



City of Tacoma
Planning and Development Services

Agenda Item
D-3

TO: Planning Commission
FROM: Elliott Fitzgerald, Planning Services Division
SUBJECT: Annual Amendment #2015-10
DATE: June 26, 2015

At the July 1, 2015 meeting, staff will present the proposed minor and “clean-up” amendments staff has compiled for inclusion in this year’s annual amendment process. These amendments are generally designed to address inconsistencies, correct minor errors, and improve provisions that, through administration and applications of the Land Use Regulatory Code, are found to be unclear or not fully meeting their intent.

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

- Amending review criteria for Development Regulation Agreements
- Allowing height variances for structures that are not accessory buildings, as well as those that are outside of the View-Sensitive Overlay District
- Allowing apartment signs in Residential Districts
- Having a clear “sunset clause” for discontinued Conditional Use Permits
- Revising terminology and updating references to comply with the NPDES Phase I Municipal Stormwater Permit

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

If you have any questions, please contact me at (253) 591-5379 or efitzgerald@cityoftacoma.org.

c: Peter Huffman, Director

Attachment



2015 Annual Amendment Application No. 2015-10
Minor Amendments and Refinements

STAFF REPORT

Application #:	2015-10
Applicant:	City of Tacoma, Planning and Development Services
Contact:	Elliott Fitzgerald, Planning Services Division
Type of Amendment:	Regulatory Code Text Changes
Current Land Use Intensity:	Various
Current Area Zoning:	Various
Size of Area:	Not Applicable
Location:	City-wide
Neighborhood Council area:	City-wide
Proposed Amendment:	Various amendments to the Land Use Regulatory Code to address inconsistencies, correct minor errors, and provide additional clarity.

General Description of the Proposed Amendment:

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

A general summary of the proposed amendments is as follows:

Changes to Chapter 13.02 – Planning Commission, including:

- Clarification that members of the Planning Commission may continue to serve beyond their scheduled departure date in cases in which their successor has yet to be appointed.
- Revision to the quorum requirements to allow a majority of appointed filled positions to constitute a quorum for the transaction of official business of the Planning Commission. Currently, a quorum consists of “a majority of the members of the Commission”, which creates issues when there are positions of the Commission that are not filled.

Changes to Chapter 13.04 – Platting and Subdivisions, including:

- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.
- The addition of provisions to promote bicycle and pedestrian connectivity within dead-end/cul-de-sac developments.

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

- Revisions to the notice process for a Conditional Use Major Modification land use application.
- Modifications to the review criteria for Development Regulation Agreements to clarify that the City shall be the lead agency in the SEPA process and that projects may receive credit for the incorporation of Low Impact Development Best Management Practices.

Changes to Chapter 13.06 – Zoning, including:

- Revisions to the district use tables. A master plan for a conditional use is not an actual use type – this has been removed from the district use tables and a new description of the process is now incorporated in the section pertaining to conditional uses. Furthermore, all references to the HM zone have been removed since there are no longer any properties with this zoning classification within the City.
- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.
- The addition of provisions to address façade design of parking garages along designated pedestrian streets.
- The addition of provisions to allow ground signs for residential developments of four or more dwelling units.
- The addition of provisions to establish a clear “sunset clause” for discontinued conditional uses.
- Revisions to the variance section to consider building height as a possible type of variance to development regulations.

Changes to Chapter 13.06A – Downtown, including:

- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.

Changes to Chapter 13.09 – South Tacoma Groundwater Protection District, including:

- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.

Changes to Chapter 13.11 – Critical Areas Preservation

- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.

Changes to Chapter 13.16 – Concurrency Management System

- Revisions to terminology and references in order to comply with the NPDES Phase I Municipal Stormwater Permit.

Project Background:

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

Development Standards for Parking Garages

Current development standards for parking garages in mixed-use center districts prohibit parking garages at street level along the frontage of designated core pedestrian streets. However, there are no provisions in place to address the remaining sections of the façade that faces these streets. This clean up item would include additional provisions to ensure that such structures are designed with qualities that complement the pedestrian-oriented urban fabric that they are associated with.

Apartment Complex Signs in R-Districts

Current limitations on apartment signs do not allow signs for any multi-family development other than nameplates for boarding homes. This proposed clean up item would allow residential developments of four or more dwelling units to have one ground sign not exceeding six square feet in area and up to five feet in height. For each additional dwelling unit, the sign would be permitted one additional square foot in area, not to exceed 25 square feet in area. Provisions are included to address means of illumination and materials of the support structures.

Sunset Clause for CUPs

The existing code language currently allows for the reestablishment of conditionally-permitted uses after long periods of vacancy, which does not provide adequate opportunities for community input and may often cause impacts that were not addressed when the use was originally permitted. The new provisions would clearly state that conditional uses that have been discontinued for three or more years may not be reestablished without acquiring a new conditional use permit.

Development Code Update for Low Impact Development

In order to comply with the NPDES Phase I Municipal Stormwater Permit (NPDES Permit) effective August 2013, review and revision of the City of Tacoma Development Codes is required. Meeting the intent of the NPDES Permit requires changes to a variety of documents including the Tacoma Municipal Code (TMC), the Stormwater Management Manual (SWMM), the Public Works Design Manual (PWDM), and City of Tacoma Standard Drawings. Many of the proposed code changes are to be consistent with the new terminology, definitions, and updates to Best Management Practices (BMPs).

Public Outreach:

Over the past few months, staff have discussed the 2015 Annual Amendment package with various stakeholder groups, including the Master Builders Association (MBA), and other development industry representatives. In addition, planning staff have reached out to the Community Council, Neighborhood Councils, and the Landmarks Preservation Commission, informing them of the 2015 Annual Amendment process and offering presentations on the proposed amendments. In response to requests, staff provided overview presentations to the North End Neighborhood Council, South Tacoma Neighborhood Council, and the North Slope Historic District. Additional outreach will occur through and during the Planning Commission and City Council's public hearing and notice processes.

Applicable Provisions of the Growth Management Act:

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

Applicable Provisions of the Comprehensive Plan:

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

Generalized Land Use Element

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

General Growth and Development Policies:

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

Urban Aesthetics and Design Policies:

- LU-UAD-1 Development Standards - Craft development standards that are easy to use and administer and encourage quality site and building design consistent with the goals and policies herein. Refine development standards as needed to accomplish design goals per changing demographics, development conditions, and community interests.
- LU-UAD-3 Distinct Character and Identity of the City - Enhance the distinct character and identity of Tacoma by:
 - Emphasizing pedestrian-oriented design at all levels of design (city, neighborhood, site, and building).
 - Recognizing and retaining existing scale, proportion and rhythm and using compatible materials in new development and redevelopment.
 - Embracing the natural setting and encouraging regional character in new development.
 - Balancing the historic, working-class character of the community and its physical development with the community's desire to be progressive, innovative and accepting of new ideas and methods.
- LU-UAD-5 Design Quality – Promote design quality by creating clear and detailed standards that are crafted to encourage desired types of development. Standards should include guidance for:
 - Compatible site design.
 - Attractive pedestrian pathways and spaces.
 - Safe and connected vehicular access.
 - Compatible and attractive building massing and design.
 - Integration of building details.
 - Use of durable, high quality materials.
 - Landscape design
 - Signage design
 - Safety and security

Residential Development Policies:

- LU-RDG-2 Prohibit Incompatible Land Uses - Prohibit incompatible land uses from siting within or adjacent to existing or future residential developments and gradually eliminate existing incompatible uses from existing residential areas.

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

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

Amendment Criteria:

Applications for amendments to the Land Use Regulatory Code are subject to review based on the adoption and amendment procedures and the review criteria contained in TMC 13.02.045.G. Proposed amendments are required to be consistent with or achieve consistency with the Comprehensive Plan and meet at least one of the ten review criteria to be considered by the Planning Commission. The following section provides a review of each of these criteria with respect to the proposal. Each of the criteria is provided, followed by staff analysis of the criterion as it relates to this proposal.

1. There exists an obvious technical error in the pertinent Comprehensive Plan or regulatory code provisions.

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

2. Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances has occurred since the area or issue was last considered by the Planning Commission.

Staff Analysis: Not applicable

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

Staff Analysis: Not applicable.

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

Staff Analysis: Not applicable.

- 5. Growth and development, as envisioned in the Plan, is occurring faster, slower, or is failing to materialize.**

Staff Analysis: Not applicable.

- 6. The capacity to provide adequate services is diminished or increased.**

Staff Analysis: Not applicable.

- 7. Plan objectives are not being met as specified, and/or the assumptions upon which the plan is based are found to be invalid.**

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

- 8. Transportation and and/or other capital improvements are not being made as expected.**

Staff Analysis: Not applicable.

- 9. For proposed amendments to land use intensity or zoning classification, substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification.**

Staff Analysis: Not applicable.

- 10. A question of consistency exists between the Comprehensive Plan and its elements and RCW 36.70A, the County-wide Planning Policies for Pierce County, Multi-County Planning Policies, or development regulations.**

Staff Analysis: Not applicable.

Economic Impact Assessment:

This proposal would reduce regulatory barriers resulting in cost savings, increased certainty regarding City requirements, and reduced delay in the City permitting process. Secondary communitywide economic benefits could result from this proposal, to the extent that the proposed amendments achieve their objectives of streamlining and facilitating development. Both are important components of a long-term strategy to improve quality of life and thus make the City more attractive to existing and new residents and employers.

Staff Recommendation:

Staff recommends forwarding the draft Land Use Regulatory Code clarifications and refinements for public review and comment.

Exhibits:

- A. Draft Land Use Regulatory Code Amendments



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

DRAFT ADMINISTRATIVE AND LAND USE REGULATORY CODE CHANGES *June 24, 2015*

Chapter 13.02 – Planning Commission

- 13.02.010 – Creation – Appointment
- 13.02.020 – Meetings – Officers – Records
- 13.02.041 – Quorum

Chapter 13.04 – Platting and Subdivisions

- 13.04.040 – Definitions
- 13.04.090 – Short plat/short subdivision procedures
- 13.04.100 – Plat/Subdivision procedures
- 13.04.120 – Conformity to the Comprehensive Plan and applicable ordinances, manuals, design specifications, plans, and guidelines
- 13.04.180 – Public or private streets or ways, or permanent access easement design
- 13.04.190 – Dead-end/cul-de-sac public or private streets or ways, or permanent access easements

Chapter 13.05 – Land Use Permit Procedures

- 13.05.020 – Notice Process
- 13.05.070 – Expiration of permits
- 13.05.095 – Development Regulation Agreements

Chapter 13.06 – Zoning

- 13.06.100 – Residential Districts
- 13.06.200 – Commercial Districts
- 13.06.300 – Mixed-Use Districts
- 13.06.400 – Industrial Districts
- 13.06.501 – Building design standards
- 13.06.502 – Landscaping and buffering standards
- 13.06.510 – Off-street parking and storage areas
- 13.06.512 – Pedestrian and bicycle support standards
- 13.06.522 – District sign regulations
- 13.06.560 – Parks, recreation and open space
- 13.06.602 – General Restrictions
- 13.06.630 – Nonconforming parcels/uses/structures

- 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

Chapter 13.06A – Downtown Tacoma

- 13.06A.010 – Purpose
- 13.06A.065 – Parking Standards
- 13.06A.070 – Basic design standards
- 13.06A.080 – Design standards for increasing allowable FAR

Chapter 13.09 – South Tacoma Groundwater Protection District

- 13.09.040 – Definitions

Chapter 13.11 – Critical Areas Preservation

- 13.11.200 – Allowed Activities
- 13.11.210 – Activities Allowed with Staff Review
- 13.11.230 – Application Submittal Requirements
- 13.11.440 – Stream Standards
- 13.11.900 - Definitions

Chapter 13.16 – Concurrency Management System

- 13.16.050 – Exemptions

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

Chapter 13.02
PLANNING COMMISSION

Sections:

- 13.02.010 Creation – Appointment.
- 13.02.015 Establishment of advisory committees.
- 13.02.016 *Repealed.*
- 13.02.020 Meetings – Officers – Records.
- 13.02.030 Expenditures – Budget.
- 13.02.040 Duties and responsibilities.
- 13.02.041 Quorum.
- 13.02.043 Definitions.
- 13.02.044 Comprehensive Plan.
- 13.02.045 Adoption and amendment procedures.
- 13.02.050 *Repealed.*
- 13.02.053 Area-wide zoning reclassifications.
- 13.02.055 Moratoria and interim zoning.
- 13.02.057 Notice for public hearings.
- 13.02.060 *Repealed.*

13.02.010 Creation – Appointment.

Pursuant to the authority conferred by Article II, Section 11, of the Constitution of the State of Washington, and Section 3.8 of the Tacoma City Charter, there is hereby created a City Planning Commission consisting of nine members, who shall be residents of Tacoma. The members shall be appointed and confirmed by a majority of the City Council. One member shall be appointed by the City Council for each of the five council districts. The Council shall appoint to the four remaining positions an individual from each of the following: (a) the development community; (b) the environmental community; (c) public transportation; and (d) a designee with background of involvement in architecture, historic preservation, and/or urban design.

