



**City of Tacoma**  
**Community and Economic Development Department**

**Agenda Item**  
**GB-3**

TO: Planning Commission

FROM: Donna Stenger, Manager, Long-Range Planning Division

SUBJECT: Public Hearing on 2011 Annual Amendment Package

DATE: March 30, 2011

The Planning Commission will review the testimony from the public hearing held on March 2, 2011, on the draft *Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2011* (the “Annual Amendment Package”). The Annual Amendment Package consists of the following applications:

- #2011-01 – 49th and Pine Intensity and Zoning Change
- #2011-02 – Historic Preservation Plan and Code Revisions
- #2011-04 – Water Level of Service Standard
- #2011-05 – Transportation Element
- #2011-06 – Regional Centers & Safety-Oriented Design
- #2011-07 – Park Zoning and Permitting
- #2011-08 – Regulatory Code Refinements
- #2011-09 – SEPA Regulations Amendment

A copy of the compilation of the written comments and a summary of oral testimony was distributed to Commission members at your last meeting in the “green book”. Please bring this book with you to the next meeting.

Attached is a copy of the “Summary of Public Comments and Staff Responses Report” which summarizes the public comments and provides a staff response or recommendation as appropriate. In addition, the specific text changes relative to the Park Zoning and Permitting project (Application #2011-07) are also attached, as well as a sheet outlining a few additional technical changes proposed by staff as part of the Regulatory Code Refinements (Application #2011-08).

If you have any questions, please contact Donna Stenger at 591-5210 or [dstenger@cityoftacoma.org](mailto:dstenger@cityoftacoma.org).

DS:ds

c. Peter Huffman, Assistant Director

Attachments





**2011 ANNUAL AMENDMENT**  
**SUMMARY OF PUBLIC COMMENTS AND STAFF RESPONSES REPORT**

*March 30, 2011*

	COMMENTS	SOURCE(S)	STAFF RESPONSE
<b>#2011-01 – 49th and Pine Intensity and Zoning Change</b>			
1.	This area is currently underserved by park and recreation facilities, especially with all of the recent growth in the West Mall area. This project will exacerbate that problem and the City does not have the tools to appropriately address this issue.	Grant, Art	There are a few recreational facilities located in and around this general area, including South Park, the Water Ditch Trail, and the play areas at the former Madison School. However, staff acknowledges Mr. Grant’s concerns, which has also been expressed by others in the community, about a perceived lack of park facilities. While the city does not have impact fees for parks, in 2008, partly in response to this issue, the City Council adopted a new “yard space” requirement for residential developments. This new requirement will ensure that this project, if developed, provides at least 10% of its site as a functional open space and recreation area. However, while this private recreational area would help ensure that this project does not exacerbate such concerns it will also not provide additional recreational space for the general community. While staff recognizes this remaining issue, it is not appropriate, particularly in light of this new requirement, to hold up this proposal based on a concern about how other projects and other areas have been developed. It should also be noted that MetroParks, who is the primary provider of public recreational facilities in the city, has not expressed any concern about this proposal or its impact on the park and recreation system in this area
2.	Expressed concern about any new park space that might be required as part of this project as those spaces often become magnets for gang activity and an unfunded mandate for enforcement.	Abaun, Tony	Concerns noted. As indicated above, the only required park space associated with this project would be private yard space within the proposed complex.
3.	Expressed concern about the increased traffic that this project would bring to the neighborhood.	Russell, Kathy	See Comment #10.
4.	If this proposal is allowed, there should be traffic calming measures put in place along South Pine Street to slow speeding and cut-through traffic along this residential street.	Russell, Kathy; Johnson, Elly ( <i>also a petition signed by approximately 15 neighbors</i> )	Staff concurs with this neighborhood concern and has indicated that as part of the development review of this project (or any other significant project on this site), additional traffic analysis will be conducted. It is anticipated that a proposed project of this scale will be required to provide measures to address neighborhood traffic impacts. As noted below under Comment #6, the applicant has also expressed and concurred with this concern and has expressed their desire to implement additional traffic calming along South Pine Street as part of the development of their project.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
5.	Proposed change would be consistent with Growth Management Act (GMA) by placing new growth adjacent to the Mixed-Use Center, a transit center, and a major employment center.	Holcomb, Mark; Casey, Paul	Staff generally concurs that the proposed change is consistent with multiple goals of the GMA.
6.	The applicant owns numerous apartment complexes in this area and shares many of the community's concerns, including speeding along Pine Street and has indicated their willingness to install traffic calming measures along Pine Street as part of the street improvements that will be required for this project.	Casey, Paul	Staff acknowledges the applicant's expressed willingness to work with the Traffic Engineering Division and the community to institute reasonable traffic calming measures as part of their development. If approved, additional traffic study will be required and such measures will likely be required.
7.	The proposed change will provide a reasonable transition between the mixed-use center and the adjacent single-family neighborhood while preserving the residential character of the area and adding new, diverse housing opportunities.	Casey, Paul	Support noted.
8.	The proposal would eliminate the existing commercial zoning on the property, develop of which has the potential to negatively impact the neighborhood even more.	Casey, Paul	The site currently contains two zoning classifications – the majority of the site is zoned R-2 Single-Family Dwelling District while the northeast corner of the site is zoned C-1 General Neighborhood Commercial District. As described in the staff report, C-1 zoning allows for a wide range of uses, such as smaller scale office, retail and services uses. It is likely that some of these allowed uses would be less desirable and potential more impactful to the neighborhood than the uses allowed under the proposed R-4L Low Density Multi-Family Dwelling District, although the proposal also involves rezoning the remaining portion of the site, which is currently zoned for single-family homes.
9.	The requested zoning includes development standards that will help ensure the project is reasonably compatible with the surrounding neighborhood.	Casey, Paul	While the proposed R-4L zoning would provide for an increase in the allowed number of dwelling units on the site it would also limit the use of the site to low-density multi-family uses and restrict other uses that could potentially be allowed under the existing Low Intensity or proposed Medium Intensity designations. In addition, the R-4L District is specifically designed to serve as a transition between single-family areas and more intensely developed areas and includes numerous development standards to help ensure that new development is reasonably compatible, such as density limitations, height limits, setbacks, and yard space requirements (many of which actually mirror the standards applicable in the single-family zones).

	COMMENTS	SOURCE(S)	STAFF RESPONSE
10.	The applicant submitted a traffic generation study that compares estimated vehicle trips generated by the previous use of the site, the allowed uses under the proposed zoning and intensity, and the allowed uses under site's current zoning and intensity (such as single-family homes and a convenience store in the C-1 portion).	Casey, Paul	The preliminary report has been reviewed by the City's Traffic Engineering Division. Staff concurs with the general assertion of the report – that while the proposed multi-family complex will generate more traffic than the previous use did, that it is less than the amount of traffic associated with some uses that are currently allowed on the property. While this report does not address all potential traffic issues associated with future development and additional analysis will be necessary at the project development stage, its findings are informative in the sense that the proposed zoning does not necessarily represent a significant increase in potential traffic generated by redevelopment of this site over what could be allowed under the current zoning.
<b>#2011-02 – Historic Preservation Plan and Code Revisions</b>			
11.	Support the conservation district code and comprehensive plan amendments.	Quilicy, Joe; Turner, Ted; Zurfluh, David; Rickey, Tom; Adkins, Jori; Geehan-Shilley, Victoria; Fleming, Mike & Nancy	Support noted.
12.	Support the preservation plan and regulatory code amendments.	Adkins, Jori; Knudson, Gary; Bardwill, Mark, Moore, Chris; Pinto, Mark; Turner, Julie & Jay; Winters, Sharon; Zurfluh, David	Support noted.
13.	Suggest that that the amendment language regarding conservation districts be changed to reflect that conservation district should supersede other codes.	Quilicy, Joe	Currently, under a proposed modification to 13.06.100.C, contributing properties within historic districts may be granted relief from development standards that conflict with the application of the historic standards.  There currently is no language reflecting a need to exempt Conservation District properties with similar conflicts (design review guidelines conflicting with development standards). In effect, this would mean that the City would be substituting some land use regulatory review with discretionary design review.  This may present issues beyond the scope of the current amendment; however, if directed, Staff could develop this policy proposal further.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
14.	MultiCare Medical Center is generally supportive of the goals in the proposed Historic Preservation Plan and Code Revisions, but there are several areas that need some scrutiny before adoption. He stated that their attorney felt that some of the language was un-orthodox and not clear enough as to what would be considered a conservation district and what is a historic district.	Gary, Mark	Thank you for your comment. Please see Staff Responses at Comments 21-24.
15.	We are concerned that the transfer of design guidelines to administrative rules not diminish enforcement by Building and Land Use Services (BLUS), and therefore we suggest that the TMC section establishing a historic district, e.g. TMC 13.07.230, reference the specific section of the LPC administrative rules containing that district's design review guidelines. This would also help property owners be aware of these rules and where to locate them.	Bardwill, Mark	Staff recommends incorporating this suggestion into the amended code.
16.	If the North Slope Historic District (NSHD) guidelines currently located at TMC 13.07.310 are to be moved to LPC administrative rules, then it seems that the same should be done with the Specific Exemptions section currently located at 13.07.330. The current markup shows these will remain in the code as TMC 13.07.240. This inconsistency will only cause confusion.	Bardwill, Mark	The district exemptions define the Commission's scope of authority for design review, and this language, along with other language relating to design review requirements, is proposed to remain in TMC 13.07. The design guidelines themselves, which do not describe or establish jurisdiction, are proposed to be administratively managed for the sake of efficiency. However, there is no reason why the district exemptions cannot be also included as a part of the administrative guidelines document. Staff therefore recommends that the exemptions for historic districts be included in any future design guidelines.
17.	Because historic district design guidelines are currently in the regulatory code, certain public hearing procedures and notifications are required when changes are proposed, as with this current code update. We think that, even as LPC administrative rules, the process for how, how frequently and with what notifications these design guidelines will be amended should be, at least, minimally outlined in the proposed TMC 13.07.120 section.	Bardwill, Mark	Staff recommends incorporating this suggestion into the draft code, to include basic public hearing notification consistent with that for landmarks designation, as well as limiting review to the design guidelines to an annual basis.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
18.	Section TMC 13.05.047.F. Economic Hardship outlines a process whereby an applicant for a Certificate of Approval may claim special consideration due to economic hardship. The focus of this section appears to be demolition rather than remedying an enforcement violation, though it is used for both. Currently this process does not require the applicant to meet any guidelines for income as, for example, the city's LID Assistance Program does. For LPC to make an informed decision regarding economic hardship, we think that the applicant should provide some evidence to substantiate their need.	Bardwill, Mark	The current provision for economic hardship focuses on the property itself, and not on the resources or abilities of the owner. Using the resources of the owner as a measure is not recommended by most legal documents on the subject. However, staff is continuing to explore the best approach regarding potential clarification of the economic hardship provision.
19.	We believe that proposed section TMC 13.06.510.A.1.d. Historic buildings and sites and Note 15 at TMC 13.06A.060 are potentially misleading. We understand that this exemption from all parking quantity requirements is supposed to apply primarily to downtown commercial buildings that are individually listed on the Tacoma Register of Historic Places. However, historic districts are also individually listed on the Register and contributing structures within districts are individually identified. While we understand and support the intent of the exemption individually listed commercial buildings, we believe that as written it could be misconstrued as applying to residential historic districts. Therefore, we request that this exemption in these two locations be clarified.	Bardwill, Mark	The intent of the exemption is that it would apply to structures individually designated to the Tacoma Register of Historic Places by direct council action. Staff recommends clarifying this code language, which could mean excluding residential historic districts or creating some other limitation on its applicability, or by clarifying that the parking exemption is applicable only to individually designated landmarks.
20.	The proposed Conservation District is a good middle ground between zoning and the much more stringent requirements of a Historic District.	Fleming, Mike & Nancy; Quilici, Joe	Thank you for your comment.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
21.	The Code amendments make the mere nomination of any property for landmark designation as the basis for invoking the lengthy and expensive process for securing a Certificate of Approval. This is an open invitation to abuse by any person or group seeking to oppose a development project, and could chill development throughout the City of Tacoma. Our understanding of how the code amendments would work is that a nomination submitted any time prior to the issuance of a building permit would bar the permit from receiving final approval until a Certificate of Approval is issued. See proposed §13.05.047.A. 1. This raises serious questions regarding an applicant's right to due process of law and the vested rights doctrine. Pursuant to the Washington State Constitution and common law, an applicant has the right to fix the law applicable to a building permit by filing a complete application. The code amendments appear to allow any resident of Tacoma to change the rules by nominating the applicant's site or existing structure for landmark status after a complete permit application is filed. We urge staff and the Planning Commission to seek careful review of this proposal by the City Attorney.	Gary, Mark; Kendall, Bruce	<p>This provision was included in the municipal code in 2005 specifically to clarify the designation process (who may nominate). In 2008, a provision requiring design review for properties under consideration was added to the code. Neither amendment has had an appreciable impact on development activities, nor have complaints been received. The only proposal is to move this language from TMC 13.07 to 13.05 as a component of an overall code consolidation process.</p> <p>Safeguards against nuisance nominations have been largely effective, and include the following: 1. The process of researching and completing a nomination is lengthy and requires a high degree of effort. 2. The \$100 administrative filing fee is intended in part to ensure that nominations to the register are valid. 3. The Landmarks Preservation Commission has a two part nomination process, in which basic criteria must be met in order for a public hearing to be scheduled. This ensures the integrity of the process (the Commission has the right to review all nominations that it receives) but also allows the Commission to refuse to consider nominations after the preliminary meeting, in the case of specious or otherwise unmeritous submittals.</p> <p>The requirement for design review for properties under consideration as City Landmarks is intended to ensure the cross departmental coordination between the Landmarks process and the permitting functions of the City. There are similar provisions in other jurisdictions.</p> <p>Staff is continuing to discuss this concern with the legal department to ensure that the proposed regulations are consistent with all legal standards.</p>
22.	The proposed changes would stop demolition of any structure for which a nomination has simply been received. The current code requires the designation to be in place to stop issuance of a demolition permit, with SEPA (the State Environmental Policy Act) providing some grounds for possibly stopping immediate issuance of a demolition permit if a structure is truly a "historic resource." We believe the current code allows adequate checks and balances and the proposed changes are not necessary.	Gary, Mark; Kendall, Bruce	<p>This provision is in the current code and is not proposed for change at this time. The demolition provisions were added to the municipal code in 2005 at the request of City Council, in part to clarify the review process involving demolition requests for City Landmarks following the lengthy and often confusing Elks Temple case. The only proposal is to move this language from TMC 13.07 to 13.05 as a component of an overall code consolidation process.</p>
23.	The criteria for designation of a Conservation District remain unclear. The proposed Code amendment relies on the vague terms of "traditional development pattern." What does this mean? We suggest that the Code amendments provide a definition for the terms "traditional development pattern" and otherwise clarify the criteria and purpose for designation of a Conservation District.	Gary, Mark; Kendall, Bruce	<p>To clarify, the term "traditional development pattern" is used to define Conservation District in the definitions section, but is not included within the designation "criteria." Additional clarification and the actual criteria can be found in the proposed 13.07.040.C.</p> <p>In addition, there is extensive language about the purpose and scope of Conservation District regulations in the Preservation Plan draft document Chapter 3 Goals and Policies, specifically in Action HP-28A and the sidebar located on p. 3-40.</p>



