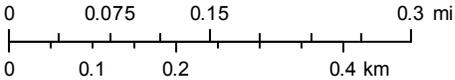
 Tacoma City Boundary

Mixed Use Centers

 Crossroads Center

 Neighborhood Center

 Base Parcel



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
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Study Area 6: S Alaska and 72nd

Location: Generally located at the intersection of S Alaska St. and S 72nd, and north along S. Alaska St. to the Winco parking lot access.

Current Uses: The south side of the intersection is commercial, but north of the intersection remains single family. Freeway oriented commercial uses are to the west and single family residential uses to the east. Wapato Lake and Park is to the east of Alaska St.

Type of Change: Area-wide rezone

Frequently Asked Questions

Is this a private rezone request?

No. This is a City initiated re-zone to better align the zoning district boundaries with the current uses and parcel boundaries in the area. However, comments were provided as part of the 2015 Comprehensive Plan update supporting a General Commercial land use designation within the study area. Staff recommended Neighborhood Commercial as an alternative, which was adopted by the City Council. The area will likely be subject to further review next year to evaluate the potential for multi-family development along Alaska St.

Is this proposed rezone in support of a development proposal?

No, there is not a development proposal at this time. However, the rezone would enable the conversion of existing single family residences to commercial or multi-family residential development.

What kinds of uses are permitted in the C-1 District?

C-1 Districts allow building heights up to 35', same as the current R-2 District. The C-1 allows commercial office, retail, and restaurants as well as residential uses. Drive-throughs are prohibited in the C-1.