At the expiration of each respective three-year term, a successor shall be appointed by the City Council. [Each Commissioner may serve until appointment and qualification of a successor.](#)

Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired terms. Members may be removed by a majority of the Council, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. Upon an appointed member's missing three unexcused, consecutive regular meetings, the Commission shall afford such member a hearing to determine whether the absences are to be excused. If the Commission determines not to excuse such absences, then the Commission shall determine the question of whether the Commission shall recommend to the City Council that such member should be deemed to have forfeited the office and a new member be appointed to fill the unexpired term. The members shall be selected without respect to political affiliations and they shall serve without compensation. [The members shall abide by the City's Code of Ethics as provided in TMC 1.46.](#)

13.02.020 Meetings – Officers – Records.

The Commission shall elect its own chairperson and create and fill such other offices as it may determine it requires. All meetings of the Commission or its advisory committees shall be open to the public pursuant to ~~the~~ [Chapter 42.30 RCW](#), Open Public Meetings Act ~~of 1971~~. The Commission shall adopt rules for transaction of business. Records of all official Commission proceedings shall be kept by the City Clerk and shall be open to public inspection. The City Manager shall assign to the Commission and its advisory committees a place of meeting in which to meet and transact business.

13.02.041 Quorum.

~~A quorum for the transaction of official business of the Planning Commission shall consist of a majority of the members of the Commission.~~ [A simple majority of appointed filled positions shall constitute a quorum for the transaction of official business.](#)

Chapter 13.04
PLATTING AND SUBDIVISIONS

13.04.040 Definitions.

For the purpose of these regulations, certain words used herein are defined as follows:

- A. "Alley" shall mean a public or private accessway which provides a means of vehicular access to abutting property.
- B. "All-weather surface" shall mean asphaltic concrete, ~~or~~ Portland cement concrete, [permeable pavers, porous asphalt or pervious concrete](#) in accordance with City manuals, design specifications, plans, and guidelines in section 13.04.120, unless otherwise specified by the City Engineer.
- C. "Alteration" shall mean a change to a finalized binding site plan, plat, short plat, or portion thereof, that results in a modification to its exterior boundaries or the location and/or size of rights-of-way, utility easements, open space, park or other similar community amenities created as part of the binding site plan, plat, or short plat. An alteration does not include boundary line adjustments, replats or an allowable increase in short plat lots.
- D. "Binding site plan" shall mean a drawing to scale showing a plan for the development of a specific parcel of land, which drawing has been approved as applicable by the Building Official or designee and which, at a minimum:
1. Identifies and shows the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;
 2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions of the use of land as established by the City of Tacoma.
 3. Is filed of record in the Pierce County Auditor's office and is legally enforceable.
- E. "Building line" shall mean a line on a plat indicating the limit beyond which buildings or structures may not be erected.
- F. "Collector arterial" shall mean a highway whose function is to collect and distribute traffic from major arterial streets to access streets, or directly to traffic destinations; to serve traffic within a neighborhood; and to serve neighborhood traffic generators such as a small group of stores, an elementary school, church, clubhouse, small hospital, and small apartment area.
- G. "Comprehensive Plan" shall mean the City's official statement concerning future growth and development. It sets forth goals, policies, and strategies to protect the health, welfare, and quality of life of Tacoma's residents.
- H. "Curb line" shall mean the line defining the limits of a roadway.
- I. "Dead-end street" or "cul-de-sac" shall mean a residential access street with only one outlet.
- J. "Director" for purposes of this Chapter (13.04 of the Tacoma Municipal Code) shall mean the Director of Planning and Development Services unless otherwise specified.
- K. "Freeway" shall mean a highway the function of which is to permit unimpeded traffic flow through urban areas and between their major elements or most important traffic generators such as the central business district, major shopping areas, major university, civic center, or a major sports stadium or pavilion.
- L. ["Hard surface" An impervious surface, a permeable pavement, or a vegetated roof.](#)
- ~~LM.~~ "Official map" shall mean the map on which the planned locations, particularly of streets, are indicated with detail and exactness so as to furnish the basis for property acquisition or building restriction.
- ~~MN.~~ "Plat" shall mean the map, drawing or chart on which the subdivider's plan of subdivision is presented and which the subdivider submits for approval and intends to record in final form.
- ~~NO.~~ "Primary arterial" shall mean a highway the function of which is to expedite movement of through traffic to a major traffic generator such as the central business district, a major shopping area, a commercial service district, a small college or university or a military installation; or to expedite movement of through traffic from community to community, to collect and distribute traffic from freeways to minor arterial streets, or directly to traffic destinations.

13.04.090 Short plat/short subdivision procedures.

A. Administration. The Director or designee is vested with the duty of administering the provisions of this section and with the authority to summarily approve or disapprove proposed preliminary and final short plats. The Director or designee may prepare and require the use of such forms and develop policies deemed essential to the effective administration of this code.

E. Approval. The Director or designee shall review the proposed preliminary short subdivision application . The preliminary short plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare; and for open spaces; ~~drainage ways;~~ [stormwater management](#), streets or roads; alleys; bike routes; other public ways; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.
2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other adopted City ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

L. Approval of Final Short Plat. Approval of the short plat drawing shall be indicated by the signatures of the City Engineer, the Director of the Planning and Development Services Department, ~~the City Treasurer, the City Attorney, the Mayor, and the City Clerk~~ on the original reproducible final short plat.

13.04.100 Plat/subdivision procedures.

D. Hearing Examiner or Director Review of Preliminary Plat. The Hearing Examiner or Director shall review the proposed preliminary plat. The preliminary plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare, and for open spaces; [stormwater management](#); ~~drainage ways~~; streets or roads; alleys; other public ways; bicycle circulation; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features which assure safe walking conditions for students who walk to and from school and for transit patrons who walk to bus stops or commuter rail stations.
2. The public use and interest will be served by the platting of such subdivision and dedication as set forth by the Comprehensive Plan and other Adopted City Ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

13.04.120 Conformity to the Comprehensive Plan and the Major Street Plan and applicable ordinances, manuals, design specifications, plans and guidelines.

The subdivision/short subdivision shall conform to and be in harmony with the Comprehensive Plan, Public Works Design Manual, Stormwater Management Manual, Mobility Master Plan Pedestrian and Bicycle Design Guidelines, ~~Mixed Use Centers~~ Complete Streets Design Guidelines, Americans with Disabilities Act Self-Evaluation and Transition Plan, and other adopted guidelines, manuals, and design specifications as currently enacted or as may be hereafter amended.

13.04.180 Public or private streets or ways, or permanent access easement design.

In general, the horizontal and vertical components of public or private streets or ways, or permanent access easement design shall conform with the latest current edition of “A Policy on Geometric Design of Highways and Streets” as published by the American Association of State Highway and Transportation Officials (AASHTO).

All non-arterial public or private streets or ways, or permanent access easements shall be constructed ~~with a minimum pavement section consisting of three inches of asphaltic concrete pavement over 2.5 inches of crushed surfacing top course over five inches of crushed ballast~~ per the City of Tacoma standard details and specifications using either standard or pervious surfacing or alternative section subject to approval by the City Engineer. All design and construction features shall conform to design standards and policies of the City of Tacoma.

13.04.190 Dead-end/cul-de-sac public or private streets or ways, or permanent access easements.

Whenever feasible, a subdivision/short subdivision shall provide for the continuation of the multi-modal street and transportation system existing for pedestrians, bicycles, and vehicles by connecting to and extending abutting streets, sidewalks, and bicycle facilities. If the applicant proposes to instead develop dead-end/cul-de-sacs, then the applicant shall demonstrate why a public or private street way or permanent access easement cannot be aligned with and connected to the surrounding street system for pedestrian, bicycle and vehicular connectivity within the proposed subdivision/short subdivision. Alternatively, the applicant shall demonstrate why a dead-end/cul-de-sac would provide equal or better pedestrian, bicycle, and vehicle access, convenience, and safety and/or would substantially minimize soil and vegetation disturbance. If the Director or Hearing Examiner makes a finding that such connectivity is not reasonable for the subject subdivision/short subdivision, dead-end/cul-de-sac public or private streets or ways, or permanent access easements shall not be longer than 500 feet. Whenever feasible, such dead-end/cul-de-sac shall nonetheless incorporate at a minimum a pedestrian connection to the adjacent transportation network. Any dead-end/cul-de-sac public or private street or way, or permanent access easement in excess of 150 feet in length shall be designed according to applicable ordinances, manuals, design specifications, plans and guidelines in Section 13.04.120 as currently enacted or as may be hereafter amended, subject to approval by the City Engineer or designee.

Chapter 13.05
LAND USE PERMIT PROCEDURES

13.05.020 Notice process.

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

B. Administrative Determination.

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

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

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

C. Process I – Minor Land Use Decisions.

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

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

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

4. Decisions of the Director shall be mailed to the applicant and the property owner, if different than the applicant, by first class mail. Decisions of the Director requiring environmental review pursuant to the State Environmental Policy Act, WAC 197-11, and the provisions of TMC Chapter 13.12, shall also include a Threshold Determination by the Responsible Official for the Department. A decision shall be mailed by first-class mail to: owners of property and/or taxpayers of record as indicated by the Pierce County Assessor/Treasurer’s records within the distance identified in Section 13.05.020.H; neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; and the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988.

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

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

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

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

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

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

8. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.020.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is

issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.

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

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.E.
2. Notice of application shall be mailed by first-class mail to the applicant; property owner (if different than the applicant); neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations consistent with the requirements set forth for Process I land use permits; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); the Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.H. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.H. from the boundary of the PRD District.
3. Parties receiving notice of application shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 20 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department, unless a Public Meeting is held, as provided by Section 13.05.020.G. The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 30 days of the mailing of such notice, or who requests receipt of a copy of the decision.
4. A public information sign (or signs), provided by the Department for applications noted in Table H (Section 13.05.020.H), indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The sign shall contain, at a minimum, the following information: type of application, name of applicant, description and location of proposal, and where additional information can be obtained.
5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection H of this section.

E. Process III – Decisions Requiring a Public Hearing.

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

seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The notice shall contain, at a minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.

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

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

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

G. Public Comment Provisions. Parties receiving notice of application shall be given the opportunity to comment in writing to the department. A “public meeting” to obtain information, as defined in Section 13.05.005, may be held on applications which require public notification under Process II, [and Conditional Use Major Modifications](#), when:

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

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

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

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

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

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years ⁵
Binding site plan	Required	No	No	No	No	Director	No	No	5 years ⁵
Environmental SEPA DNS/EIS	Optional	Same as case type	Yes if no hearing required	Yes for EIS	Same as case type	Director	No	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years
Open space classification	Required	400 feet	No	Yes	²	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA ²	Hearing Examiner	Yes	Final Plat	5 years ⁶
Rezones	Required	400 feet	No	Yes	21 days SEPA ²	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days ⁵	Director	No ¹	No	2 years/ maximum 6
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years ⁵
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No ¹	No	5 years ⁶
Site approval	Optional	400 feet	No	Yes	30 days ⁵	Director	No	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days ⁵	Director	No	No	5 years ⁴
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 400 feet	No	Yes	14 days ⁵	Director	No	No	5 years
Temporary Homeless Camp Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet ⁷	No	No	14 days	Director	No ¹	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No ¹	No	5 years
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years*
Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years*
Wetland/Stream/ FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

* Programmatic Restoration Projects can request 5 year renewals to a maximum of 20 years total.