	COMMENTS	SOURCE(S)	STAFF RESPONSE
24.	We suggest the LPO be empowered to approve all Certificates of Necessity for properties located in a Conservation District. This is appropriate, given the Comprehensive Plan mandate that Conservation Districts merit a lower level of historic protection. The Comprehensive Plan speaks repeatedly to the need to distinguish between Historic and Conservation Districts, yet the proposed amendments fail to implement any distinction in administration of the Certificate of Approval regulations. Perhaps allow for the option of the LPO to refer a request to the Commission if deemed to pose a significant problem of compliance with the purpose of the Conservation District, or for the property owner to request review of the LPO decision. The Conservation District tool would perhaps merit greater use if the process is made more efficient for both staff and an applicant.	Gary, Mark; Kendall, Bruce	The proposed amendments to the plan and regulations define a much lower threshold of review in Conservation Districts than in Historic Districts (limited primarily to new construction, demolition, and in some cases, changes in footprint of existing buildings).  New construction within Conservation Districts will likely merit significant public interest and response, which is suitable for review in a public meeting context under the current code, given the discretionary nature of the design guidelines.  In addition, there is language in the existing code that allows the Commission to delegate authority to the Historic Preservation Officer under certain circumstances (defined in the Commission bylaws).
25.	The proposed conservation district language would allow the West Slope to apply to become a conservation district, preserving its designed character.	Geehan-Shilley, Victoria	Thank you for your comment.
26.	Adoption of the Preservation Plan and regulatory amendments will better integrate preservation into other city policy areas.	Knudson, Gary	Thank you for your comment.
27.	Adoption of the Preservation Plan and regulatory amendments will provide more predictability for owners renovating historic properties.	Knudson, Gary	Thank you for your comment.
28.	Incorporation of the Preservation Plan as public policy will directly contribute to the stabilization and enhancement of our older neighborhoods.	Knudson, Gary	Thank you for your comment.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
29.	Preserving a building for the sole purpose of view preservation regardless of its condition or historic significance is a new purpose. If a Conservation District is now intended to conserve views that have historically existed in neighborhoods that new purpose should be stated. That way, it is not the structure itself that is conserved but the neighborhood's view. It would seem that a new structure that fits into the character of traditional neighborhoods and "conserves" the view for the neighborhood could still be allowed. Prohibiting demolition or significant remodeling, however, is not the only way to preserve views. Regulating what is built after a demolition can preserve views as well without preventing demolition of a building that is cost prohibitive to "conserve".	Pierce, Kathleen	<p>At this time, the merits of a "West Slope Conservation District" are not under consideration by the Planning Commission.</p> <p>The Commission is currently reviewing code and policy changes that affect the use of the "conservation district" planning tool. Consistent with the comment, the primary focus of the conservation district tool is regulating new construction, as well as regulating demolitions in order to avert unnecessary "tear downs."</p> <p>However, in most cases, general remodeling of existing homes would not fall under review in a conservation district. In addition, demolition would not be "prohibited," but rather, discouraged in certain circumstances. The objectives and goals of each neighborhood would affect how this was manifested in specific circumstances.</p>
30.	The study that was done for the West Slope apparently confirmed that most of the homes are not "historic" because they are not 50 years old or more and there is not a uniform type of house to preserve, as there are in Tacoma's North End. Consequently, conserving the homes on the West Slope or conserving the area in general may, in some cases, preserve views, but it may also make it difficult to upgrade and improve homes in the area to take advantage of the views from these expensive properties. If, in fact, the designation as a "conservation district" requires people to spend significant money to preserve structures that were very poorly built to begin with or that were never built to maximize the view from the house, the value of the properties may be impacted in a negative fashion and the City's tax base will be adversely affected.	Pierce, Kathleen	<p>To clarify, the study found that most homes are over 50 years of age. The recommendation that the area may not be suited for designation as a historic district stemmed from two principal factors: 1. Many of the homes have been altered to an extent that they no longer possess "character defining" features, and 2) the objectives of the neighborhood seemed to be inconsistent with those generally of historic district designation.</p> <p>In addition, modifications to existing homes within existing floorplans would generally not be reviewed in a conservation district.</p> <p>However, at this time, the merits of a "West Slope Conservation District" are not under consideration by the Planning Commission.</p>
31.	Making an area a "Conservation District" will most definitely increase the cost of remodeling or otherwise renovating homes in this area. A home that cannot be changed or modified without special permitting or without meeting certain specific conservation requirements may not be as valuable as another home.	Pierce, Kathleen	To clarify, modifications to existing homes within existing floorplans would generally not be reviewed in a conservation district.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
32.	When commenting on the expansion of the Conservation District, the Staff report regarding the Economic Impact Assessment states that "While this ultimately may limit development potential for certain sites within these districts, if established, this impact is offset by an anticipated improvement in property values, stability and livability within these neighborhoods." I would be interested in seeing any economic data that would support this assertion.	Pierce, Kathleen	There are numerous studies that support the assertion that historic preservation is economically beneficial and improves property values and livability.  In Washington State, the State Department of Archaeology and Historic Preservation released a study in 2006, titled "The Economic Benefits of Historic Preservation in Washington State," that concluded, among other findings, that historic districts did not diminish property values in comparison to similar non-historic district neighborhoods (and may have increased property values at a higher rate).
33.	I am concerned that changes to the code that define the Conservation District will require that structures be preserved no matter what their condition instead of structures and buildings that should be preserved and conserved because they are exceptionally well built, have unusual architecture, contain incredible craftsmanship (such as coved ceilings, staircases and banisters, lead glass windows etc) or are historically significant.	Pierce, Kathleen	The objectives and purpose of each conservation district would be defined at the time of designation.  Please note that, at this time, the merits of a "West Slope Conservation District" are not under consideration by the Planning Commission.
34.	It seems that the logical approach for the protection of views would be an amendment to the restrictive covenants in the neighborhood that would specifically address the height of structures <i>and</i> vegetation or an amendment to the view sensitive portion of the City Code that would be specific to the West Slope rather than identical to the North End, where homes are often two or three stories tall on very narrow lots. In the North End a 25-foot restriction makes sense. On the West Slope it may not be adequate to protect and preserve the views. The configuration of the development on the West Slope is quite different from the North End and contains much larger lots with primarily single-story homes. It would seem appropriate for the height restriction in this view sensitive area to be lower than in the North End and it seems that the concerns of the West Slope Neighborhood Coalition could be addressed more directly and more fully in that fashion.	Pierce, Kathleen	Please note that, at this time, the merits of a "West Slope Conservation District" are not under consideration by the Planning Commission.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
35.	TMC 13.07.120.F states that one of the purposes of the Tacoma Landmarks and Historic Special Review Districts Code is now going to be the "conservation of resources through retention and enhancement of existing building stock" without any reference to it being historic in nature or whether the existing building stock is viable or worthy of restoration or the cost of retaining that stock.	Pierce, Kathleen	Thank you for your comment. This particular "purpose" is included to acknowledge the role of sustainable development practices in the City's overall sustainability efforts.  Impacts to the waste stream and loss of "embodied energy" resulting from unnecessary demolition is a key policy component of the preservation plan.  Please note that considerations of whether a building is "historic in nature or whether the existing building stock is viable or worthy of restoration or the cost of retaining that stock" is addressed in several other areas of the code, but not within the statements of purpose.
36.	The expansion of the definition of a Conservation District in TMC 13.07.030 to include the protection of "overall characteristics of traditional development patterns" is so broad that it lacks meaning. The previous definition tying a conservation district to a historic district or landmark is an objective criteria that is measurable. The new language would allow virtually any neighborhood to qualify as a conservation district if it had some sort of "traditional development pattern".	Pierce, Kathleen	Please see Staff Response at Comments 23.
37.	TMC 13.07.040(C) defines Conservation Districts. There appears to be very inconsistent language in this definition. When considering whether to impose a Conservation District the proposed language states that the district "should meet one of the following criteria" but then there are only two numbers: 1 and 3 and it appears that the criteria are actually listed in the subparts of #1 (a) through (c). The language says "should meet" but in the same section number 3 states that the District "shall possess" historic character. This seems inconsistent. The changes suggest that a conservation district would not have to possess the same requirements as a historic district but yet this language of "shall possess" remains.	Pierce, Kathleen	Staff is unclear which numbers the writer is referring to (it appears that there is some confusion over strikethrough language). Nonetheless, because these are evaluative criteria and not prescriptive absolutes, the policy intent seems clear.  In any case, the Commission is the body that makes the initial determination whether a proposed area meets these requirements. In this case, the use of "should" and "shall" does not have a significant regulatory effect.
38.	Are all applications or requests for status as a Conservation District supposed to be required to show that the objectives of the community cannot be adequately achieved using other land use tools? If so, then the legislation should use the word "AND" following TMC 13.07.060(6) instead of the word "OR". In any event, my concern is simply that it is very unclear what will be required to be shown to have a district approved.	Pierce, Kathleen	These are not requirements but evaluative criteria for the City to "prioritize" requests for establishing districts; for instance, when a neighborhood makes a request that a neighborhood be studied.  The use of "and" versus "or" reflects the grouping of the criteria. The first item refers to historic documentation (meaning that there are existing studies). The second refers to historic districts (evidence that the area is significant based on existing studies) and the third, to conservation districts (preliminary analysis indicates a distinctive character). The fourth refers to property owner support, and the last three refer to compatibility with existing planning efforts.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
39.	There are other cities that have utilized similar Conservation Districts for these purposes, and it works. A couple examples are Dallas, Texas, and closer to home - Portland Oregon; there are others.	Quilici, Joe	Thank you for your comment.
40.	The Union Station Conservation District is an example of a conservation district that achieved its purpose.	Quilici, Joe	Thank you for your comment.
41.	Suggest that paragraph d. proposed as an addition to 13.06.510 Off-street parking and storage be removed as potentially conflicting and redundant. By reading the current and unchanged use tables pertinent to this section it is obviously not the intent to impose this exemption on all properties within designated historic and conservation districts. The intent of this proposed addition is adequately and properly expressed in the proposed change at added Note 15 to Chapter 13-06A—Downtown.	Tomberg, Ralph	Please see Staff Response at Comment #19. Staff concurs that this is potentially confusing and recommends a language change. However, staff also notes that TMC 13.06.510 is general zoning, whereas 13.06A is Downtown. Therefore, Staff recommends that the exemption language be retained in both code areas.
42.	Encourage further integration of preservation policies into other City functions by: <ul style="list-style-type: none"> <li>• educate staff in the importance of the values expressed in the Preservation Plan</li> <li>• adopt regulations that encourage partial, incremental development, use and occupancy</li> <li>• bring Code Enforcement within the purview of Building and Land Use</li> <li>• Develop a Demolition by Neglect ordinance, in particular with an enforcement component which forestalls the ultimate failure of owners to maintain their historic properties by imposing strictly enforceable maintenance standards.</li> </ul>	Winters, Sharon	Some of these issues lie outside of the scope of the Annual Amendment currently under review; however, the Planning Commission may make recommendations with regard to further study concerning building codes and minimum buildings/unfit buildings code.
43.	Encourage the creation of a Public Development Authority for preservation.	Winters, Sharon	Language regarding Public Development Authorities is included within the plan. Staff recommends, due to recently increasing interest in this tool, that additional language on this subject be included in the Preservation Plan.
<b>#2011-04 – Water Level of Service Standard</b>			
44.	No comment received.		
<b>#2011-05 Transportation Element</b>			
45.	No comment received.		