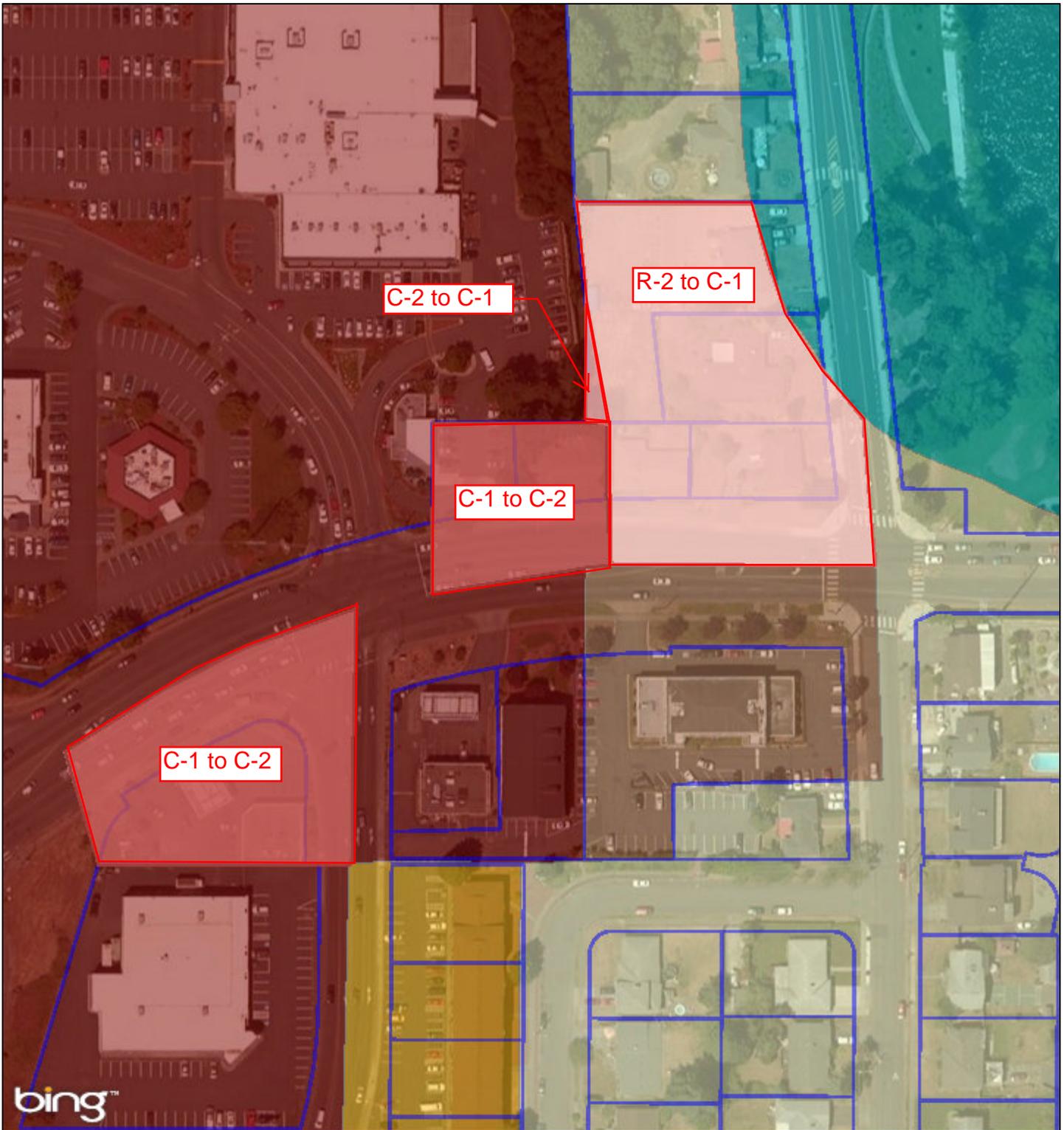
Study Area 6 Outline

	Multi-family (Low Density)
	Shoreline
	General Commercial
	Neighborhood Commercial

Future Land Use Designations



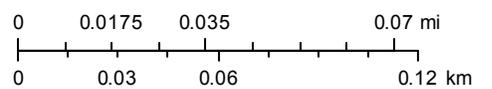
Study Area 6: Proposed Rezone



March 31, 2016

 Tacoma City Boundary

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Study Area 7: South Tacoma MIC

Location: Generally an area bounded by S 58th to the north, Mountain View Cemetery to the south, S Adams St. to the east and S Tyler St. to the west.

Current Uses: The area is generally split between light and heavy industrial uses, a large regional recreational complex (STAR Center and SERA), Gray Middle School, and vacant lands.

Type of Change: Area-wide rezone

Frequently Asked Questions

Is this a private rezone request?

No. This is a City initiated re-zone to better align the zoning district boundaries with the current uses and parcel boundaries in the area.

Would this reduce the size of the South Tacoma Manufacturing and Industrial Center?

No. The amendment would not affect the boundaries of the South Tacoma MIC.

How would this impact the STAR Center and SERA?

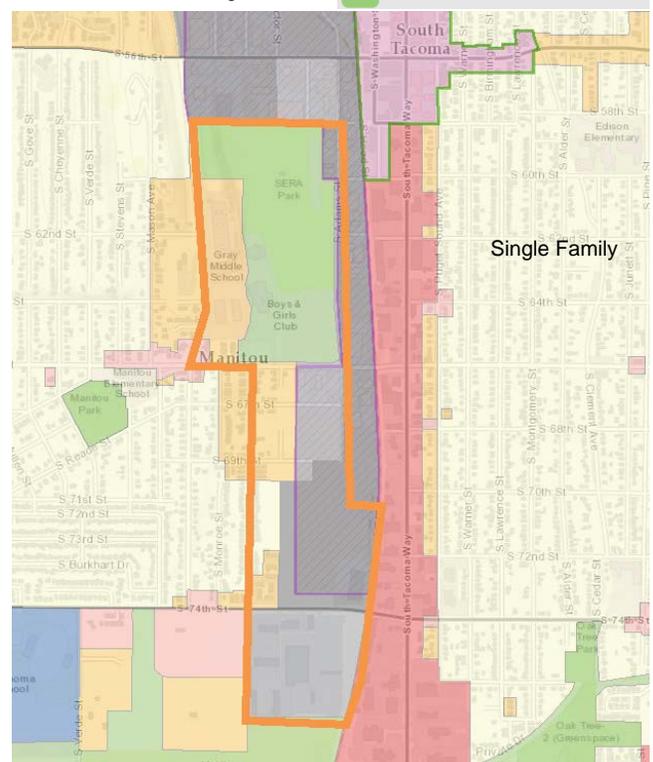
Currently the STAR Center and SERA are split zoned as R-3 Two-Family Dwelling District and M-1 Light Industrial. While park and recreation facilities are permitted outright in both districts, high intensity and destination recreation facilities would require a conditional use permit in the residential district. The zoning change would require expansion of destination park and recreation facilities to get a conditional use permit and provide notification to adjacent taxpayers.