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

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

² Comment on land use permit proposal allowed from date of notice to hearing.

³ Must be recorded with the Pierce County Auditor within five years.

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

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

⁶ Refer to Section 13.05.070 for preliminary plat expiration dates.

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

13.05.095 Development Regulation Agreements.

A. Purpose. Pursuant to RCW 36.70B.170-210, the purpose of this section is to create an optional application procedure that could authorize certain major projects in key locations to be reviewed, rated, approved, and conditioned according to the extent to which they advance the Comprehensive Plan's goals and policies. In addition to demonstrating precisely how it significantly advances the goals and policies of the Comprehensive Plan by achieving the threshold set forth in subsection 13.05.095(D) TMC, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in B(1) or B(2) must document specific compliance with the policies and standards set forth in the Downtown Element of the Comprehensive Plan.

D. Review criteria. The City Manager, and such designee or designees as may be appointed for the purpose, shall negotiate acceptable terms and conditions of the proposed Development Regulation Agreement based on the following criteria:

1. The Development Regulation Agreement conforms to the existing Comprehensive Plan. Except for projects on a public facility site of at least five acres in size, conformance must be demonstrated by the project, as described in the Development Regulation Agreement, scoring 800 points out of a possible ~~1000~~ 1,050 points, according to the following scoring system (based on the Downtown Element of the City Comprehensive Plan):

a. Balanced healthy economy. In any project where more than 30 percent of the floorspace is office, commercial, or retail, one point shall be awarded for every 200 square feet of gross floorspace (excluding parking) up to a maximum of 290 points.

b. Achieving vitality downtown. Up to 40 points shall be awarded for each of the following categories: (i) CPTED design ("Crime Prevention Through Environmental Design"), (ii) sunlight access to priority public use areas, (iii) view maximization, (iv) connectivity, (v) quality materials and design, (vi) remarkable features, (vii) access to open space, and (viii) street edge activation and building ground orientation.

c. Sustainability. Up to 50 points shall be awarded for each of the following categories: (i) complete streets, (ii) transit connections, ~~and~~ (iii) energy conservation design to a L.E.E.D. (Leadership in Energy and Environmental Design) certification to a platinum level or certified under another well-recognized rating system to a level equivalent to certification to a platinum level, ~~and~~ (iv) Low Impact Development BMPs and Principles.

d. Quality Urban Design. Up to 60 points shall be awarded for each of the following categories: (i) walk-ability, (ii) public environment, (iii) neighborly outlook, and (iv) support for public art.

2. Appropriate project or proposal elements, such as permitted uses, residential densities, nonresidential densities and intensities, or structure sizes, are adequately provided to include evidence that the site is adequate in size and shape for the proposed project or use, conforms to the general character of the neighborhood, and would be compatible with adjacent land uses.

3. Appropriate provisions are made for the amount and payment of fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, and other financial contributions by the property owner, inspection fees, or dedications.

4. Adequate mitigation measures including development conditions under chapter 43.21C RCW are provided. The City shall be the lead agency in the SEPA process for all projects.

Chapter 13.06
ZONING¹

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)

3. Use table abbreviations.

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

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

¹ Rezone ordinances are on file in the office of the City Clerk.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations ¹

Marijuana retailer	N	N	N	N	N	N	N	N	
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	

13.06.200 Commercial Districts.

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

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

B. Districts established.

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

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

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

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

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

C. Land use requirements.

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

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

[See next page for table.]

3. Use table abbreviations.

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

4. District use table.

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

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Craft Production	CU	P	P	P	P	Must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, fronts the street at sidewalk level or has a well-marked and visible entrance at sidewalk level, and is open to the public. Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.C. All production, processing and distribution activities are to be conducted within an enclosed building.
Cultural institution	P	P	P	N	N	
Day care, family	P	P	P	P	P	
Day care center	P	P	P	P	P	Subject to regulations set forth in Section 13.06.155.
Detoxification center	N	N	N	CU	N	
Drive-through with any use	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). Subject to the requirements of TMC 13.06.513.
Dwelling, single-family detached	P	P	P	P	P	
Dwelling, two-family	P	P	P	P	P	
Dwelling, three-family	P	P	P	P	P	
Dwelling, multiple-family	P	P	P	P	P	
Dwelling, townhouse	P	P	P	P	P	
Dwelling, accessory (ADU)	P	P	P	P	P	Subject to additional requirements contained in 13.06.150.
Eating and drinking	N	P/CU	P	P*	P*/CU*	In the C-1 and PDB districts, restaurants are permitted outright while drinking establishments require a conditional use permit. See Section 13.06.700.E for the definitions of restaurants and drinking establishments. In the C-2 district, live entertainment is limited to that consistent with either a Class "B" or Class "C" Cabaret license as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a Class "C" cabaret license as designated in Section 6B.70. *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts
Emergency and transitional housing	CU	CU	P	CU	CU	See Sections 13.06.535 and 13.06.640.
Extended care facility	P	P	P	P	P	See Section 13.06.535.
Foster home	P	P	P	P	P	
Fueling station	N	P	P	N	N	

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Funeral home	P	P	P	P	N	
Golf course	P	P	P	P	P	
Group housing	P	P	P	P	P	
Heliport	N	N	N	CU	N	
Home occupation	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	N	CU	CU	P	N	
Hotel/motel	N	N	P	P	P	
Industry, heavy	N	N	N	N	N	
Industry, light	N	N	N	N	N	
Intermediate care facility	P	P	P	P	P	See Section 13.06.535.
Juvenile community facility	N	N	N	N	N	Prohibited except as provided for in Section 13.06.530.
Live-Work unit	N	P	P	P	P	
Lodging house	P	P	P	P	P	
Marijuana processor	N	N	N	N	N	
Marijuana producer	N	N	N	N	N	
Marijuana retailer	N	P	P	P*	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. See additional requirements contained in Section 13.06.565
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	
Mobile home/trailer court	N	N	CU	N	N	
Nursery	N	N	P	N	N	
Office	P	P	P	P	P	
Parks, recreation and open space	P	P	P	P	P	Subject to the requirements of Section 13.06.560,D.
Passenger terminal	N	N	P	N	N	
Personal services	N	P	P	P*	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	
Religious assembly	P	P	P	P	P	
Repair services	N	P	P	N	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Research and development industry	N	N	N	N	P	
Residential care facility for youth	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	P	P	See Section 13.06.535.
Retail	N	P	P/CU~	P*	P*	~A conditional use permit is required for retail uses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Retirement home	P	P	P	P	P	See Section 13.06.535.
School, public or private	P	P	P	P	P	
Seasonal sales	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Self-storage	N	N	P	N	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.503.B.
Staffed residential home	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Student housing	P	P	P	P	P	
Surface mining	CU	CU	CU	CU	CU	See specific requirements in Section 13.06.540.
Temporary uses	TU	TU	TU	TU	TU	Subject to Section 13.06.635.
Theater	N	P	P	N	N	Movie theaters are limited to 4 screens. This does not include adult entertainment.
Transportation/freight terminal	N	N	P	P	P	
Urban Horticulture	N	N	N	N	N	
Utilities	CU	CU	CU	CU	CU	
Vehicle rental and sales	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Vehicle service and repair	N	P*	P	✗	N	*In the C-1 District, car washes are allowed with a limit of 2 washing bays. Washing bays shall be enclosed on at least 2 sides and covered with a roof. No water shall spray or drain off-site. Subject to development standards contained in Section 13.06.510.E. Prohibited in any commercial district combined with a VSD View Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Vehicle service and repair, industrial	N	N	N	✗	N	
Vehicle storage	N	N	N	✗	N	
Warehouse, storage	N	N	N	✗	N	
Wholesale or distribution	N	N	N	✗	P	
Wireless communication facility	P*/CU**	P*/CU**	P*/CU**	P*/CU**	P*/CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work release center	N	N	N	✗	N	Prohibited except as provided for in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	✗	N	

Footnotes:

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

D. Building envelope standards.

	T	C-1	C-2	HM	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0	0
Minimum Lot Width	0	0	0	0	0
Maximum Lot Coverage	None	None	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.200.E) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue.				
Maximum Height Limit	35 feet	35 feet	45 feet	150 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.				
Maximum Floor Area	20,000 square feet per building	30,000 square feet per building	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.	7,000 square feet per business for eating and drinking, retail and personal services uses	7,000 square feet per business for eating and drinking, retail and personal services uses

13.06.300 Mixed-Use Center Districts.

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

1. Increase the variety of development opportunities in Tacoma by encouraging greater integration of land uses within specific districts in a manner consistent with the Growth Management Act, the Regional Plan: Vision 2020, the County-Wide Planning Policies for Pierce County, and the City’s Comprehensive Plan.

D. Land use requirements.

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

2. Use table abbreviations.

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

3. District use table.

Uses	NCX	CCX	UCX	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3, 4, 5} (also see footnotes at bottom of table)

Marijuana retailer	P	P	P	N	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District. See additional requirements contained in Section 13.06.565
Master plan 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	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.
Mobile home/trailer court	N	N	N	N	N	N	N	N	

E. Building envelope standards.

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

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

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements

Minimum density (units/acre)	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	40	30; 40 on designated pedestrian streets (see Section 13.06.300.C)	None	None	25	None	Projects that do not include residential uses, and mixed-use projects (such as residential & commercial, residential & industrial, or residential & institutional) are exempt from minimum-density requirements.
<p>For purposes of this provision, density shall be calculated by dividing the total number of dwelling units in a development by the area, in acres, of the development site, excluding any accessory dwelling units or areas dedicated or reserved for public rights-of-way or full private streets. In the same manner, to determine the minimum number of units required to meet this standard, multiply the size of the property, in acres, by the required minimum density, then round up to the nearest whole number. For example, the minimum number of units required on a 7,000 square foot (.16-acre) property located in the UCX District would be <u>76</u> units (.16 x 40 = 6.4, which rounds up <u>down</u> to <u>76</u> units).</p>									

(7) Height Bonus Palette – Level 1:

HEIGHT BONUS PALETTE – LEVEL 1		
BONUS FEATURE	DEFINITION	BONUS HEIGHT
Pedestrian-Oriented Environment		
Ground Floor Retail or Restaurant	At least 70% of ground floor project street frontage along the designated core pedestrian street designed to accommodate retail and/or restaurant uses. Retail space(s) shall be a minimum of 1,000 square feet and have a minimum depth and width of 25 feet. Restaurant space(s) shall be a minimum of 2,000 square feet and shall incorporate necessary venting and sewer facilities. The space shall have a minimum interior height of 12 feet from the finished floor to the finished ceiling above and have direct visibility and accessibility from the public sidewalk. Projects not fronting on a core pedestrian street are ineligible to use this palette item.	5 feet

HEIGHT BONUS PALETTE – LEVEL 1

BONUS FEATURE	DEFINITION	BONUS HEIGHT
Public Art (1%)	A feature worth 1% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council), to be installed on-site, exterior to the building with a location and design that benefits the streetscape, or in an approved off-site location within the same Mixed-Use Center and within 1,000 feet of the project site. Art features shall be coordinated with the City’s Arts Administrator and approved by the Arts Commission.	5 feet
Structured Parking (50%)	At least 50% of the required parking is provided within the building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be based on the amount of parking that would be required for the proposed development if it were not exempted.	10 feet
Structured Parking (100%)	All parking is provided within building footprint (above or below ground). For projects that do not require parking but wish to utilize this feature, the amount required shall be at least the amount of parking that would be required for the proposed development if it were not exempted.	20 feet
Transit-Oriented Development		
Transit Stop/Station Improvement	Provide twice the level of improvements that are required by code. If no improvements are required, provide the first level of required improvements. Only applicable to transit stops located within 500 feet of the project site. Must coordinate with Pierce Transit. See Section 13.06.511, Transit Support Facilities.	5 feet
Residential Use	Residential use for at least 50% of a mixed-use project’s floor area.	10 feet
Sustainability		
LID Stormwater Management	Manage stormwater through an integrated system and management plan that utilizes various low impact development techniques, such as permeable surfaces, roof rainwater collection systems, bioretention/rain gardens, etc. System shall be designed to result in no net increase in the rate and quantity of stormwater runoff from existing to developed conditions or, if the amount of existing imperviousness on the project site is greater than 50%, the system shall be designed to result in a 25% decrease in the rate and quantity of stormwater runoff. The system shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.	10 feet
<u>Vegetated</u> Green Roof	Provide a <u>vegetated</u> green roof that covers at least 60% of the building footprint. Green roofs shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities. <u>Vegetated</u> Green roofs shall conform to best available technology standards, such as those published by Leadership in Energy and Environmental Design (LEED) <u>and be designed in accordance with the City of Tacoma Stormwater Management Manual-</u>	10 feet

13.06.400 Industrial Districts.

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

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

13.06.400.C Land use requirements.