	COMMENTS	SOURCE(S)	STAFF RESPONSE
<b>#2011-06 – Regional Centers &amp; Safety-Oriented Design</b>			
46.	Support policies for safety-oriented design and the use of CPTED as one tool to help prevent crime	Buck, Donna; Grote, Tilinda; Peterson, Jeanine; Langford, Mark;	Support noted.
47.	The use of CPTED strategies in the design of Ben Gilbert Park (adjacent to Municipal Building) demonstrates how attractive, accessible public spaces can be achieved while promoting public safety. CPTED should be applied to public open spaces, public/private projects and highly visible private projects.	Johnson, Blaine	Comment noted.
48.	Opposed to proposed downtown regional center boundary.	Gannett, Alexandra	Opposition noted.
49.	The Downtown boundary should not include the Stadium District, North Slope Historic District or Dome area. Including them will impact many historic homes.	Silva, Dorothy	The existing downtown center in the Comprehensive Plan was adopted in 1993 and includes the Tacoma Dome area. The City Council adopted a “working definition of downtown” that includes the Stadium district and MLK corridor in 2006. The North Slope Historic District is not included in the proposal. The proposal is to align the different downtown boundaries, including the adopted regional growth center boundary, for planning purposes. This proposal will not eliminate or change the existing plans or zoning in any of these areas.
50.	Opposed to expansion of downtown boundary from MLK to L Street. The expansion will affect many homes. Vacant spaces in downtown should be filled before any expansion occurs.	Stave, Kelly	The proposal is to recognize the adopted downtown regional growth center in the Comprehensive Plan and to align the boundaries with those adopted by the City Council in 2006 as the “working definition of downtown.” The proposal includes acknowledging the MLK district as a sub-area of the downtown regional center. Although many homes remain within the MLK Mixed-Use Center, the area has been planned and zoned for neighborhood mixed-use including stores, offices and multifamily developments.
<b>#2011-07 – Park Zoning and Permitting</b>			
51.	Expressing support for making community gardens an outright Permitted land use in residential zones.	McIlvor, Kristen	Support noted.
52.	Expressing support for the proposed amendments as a balanced approach to permitting many types of park improvements outright while ensuring a conditional use process for improvements that could impact the neighborhood.	Stark, Lois	Support noted.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
53.	Expressing support for the proposal to improve the permitting process for pre-existing schools, parks, recreation, and open space uses.	Wall, Peter	Support noted.
54.	Requesting clarification that proposed landscaping exemptions for parks and recreation uses would also apply to athletic field, playfield, and recreation areas located on a school site.	Wall, Peter	<p>No changes recommended.</p> <p>Staff concur that school playgrounds and athletic fields are similar to parks – typically undeveloped except for play and athletic equipment, grass, pavement and similar features and are generally open and available to the public during non-school hours. The Comprehensive Plan recognizes schools as often providing important recreational assets. However, unlike parks, school sites always include a building as the primary feature and the grounds are more likely to be substantially developed with parking and other paved areas. Therefore, there is more likely to be a need to provide a vegetated buffer to address potential impacts to adjacent residents.</p> <p>Furthermore, schools have not been the subject of this project, and in staff's view further analysis is needed to determine the appropriate landscaping approach. A comprehensive landscaping review is currently being conducted by the City's Urban Forester, in order to implement the recently adopted Urban Forest Policy Element. Staff recommend taking up this issue as part of that process.</p>
55.	Requesting that one readerboard sign be allowed for schools and churches in residential districts (on larger sites) in addition to the current allowance of one freestanding sign and one building face sign.	Wall, Peter	<p>Staff recommends extending, to schools and churches, the proposed change to allow parks one additional free-standing sign, 30 square feet in area, on each additional street frontage.</p> <p>Readerboards are already an allowed sign type for conditional uses in residential zones, including churches and schools. The current allowance of one wall mounted and one free-standing sign can already be, or incorporate, readerboard signs. Since churches and schools, like parks, are often on large sites potentially with multiple street frontages, allowing an additional sign for each frontage is consistent with the proposed approach for parks. Limiting the number of signs to one free-standing sign per frontage ties the total number to the size of the site and prevents any single frontage from having a proliferation of signs.</p>

	COMMENTS	SOURCE(S)	STAFF RESPONSE
56.	Requesting that the Planning Commission consider future zoning code amendments to expedite the process for siting portable facilities on school sites.	Wall, Peter	<p>Per staff's analysis, one of the changes already proposed under the current draft would effectively address the school district's concern by enabling a certain number of portables to be sited without the need for a Major Modification to the site's Conditional Use Permit. Staff have been in contact with the School District to discuss the issue.</p> <p>The proposed amendments include a change to Section 13.06.640 which would indicate that pre-existing parks and schools which were not required to obtain a Conditional Use Permit at the time they were developed, will be viewed for zoning purposes as having a Conditional Use Permit authorizing the extent of development as of August 1, 2011. This change is intended to clarify that such uses are to be viewed as appropriate in residential zones, rather than as nonconforming uses that are intended to be phased out.</p> <p>Modifications or expansions to Conditional uses are subject to Section 13.05.080, which defines the thresholds under which a Major Modification would be required. In most cases, expansions (including siting portables) resulting in less than a 10 percent increase in square footage, and less than 25 percent increase in overall impervious surface, are not required to obtain a Major Modification to their Conditional Use Permit.</p> <p>The proposal would set August 1, 2011 as the date from which to measure the extent of development, for purposes of determining when a Major Modification is required. Parks and schools would be allowed a 10 percent square footage increase from that benchmark, before a Major Modification would be required.</p> <p>Based on information regarding typical school square footages, provided by Tacoma School District staff, there would be ample room for portables to be sited without triggering a Major Modification. Per the school district, most portables are approximately 900 square feet in size, and the following are typical school sizes: Elementary Schools 50,000-65,000 square feet; Middle schools 118,000-119,000 square feet; high schools 260,000-280,000 square feet.</p> <p>Based on this information, multiple portables would be permitted for most school sites without triggering the Major Modification process. Therefore, in staff's view it is unnecessary to modify the permitting process for portables at this time.</p>



	COMMENTS	SOURCE(S)	STAFF RESPONSE
57.	Staff recommend several technical and minor policy changes intended to improve code mechanics and better implement the policy intent.	Staff	<p>Staff have continued to vet the draft code to ensure it will function as intended, and recommend the following changes to the public review draft:</p> <ol style="list-style-type: none"> <li>1. Clarify when an existing site would require a Major Modification to its Conditional Use Permit: Staff noted that the public review draft did not clearly indicate when a Major Modification would be required for High-intensity recreation uses. The proposed changes clarify this issue and will increase predictability in terms of the permit pathway for future parks expansions and modifications.</li> <li>2. Exempting accessory/ancillary structures from the Mixed-Use Centers/Commercial Districts' Maximum setback requirements: Within Mixed-Use Centers and some Commercial Districts, buildings have a maximum setback distance from the street, in order to promote the pedestrian vision of these areas. This is appropriate for primary park structures such as community centers. However, it is not necessarily appropriate to the design and function of a park to require that accessory structures such as picnic shelters, playground equipment and restrooms be located on the street.</li> <li>3. Applying the Landscaping Overall Site requirement to parks: Staff, in discussion with Metro Parks staff, recommend applying this requirement to parks in residential and commercial zoning districts, in order to work toward achieving the City's tree canopy coverage objectives. This minimal requirement will not be difficult to achieve for parks, which are typically mostly landscaped area.</li> <li>4. Minor wording and numbering clarifications, including clarifying two definitions (Assembly Facilities and Parks, Recreation and Open Space).</li> </ol>
<b>#2011-08 – Regulatory Code Refinements</b>			
58.	No comment received.		
<b>#2011-09 – SEPA Regulations Amendment</b>			
59.	No comment received.		