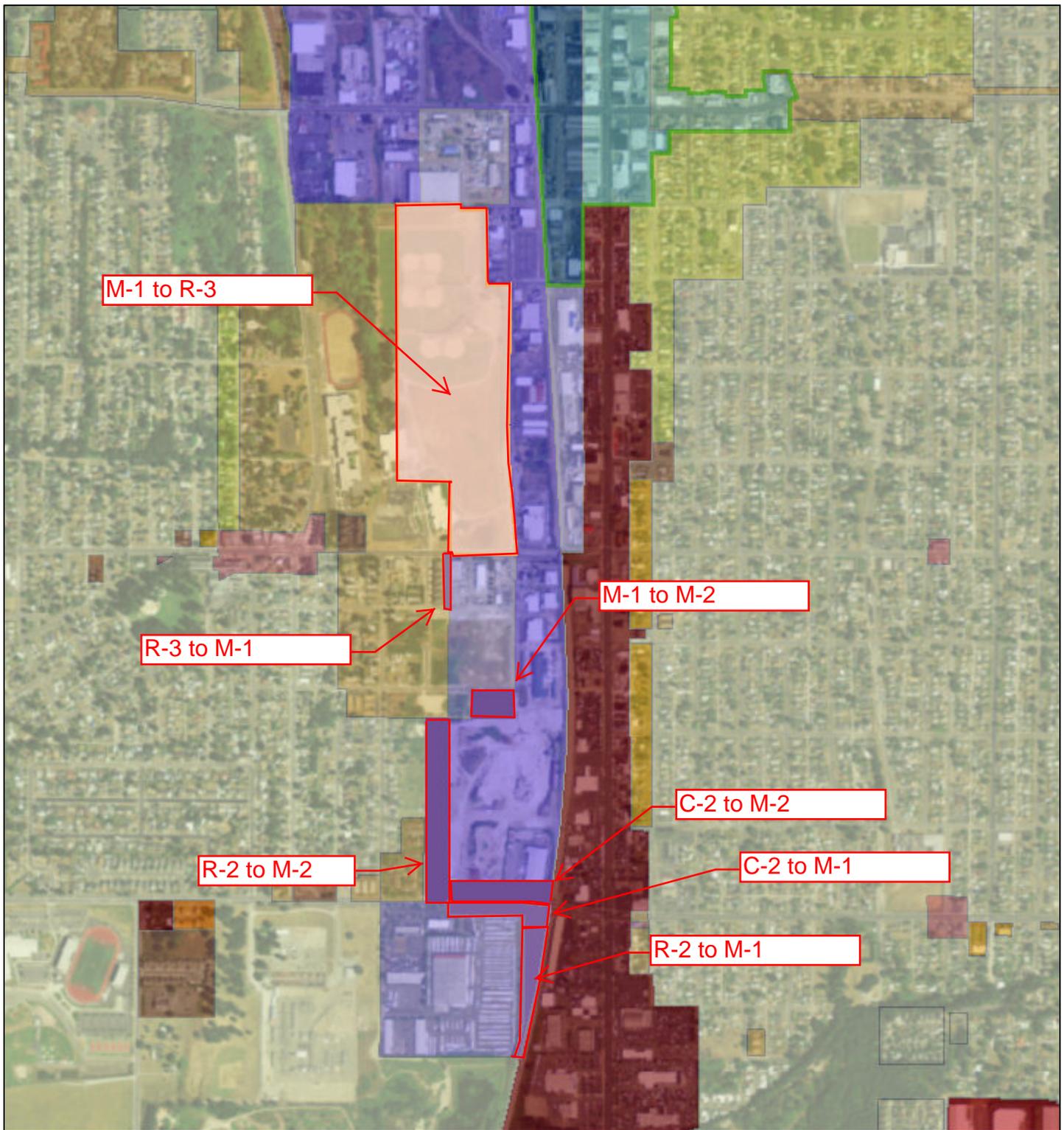
Study Area 7 Outline



Future Land Use Designations



Study Area 7: Proposed Rezone



March 18, 2016

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 Tacoma City Boundary

Mixed Use Centers

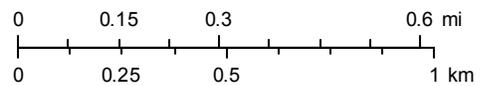
 Neighborhood Center