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

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

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

3. Use table abbreviations.

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

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹

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

13.06.501 Building design standards.

<p>B. General Mass Reduction Standards. The following requirements apply to the C1, C2, T, HM and PDB zoning districts. See Section 13.06.501.H, below, for X-District requirements. The design choices of this item are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.</p>	
1. Size to choice ratio for 2 below	<ul style="list-style-type: none"> a. Buildings under 7,000 square feet of floor area are not required to provide mass reduction. b. Buildings from 7,000 square feet of floor area to 30,000 square feet of floor area shall provide at least one mass reduction feature. c. Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.
2. Mass reduction choices	<ul style="list-style-type: none"> a. Upper story. Buildings with a maximum footprint of 7,000 square feet of floor area, that do not exceed 14,000 square feet of floor area, may count use of a second story as a mass reduction feature. b. Upper story setback. An 8 feet minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of 2 elevations. c. Wall modulation. Maximum 100 feet of wall without modulation, then a minimum 2 feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses. d. Public plaza. A public plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater. The plaza shall be located within 50 feet of and visible to the primary public entrance; and contain a minimum of a bench or other seating, tree, planter, fountain, kiosk, bike rack, or art work for each 200 square feet of plaza area. Plaza contents may count toward other requirements when meeting the required criteria. Walkways do not count as plazas. Plazas shall not be used for storage. Required parking stalls may be omitted to the minimum necessary if needed to provide the plaza. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. Plazas may be permeable pavement or pavers where feasible. Low impact development vegetated stormwater features may be used for up to 30% of the plaza requirement where feasible. e. Housing. The provision of upper story residential dwelling units at a site density consistent with the applicable land use intensity designation of the Comprehensive Plan.

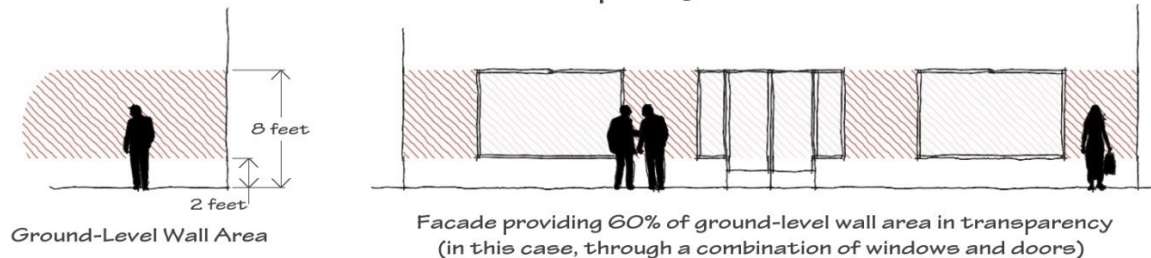
C. General Roofline Standards. The following requirements apply to the C-1, C-2, T, ~~HM~~ and PDB zoning districts. See Section 13.06.501.I, below, for X-District requirements. These requirements are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

<p>Roofline Choices (All buildings shall use one or more of the roofline options)</p>	<ol style="list-style-type: none"> 1. Sloped roof. Use of a roof form with a pitch no flatter than 5/12. Rounded, gambrel, and/or mansard forms may be averaged. 2. Modulated roof. Use of features, which are a minimum of 2 feet in height, such as a terracing parapet, multiple peaks, jogged ridge lines, dormers, etc., with a maximum of 100 feet uninterrupted roofline between roof modulation elements. Modulation elements shall equal a minimum of at least 15 percent of the roofline on each elevation. The maximum shall be 50 feet of uninterrupted roofline along the eave between roof modulation elements in C-1 Districts and on sides facing residential uses or districts. Roof forms with a pitch flatter than 5/12 are permitted with this option; provided, the appropriate modulation is incorporated. 3. Corniced roof*. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least 2 inches further from the face of the building than the bottom part of the cornice. The height of the cornice shall be at least 12 inches high for buildings 10 feet or less in height; 18 inches for buildings greater than 10 feet and less than 30 feet in height; and 24 inches for buildings 30 feet and greater in height. Cornices shall not project over property lines, except where permitted on property lines abutting public right-of-way. 4. Canopy Exemption. Fueling station canopies, drive-through canopies, or similar canopies are exempt from roofline requirements. 5. Vegetated roofs as defined in the Stormwater Management Manual with approved design.
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D. General Windows and openings. The following requirements apply to the C-1, C-2, T, ~~HM~~ and PDB zoning districts. See Section 13.06.501.J, below, for X-District requirements. These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, and to provide architectural detailing and variety to building elevations on each story.

1. Street level	<p>a. Front, side, or corner side exterior walls facing streets or that contain customer entrances and face customer parking lots of 20 stalls or greater shall have transparent window or openings for at least 50 percent of the ground level wall area. This standard shall apply on a maximum of 2 such building elevations. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for portions of façades where the grade level of the sidewalk of the abutting street is 4 feet or more above or below the adjacent floor level of the building. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades and the correlating location of the floor plates of the building. Rough openings are used to calculate this requirement.</p> <p>b. Required view. Required windows or openings must provide either views into building work areas, sales areas, lobbies, merchandise displays, or artworks. Art and display windows shall be at least 2 feet deep, recessed and integrated into the façade of the building (tack on display cases do not qualify).</p> <p>c. The “ground level wall area” is defined as the area between 2 feet and 8 feet above the adjacent finished grade.</p> <p>d. Limited alternatives. Alternatives of decorative grilles, art work, or similar features can be substituted for those portions of uses where the provision of natural light can be demonstrated to nullify the intended use (examples include movie theater viewing areas and light sensitive laboratories) and for parking structures, provided an equivalent wall area is covered.</p>
2. Upper levels	<p>a. Front, side, or corner side exterior walls facing streets or walls that contain customer entrances and face customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor on a minimum of 2 such building elevations.</p> <p>b. Upper level windows shall be a different type than the ground level windows on the same elevation.</p> <p>c. For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.</p>
3. Exemptions	<p>a. Residential privacy. On sides where C, HM, T, or PDB District boundaries adjoin R-1, R-2, R-2SRD, or R-3 District boundaries, structures within the C, HM, T, or PDB District that are set back at least 7 feet from the property line and screened by landscaping to a minimum height of 6 feet are exempt from the window and opening requirements on the effected side.</p> <p>b. Residential buildings. Residential buildings or residential portions of mixed-use buildings are exempt from street level windows or openings.</p>

Development Requirements for Facades Windows/Openings



<p>E. General Façade Surface Standards. The following requirements apply to the C-1, C-2, T, HM and PDB zoning districts. See Section 13.06.501.K, below, for X-District requirements. These requirements are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of façade materials and/or treatment and to encourage more active consideration of the surrounding setting.</p>	
1. Blank wall limitation	a. Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or customer parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least 1 foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.
2. Façade variety	<p>a. Buildings with under 2,000 square feet of floor area are exempt from the variety requirement.</p> <p>b. Buildings with 2,000 square feet of floor area to 30,000 square feet of floor area shall use at least 2 different materials, textures, or patterns on each building elevation.</p> <p>c. Buildings with over 30,000 square feet of floor area shall use at least 3 different materials, textures, or patterns on each building elevation.</p> <p>d. For purposes of this requirement, each material, texture, or pattern must cover a minimum of 10 percent of each building elevation. Glass does not count toward this requirement. Different texture or pattern shall be visibly different from adjacent public right-of-way or parking area.</p>
3. Building face orientation	<p>a. The building elevation(s) facing street or highway public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</p> <p>b. This requirement applies to a maximum of 2 building elevations on any given building.</p>
<p>F. General Pedestrian Standards. The following requirements apply to all development in the C-1, C-2, T, HM, and PDB districts, except where noted or specifically exempted. See Section 13.06.501.L, below, for X-District requirements. These requirements are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.</p>	
1. Customer entrances	<p>a. Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only 1 elevation.</p> <p>b. Designated streets. Non-residential or mixed-use buildings on designated pedestrian streets noted in Section 13.06.200.E or Section 13.06.300.C shall provide at least 1 direct customer entrance, which may be a corner entrance, within 20 feet, facing, and visible to the designated street. For such buildings over 30,000 square feet of floor area, the maximum distance is increased to 60 feet.</p>
2. Street level weather protection	<p>a. Weather protection shall be provided above a minimum of 25 percent of the length of hard surfaced, public or private walkways and/or plazas along façades containing customer and/or public building entries or facing public street frontage.</p> <p>b. Weather protection may be composed of awnings, canopies, arcades, overhangs, marquees, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.</p> <p>c. Weather protection must cover at least 5 feet of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than 3 feet in width.</p>

G. General Fencing and Utilities. The following requirements apply to the C-1, C-2, T, ~~HM~~, and PDB zoning districts. See Section 13.06.501.M, below, for X-District requirements. These requirements are intended to minimize visibility of utilities, mechanical equipment, and service areas to mitigate visual impact on residential privacy, public views, and general community aesthetics.

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

13.06.502 Landscaping and buffering standards.

A. Intent. The landscaping requirements, as a whole, are intended to contribute to the aesthetic environment of the City; enhance livability and foster economic development by providing for an attractive urban setting; provide green spaces that can support the urban citywide tree canopy; wildlife, such as birds, in the urban environment; help reduce storm-water runoff; filter pollution; buffer visual impacts of development; and, contribute to the planting, maintenance, and preservation of a stable and sustainable urban forest.

B. Applicability. Unless specifically exempted, landscaping shall be provided consistent with this section for all new development, including structures and/or parking lots, as well as alterations to existing development, and street improvements, as outlined below. [Vegetated Low Impact Development stormwater BMPs designed in accordance with the City of Tacoma Stormwater Management Manual may be counted as landscaping.](#)

1. Alterations. Three thresholds are used to gauge the extent of landscaping standard compliance on alterations to existing development (in Downtown Districts, the thresholds of TMC 13.06A shall apply):

2. Plant Material Selection.

a. Existing trees, shrubs, and groundcover which comply with the requirements of this Section may count towards the required landscape plantings.

b. Native and climate-adapted landscaping. All required landscaping shall be climate-adapted. The retention and use of natives is encouraged and permitted for any and all landscaping. Invasive species, as identified in the UFM, shall not count toward meeting required plantings. Noxious weeds are prohibited from being planted in required landscaped areas.

(1) Habitat Corridors. A minimum of 50 percent of required landscaping located within Comprehensive Plan designated Habitat Corridors, and a minimum of 25 percent in adjacent areas within 20 feet of Habitat Corridors, must be native plant species. Reductions are permitted when necessary to follow coordinated plans to address slope stability, habitat health, streetscape or area-wide plans.

c. Required landscaping areas are encouraged to incorporate [vegetated Low Impact Development BMPs](#) ~~(LID) bioretention and infiltration stormwater facilities~~, as defined in the City of Tacoma Stormwater Management Manual. [A vegetated Low Impact Development BMP may be used to meet landscaping requirements.](#) Limited flexibility shall be granted to specific [landscaping standards](#) as applicable to accommodate ~~LID Low Impact Development BMPs~~ [features](#).

d. Visibility and safety. Except in cases where required landscaping is intended to provide dense visual buffers or to enhance natural conditions, trees and shrubs shall be selected and maintained to maximize visibility at eye level for safety. To meet this requirement, shrubs shall be chosen that will readily remain under 3 feet in height. Trees shall be selected and pruned (once tall enough) to maximize views below 7 feet in height.

e. Trees.