**2011 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code  
Source Key**

**Oral Testimony on March 2, 2011**

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date	Comment Key*
1.	Quilici	Joe	West Slope	1530 Fernside Dr. S.	Tacoma	WA	98465		3-2-11	-02
2.	Turner	Ted	West Slope	636 N. Fairview	Tacoma	WA	98406		3-2-11	-02
3.	Zurfluh	David	West Slope	1253 Fernside Dr. S.	Tacoma	WA	98465		3-2-11	-02
4.	Rickey	Tom	West Slope	1522 Fernside Dr. S.	Tacoma	WA	98465		3-2-11	-02
5.	Fleming	Mike	West Slope	1520 Fairview Dr. S.	Tacoma	WA	98465-1314		3-2-11	-02
6.	Adkins	Jori	Dome District	301 Puyallup Ave.	Tacoma	WA	98421	<a href="mailto:Jori.adkins@mac.com">Jori.adkins@mac.com</a>	3-2-11	-02
7.	Casey	Paul	The Casey Group Architects	5521 100 <sup>th</sup> St., SW	Lakewood	WA	98499	<a href="mailto:pcasey@caseygrouparch.com">pcasey@caseygrouparch.com</a>	3-2-11	-01
8.	Holcomb	Mark		820 A St., #600	Tacoma	WA	98402	<a href="mailto:meholcomb@bjmm.com">meholcomb@bjmm.com</a>	3-2-11	-01
9.	Gary	Mark	MultiCare	222 N. J St.	Tacoma	WA	98403	<a href="mailto:Mark.gary@multicare.org">Mark.gary@multicare.org</a>	3-2-11	-02
10.	Russell	Kathy		5005 S. Pine St.	Tacoma	WA	98409	<a href="mailto:Klij555@hotmail.com">Klij555@hotmail.com</a>	3-2-11	-01
11.	Geehan-Shilley	Victoria		PMB 323 6824 19 <sup>th</sup> St. W.	University Place	WA	98466		3-2-11	-02
12.	Langford	Mark	Tacoma Police Department	3701 S. Pine St.	Tacoma	WA	98409	<a href="mailto:mlangfor@cityoftacoma.org">mlangfor@cityoftacoma.org</a>	3-2-11	-06
13.	Knudson	Gary		3307 N. 25 <sup>th</sup> St.	Tacoma	WA	98406	<a href="mailto:gknudson@harbornet.com">gknudson@harbornet.com</a>	3-2-11	-02
14.	Buck	Donna		3617 S. Monroe St.	Tacoma	WA	98409	<a href="mailto:donnabuck@clearwire.net">donnabuck@clearwire.net</a>	3-2-11	-06
15.	Grote	Tilinda		5824 S. Oakes St.	Tacoma	WA	98409		3-2-11	-06
16.	Peterson	Jeanine	Hilltop Action Coalition	1524 MLK Jr. Way	Tacoma	WA	98405	<a href="mailto:hac@harbornet.com">hac@harbornet.com</a>	3-2-11	-06
17.	Grant	Art		3002 S. 47 <sup>th</sup> St.	Tacoma	WA	98409	<a href="mailto:agrant@lawdome.com">agrant@lawdome.com</a>	3-2-11	-01
18.	Johnson	Elly		2713 S. 52 <sup>nd</sup> St.	Tacoma	WA	98409		3-2-11	-01
19.	Abuan	Tony	Tacoma Police Department	3701 S. Pine St.	Tacoma	WA	98409	<a href="mailto:aabuan@cityoftacoma.org">aabuan@cityoftacoma.org</a>	3-2-11	-01, -07
20.	Walkup	Diane		413 S. M St.	Tacoma	WA	98405		3-2-11	-02

\* Comment Key indicates which of the following applications was addressed:

- #2011-01 – 49<sup>th</sup> and Pine Intensity and Zoning Change
- #2011-02 – Historic Preservation Plan and Code Revisions
- #2011-04 – Water Level of Service Standard
- #2011-05 – Transportation Element
- #2011-06 – Regional Centers & Safety-Oriented Design
- #2011-07 – Park Zoning and Permitting
- #2011-08 – Regulatory Code Refinements
- #2011-09 – SEPA Regulations Amendment

## Written Comments received by March 11, 2011

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date	Comment Key*
1.	Bardwil	Mark	North Slope Historic District	701 N. J St.	Tacoma	WA	98403		3-7-11	-02
2.	Casey	Paul	The Casey Group Architects	5521 100 <sup>th</sup> St. SW, Suite A	Lakewood	WA	98499	<a href="mailto:pcasey@caseygrouparch.com">pcasey@caseygrouparch.com</a>	3-1-11	-01
3.	Fleming	Mike & Nancy		1520 Fairview Dr. S.	Tacoma	WA	98465-1314		3-2-11	-02
4.	Gannett	Alexandra		936 S. Ainsworth Ave.	Tacoma	WA	98405	<a href="mailto:Ajgannett71@yahoo.com">Ajgannett71@yahoo.com</a>	1-27-11	-06
5.	Gary	Mark	MultiCare	315 Martin Luther King Jr. Way	Tacoma	WA	98415-0299	<a href="mailto:Mark.gary@multicare.org">Mark.gary@multicare.org</a>	3-2-11	-02
6.	Geehan-Shilley	Victoria		PMB 323 6824 19 <sup>th</sup> St. W.	University Place	WA	98466		3-2-11	-02
7.	Johnson	Blaine		708 Broadway, Suite M113	Tacoma	WA	98402	<a href="mailto:blaine@graphsर्व.com">blaine@graphsर्व.com</a>	3-2-11	-06
8.	Johnson	Elly		2713 S. 52 <sup>nd</sup> St.	Tacoma	WA	98409		2-17-11	-01
9.	Kendall	Bruce	Tacoma-Pierce County Economic Development Board	950 Pacific Ave., Suite 410	Tacoma	WA	98401-1555	<a href="mailto:info@edbtacomapierce.org">info@edbtacomapierce.org</a>	3-8-11	-02
10.	Knudson	Gary	Gary Knudson & Associates	3307 N. 25 <sup>th</sup> St.	Tacoma	WA	98406	<a href="mailto:gknudson@harboret.com">gknudson@harboret.com</a>	3-1-11	-02
11.	Mclvor	Kristen	Cascade Land Conservancy	615 Second Avenue, Suite 600	Seattle	WA	98104	<a href="mailto:kristenm@cascadeland.org">kristenm@cascadeland.org</a>	3-3-11	-07
12.	Moore	Chris	Washington Trust for Historic Preservation	1204 Minor Ave.	Seattle	WA	98101		3-2-11	-02
13.	Pierce	Kathleen		1502 Aurora Ave. S.	Tacoma	WA	98465		3-5-11	-02
14.	Pinto	Mark		3419 N. 27 <sup>th</sup> St.	Tacoma	WA	98407	<a href="mailto:markpinto@ymail.com">markpinto@ymail.com</a>	2-24-11	-02
15.	Quilici	Joe	West Slope	1530 Fernside Dr. S.	Tacoma	WA	98465		3-2-11	-02
16.	Rickey	Tom		1522 S. Fernside Dr.	Tacoma	WA	98465		3-2-11	-02
17.	Silva	Dorothy			Tacoma	WA		<a href="mailto:silvadorothy@aol.com">silvadorothy@aol.com</a>	1-28-11	-06
18.	Stark	Lois	Metro Parks Tacoma	4702 S 19th Street	Tacoma	WA	98405		3-11-11	-07
19.	Stave	Kelly			Tacoma	WA		<a href="mailto:Markandkelly88@yahoo.com">Markandkelly88@yahoo.com</a>	2-3-11	-06
20.	Tomberg	Ralph		510 N. Sheridan Ave.	Tacoma	WA	98405	<a href="mailto:rtomberg@nventure.com">rtomberg@nventure.com</a>	3-1-11	-02
21.	Turner	Julie & Jay		817 N. J St.	Tacoma	WA	98403	<a href="mailto:juliejayturner@gmail.com">juliejayturner@gmail.com</a>	3-3-11	-02
22.	Turner	Ted		636 N. Fairview	Tacoma	WA	98406		3-2-11	-02
23.	Wall	Peter	Tacoma Public Schools	3223 S. Union Ave.	Tacoma	WA	98409-3194	<a href="mailto:pwall@tacoma.k12.wa.us">pwall@tacoma.k12.wa.us</a>	3-1-11	-07
24.	Winters	Sharon	Historic Tacoma	P.O. Box 7664	Tacoma	WA	98417		2-24-11	-02
25.	Zurfluh	David	West Slope Neighborhood Coalition	P.O. Box 64321	Tacoma	WA	98464-0321	<a href="mailto:davidzurfluh@msn.com">davidzurfluh@msn.com</a>	3-2-11	-02

\* Comment Key indicates which of the following applications was addressed:

- #2011-01 – 49<sup>th</sup> and Pine Intensity and Zoning Change
- #2011-02 – Historic Preservation Plan and Code Revisions
- #2011-04 – Water Level of Service Standard
- #2011-05 – Transportation Element
- #2011-06 – Regional Centers & Safety-Oriented Design
- #2011-07 – Park Zoning and Permitting
- #2011-08 – Regulatory Code Refinements
- #2011-09 – SEPA Regulations Amendment





**2011 Annual Amendment Application No. 2011-07**  
***Parks Zoning and Permitting***

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DRAFT LAND USE REGULATORY CODE CHANGES  
*March 30, 2011*

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

**13.06.100 – Residential Districts**

**13.06.200 – Commercial Districts**

**13.06.300 – Mixed-Use Center Districts**

**13.06.400 – Industrial Districts**

**13.06.500 – Requirements in all preceding districts**

**13.06.600 – Zoning code administration**

**13.06.700 – Definitions and Illustrations**

\*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~. Additional changes proposed subsequent to the public comment period are highlighted yellow.

**Chapter 13.06**  
**ZONING**

Sections:

- 13.06.100 Residential Districts.**
- 13.06.100.B.1 R-1 Single-Family Dwelling District.
- 13.06.100.B.2 R-2 Single-Family Dwelling District.
- 13.06.100.B.3 R-2 SRD Residential Special Review District.
- 13.06.100.B.4 HMR-SRD Historic Mixed Residential Special Review District.
- 13.06.100.B.5 R-3 Two-Family Dwelling District.
- 13.06.100.B.6 R-4-L Low-Density Multiple Family Dwelling District.
- 13.06.100.B.7 R-4 Multiple-Family Dwelling District.
- 13.06.100.B.8 R-5 Multiple-Family Dwelling District.
- 13.06.105 *Repealed.*
- 13.06.110 *Repealed.*
- 13.06.115 *Repealed.*
- 13.06.118 *Repealed.*
- 13.06.120 *Repealed.*
- 13.06.125 *Repealed.*
- 13.06.130 *Repealed.*
- 13.06.135 *Repealed.*
- 13.06.140 PRD Planned Residential Development District.
- 13.06.145 Small-lot single-family residential development.
- 13.06.150 Accessory dwelling units.
- 13.06.155 Day care centers.
- 13.06.200 Commercial Districts.**
- 13.06.200.A District purposes.
- 13.06.200.B Districts established.
- 13.06.200.B.1 T Transitional District.
- 13.06.200.B.2 C-1 General Neighborhood Commercial District.
- 13.06.200.B.3 C-2 General Community Commercial District.
- 13.06.200.B.4 HM Hospital Medical District.
- 13.06.200.B.5 PDB Planned Development Business District.
- 13.06.200.C Land use requirements.
- 13.06.200.D Building envelope standards.
- 13.06.200.E Maximum setback standards on designated streets.
- 13.06.200.F Common requirements.
- 13.06.300 Mixed-Use Center Districts.**
- 13.06.300.A District purposes.
- 13.06.300.B Districts established.
- 13.06.300.B.1 NCX Neighborhood Commercial Mixed-Use District.
- 13.06.300.B.2 CCX Community Commercial Mixed-Use District.
- 13.06.300.B.3 UCX and UCX-TD Urban Center Mixed-Use District.