Zoning Districts

 R1

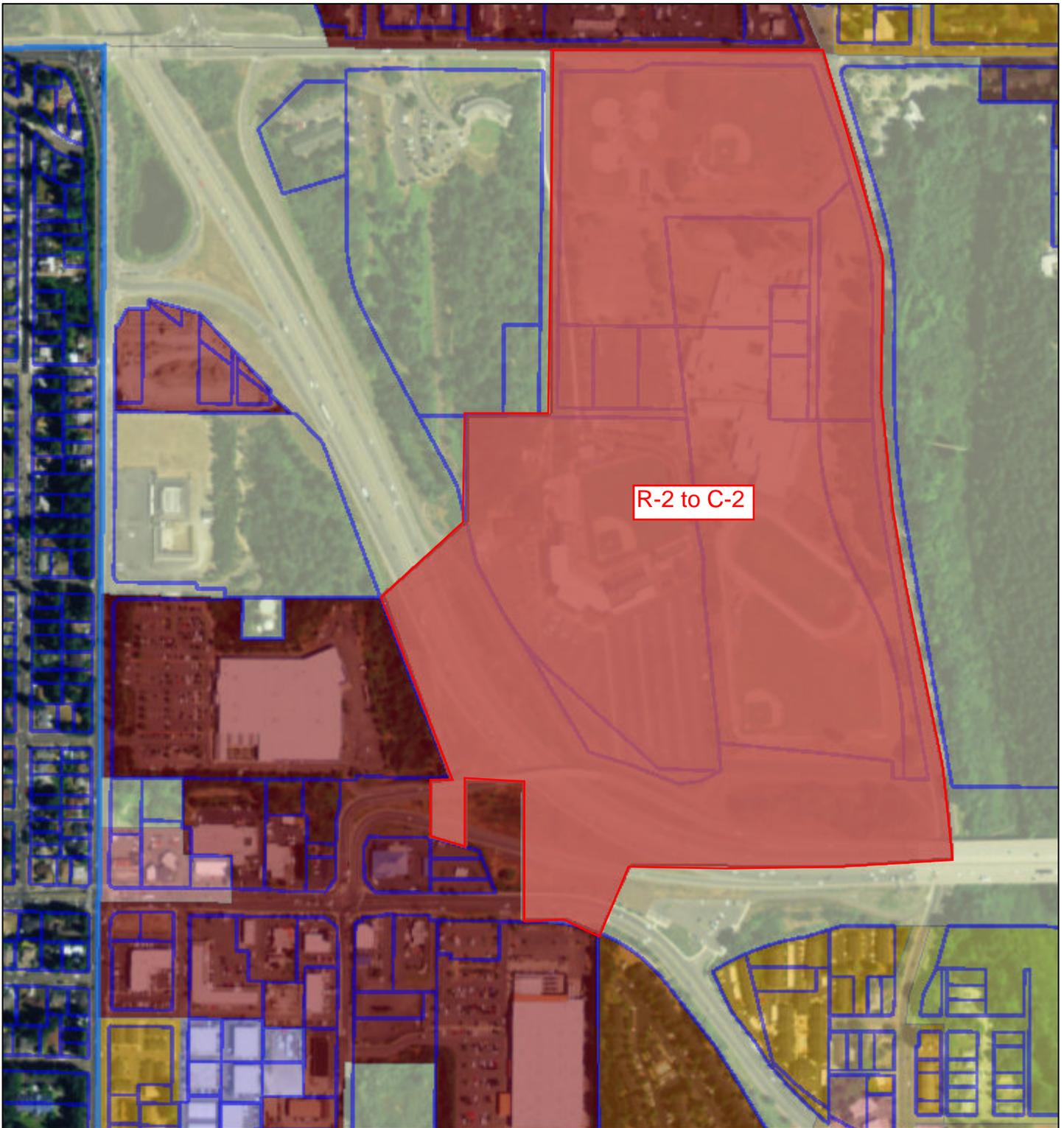
 R2

 R2-SRD



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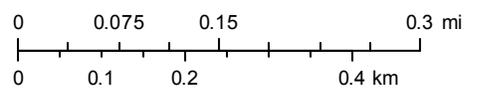
Study Area 8: Proposed Rezone



March 17, 2016

 Tacoma City Boundary

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