(1) Tree Species Selection – Small, Medium and Large species. Trees are categorized as small, medium or large based on their height and crown spread at maturity and on their growth rate. Trees size categories are determined according to the Canopy Factor, which is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees. Large Trees have a Canopy Factor greater than 90; Medium Trees have a Canopy Factor from 40 to 90; Small Trees have a Canopy Factor less than 40.

(a) Small, Medium and Large Tree lists are included in the UFM. To determine the size category of a tree not listed in the UFM, the applicant must provide an authoritative source of information about the tree's mature height, crown spread and growth rate. Objective information must come from published sources or from the nursery providing the tree growth information, often called "cut sheets".

(2) Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height (at 25 years of age) not greater than 25 feet. New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from a structure, 5 feet from underground utilities, and 10 feet from light standards. Distances may be reduced, with staff approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM contains additional guidelines on this subject.

(3) Tree variety. For projects that involve the planting of between four and ten trees, at least two different kinds (Genera) of trees shall be included. For projects involving the planting of more than ten trees, at least three different kinds (Genera) of

trees, and a mixture of tree types (evergreen and deciduous) shall be included. For projects that involve planting more than twenty-five trees, no more than 25 percent shall be from one Genera and a minimum of 20 percent must be evergreen.

(4) Tree size at planting. Trees provided to meet the landscaping requirements shall be consistent with the following size requirements at the time of planting: For deciduous trees, at least 50 percent of the trees provided shall be a minimum 2-inch caliper at the time of planting, with the remaining deciduous trees a minimum 1½-inch caliper. For evergreen trees, at least 50 percent of the trees provided shall be a minimum of 6 feet tall, with the remaining evergreen trees a minimum of 5 feet tall at the time of planting. Evergreen trees provided to meet these requirements shall also be species with the ability to develop a minimum branching width of 8 feet within 5 years.

f. Shrubs and Groundcover.

(1) Turf lawn and mulch are not considered groundcover for the purposes of complying with this section.

(2) Vegetated Low Impact Development BMPs ~~bioretention and infiltration stormwater facilities, as defined in the City of Tacoma Stormwater Management Manual~~, that incorporate trees, shrubs and/or groundcover may count as meeting tree, shrub and groundcover requirements.

(3) Shrub variety. If there are more than 25 required shrubs, no more than 20 percent of them can be of one species.

(4) Groundcover and shrub plants must be planted at a density that will cover the entire area within three years.

(5) Unless specified otherwise, shrubs provided to meet these requirements shall be from a minimum 2-gallon container.

3. Installation and Maintenance.

a. Landscaping shall be installed and maintained in a healthy, thriving, and safe condition, and replaced as necessary, during the plant establishment period and for the life of the project, consistent with the requirements, standards and specifications of this Section and the UFM.

b. Conditions shall be provided to promote tree longevity, thus reducing the need for replacement. Considerations shall include planting species in locations and with conditions favorable to their health, and providing appropriate protection from potential damage from adjacent uses, development or activities.

c. Minimum tree trunk setbacks, unpaved planting area per tree, soil volumes and spacing requirements shall be provided for healthy tree growth, as follows:

	Small Trees	Medium Trees	Large Trees
Minimum unpaved planting area (sq. ft.):	24	40	60
Minimum tree pit width (ft.):	4	5	6
Minimum tree pit length (ft.):	6	8	10
Minimum soil volume (cu. ft.):	72	120	180
Minimum spacing (ft.) between trees:	10	25	40

Exceptions to these minimums may be approved with staff review, upon demonstration that healthy tree growth will be achieved and infrastructure and other conflicts will be avoided.

d. All required landscaping must be planted in the ground, where feasible. In cases where this is not feasible, the use of planters or other approaches may be authorized as long as minimum soil depth and unpaved planting area dimensions are maintained. Soil composition and volume shall be provided as appropriate to promote the health of the plants, per the specifications of the UFM. Any vegetated Low Impact Development BMP shall be designed in accordance with the City of Tacoma Stormwater Management Manual.

e. Irrigation. An irrigation system, which in some cases shall include hand watering, shall be provided for all required landscaping per the guidance of the UFM, to ensure survival through the plant establishment period.

f. Pruning: Pruning of required trees or shrubs shall be for the purpose of maintaining the tree or shrub in a healthy and thriving condition and/or to enhance its natural growing form. Trees and shrubs shall not be excessively pruned such that it adversely affects the healthy living condition of the plant, significantly damages the natural growing form of the plant, or eliminates or significantly reduces the purpose for the planting. Topping, an extreme form of pruning, of trees required by this Section is prohibited. This prohibition does not apply to pruning performed to remove a safety hazard, to remove dead or diseased material, or to avoid overhead power lines.

g. Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.100.

D. Credits and Flexibility

1. Utilizing credits and flexibility. The following credits may be utilized separately or in combination.

2. Tree retention. The following tree planting credits are available for existing trees, provided a Certified Arborist's Report determines that the tree(s) is healthy and can be saved through construction activities. If retained trees are damaged during or after construction, replacement shall be based upon the same ratios. A Certified Arborist's Report and Tree Protection Plan consistent with the requirements outlined in the UFM showing existing trees, existing and proposed grading, new development on the site (such as buildings, utilities, etc.), measures taken to protect existing trees and any new trees that will be planted on the site shall be submitted if trees are being retained for credit. To be eligible for this credit, trees must be healthy and have minimal serious defects or defects that cannot be mitigated by proper pruning as indicated on the Arborist Report and Tree Protection Plan. Trees shall count according to their species as Small, Medium and Large Trees.

a. One required tree for every retained tree of at least equal size;

b. Two required trees for every retained tree that is 8 inches to 20 inches in DBH;

c. Three required trees, for every retained tree 20 inches to 32 inches in DBH;

d. Four required trees, for every retained tree over 32 inches in DBH.

e. In order to facilitate and provide an incentive for the retention of substantial numbers of mature trees, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

3. Evergreen trees. Evergreen trees, above and beyond those otherwise required, shall count as 1.1 trees toward total number required. If greater than two-thirds of required trees are Evergreens, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

4. Low Impact Development ~~features~~. [Vegetated Low Impact Development BMPs may be used to meet all or a portion of the landscaping requirements.](#) For sites utilizing Low Impact Development (~~LID~~) ~~BMPs techniques~~ as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements. See table 13.06.502.E.

5. Urban Forestry Fund. In limited instances when specific site characteristics do not support the preservation or planting of trees, funds may instead be paid into the City Urban Forestry Fund. Applicants must demonstrate to the satisfaction of the Director that specific site characteristics make the installation of landscaping on the site problematic to its reasonable use. Landscaping buffer requirements may not be modified through this provision. Landscaping must still be installed to the maximum extent practicable. Funds collected will be used by the City Urban Forestry Program to plant trees on other public or private property within the City. The required amount will be equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment, as specified in the UFM.

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

a. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Comprehensive Plan and landscaping code. The general landscaping requirements of this section apply. Plantings already required by a separate regulatory authority may not count toward meeting the requirements of this section. Upon review, the Director will issue a Determination regarding the consistency of the request with the Comprehensive Plan and code intent. If approved, the Determination shall grant self-managed agency status for up to ten years, subject to reevaluation. The Director reserves the right to withdraw the self-managed agency status should the intent not be met.

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

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

TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts.

The standards of this section are intended to implement the goals of the Comprehensive Plan and the intent of this section. The landscaping standards of this table apply to new development and substantial alterations, as stipulated above, in Residential, Commercial, Industrial and Mixed-Use Centers (X) Districts. [Low Impact Development BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the Low Impact Development BMP is compatible to the requirements.](#)

Exemptions:

- (1) Single, two and three-family developments, unless in association with a full plat or a short plat with 5-9 lots, are exempt from all landscaping requirements.
- (2) Passive open space areas are exempt from all landscaping requirements (however development activities on such sites may trigger landscaping requirements).
- (3) Park and recreation uses are exempt from the Overall Site, Site Perimeter and Buffer requirements of this section.

13.06.510 Off-street parking and storage areas.

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

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

TABLE 2 – Parking in Mixed-Use Center Districts	
Quantity	<p>Residential Uses. Minimum 1.0 stall per unit.</p> <p>Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area.</p> <p>Other Uses. For uses not specifically listed above, the parking requirement in the Mixed-Use Center Districts shall be 70% of the parking requirement for that use identified in Table 1.</p> <p>See Section 13.06.510.B.2.f for use of compact stalls.</p> <p>For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.</p>
Exemptions	<p>No parking is required for any structure in existence upon the date the Mixed-Use Center was created within which it exists (see Section 13.17.020). New development shall provide parking as required.</p> <p>In NCX and CCX Districts, no parking is required for buildings located within 10 feet of the right-of-way of the designated pedestrian streets (see Section 13.06.300.C).</p> <p>In NCX, CCX, and UCX Districts, no parking is required for the first 3,000 square feet of each ground-level retail or eating and drinking establishment.</p> <p>Small, affordable housing types: Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following: at within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this bonus. e following:</p> <ul style="list-style-type: none"> • A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location. • Within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this bonus.
Parking Quantity Reductions. The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts may be reduced as follows:	
Transit Access	<p>Parking requirement shall be reduced by 25% for sites located within 500 feet of a transit stop and 50% for sites located within 500 feet of a transit stop at which a minimum of 20-minute peak hour service is provided (routes which serve stops at least every 20 minutes during peak hours). Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 500 feet of the site.</p>

Development Standards – Parking Garages. The following standards apply to parking garages. They are intended to limit parking garage impacts on the pedestrian environment and reduce opportunities for crime in parking garages.

Core Pedestrian Streets	<p>Parking garages are prohibited at street level along the frontage of designated core pedestrian streets. These areas are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</p>
Pedestrian Streets	<p>Parking garages shall not occupy more than 50% of the length of a building’s street-level frontage along a designated pedestrian street. The remaining portions are intended to include uses and portions of uses that encourage pedestrian activity and interaction between adjacent uses and the streetscape.</p> <p>To support pedestrian activity and urban vibrancy along these key streets, parking garage space shall not occupy more than 60% of a building elevation facing a designated core pedestrian street.</p>
Parking Garage Design Standards Openings	<p>These standards apply to parking garages for five or more vehicles.</p> <p>Parking garage openings, including vehicular access openings, shall not exceed 50% of the total ground floor façade adjacent to a public street or sidewalk.</p> <p>Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate decorative grilles, architectural elements, planters, and/or artworks that effectively reduce the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20% transparent but not more than 80% transparent. Vehicular access openings shall be exempt from this standard.</p> <p>For structured parking located within upper floors along designated pedestrian and core pedestrian streets, openings shall be designed to follow the rhythm and scale of the prevailing window pattern for the occupied spaces along the same elevation.</p> <p>Sloped parking decks and ramps should not be located along designated pedestrian or core pedestrian street elevations or, where such design is infeasible, shall be concealed from public view.</p>

2. Off-site parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make off-site parking desirable. Therefore, an exception is provided that off-street parking areas may be constructed on a parcel separate from the main building or buildings occupied by such uses, under the following circumstances:

- a. Where allowed. The parking area shall be considered an extension of the use it serves. The parking area shall be permitted, prohibited, or subject to conditional use permit in the same manner as the associated land use.
- b. Proximity to use. The parcel(s) for such off-site parking area shall be located within 500 feet of the parcel(s) to be served. The distance shall be measured between the nearest points of pedestrian access between the two parcels.
- c. Availability confirmation. Required parking spaces within such an off-site parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.
- d. Sign. A sign with a maximum area of 1.5 square feet shall be posted on the principal site providing notice of the availability and location of the additional parking. Said sign area will not be subtracted from any sign allowance in Section 13.06.520.
- e. Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk or pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility from the off-site parking to the use it serves when conditions warrant such improvements.

3. Shared parking. Parking areas for all uses shall be located on the same parcel with such uses; however, it is recognized that more efficient use of land, business, or organization growth, safety, or similar considerations may make shared parking desirable. Therefore, two or more uses may share common parking facilities, subject to the following:

- a. Off-site. The shared parking site shall comply with the provisions of off-site parking (subsection 2 above).