- 13.06.300.B.4 RCX Residential Commercial Mixed-Use District.
- 13.06.300.B.5 CIX Commercial Industrial Mixed Use District.
- 13.06.300.B.6 NRX Neighborhood Residential Mixed-Use District.
- 13.06.300.B.7 URX Urban Residential Mixed-Use District
- 13.06.300.B.8 HMX Hospital Medical Mixed-Use District
- 13.06.300.C Applicability and pedestrian streets designated.
- 13.06.300.D Land use requirements.
- 13.06.300.E Building envelope standards.
- 13.06.300.F Maximum setback standards.
- 13.06.300.G Residential X-District Yard Space Standards.
- 13.06.300.H Common requirements.
- 13.06.400 Industrial Districts.**
- 13.06.400.A Industrial district purposes.
- 13.06.400.B Districts established.
- 13.06.400.B.1 M-1 Light Industrial District.
- 13.06.400.B.2 M-2 Heavy Industrial District.
- 13.06.400.B.3 PMI Port Maritime & Industrial District.
- 13.06.400.B.4 ST-M/IC South Tacoma Manufacturing/Industrial Overlay District.
- 13.06.400.C Land use requirements.
- 13.06.400.D Building envelope standards.
- 13.06.410 *Repealed.*
- 13.06.420 *Repealed.*
- 13.06.430 *Repealed.*
- 13.06.500 Requirements in all preceding districts.**
- 13.06.501 Building design standards.
- 13.06.502 Landscaping and/or buffering standards.
- 13.06.503 Residential transition standards.
- 13.06.510 Off-street parking and storage areas.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.
- 13.06.521 General sign regulations.
- 13.06.522 District sign regulations.
- 13.06.525 Adult uses.
- 13.06.530 Juvenile community facilities.
- 13.06.535 Special needs housing.
- 13.06.540 Surface mining.
- 13.06.545 Wireless communication facilities.
- 13.06.550 Work release centers.
- 13.06.555 View-Sensitive Overlay District.
- 13.06.560 Parks, recreation and open space.
- 13.06.600 Zoning code administration – General purposes.**
- 13.06.601 Public Facility Sites – Development Regulation Agreements Authorized.

- 13.06.602 General restrictions.
- 13.06.603 Mineral resource lands.
- 13.06.605 Interpretation and application.
- 13.06.610 *Repealed.*
- 13.06.620 Severability.
- 13.06.625 *Repealed.*
- 13.06.630 Nonconforming  
parcels/uses/structures.
- 13.06.635 Temporary use.
- 13.06.640 Conditional use permit.
- 13.06.645 Variances.
- 13.06.650 Application for rezone of property.
- 13.06.655 Amendments to the zoning  
regulations.
- 13.06.700 Definitions and illustrations.**

8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with residential character.

\* \* \*

**13.06.100 Residential Districts.**

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

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

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

1. Implement the goals and policies of the City’s Comprehensive Plan.
2. Implement the Growth Management Act’s goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas.
4. Protect and enhance established neighborhoods.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.
7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
Master plans for any conditional use	CU	CU	CU	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	N	N	N	N	N	
Microwinery, limited	N	N	N	N	N	N	N	N	
Mobile home/trailer court	N	N	N	N	N	CU	N	N	Subject to additional requirements contained in Section 13.06.502
Nursery	N	N	N	N	N	N	N	N	
Office	N	N	N	N	N	N	N	N	
<u>Parks, and recreation and open space</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit:</u> <ul style="list-style-type: none"> <li>• <u>Destination facilities</u></li> <li>• <u>High-intensity recreation facilities</u></li> <li>• <u>High-intensity lighting</u></li> <li>• <u>Development of more than 20 off-street parking spaces</u></li> </ul> <u>Parks, recreation and open space uses are subject to the requirements of Section 13.06.560, where the above features are defined.</u>
Passenger terminal	N	N	N	N	N	N	N	N	
Personal services	N	N	N	N	N	N	N	P	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	CU	CU	CU	CU	CU	CU	CU	CU	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. See Section 13.06.640.
Religious assembly	CU	CU	CU	CU	CU	CU	CU	CU	
Repair services	N	N	N	N	N	N	N	N	



TMC 13.06.200 Commercial Districts

C. Land use requirements.

4. District use table.

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
Master plans for any conditional use	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	N	N	
Microwinery, limited	N	CU	P	N	CU	Alcohol service, in C-1 and PDB zones, requires a conditional use permit. Must include a retail component that occupies a minimum of 500 gross square feet of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public a minimum of forty (40) hours per week. All production activities must be conducted within an enclosed building. Within C-1 districts, no outside storage is allowed. Outside storage is allowed in all other districts where this use is permitted provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.B.
Mobile home/trailer court	N	N	CU	N	N	
Nursery	N	N	P	N	N	
Office	P	P	P	P	P	
<del>Parks</del> , <u>and</u> recreation <u>and open space</u>	P	P	P	P	P	<u>Subject to the requirements of Section 13.06.560.D.</u>
Passenger terminal	N	N	P	N	N	
Personal services	N	P	P	P	P	See Table 13.06.200.D for size limitation in PDB and HM.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	
Religious assembly	P	P	P	P	P	
Repair services	N	P	P	N	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.

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
<b>1. Designated Pedestrian Streets Requiring Maximum Setback</b>	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).
<b>2. Maximum Setback Applied</b>	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 facade 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.
<b>3. Exceptions</b>	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.. <u>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.</u>

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

**D. Land Use Requirements**

Uses	NCX	CCX	UCX	UCX-TD	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4</sup> (also see footnotes at bottom of table)
Intermediate care facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
Juvenile community facility	P	P	P	P	P/CU	P	N	P/CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.530 for additional information about size limitations and permitting requirements.
Lodging house	P	P	P	P	P	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Master plan for any conditional use	CU	CU	CU	CU	CU	CU	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	N	N	N	P	N	P	N	N	N	Microbreweries shall be limited to 15,000 barrels per year of beer, ale, or other malt beverages, as determined by the filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.
Microwinery, limited	P	P	P	P	N	P	N	N	N	Must include a retail component that occupies a minimum of 500 gross square feet of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public a minimum of forty (40) hours per week. All production activities must be conducted within an enclosed building. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.D.
Mobile home/trailer court	N	N	N	N	N	N	N	N	N	
Nursery	P	P	P	N	N	P	N	N	N	
Office	P	P	P	P	P	P	P	N	N	Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street. <sup>1</sup>
<del>Parks</del> and recreation and open space	P	P	P	P	P	P	P	P	P	Not subject to RCX residential requirement. <sup>1</sup>  <u>Subject to the requirements of Section 13.06.560.D.</u>
Passenger terminal	P	P	P	P	N	P	N	N	N	

F. Maximum setback standards. To achieve a pedestrian serviceable 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:

	<b>Non-residential buildings and/or shopping centers of 30,000 square feet or less floor area</b>	<b>Non-residential buildings greater than 30,000 square feet floor area</b>	<b>Shopping centers greater than 30,000 square feet floor area</b>
NCX, RCX, and UCX-TD Districts	<ul style="list-style-type: none"> <li>5 feet maximum front and corner side setback from the property lines at the public right-of-way for 75 percent of front and corner side facade.</li> </ul>	<ul style="list-style-type: none"> <li>5 feet maximum setback from property lines at the public right-of-way for 75 percent of front and corner side facade.</li> </ul>	<ul style="list-style-type: none"> <li>5 feet maximum setback from property lines at the public right-of-way for at least 75 percent of the front and corner side street frontage of the shopping center.</li> </ul>
CCX Districts	<ul style="list-style-type: none"> <li>10 feet maximum front and corner side setback from the property lines at the public right-of-way for 50 percent of front and corner side facade.</li> </ul>	<ul style="list-style-type: none"> <li>10 feet maximum setback from the property line at the public right-of-way for 50 percent of the front or side of the facade.</li> </ul>	<ul style="list-style-type: none"> <li>10 feet maximum setback from the property lines at the public right-of-way for at least 25 percent of the front and corner side street frontage of the shopping center.</li> </ul>
UCX, HMX and CIX Districts	<ul style="list-style-type: none"> <li>20 feet maximum front and corner side setback from the property lines at the public right-of-way for 50 percent of front and corner side facade.</li> </ul>	<ul style="list-style-type: none"> <li>20 feet maximum setback from the property line at the public right-of-way on either 50 percent of the front or side of the facade.</li> </ul>	<ul style="list-style-type: none"> <li>20 feet maximum setback from the property lines at the public right-of-way for at least 25 percent of the front and corner side street frontage of the shopping center.</li> </ul>
Pedestrian Streets	<ul style="list-style-type: none"> <li>When the site is adjacent to a designated pedestrian street(s), that street(s) frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the facade, as indicated above.</li> <li>When the site has more than two pedestrian street frontages, the primary pedestrian street frontage shall be utilized to meet the maximum setback requirement.</li> </ul>		
Motor Vehicles	<ul style="list-style-type: none"> <li>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.</li> </ul>		
Exceptions	<ul style="list-style-type: none"> <li>In UCX-TD, setback distance beyond the maximum may be used if the additional area is devoted to pedestrian plazas, public open spaces, and/or courtyards, with no motor vehicle use and at least 25 percent of the building frontage meets the maximum setback.</li> <li>In all X-Districts, when there is a steep slope (at least 25% slope with a vertical relief of 10 or more feet) located adjacent to the sidewalk the maximum setback requirement shall be measured from the top or toe of the slope, as appropriate.</li> <li>When a residential buffer is required, the buffer requirement shall supersede the maximum setback requirement (see Section 13.06.502.D).</li> </ul>		
Exemptions in all Mixed-Use Center Districts	<ul style="list-style-type: none"> <li>Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided, the addition reduces the level of nonconformity as to maximum setback.</li> <li>Buildings that are 100 percent residential do not have a maximum setback.</li> <li>The primary building of a fueling station, where fueling 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.</li> <li>Public facilities on sites greater than 5 acres in neighborhood, community and urban mixed-use centers shall be exempt from maximum setback requirements. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities.</li> <li><u>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.</u></li> </ul>		

**13.06.400 Industrial Districts.**

C. Land Use Requirements

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Intermediate care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.
Lodging house	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Master plan for any conditional use	CU	CU	CU	The purpose of this process is to allow an applicant to seek approval for a development program which occupies a large site with multiple-buildings, a complex program, and a detailed plan developed by the applicant which would be implemented in phases and which would extend beyond the normal expiration date, to be reviewed after a ten-year period for those portions of the plan which have not yet been developed.
Microbrewery/winery	P	P	P	
Microwinery, limited	P	P	P	
Mobile home/trailer court	N	N	N	
Nursery	P	P	N	
Office	P*	P*	P	*Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district.
Parks, <del>and</del> recreation <del>and</del> open space	P	P	P	<u>Subject to the requirements of Section 13.06.560.D.</u>
Passenger terminal	P	P	P	
Personal services	P	P	P	

\* \* \*

### **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, 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. Additions/Remodels. Three thresholds are used to gauge the extent of design standard compliance on additions/remodels:

a. Level I remodels and additions include all remodels and/or additions within a two year period with cumulative value of less than 60% of the existing building value, as determined by the applicable Building Code. The requirement for such remodels and additions 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 remodels and additions include all remodels and/or additions within a two year period whose cumulative value ranges from 60% to 200% of the value of the existing 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 Remodels.

c. Level III remodels and additions include all remodels and/or additions within a two year period whose cumulative value exceeds 200% of the value of the existing structure, as determined by the applicable Building Code. Such remodels 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.

5. Residential and/or mixed-use.

a. Single-family dwellings are exempt from these standards.

b. Two and three-family dwellings are subject only to the design standards in Section N.

c. Townhouses are subject only to the design standards in Section O.

d. The standards herein apply to all other residential uses unless otherwise noted.