- b. Performance. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
 - c. Availability confirmation. Required parking spaces within such a shared parking area are owned or under legal contract by the owner(s) or lease holder(s) of the property intended to be served.
 - d. Total spaces. When two or more uses share common parking facilities, the total number of parking spaces required shall be the sum of spaces required for those uses individually.
 - (1) General exception. Where the uses involved are both daytime and nighttime uses, as defined below, the total required parking for all uses may be reduced by 50 percent of the daytime use requirement or the nighttime use requirement, whichever is smaller.
 - (2) Religious assembly and school exception. All of the parking spaces required by this section for a religious assembly or for an auditorium incidental to a public or private school, college, or university may be supplied by the off-street parking areas provided by daytime uses.
 - (3) Daytime uses established. For the purposes of this section, the following uses are considered as daytime uses: banks; business and professional offices; retail stores; daycare centers, manufacturing and warehouse buildings; and similar primarily daytime uses as determined by the City Engineer.
 - (4) Nighttime uses established. For the purposes of this section, the following uses are considered as nighttime uses: auditoriums incidental to a public or private school; college; or university; churches; bowling alleys; dance halls; theatres; taverns; cocktail lounges; night clubs; or restaurants; and similar primarily nighttime uses as determined by the City Engineer.
 - (5) Similar sharing of parking may be allowed between other uses whose parking demand generally occurs at different times, such as between those that operate primarily on weekdays and those that operate primarily on weekends, as determined by the City Engineer.
 - e. Pedestrians. Upon review, the Traffic Engineer, or designee, may require sidewalk and pedestrian crossing improvements or fence openings to enhance pedestrian safety and mobility between the uses sharing parking and the parking area shared when conditions warrant such improvements.
4. Other limitations on parking areas.
- a. Where the principal use is changed and additional parking space is required as a result, it is unlawful and a violation of this chapter to begin or maintain such altered use until such time as the required off-street parking provisions of this chapter are complied with.
 - b. Where the minimum number of required off-street parking spaces has been provided to serve a use, such parking area shall not be subsequently reduced in the number of parking spaces provided.
 - c. Where off-street parking areas are developed and operated as a business and where a parking fee is charged, the parking area shall be located only in a commercial or industrial district.
5. Driveways. Except as otherwise stipulated in the TMC, driveways shall be constructed according to the requirements of TMC 10.14.050 (or as amended), which include the following standards:
- a. Except as otherwise provided by TMC 10.14.050, the width of any driveway shall not exceed 30 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street, unless special authorization is given by the Director of Public Works;
 - b. The width of any driveway shall not be less than 10 feet, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street;
 - c. All driveways for other than single-family residences and duplexes shall be a minimum of 20 feet in width, exclusive of the radii of the returns, the measurement being made parallel to the center line of the street. The radius of all driveway returns shall be a minimum of 10 feet, except on non-arterial streets for single-family residences or duplexes, which shall have a minimum radius of five feet;
 - d. The total width of all driveways on a street for any one parcel shall not exceed 50 percent of the frontage of that parcel along the street, and shall not be more than two in number except as allowed under TMC 10.14.050.B.6.e.
6. Vehicle access and parking in R-Districts. Additional limitations on vehicular access and parking in R-Districts are contained in Section 13.06.100.D.
- B. Off-street parking area development standards.

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

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

a. Entrances and exit. The location and design of all entrances and exits shall be subject to the review and approval of the City Engineer, taking into consideration factors including, but not limited to, emergency vehicle mobility, safe turn movements, right-of-way width, speed limits, proximity to street intersections and/or other entrances or exits, street classification for motorists and/or bicyclists, pedestrian mobility, transit mobility, and retention of landscaping. Such entrances or exits shall not be designed to require vehicles to back into, or otherwise utilize a designated arterial street right-of-way as an aisleway for a parking area.

b. Parking aisles. Any aisle serving two-way traffic or providing one-way access to spaces at right angles to the aisle shall have a minimum width of 20 feet. Aisles providing one-way access to spaces at an angle of 60 degrees to the aisle shall have a minimum width of 18 feet. Aisles providing one-way access to spaces at an angle of 45 degrees to the aisle shall have a minimum width of 14 feet. On dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

c. Border barricades. A bumper curb of a height and strength sufficient to retain all vehicles and trailers completely within the given parking area shall be provided, except at access points. Bumper curbs shall be designed and located in such a manner as to prevent vehicles parked within a parking area from protruding beyond the parking area property line and into public right-of-way and/or adjacent private property.

d. Surfacing of parking areas. Off-street parking areas shall be surfaced with a minimum all-weather surface, consisting of a crushed rock base with an asphalt concrete or cement concrete surface, or permeable pavers designed for traffic use. Such surface shall have a standard thickness of two inches, unless otherwise specified by the City Engineer. Permeable pavers and pavements are allowed and encouraged where feasible. Such a parking area shall provide a drainage system in accordance with the City of Tacoma Stormwater Management Manual and to the approval of the City Engineer. Alternatives to the all-weather surface may be provided, subject to the approval of the City Engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:

(1) Dust is controlled;

(2) Stormwater is managed in accordance with the City of Tacoma Stormwater Management Manual~~treated to City standards;~~ and

(3) Rock and other debris is not tracked off-site.

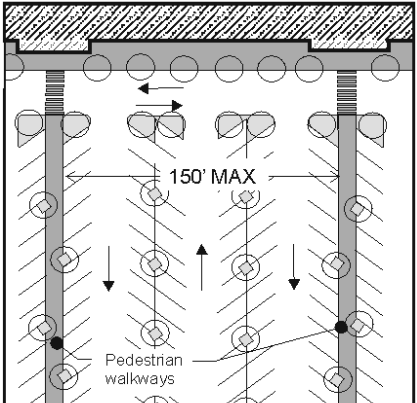
The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the City determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

13.06.512 Pedestrian and bicycle support standards.

A. General Applicability.

1. Application. The pedestrian and bicycle support standards apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein. The standards do not apply to remodels that do not change the exterior form of the building. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.

2. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

<p>3. Super regional malls. Additions to super regional malls which add less than 10,000 square feet of floor area shall be exempt from these standards. Larger additions shall meet the requirements of this table at a ratio of at least 1 to 3 for the entire mall site (in the same manner described above, under subsection 3), except that additions of an anchor tenant or 140,000 or more square ft. shall require full provision of these requirements for the entire mall site.</p>	
<p>4. Temporary. Temporary structures are exempt from the standards of this section.</p>	
<p>5. Residential or Mixed-Use. Residential structures of 4 dwelling units or fewer only need to comply with the standards of subsection B, below. Mixed-use structures shall comply with all of the standards.</p>	
<p>6. Parks, recreation and open space uses shall meet the standards of this table, except as specifically exempted below.</p>	
<p>7. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.</p>	
<p>8. Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.</p>	
<p>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.</p>	
<p>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.</p>	
<p>2. Multiple use sites. Shopping centers and sites with multiple uses shall provide a walkway network along building façades and through the parking lot that provides pedestrian circulation within the development and that links all customer and/or public building entrances to the public sidewalk. 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.</p>	
<p>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.</p> <p>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).</p>	
<p>4. Size and materials. All walkways must either be a raised sidewalk or composed of materials different from parking lot and vehicle access areas. Required walkways must be at least 5 feet wide, excluding vehicular overhang, except for walkways accessing individual residential dwelling units, where the minimum width shall be 4 feet. When more than one walkway is required, at least one walkway must be 10 feet wide. Permeable pavement surfaces are encouraged where feasible.</p>	
<p>5. Transit access. A direct walkway shall be provided between the principal customer and/or public building entry and any bus stop adjacent to the site. This may be the same as the walkways above. A separate walkway is required if the bus stop is not within 100 feet of a walkway connection to the sidewalk. This standard does not apply to residential structures of 4 dwelling units or fewer, or to parks, recreation and open space uses without buildings adjacent to the street.</p>	

13.06.522 District sign regulations.

A. R-1 Sign regulations. One non-illuminated [temporary](#) 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 Director. 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.

B. R-2 Sign Regulations. Sign regulations shall be the same as stated for the R-1 Single-Family Dwelling District, except that one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each boarding home. Residential developments of four or more dwelling units are permitted one ground sign not exceeding six square feet in area for all faces and not greater than five feet in height. Maximum sign area for each sign shall be one additional square foot for each dwelling unit, not to exceed 25 square feet in area. Indirect floodlighting shall be the only allowable means of illumination of ground signs. The base and/or support structures shall incorporate stone, brick, or masonry and shall relate to the architecture of the development that it is associated with.

C. R-2SRD, NRX and HMR-SRD Sign Regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building.

D. R-3 Sign regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building.

E. R-4 Sign Regulations.

1. One freestanding sign not exceeding 30 square feet in area for all faces and not greater than six feet in height, or one building face sign of the same maximum dimensions, shall be allowed for each development site.
2. Indirect illumination, floodlighting, or internal illumination shall be the only allowable means of illumination of signs. All external lighting shall be directed away from adjacent properties to minimize the effects of light and glare upon adjacent uses. No bare bulb or neon illumination of signs shall be allowed. No flashing or animated signs shall be allowed. No electrical wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.
3. Signs shall only identify the name of the development or business and may contain secondary information related to rental or sale of units. Public identification signs may be placed upon public service structures such as telephone booths and bus shelters.
4. All signs shall be of permanent materials (no cardboard, cloth, paper, etc.). No flags, banners, or other devices shall be displayed for the purpose of attracting attention to a development or site. No temporary or portable signs shall be allowed. The display of the national flag, state flag, and flags of other political subdivisions shall not be restricted.
5. No sign shall be placed in a location which obstructs sight distance for an adjacent driveway or street right-of-way. No signs for a development shall be placed in any public right-of-way. No sign shall be erected which imitates or resembles any official traffic sign, signal, or device. Incidental public service signs less than four square feet in area, which contain no advertising but are intended for the convenience of the public and provide such messages as "entrance," "exit," "emergency entrance," "no parking," or other incidental service messages, shall be allowed.

6. All signs shall be submitted for review by Planning and Development Services, as required by the Building Code and the Electrical Sign Code. Additionally, the proposed design of all signs shall be submitted to Planning and Development Services prior to construction for review to ensure conformance with the standards listed hereinabove.

Section 13.06.522.K	C-2, CIX, CCX, UCX, M-1, M-2, PMI	C-1
Signage Allocation		
Maximum total sign area	Wall signage, 1 square foot per 1 linear foot of the building frontage with the public entrance. Freestanding signage, 1 square foot per 1 linear foot of street frontage(s).	Same as C-2.
Signs Attached to Buildings		
Maximum number	3 per business, 25 percent allocation of maximum total area allowed on building wall(s) without a public entrance. (Note: 50 percent is allowed provided only 2 signs are installed at the business.) No maximum number for public facility over 5 acres.	Same as C-2.
Maximum area per sign	200 square feet. 400 square feet for public facility over 5 acres.	100 square feet.

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.

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.

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 parks, 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 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:

4. Area, setbacks and yards. Any building or structure hereafter built, enlarged, or moved on a lot shall conform to the area regulations of the district in which such building or structure is located.

p. The following setbacks apply to parks, recreation and open space uses, [and athletic facilities associated with any major institutional campus as recognized in the Comprehensive Plan](#):

- (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; and
- (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).

13.06.630 Nonconforming parcels/uses/structures.

A. Scope and purpose. Within the zones established by this title there exist parcels, uses, and structures which were lawful when established, but whose establishment would be prohibited under the requirements of this title. The intent of this section is to allow the beneficial development of such nonconforming parcel, to allow the continuation of such nonconforming uses, to allow the continued use of such nonconforming structures, and to allow maintenance and repair of nonconforming structures. It is also the intent of this section, under certain circumstances and controls, to allow the enlargement, intensification, or other modification of nonconforming uses and structures, consistent with the objectives of maintaining the economic viability of such uses and structures, and protecting the rights of other property owners to use and enjoy their properties. However, relief for nonconforming uses shall be narrowly construed, recognizing that nonconforming uses are disfavored by state law.

Parcels, uses, and/or structures shall be considered legally nonconforming if such parcel, uses, and/or structure were legally created prior to May 18, 1953, or if such legally created parcel, use, and/or structure became nonconforming by reason of subsequent changes in this chapter.

Pre-existing uses or structures located within a wetland, stream or their associated buffers that were lawfully permitted prior to adoption of the Tacoma Municipal Code (TMC) Chapter 13.11, Critical Areas Preservation Ordinance (CAPO), but were not in compliance with the CAPO, shall be subject to the applicable provisions of this section and ~~TMC Sections 13.11.140 and 13.11.160~~, [shall comply with the requirements of TMC Chapter 13.11](#).

B. Nonconforming parcels. Except as otherwise required by law, a legal nonconforming parcel, which does not conform to the minimum lot area, minimum lot width, and/or minimum lot depth requirements of this title, nevertheless, may be developed subject to all other development standards, use restrictions, and other applicable requirements established by this title.

Parcel modifications, such as boundary line adjustments, property combinations, segregations, and short and long plats shall be allowed, without need for a variance, to modify existing parcels that are nonconforming to minimum lot size requirements, such as minimum area, width or frontage, and minimum dimensional requirements, such as setbacks, yard area, and lot coverage, as long as such actions would make the nonconforming parcel(s) more conforming to the existing requirements and would not create any new or make greater any existing nonconformities.

13.06.640 Conditional use permit.

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

J. Large Scale Retail

1. Purpose. The purpose of the conditional use permit review process for large scale retail uses is to determine if the proposal is appropriate in the location and manner proposed and, recognizing the size and scale of such developments and their significant impact on the ability for the community to achieve its long-term vision and goals, to ensure that such developments represent an exceptional effort to support the intent and policies of the Comprehensive Plan and respond to the vision, issues, and concerns of the specific neighborhood. It is critical to ensure that such proposals incorporate design strategies, beyond the typical design and development standards, that will ensure such projects represent a positive contribution to the community and mitigate their size, scale, traffic volumes, and other potential impacts that are typically associated with large scale retail developments.

2. Applicability. This section shall apply to the development of large scale retail uses that exceed the applicable size thresholds for the zoning district in which the proposal is located (as noted in the use tables found in Sections 13.06.200, 13.06.300, and 13.06.400). This section shall not apply to existing large scale retail uses or the reuse of existing buildings, unless such projects involve additions to the existing building(s) that exceed the minor modification thresholds in Section 13.05.080 or expansions within buildings permitted after February 16, 2012, that exceed 50 percent of the previously permitted use area.

3. Criteria. Where allowed, a conditional use permit for a large scale retail use shall only be approved upon a finding that such development is consistent with all of the standard decision criteria for conditional use permits, as outlined above under Subsection C, and all of the following additional decision criteria at subsections a. through f. below. For projects that involve expansions to an existing large retail use but do not involve significant building expansion (as outlined above under Subsection J.2) these additional decision criteria shall be applied as deemed appropriate by the Hearing Examiner, recognizing the limitations of incorporating significant site design modifications as part of such a remodel/expansion project.

a. The proposed development is designed in a manner that allows for future reuse of the building(s) by multiple tenants. This may be accomplished by incorporating a variety of different design elements, including provision of several tenant spaces of varying sizes within the building(s) or the ability to practicably modify the building(s) in the future with building separations and modifications to access, mechanical systems, and other components that would accommodate multi-tenant reuse.

b. The design of off-street parking areas represent a substantial effort to ensure enhanced pedestrian safety and comfort. Appropriate parking lot design strategies include segmenting surface parking areas into smaller groupings with interspersed buildings, pedestrian features, frequent pedestrian pathways, landscaping, and other focal points, limiting the quantity of off-street parking provided, and/or provision of structured parking for a portion of the on-site parking provided.

c. The type and volume of traffic and existing and proposed traffic pattern allows for accessibility for persons and various modes of transportation. Adequate landscaping, screening, open spaces, and/or other development components are provided as necessary to mitigate the traffic impact upon neighboring properties. In addition, pedestrian-oriented design is further emphasized within Mixed-Use Centers to maintain connectivity between uses and all modes of transportation, including bicycle, pedestrian, and mass transit options.

d. Business activity, including delivery and hours of operation, is limited to avoid unnecessary noise and light impacts to surrounding residential uses. Outdoor storage or garden areas are appropriately screened from view or contained within a structure.

e. In Mixed-Use Centers, the design of the overall development represents an exceptional effort to positively contribute to the desired and planned character of the district, as outlined in the Comprehensive Plan. This may be accomplished through

incorporation of enhanced development features, such as providing a variety of uses, structured parking, multiple floors to allow for smaller building footprints, incorporation of residential units within the building or overall development site, smaller-scale storefront design along the street level, Low-Impact Development BMPs and Principles techniques, and a diverse array of public spaces, including indoor and outdoor spaces, active and passive spaces, and plazas and garden spaces.

f. For projects on sites along a designated pedestrian street or core pedestrian street (see Sections 13.06.200.E and 13.06.300.C) the site and building design provides a significant emphasis on pedestrian-orientation over vehicular-orientation. This may be accomplished through encouraging direct, continuous, and regular pedestrian access, incorporating an internal pedestrian circulation system that provides connections between buildings, through parking areas, to the street and transit linkages, and to surrounding properties and neighborhoods, incorporating continuous and active uses and spaces along pedestrian street frontages and internal pedestrian pathways, and limiting conflicts between pedestrians and vehicles, particularly along the designated street.

4. An application for a conditional use permit for large scale retail use shall be processed in accordance with the provisions of Chapter 13.05, except with the following additional requirement:

Pre-application community meeting. Prior to submitting an application to the City for a conditional use permit for a large scale retail use, it is recommended that the applicant hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed development. The meeting should acquaint the neighbors of the proposed development with the applicant and/or developers and provide for an exchange of information about the proposal and the community, including the characteristics of the proposed development and of the surrounding area and any particular issues or concerns of which the applicant should be made aware. It is recommended that the applicant provide written notification of the meeting, at least 30 calendar days prior to the meeting date, to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 1,000 feet of the project site.

5. Upon issuance, the Hearing Examiner's decision may be appealed subject to procedures contained in Chapter 1.23.

K. Discontinued conditional uses. Any authorized conditional use that has been discontinued for a period of three or more years may not be reestablished or recommenced except pursuant to a new conditional use permit. The Director may, in specific cases, authorize an extension of up to one year. In reviewing requests for this extension, the Director shall consider the following:

1. Impacts to the community that may result from the reestablishment of the use; and

2. Whether a reasonable effort has been made by the owner/applicant to maintain the property and use.

L. Master plan process for conditional uses. Master plans provide conditional uses the flexibility to receive overall approval of long-term development plans which may occur in phases and extend beyond the standard timeframe for conditional use permits. This process is especially appropriate for large, campus-like facilities with multiple uses and/or buildings that may undergo continuous expansion/improvement. The master plan serves as an overall review in which general development intentions are outlined, implementation phasing is determined and conditions, improvements, and mitigations are outlined consistent with the project phases. The decision shall identify the duration of the master plan approval, any required periodic reviews, and any additional future notification and review requirements, which may be appropriate for future phases that may not have complete detail in the initial master plan approval.

13.06.645 Variances.

A. Administration.

1. All variances shall be processed in accordance with provisions of Chapter 13.05. Certain regulatory relief may be sought consistent with sections below that provide for potential variances in specified development situations.

2. A minor variance is one in which the code relief requested is within 10 percent of the quantified standard contained in the code and shall be processed in accordance with 13.05.020.B. Minor variances may be granted for quantitative development regulations (~~bulk, area~~), other than height, accessory building height, design, sign regulations, and off street quantity standards. Examples of quantitative standards are building setback, parking quantity, lot size, and minimum density requirements.

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

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

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

B. Specified variances.

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

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

b. Criteria. The Director may, in specific cases, authorize a variance to the development regulations, subject to the criteria set forth below. In granting a variance, the Director or Hearing Examiner may attach thereto such conditions regarding the location, character and other features of the proposed structure as may be deemed necessary to ensure consistency with the intent of the Code and Comprehensive Plan and to ensure that the use of the site will be as compatible as practicable with the existing development on the site and surrounding uses. [In instances in which a variance to building height is approved, no occupiable space above the district height limit shall be added.](#)

All of the following facts and circumstances must exist:

- (1) The restrictive effect of the specific zoning regulation construed literally as to the specific property is unreasonable due to unique conditions relating to the specific property, and which do not result from the actions of the applicant, such as: parcel size; parcel shape; topography; location; documentation of a public action, such as a street widening; proximity to a critical area; location of an easement; or character of surrounding uses.
- (2) The requested variance does not go beyond the minimum necessary to afford relief from the specific hardship affecting the site.
- (3) The grant of the variance would allow a reasonable use of the property and/or allow a more environmentally sensitive site and structure design to be achieved than would otherwise be permitted by strict application of the regulation, but would not constitute a grant of special privilege not enjoyed by other properties in the area.
- (4) The grant of the variance will not be materially detrimental or contrary to the Comprehensive Plan and will not adversely affect the character of the neighborhood and the rights of neighboring property owners.
- (5) The grant of the variance will not cause a substantial detrimental effect to the public interest.
- (6) Standardized corporate design and/or increased development costs are not cause for variance.

13.06.650 Application for rezone of property.

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

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

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

5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

C. Amendment of boundaries of districts.

1. Whenever this chapter has been, or is hereafter, amended to include in a different district, property formerly included within classified district boundaries of another district, such property shall be deemed to thereupon be deleted from such former district boundaries.

2. Unless specifically classified otherwise, zoning district boundaries shall be considered to extend to the centerline of rights-of-way. Right-of-way, which has had prior approval for vacation pursuant to Chapter 9.22 or which is hereafter approved for vacation, shall be deemed to be added to the district boundaries of the property which the vacated right-of-way abuts. In instances where a vacated right-of-way is bordered on one side by a district which is different from the district on the other side, the right-of-way shall be deemed to be added apportionately to the respective districts.

D. Limitation on rezones in downtown districts. After the area-wide reclassification establishing the downtown district boundaries has occurred, no property shall be reclassified to a downtown district, except through a subsequent area-wide reclassification.

E. Limitations on rezones in Mixed-Use Centers. After adoption of the area-wide reclassifications establishing and confirming the Mixed-Use Center zoning district boundaries in 2009, no property shall be reclassified to or from a Mixed-Use Center zoning district (X-district) except through a subsequent area-wide reclassification.

F. Limitations on rezones in certain overlay zoning districts. The boundaries of the following area-wide zoning overlay districts can only be amended through another area-wide reclassification: view-sensitive, groundwater protection, manufacturing/industrial center, and historic and conservation overlay districts.

G. Area-wide reclassifications adopted by the City Council supersede any previous reclassifications and any conditions of approval associated with such previous reclassifications.

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

Abandonment of wireless facility. The termination or shutting-off of electrical power to a wireless communication tower and/or associated antenna and equipment facility for a period of one calendar year or more. The records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of power termination.

Accessory antenna device. An antenna including, but not limited to, test, mobile, and global positioning (GPS) antennas which are less than 12 inches in height or width, excluding the support structure.

Accessory building. An accessory building, structure, or portion thereof which is subordinate to and the use of which is incidental to that of the main building, structure, or use, and which is not considered as a main building or a building used for dwelling purposes. If an accessory building is attached to the main building by a substantial connection ~~or is within six feet of the main building~~, such accessory building shall be considered as a part of the main building;

Accessory dwelling unit. A second subordinate dwelling unit located on the same lot as a single-family dwelling (hereinafter referred to as the “main dwelling”) and either within the same building as the main dwelling or in a detached building, with a provision for independent cooking, living, sanitation, and sleeping.

Government offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

Grade. The elevation of the ground surface around a building.

Green roof. See Vegetated roof. ~~A green roof is a roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. This does not refer to roofs which are merely colored~~

~~green, as with green shingles. Container gardens on roofs, where plants are maintained in pots, are not considered to be true green roofs.~~

Grocery store, full service. A grocery store that sells a broad range of food products that typically include fresh meats, canned and prepared foods, fresh fish, fresh eggs, fresh produce, fresh dairy products, frozen foods, and baked goods.