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 use. Accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters are exempt from the design standards of this section.](#)

<b>Section 13.06.502.B Residential District Landscaping</b>	R-1, R-2, R-2-SRD, HMR-SRD, R-3, R-4, R-4-L, R-5, R-1-PRD, R 2-PRD, R-3-PRD, R-4-PRD, R-4-L-PRD, R-5-PRD
<b>Applicability</b>	
<ul style="list-style-type: none"> <li>• Unless specifically exempted, a landscaping plan shall be provided consistent with this table for all new development of structures and/or parking lots, as well as additions and substantial remodels, as outlined below.</li> </ul>	
<b>Exemptions</b>	
<ul style="list-style-type: none"> <li>• Single-family detached, two-family, and three-family dwellings are exempt from all landscaping requirements contained in this table.</li> <li>• Remodel projects valued at less than 60 percent of the building value, as calculated in the Building Code, are exempt from all landscaping requirements contained in this table.</li> <li>• Building additions and buildings added to sites with existing structures are exempt from the landscaping requirements contained in this table, except for street tree requirements and Buffer Planting Areas. Street trees and Buffer Planting Areas are only required along property lines adjacent to the building addition. If the required Buffer Planting Area cannot be provided because of legally existing development, the maximum possible Buffer Planting Area shall be provided and this area shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> <li>• Parking lots of 20 stalls or less, located behind buildings and accessed by alleys, are exempt from the perimeter strip, buffer and interior landscaping distribution requirements below. This exemption does not apply to the minimum landscaping area requirement; provided, the minimum area is fully planted with a mixture including the required quantity of trees, shrubs, and/or groundcovers.</li> <li>• <u>Parking lots of 20 stalls or less and loading areas are exempt from the interior landscaping distribution requirements to allow flexibility in placement of required landscaping.</u></li> <li>• <u>Park and recreation uses are only required to meet the Overall Site and Planting Requirements of this table. Passive open space areas of such uses are exempt from all landscaping requirements of this table.</u></li> </ul>	
<b>Minimum Landscaping Area</b>	
Overall site	<ul style="list-style-type: none"> <li>• A minimum of 5 percent of the entire site minus the area covered by structures in R-4-L, R-4, and R-5 Districts, and conditional uses permitted in Section 13.06.640.</li> <li>• The percentage identified above is the minimum requirement for these districts. Requirements that follow may necessitate more landscaping than this minimum.</li> <li>• Parking lots of 20 stalls or less, located behind buildings and accessed by alleys, are only required to meet the minimum percent for overall site landscaping, outlined above.</li> <li>• These landscaped areas shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> </ul>
Site perimeter strip	<ul style="list-style-type: none"> <li>• Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys.</li> <li>• A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.</li> <li>• A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.</li> <li>• The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> </ul>

<b>Section 13.06.502.C Commercial District Landscaping</b>	<b>T, C-1, C-2, HM, PDB</b>
<b>Applicability</b>	
<ul style="list-style-type: none"> <li>• Unless specifically exempted, a landscaping plan shall be provided consistent with this table for all new development of structures and/or parking lots, as well as additions and substantial remodels, as outlined below.</li> </ul>	
<b>Exemptions</b>	
<ul style="list-style-type: none"> <li>• Single-family, two-family, and three-family dwellings are exempt from all landscaping requirements contained in this table.</li> <li>• New buildings that are less than 250 square feet of floor area are exempt from all landscaping requirements contained in this table. However, such new buildings shall not be constructed within required Buffer Planting Areas.</li> <li>• Building remodels are exempt from all landscaping requirements contained in this table.</li> <li>• Building additions and buildings added to sites with existing structures are exempt from the landscaping requirements contained in this table, except for street tree requirements and Buffer Planting Areas. Street trees and Buffer Planting Areas are only required along property lines adjacent to the building addition. If the required Buffer Planting Area cannot be provided because of legally existing development, the maximum possible Buffer Planting Area shall be provided and this area shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> <li>• Parking lots of 20 stalls or less, loading areas, and fueling stations are exempt from the Interior Landscaping Distribution requirements contained in the Planting Requirements section of this table, to allow flexibility in placement of required landscaping.</li> <li>• Parking lots of 20 stalls or less, located behind buildings and accessed by alleys, are exempt from the Perimeter Strip, Buffer and Interior Landscaping Distribution requirements below.</li> <li>• <u>C, T, HM, or PDB property across an arterial street or highway from R-District property is not required to provide a Buffer Planting Area along the affected property line abutting the arterial street or highway.</u></li> <li>• <u>Park and recreation uses are only required to meet the Overall Site and Planting Requirements of this table. Passive open space areas of such uses are exempt from all landscaping requirements of this table.</u></li> </ul>	
<b>Minimum Landscaping Area (unless exempted above)</b>	
Overall site	<ul style="list-style-type: none"> <li>• A minimum of 10 percent of the entire site minus the area covered by structures in T, C-1, C-2, HM, and PDB Districts.</li> <li>• Parking lots of 20 stalls or less, located behind buildings and accessed by alleys, are only required to meet the minimum percent for overall site landscaping, outlined above.</li> <li>• Landscaped areas shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> </ul>
Site perimeter strip	<ul style="list-style-type: none"> <li>• Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys.</li> <li>• A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.</li> <li>• A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.</li> <li>• The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> </ul>



<b>Section 13.06.502.D X-District Landscaping</b>	<b>RCX, NCX, CCX, UCX, UCX-TD, CIX, URX, HMX, NRX</b>
<b>Applicability</b>	
<ul style="list-style-type: none"> <li>• Unless specifically exempted, a landscaping plan shall be provided consistent with this table for all new development of structures and/or parking lots, as well as additions and substantial remodels, as outlined below.</li> </ul>	
<b>Exemptions</b>	
<ul style="list-style-type: none"> <li>• Single-family detached dwellings are exempt from all landscaping requirements contained in this table.</li> <li>• Buildings that are less than 250 square feet of floor area are exempt from all landscaping requirements contained in this table. However, such new buildings shall not be constructed within required Buffer Planting Areas.</li> <li>• Parking lots of 15 stalls or less, loading areas, and fueling stations are exempt from the Interior Landscaping Distribution requirements contained in the Planting Requirements section of this table, to allow flexibility in placement of required landscaping.</li> <li>• Parking lots of 15 stalls or less, located behind buildings and accessed by alleys, are exempt from the Perimeter Strip, Buffer and Interior Landscaping Distribution requirements below.</li> <li>• <u>Property across an arterial street or highway from R-District property is not required to provide a Buffer Planting Area along the affected property line abutting the arterial street or highway.</u></li> <li>• <u>Park and recreation uses are only required to meet the Front Yard and Planting Requirements of this table. Passive open space areas of such uses are exempt from all landscaping requirements of this table.</u></li> </ul>	
<b>Additions/Remodels.</b>	
<p>Three thresholds are used to gauge the extent of landscaping standard compliance on additions/remodels:</p> <ul style="list-style-type: none"> <li>• Level I remodels/additions include all remodels and/or additions within a two year period with value of less than 60% of the existing building value, as determined by the Building Code. The requirement for such remodels is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, for an expanded parking area, landscaping would be required for the new parking area, but the applicant would not be required to bring an existing parking lot into conformance with these landscaping standards.</li> <li>• Level II remodels/additions include all remodels and/or additions within a two year period whose value ranges from 60% to 200% of the value of the existing structure, as determined by the Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II.</li> <li>• Level III remodels/additions include all remodels and/or additions within a two year period whose value exceeds 200% of the value of the existing structure, as determined by the Building Code. Such remodels shall conform to ALL standards.</li> </ul> <p>The standards do not apply to remodels that do not change the exterior appearance of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.</p>	
<b>Minimum Landscaping Area (unless exempted above)</b>	
Overall site	<ul style="list-style-type: none"> <li>• A minimum of 15 percent of the entire site for single-purpose residential developments.</li> <li>• Exceptions and departures to landscaped area requirement. <ul style="list-style-type: none"> <li>i. Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no landscaping requirement. If 50 percent of the parking is structured, then the amount of required landscaping is reduced by 50 percent (to 7.5 percent).</li> <li>ii. Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements.</li> <li>iii. Planting strips within street rights-of-way shall not be included in required landscaped areas.</li> </ul> </li> <li>• Landscaped areas shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> </ul>

<b>Section 13.06.502.E Port Maritime and Industrial District Landscaping</b>	<b>M-1, M-2, PMI</b>
<b>Applicability</b>	
<ul style="list-style-type: none"> <li>• Unless specifically exempted, a landscaping plan shall be provided consistent with this table for all new development of parking areas over 20,000 square feet of gross lot area, for perimeter strips adjacent to arterial street frontages, for street trees, and for buffer plantings abutting R-District property.</li> <li>• Required landscaping and perimeter strips may be substituted with central landscaping, except where necessary to screen an outdoor storage or industrial use from an R-District property. Central landscaping is in equal proportion to that which would have been required and that which can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc. Required landscaping and perimeter strips are those not otherwise exempted by the provisions in this section.</li> </ul>	
<b>Exemptions</b>	
<ul style="list-style-type: none"> <li>• Building remodels are exempt from all landscaping requirements contained in this table.</li> <li>• Building additions and buildings added to sites with existing structures are exempt from the landscaping requirements contained in this table, except for street tree requirements and Buffer Planting Areas. Street trees and Buffer Planting Areas are only required along property lines adjacent to the building addition. If the required Buffer Planting Area cannot be provided because of legally existing development, the maximum possible Buffer Planting Area shall be provided and this area shall be covered with a mixture of trees, shrubs, and groundcover plants.</li> <li>• Required landscaping and perimeter strips may be exempted if demonstrated that such requirement would interfere with adjacent or intersecting railroads, including private spur railroads, existing storm water ditches, or national security requirements, or if demonstrated that there is a 20-foot vertical grade difference between the properties that offers comparable protection.</li> <li>• When there is a 20-foot vertical grade difference between M or PMI District property that is abutting R-District property, no buffer is required along the affected property line if such grade difference is demonstrated to provide comparable protection.</li> <li>• <u>When there is a 20-foot vertical grade difference between M or PMI District property that is located across the street or alley from R-District property or adjacent to R-District property within a mixed-use district center, no buffer is required along the affected property line if such grade difference is demonstrated to provide comparable protection.</u></li> <li>• <u>Park and recreation uses are only required to meet the Minimum Landscaping Area-Overall site requirements and the Planting Requirements of this table. Passive open space areas of such uses are exempt from all landscaping requirements of this table.</u></li> </ul>	

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**13.06.511 Transit support facilities.**

A. Purpose. It is found and declared that new development and redevelopment in the City of Tacoma creates a need for transit support facilities, namely benches and shelters, and that such development should provide for such facilities based on existing or potential transit ridership and Pierce Transit standards. Such seating and weather protection, where warranted, are needed for those who depend on transit for daily transportation; these facilities also help encourage use of the transit system, which is consistent with the Comprehensive Plan.

B. Applicability. These provisions apply Citywide to all new development, remodels exceeding 60 percent of building value as determined by the Building Code, and additions to existing buildings over 5,000 square feet of floor area or 75 percent of floor area on streets where regularly scheduled transit service is provided.

C. Projects required to provide transit support facilities. Any single-family or multiple-family residential, ~~or commercial, or industrial,~~ project or park or recreation project that will be located on, or within 500 feet of, a street where regularly scheduled transit service is provided, and meets the project size thresholds in Table 13.06.511.D.1 below, shall be

required to provide a concrete pad(s) for the required transit support facilities and pay to Pierce Transit the costs of providing and installing such facilities, unless mutually agreeable alternative arrangements for providing support facilities that conform to Pierce Transit’s standards are agreed to between the project applicant and Pierce Transit. In addition, for parks, recreation and open space uses required to obtain a Conditional Use Permit, the Land Use Administrator shall determine the appropriate transit support facilities based on the methodology outlined below. For projects subject to the transit support facilities standard, evidence of compliance with this requirement shall be provided to Building and Land Use Services prior to issuance of a certificate of occupancy.

D. Facility standards. Two benches and foundation pads are to be provided at a bus stop within 500 feet of the proposed project where at least five transit riders are expected to board buses on an average weekday. Two foundation pads and shelters are to be provided at a bus stop within 500 feet of the proposed project where at least ten transit riders are expected to board buses on an average weekday. Where there are multiple transit stops within 500 feet of the project site, Pierce Transit shall be consulted as to the need for an appropriate location for the transit support facilities.

<b>TABLE 13.06.511.D.1</b>	<b>2 Benches and Foundation Pads (for future transit provided shelters)</b>	<b>2 Foundation Pads and Shelters</b>
Office	16,000–32,000 square feet of floor area	Over 32,000 square feet
Retail and service	5,000–10,000 square feet of floor area	Over 10,000 square feet
Shopping center	4,000–8,000 square feet of floor area	Over 8,000 square feet
Convenience market	2,000-4,000 square feet of floor area	Over 4,000 square feet
Fast-food restaurant	1,000-2,000 square feet of floor area	Over 2,000 square feet
Manufacturing	45,000–90,000 square feet of floor area	Over 90,000 square feet
Single-Family Housing	60–120 dwelling units	More than 120 dwelling units
Duplexes, Triplexes and Multi-family Housing	30–60 dwelling units	More than 60 dwelling units
<u>Parks and recreation (as defined in Section 13.06.560.C)</u>	<u>High-intensity recreation facilities</u>	<u>Destination facilities</u>

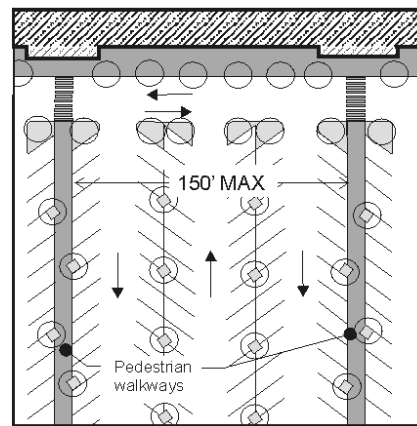
Note: These project thresholds are generally based on trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6<sup>th</sup> Edition, and Pierce Transit data showing 3% of weekday vehicular trips are on transit.

E. Exemptions. Where the required transit support facility(ies) (a bench or shelter) already exist(s) at the nearest bus stop pair (the closest stops on both sides

of the street), projects shall be exempt from these requirements.

### 13.06.512 Pedestrian and bicycle support standards.

<b>A. General Applicability.</b>	
1.	Application. The pedestrian and bicycle support standards apply to all new development, unless specifically exempted herein.
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.	Additions. Additions up to 5,000 square feet of floor area or 75 percent of floor area, whichever is less, shall be exempt from these standards. Larger additions shall meet the requirements of this table at a ratio of at least 1 to 5 (such that a 1 percent increase in floor area will necessitate provision of 5 percent of the requirements of this table for the site; a 2 percent increase in floor area will necessitate provision of 10 percent of the requirements; and so forth, up to where a 20 percent or larger increase in floor area will necessitate provision of 100 percent of the requirements).
4.	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.
5.	Temporary. Temporary structures are exempt from the standards of this section.
6.	Remodel. Remodel projects valued below 60 percent of the building value, as determined by the Building Code are exempt from the standards of this section.
7.	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.
<u>8. Parks, recreation and open space uses shall meet the standards of this table, except as specifically exempted below.</u>	
89.	Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.
910.	Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.
<b>B. Walkways (Illustrated). 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.</b>	
1.	Direct. 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.
2.	Multiple use sites. Shopping centers and sites with multiple uses shall provide a walkway network along building facades 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. 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.
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. <u>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).</u>



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.
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. <u>or to parks, recreation and open space uses without buildings adjacent to the street.</u>
<b>C. Street Furniture. To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including resting places at reasonable intervals.</b>
1. Minimum. A minimum of one fixed bench or equivalent seating area for every 250 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 250 feet of street frontage. Projects in the PMI District are exempt from this requirement. <u>Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings.</u>
2. Minimum on designated pedestrian streets in Mixed-Use Center Districts. A minimum of one fixed bench or equivalent seating area for every 150 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 150 feet of street frontage. <u>Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings.</u>
3. Design. Furniture shall be consistent with any applicable adopted business area improvement plans and shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture.
4. Credit. Any adjacent public street furniture can be counted toward this requirement.
<b>D. Bicycle Parking. To support transportation choices, including biking, the following standards shall be met for more visible and secure locations for bicycle parking.</b>
1. Quantity in T, C-1, C-2, HM, and PDB. Minimum 3 percent of the requirement for automobile parking spaces for the first 300 car stalls and 1 percent of car stalls in excess of 300. A minimum of 2 bike spaces is required, except sites requiring 5 or fewer car stalls are exempt from bike parking. Adjacent public bike racks can be counted toward this requirement.
2. Quantity in Mixed-Use Center Districts. Five percent of the requirement for automobile parking spaces for the first 300 automobile stalls and 1.5 percent of automobile stalls in excess of 300, but no less than 2 bicycle stalls. Sites requiring 5 or fewer automobile stalls are exempt from this requirement, except for sites exempted from parking requirements due to their location along core pedestrian streets in neighborhood mixed-use centers (see Section 13.06.510.A.1 Table 2), where the number of required bicycle parking stalls shall be based on the amount of parking that would've been required for the project if it were not exempted.  Adjacent public bike racks can be counted toward this requirement. Any form of vehicle storage, including auto dealers, counts only customer and employee parking to determine bike parking requirement.
<u>3. For park and recreation uses where no vehicular parking is required, a minimum of 2 bike spaces for every 500 feet of street frontage is required in all residential, commercial or industrial zones; in Mixed-Use Center zones a minimum of 2 bike spaces for 250 feet of street frontage is required. The amount shall be no less than 2 bike spaces. Adjacent public bike racks can be counted toward this requirement.</u>
<u>34. Location. Bicycle parking shall be located within 50 feet of the primary building entrance for individual sites. Bicycle parking may be grouped near an owner designated primary entrance in shopping centers. Bicycle parking may be shared at a common location on the same block and same side of the street; provided, the quantity meets the total requirement and is no more than 100 feet from any site served. Bicycle parking shall not block pedestrian use of a walkway.</u>

\* \* \*

**13.06.520 Signs.**

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

\* \* \*

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

\* \* \*

K. Temporary signs. Special regulations governing temporary signs are as follows:

\* \* \*

3. All temporary signs must be ~~located on private property~~authorized by the public or private property owner.

\* \* \*

**13.06.522 District sign regulations.**

A. R-1 Sign regulations. One non-illuminated sign, not exceeding 12 square feet in area shall be allowed pertaining to the lease, rental, or sale of a building or premises on which it is located. One non-illuminated nameplate, not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each adult family home, staffed residential home, group home, residential care facility, and family day care home. One ground sign shall be allowed, with a maximum area of 30 square feet identifying a subdivision. A subdivision identification sign shall be approved by the Land Use Administrator. A 32-square-foot temporary sign advertising a subdivision during construction shall be allowed adjacent to each street abutting the site, in conformance with Chapter 13.04.

Parks, recreation and open space uses on sites that are under one acre in size or which have less than 100 feet of street frontage are allowed the following non-illuminated signs:

- One ground sign with a maximum area of 30 feet;
- Interpretive or directional signs not more than 7 feet in height and 20 feet in sign area.

Parks, recreation and open space uses on sites over one acre in area that have a minimum of 100 feet of street frontage shall be allowed the following:

- One freestanding sign, not exceeding 40 square feet in area per face and not greater than 8 feet in height (or, up to 15 feet in height in association with conditional parks and recreation uses);
- One building face sign, of the same maximum dimension. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.
- One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage.
- Interpretive or directional signs, not to exceed 7 feet in height and 30 square feet in sign area.
- All signs shall meet the lighting, materials and location requirements applicable to signs for conditional uses in residential districts, as contained in this section.

\* \* \*

I. Sign regulations for conditional uses in residential districts and specified uses in all districts.

1. Application. The following regulations apply to conditional uses as designated. These regulations also apply to the uses noted as permitted uses in any district when the provisions below provide the greater sign allowance, in whole or in part.

2. For conditional uses in residential districts limited to public and private schools, ~~public park facilities,~~ and churches on sites that are over one acre in area and have a minimum of 100 feet of street frontage, one freestanding sign, not exceeding 40 square feet in area per face and not greater than 15 feet in height, and one building face sign, of the same maximum dimension, shall be allowed for each conditional use. One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.

\* \* \*

### 13.06.560 Parks, Recreation and Open Space

A. Purpose: This section describes the review process for parks, recreation and open space uses in residential zones, and provides development standards applicable to those uses in specified zones. Parks, recreation and open space uses are generally permitted outright in non-residential zones, as specified in the pertinent sections of the Zoning Code.

#### B. Scope and Applicability:

The review process provisions of this section apply to all parks, recreation and open space uses in residential zones; the development standards are applicable as specified.

#### C. Review Process in Residential Zoning Districts:

The following definitions of Conditional park and recreational features are intentionally descriptive, rather than proscriptive. The intent is to provide clarity, while retaining adequate flexibility to accommodate future trends in park and recreational activities.

1. Parks, recreation and open space uses are permitted outright in residential zones. The following park and recreation features and facilities require a Conditional Use Permit in residential zones, unless exempt per TMC 13.06.560.C.2:

a. Destination facilities: Zoos, stadiums, community centers, recreation centers, indoor or outdoor swimming pools, indoor recreational facilities, and similar large-scale buildings or facilities providing a site or forum for sports, events, major gatherings, exhibitions or similar activities. Destination facilities are likely to attract a substantial proportion of users from beyond the immediate neighborhood.

b. High-intensity recreation facilities: Outdoor sports fields, athletic facilities, specialized recreation facilities (e.g., spray parks, dog parks, skateboard parks), and other facilities accommodating high-intensity outdoor recreational activities. High-intensity recreation facilities are likely to attract a substantial proportion of users from beyond the immediate neighborhood. In some cases, high-intensity recreation facilities are defined by the presence of multiple sports fields, courts or other features which, when taken together, are likely to become attractions beyond the immediate neighborhood.

The following features, or combinations of features, constitute high-intensity outdoor recreation facilities. These thresholds could be exceeded either through a single development action, or cumulatively (for example, a second sports field added to a site already

developed with one, would constitute a high-intensity recreational facility).

(1) Two or more baseball, softball, football, soccer, rugby or similar sports fields improved with permanent sports and/or spectator features;

(2) Two or more basketball courts or four or more half basketball courts;

(3) Four or more tennis, handball or similar sports courts;

(4) Specialized high-intensity recreation facilities with a site footprint greater than 1,500 square feet;

Small-scale neighborhood-serving recreation facilities, play structures or equipment, picnic tables and shelters, street furniture, pervious fields without permanent sports, recreation or spectator facilities, and small-scale sports or recreation features dispersed within a substantially larger site do not constitute high-intensity recreation facilities.

c. High-intensity lighting: Flood lighting associated with, and bright enough to enable, organized team and/or spectator-oriented night-time sports, recreational or other outdoor events.

Parking lot lighting, pedestrian-scale lighting and security lighting do not constitute high-intensity lighting per this definition.

d. Parking: Development of more than 20 off-street parking spaces associated with a parks, recreation or open space use.

2. Expansions or modifications of existing Conditional park and recreation facilities shall require review as follows:

a. Expansions or modifications to Destination facilities, High-intensity lighting and Parking are subject to the Major Modification thresholds of Section 13.05.080.

b. High-intensity recreation facilities: Expansions or modifications exceeding one or more of the following thresholds shall require a Major Modification:

(1) Exceeds one or more of the numerical thresholds for specific types of high-intensity recreation facilities listed in Section 13.06.560.C.1.b. For example, development of two or more sports fields, or expansion of a specialized recreation facility, such as a spraypark, by 1500 square feet or more, requires a Major Modification.

(2) Exceeds any of the Major Modification thresholds of Section 13.05.080, with the exception that high-intensity recreation facilities are not subject to Section 13.05.080.B.2 pertaining to total site structures, or to Section 13.05.080.B.4 pertaining to total site impervious surface.

3. Distance-based Conditional Use Permit exemption. This provision modifies the review process for certain park and recreation features and facilities which would otherwise be conditional, when they are located far enough away that impacts to residential neighborhoods would be limited. Most potential impacts decrease with distance. However, substantial traffic, noise and light generation can cause impacts over longer distances.

a. Except for destination facilities and high-intensity lighting, park and recreation uses and facilities listed as conditional features in 13.06.560.C.1 are exempt from the Conditional Use Permit requirement if located more than 1,000 feet from any other residentially zoned property.

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

#### D. Development standards

1. Applicability: The standards contained in this section are specific to parks, recreation and open space uses, and are meant to be applied along with other applicable regulations though multiple other sections of the Zoning Code are also applicable to those uses.

The following standards apply to both permitted and conditional parks, recreation and open space uses, whether or not a permit or authorization is required. Additional requirements may be imposed through the Conditional Use Permit process, when required per Section 13.06.560.C.

#### 2. Standards

a. Identification signage. Every park or recreation use (excluding passive open space) must be furnished with at least one sign, legible from an abutting public right-of-way, indicating the name of the site, the parties responsible for its management, and sufficient information for members of the public to contact those parties. The City of Tacoma and Metro Parks Tacoma's name constitutes adequate contact information. The required identification sign shall meet the requirements of Section 13.06.520 and does not constitute an additional sign allowance.

b. Ancillary sales and service features. Within residential zoning districts, commercial activities clearly ancillary to the recreational function may be located within park, recreation or open space sites provided the following:

(1) Only food sales, park or recreation-oriented concessions, or rental of recreational equipment are permitted;

(2) The feature must be a minimum of 100 feet from adjacent residentially zoned properties;

(3) Hours of operation are limited to the hours the park is open to the public;

(4) The footprint may not exceed 500 square feet;

(5) No signage visible from public rights-of-way is permitted;

(6) More substantial sales and service features may be considered through the Conditional Use Permit process, as part of a destination facility or high-intensity recreation facility as defined in Section 13.06.560.C.

Refer to Chapter 8.27 Parks Code, and to Sections 13.06.500 and 13.06.600 for the following requirements pertinent to parks, recreation and open space uses:

13.06.501 Building Design Standards

13.06.502 Landscaping and/or buffering standards.

13.06.510 Off-street parking and storage areas.

13.06.511 Transit Supportive Facilities.

13.06.512 Pedestrian and bicycle support standards.

13.06.520 Signs.

13.06.602 General restrictions.

\* \* \*



**13.06.602 General restrictions.**

A. This section contains general provisions for use, height, area, setbacks and yards. The following provisions apply to all zoning districts, except as hereinafter provided, and except where modified by the provisions of Chapter 13.06A relating to Downtown Districts, Chapter 13.10 relating to Shoreline Management, and other sections of the TMC:

\* \* \*

g. Side yard setbacks for schools, religious assemblies, and institutions. Public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in an R-1, R-2, R-3, HMR-SRD, or R-4-L District, shall provide side yard setbacks of not less than 20 feet (see Section 13.06.602.A.4.p. below, for parks, recreation and open space setbacks).

h. Side yard setbacks, institutions in Multiple-Family Dwelling Districts. Side yard setbacks for public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in an R-4 Multiple-Family Dwelling District, shall be not less than 25 feet in width and, in an R-5 Multiple-Family Dwelling District, not less than 30 feet in width (see Section 13.06.602.A.4.p. below, for parks, recreation and open space setbacks).

\* \* \*

p. The following setbacks apply to parks, recreation and open space uses:

(1) Parking lots, designated areas for active play, play structures, picnic tables and areas, and structured gathering or seating areas shall provide a minimum 10-foot setback from abutting residentially zoned properties;

(2) Buildings and structures shall meet the setbacks for the zoning district, and shall provide a minimum 20-foot side yard setback in residential zoning districts;

(3) Garbage and recycling collection areas shall provide a minimum 20-foot setback from abutting properties. Trash receptacles for pedestrian use are exempt.

(4) Outdoor sports courts, sports fields, swimming pools, or other sports facilities, and any lighted outdoor recreation facilities, shall provide a minimum 50-foot setback from abutting residentially zoned properties and a minimum 25 foot setback from

abutting properties in all other zones (with the exception of industrial zones).

\* \* \*

**13.06.640 Conditional use permit.**

\* \* \*

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

### 13.06.700 Definitions and illustrations.

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

13.06.700.A

\* \* \*

Assembly facilities. Privately operated facilities for the principle purpose of public meetings and social gatherings (including incidental recreation), including community halls, union halls, exhibition halls, social clubs, and youth centers. This use shall not include stadiums or public or quasi-public parks, recreation or open space.

Commercial recreation and entertainment. Private provision of participant or spectator recreation or entertainment. This classification includes uses such as privately operated sports stadiums and arenas, amusement parks, bingo parlors, bowling alleys, billiard parlors, poolrooms, dance halls, ice/roller skating rinks, miniature golf courses, golf driving ranges, archery ranges, scale-model courses, shooting galleries, tennis/racquetball courts, croquet courts, swim clubs, health/fitness clubs, and pinball arcades or electronic gaming centers having more than five coin-operated game machines. This use does not include public or quasi-public parks, recreation or open space, theaters or golf courses.

\* \* \*

Open space. Land undeveloped with structures which may be managed or utilized for a variety of purposes. The term open space is employed differently in different code sections, generally either to refer to public or quasi-public land maintained for its natural features (see Parks, recreation and open space definition), or to an area within subdivisions or developments which provides a separation between structures, a buffer between different uses, recreation opportunities or similar functions.

\* \* \*

Parks, and recreation and open space. Metropolitan Park District, City of Tacoma, or other public/quasi-public parks, playgrounds, community gardens, and active-use open spaces, including commonly associated uses and features such as recreation facilities and community centers located within such sites; and, undeveloped, passive use public or quasi-

public open space lands maintained primarily in a natural state for their conservation, aesthetic and other open space benefits. Open space may be enhanced with low-impact public access features such as trails and viewpoints, on-site parking, small buildings such as storage structures, bathrooms or picnic shelters, or interpretive signage and other limited improvements, and may serve additional public purposes. See Section 13.06.560.

# 2011 Annual Amendment Application No. 2011-08: Zoning Code Refinements

## PROPOSED SUPPLEMENTARY CODE CLARIFICATIONS

March 30, 2011

**Staff Note:** *None of these represent substantive changes in the associated requirements, either to the existing code requirements or to the proposed changes that were included in the public review document. These proposed changes come from further staff review and code-testing and represent additional technical modifications to better ensure consistency and clarity, such as new references, language modifications, and removing conflicting text.*

### DAYCARE CENTERS

**Issue:**

As part of the 2008 Annual Amendment, the City converted the residential portion of the code into a table format. The residential use table outlines which uses are permitting, not-permitted or conditional in the various residential zoning districts. It was recently discovered that the daycare section of the code (Section 13.06.155) includes a purpose statement that generally describes where daycare centers require conditional use permits. This discussion is unnecessarily repetitive and somewhat inconsistent with the new residential use table.

**Proposed Change:**

Remove the repetitive and conflicting language in 13.06.155:

**13.06.155 Day care centers.**

A. Purpose. It is found and declared that day care centers are facilities which perform a needed community service. The City of Tacoma recognizes the need for locating day care centers within areas which they service ~~and. When locating in R-1, R-2, R-2SRD, HMR-SRD, and R-3 Districts, day care centers shall obtain a conditional use permit. Day care centers with an enrollment of more than 50 children or adults in PRD Districts and in R-4 L, R-4, and R-5 Multiple Family Dwelling Districts shall also obtain a conditional use permit. The purpose of requiring a conditional use permit is to~~ ensure, to the extent possible, that day care centers in residential districts will be compatible with the neighborhood and will not adversely affect neighboring properties.

### PARKING LOT TREES

**Issue:**

Within the X-Districts, parking lots are required to have internal islands with trees, with the intent of breaking up large parking areas. The existing requirement is not as clear as it should be and has caused some confusion in implementation.

**Proposed Clarification:**

Clarify the language as follows:

Parking Lot Landscaping	<ol style="list-style-type: none"><li>2. Internal parking lot landscaping:<ol style="list-style-type: none"><li>a. Planting areas with trees are required at all parking aisle ends.</li><li>b. <u>Long rows of parking shall be broken by islands or peninsulas with trees such that there are</u> <del>There are</del> shall be no more than eight parking stalls in a row without a tree.</li><li>c. Trees shall be provided at an average of 30-foot intervals along walkways within or adjacent to parking lots.</li><li>d. Type C Landscaping shall be used for internal parking lot landscaping.</li><li>e. Bioretention cells or swales may be incorporated into required planting areas.</li></ol></li></ol>
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**RESIDENTIAL PARKING RESTRICTION**

**Issue:**

Required vehicle access and parking in Residential Districts is required to be located at the rear portion of the lot if suitable access is available (Section 13.06.510.A.6). This significant requirement sometimes goes unnoticed by applicants and thus should be moved to a more prominent location.

**Proposed Clarification:**

Move this residential parking restriction from the parking section of the code (replace with a reference there) to the end of the Development Standards table for the residential zoning districts (in 13.06.100), which is where all of the other basic residential development standards are outlined, such as height limits, setbacks, etc. While there is no proposed change to the standard, here is the text:

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
<b><u>Other Development Standards</u></b>								
<u>Vehicle access and parking</u>	<u>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, subject to determination by the City Engineer, then vehicular access to the front may be developed. However, 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.</u>							

**BUSINESS SIZE LIMITATION IN HM AND HMX DISTRICTS**

**Issue:**

Within the HM (Hospital-Medical), HMX (Hospital-Medical Mixed-Use) and PDB (Planned Business) zoning districts the code includes a size restriction on certain types of businesses (retail, restaurant and personal services). The intent of this provision was to limit the potential for big-box retail and other large service uses to locate within the limited areas of the City that have been designated for large medical facilities and office complexes. Unfortunately, this restriction is described in a few different ways – in one part of the code it discusses this restriction as “per business” while in another portion it discusses this limitation as “per development site.” This can be a particular issue for large sites that wish to incorporate multiple small businesses, which is consistent with the intent and should be permitted.

**Proposed Clarification:**

Clarify and make consistent the business size limitation in the HM, HMX and PDB districts. In all cases, the limitation should be per business and not per site.

**TOWNHOUSE DESIGN STANDARDS**

**Issue:**

As part of the proposed amendments this year the townhouse design standards are being made consistent for all districts. Unfortunately, in the initial draft staff forgot to change the heading in the townhouse design standards section (13.06.501.O) to clarify that it will now apply to all districts.

**Proposed Clarification:**

Modify the existing language in the table heading as follows:

**O. ~~X-District~~ Townhouse Standards.** The following requirements apply to all townhouse dwellings in all X-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.