~~Low Impact Development. Low Impact Development is a stormwater management strategy that emphasizes conservation and the use of natural site features, including transplanted and retained trees, integrated with engineered, small-scale stormwater controls to more closely mimic predevelopment hydrologic conditions.~~

Low Impact Development. A stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of onsite natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low Impact Development Best Management Practices (LID BMPs). Distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout infiltration and dispersion, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water reuse. LID BMPs shall be designed in accordance with the Stormwater Management Manual.

Low Impact Development Principles. Land use management strategies that emphasize conservation, use of onsite natural features, and site planning to minimize impervious surfaces, native vegetation loss and stormwater runoff.

13.06.700.V

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

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

Vegetated roof. (also known as green roofs) Thin layers of engineered soil and vegetation constructed on top of conventional flat or sloped roofs. Vegetated roofs shall be designed in accordance with the SWMM.

Vegetated wall. A vegetated wall is a vertical surface designed and planted to be covered at maturity by plants that:

- Can include the wall of a structure (such as a masonry wall), or a trellis or lattice structure either free standing or on the side of a building, or a wire screen or other framework that allows coverage by plants.
- Is at least 6 feet tall, unless specifically allowed at a lower height;
- Does not consist of invasive species; and
- Has demonstrated viability in the planned environment.

Chapter 13.06A
DOWNTOWN TACOMA

13.06A.065 Parking Standards

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

E. Surface parking lots on Primary Pedestrian Streets within the RPA boundary

1. The following regulations are intended to promote a walkable, dense, urban environment on Primary Pedestrian Streets which is both aesthetically pleasing and commercially vibrant. The use of landscaping and publicly accessible amenities should be used to create harmony between vehicle and pedestrian areas.

2. Construction of a new surface parking lot to serve as a commercial parking facility is prohibited.

3. Dedicated surface parking areas shall be located on the same site as the principle use.

4. The location of on-site surface parking areas is limited to the area behind the front wall line of the structure, within, or under the structure; and for corner sites surface parking shall not be located at the corner.

5. The maximum width of on-site surface parking areas along the frontage of Primary Pedestrian Streets, including driveways, is limited to 60 feet. Portions of surface parking that are more than 40 feet back from the property line along a Primary Pedestrian Street can exceed this width limitation. If the remaining area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.

6. The expansion of an existing surface parking area located along the frontage of a Primary Pedestrian Street is prohibited. However, surface parking areas can be expanded as long as any such expansion is located at least 40 feet back from the property line along the Primary Pedestrian Street. If this remaining setback area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.

7. At a minimum, the required setback area shall be landscaped consistent with Landscape Type B found in Section 13.06.502.F. Alternatively, a minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; [vegetated Low Impact Development BMPs](#), public art as approved by appropriate City Commissions; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City.

a. The setback area shall be clearly identified with signage placed at a visible location with lettering visible to passersby indicating the nature of the setback area and, if appropriate, its availability to the general public.

b. The maintenance of the setback area shall be the responsibility of the property owner for the life of the associated building or the parking area, or until such time as the setback area is developed with a structure that is in conformance with this chapter.

c. If intended to be publicly accessible, the area shall be clearly and directly connected from the adjacent sidewalk meeting Accessibility Standards.

13.06A.070 Basic design standards.

A. A variance to the required standards may be authorized, pursuant to Section 13.06A.110.

B. If a building is being renovated in accordance with the Secretary of Interior's Standards for Treatment of Historic Properties, and a conflict between the basic design standards or additional standards and the Secretary's Standards occurs, then the Historic Preservation Criteria and Findings made by the Tacoma Landmarks Preservation Commission shall prevail.

C. Standards Applicable to Development in All Districts.

1. The basic design standards and additional standards applicable to the DCC and DR districts, except as otherwise noted, shall apply to all new construction, additions, and substantial alterations.

2. All rooftop mechanical for new construction shall be screened or located in a manner as to be minimally visible from public rights-of-way. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. If the project proponent demonstrates that the function and integrity of the HVAC equipment would be compromised by the screening requirement, it shall not apply. This standard shall not apply to existing buildings undergoing substantial alteration.

3. Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear feet of frontage, with tree grates or alternative pervious surface materials covering the pits, in conformance with the General Landscaping requirements of TMC 13.06.502. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees and grates should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.

a. The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc.

b. Tree pits shall be covered by tree grates, or alternative pervious surface materials, to accommodate pedestrians in the planting area. The use of tree grates or alternative pervious surface materials will be determined by the presence of existing grates or surface materials in the district, and the width and function of the sidewalk.

c. Residential development may substitute plantings for grates or alternative tree pit pervious surface materials.

d. Where existing areaways, vaults or insufficient sidewalk widths prevent this form of planting, trees may be planted in planters that are generally in conformance with the Tacoma Downtown Streetscape Study and Design Concepts and the technical guidance of the Urban Forest Manual.

4. Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below:

a. At least 25 percent of the linear sidewalk level frontage shall consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations; or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.

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

(1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.

(2) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade.

(3) The sidewalk level façade must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above.

(4) At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

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

5. Any sidewalk level façade of a new building, an addition to a building, or a substantially altered building that faces a street shall have at least 20 percent of the area located between 2 feet above grade and 12 feet above grade in transparency through the use of windows, doors, or window displays. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, residential, or commercial uses at the sidewalk level. A decorative grille, work of art, or a similar treatment may be used to meet this standard on those portions of the sidewalk

level façade where it can be demonstrated that the intrusion of natural light is detrimental to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms. In no instances shall the amount of transparency present in existing buildings be decreased below this standard. This standard shall also apply when 50 percent or more of the sidewalk level façade is altered.

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

6. Development shall also comply with the General Landscaping requirements of Section 13.06.502, the requirements as established in Section 13.06.511, Transit Support Facilities and Section 13.06.512, Pedestrian and Bicycle Support Standards.

7. New driveways shall meet the driveway location requirements of TMC 10.14.050 and the following additional standards.

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

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

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

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

e. Variances to the required standards may be authorized pursuant to Section 13.06A.110.

8. Where trees are provided, they shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards. However, limited flexibility in the placement of trees shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

9. Where pedestrian light standards or parking lot light standards are provided, they shall be placed a minimum of 10 feet from trees. However, limited flexibility in the placement of light standards shall be allowed to address unique circumstances such as unusual topography or where other required or existing features limit the ability to strictly meet this standard.

10. Where public seating is provided, it shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture.

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

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

1. The maximum square feet of setback area for new and substantially altered structures and additions fronting on a Primary Pedestrian Street shall be determined by multiplying 75 percent of the linear sidewalk level frontage by a factor of 10. The setback area or areas can only be used for entrance areas and space devoted to exterior public spaces, pedestrian amenities, landscaping, [vegetated Low Impact Development BMPs](#), or works of art. Parking is prohibited in the setback areas.

2. Any new building, or any substantially altered structure located along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below.

a. At least 50 percent of the linear sidewalk level façade shall be occupied by any of the following uses: retail; restaurants; cultural or entertainment uses; hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations, or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.

b. The floor area abutting at least 50 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above and may be occupied by any use allowed in the zoning district. The areas designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.

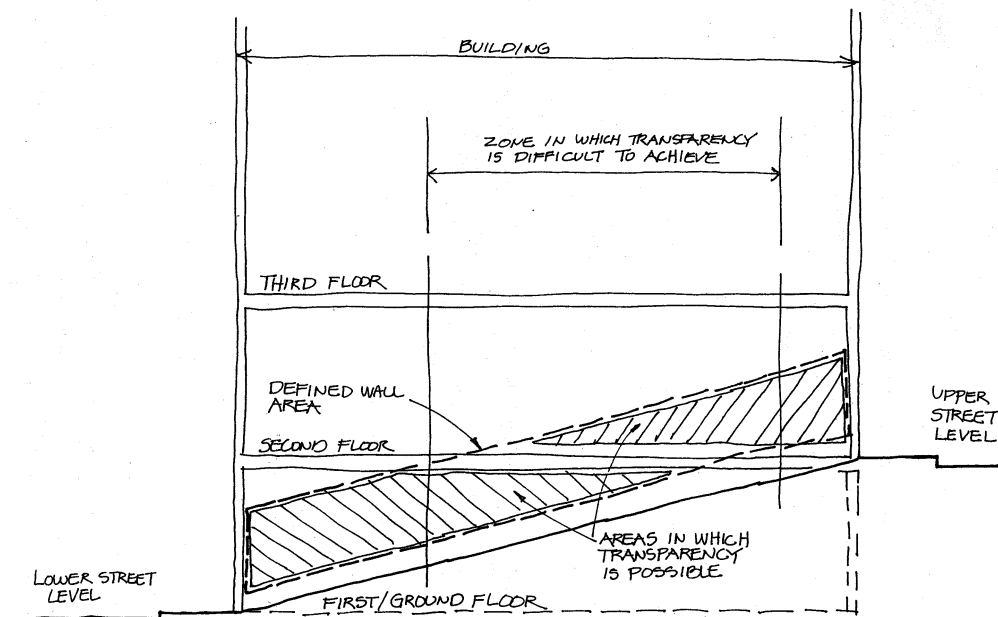
(1) The distance from the finished floor to the finished ceiling above shall be at least 12 feet.

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

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

3. The sidewalk level façade of any new or substantially altered structure and/or of an addition along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall include the following. This standard shall also apply when 50 percent of the sidewalk level façade is altered.

a. At least 60 percent of the façade area between 2 feet above grade and 12 feet above grade shall consist of transparency through the use of windows, doors, or window displays except that the transparency standard shall be reduced to 50 percent if at least 50 percent of the sidewalk level façade is occupied with uses listed in subparagraph 2 a. above. Window displays must be at least 12 inches in depth and recessed into the building. Display cases attached to the exterior wall do not qualify. The transparency standard may be reduced for buildings located on a sloping site by eliminating application of this standard to that portion of the building façade where the slope makes application of the requirement impracticable as shown in the illustration below. The transparency standard shall apply to the portion of the sidewalk level façade of a parking structure that includes retail, service, or commercial uses at the sidewalk level. A decorative grille, work of art, or similar treatment may be used to meet this standard on those portions of the façade where it can be demonstrated that the intrusion of natural light is detrimental to the sidewalk level use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories and classrooms. In no instance shall the amount of transparency present in existing buildings be decreased below this standard.



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

13.06A.080 Design Standards for Increasing Allowable FAR.

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

No variances shall be granted to the following:

1. Enhanced pedestrian elements at the sidewalk level including decorative lighting (free-standing or building-mounted), seating or low sitting walls, planters, or unit paving in sidewalks.
2. Exterior public space equivalent to at least 5 percent of the site area and including the following attributes:
 - a. Seating in the amount of one sitting space for each 100 sf of area.
 - b. Trees and other plantings, [which could include vegetated Low Impact Development BMPs](#).
 - c. Solar exposure during the summer.
 - d. Visibility from the nearest sidewalk.
 - e. Within 3' of the level of the nearest sidewalk.
3. Incorporation of works of art into the public spaces, exterior façade, or entrance lobby.
4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of [vegetated roofs](#) ~~“green roofs” which reduce storm water runoff~~. Access by building occupants is encouraged.
5. Including a Public Benefit Use within the development.
6. Within the Downtown Commercial Core, at least 60 percent of the linear frontage along those portions of Pacific Avenue, Broadway, and Commerce Street defined as a Primary Pedestrian Street shall be occupied by retail, restaurants, cultural or entertainment uses, hotel lobbies, or Public Benefit Uses.

Chapter 13.09

SOUTH TACOMA GROUNDWATER PROTECTION DISTRICT

Sections:

13.09.010	Background, purpose, and intent.
13.09.020	Declaration of policy.
13.09.030	Scope and applicability.
13.09.040	Definitions.
13.09.050	General provisions.
13.09.060	Prohibited uses.
13.09.070	Stormwater Infiltration.
13.09.080	Permits – Construction, modification, operation, change in use.
13.09.090	Exemptions.
13.09.100	Hazardous substance storage and management.
13.09.110	Underground storage tanks.
13.09.120	Aboveground storage tanks.
13.09.130	Inspections and testing.
13.09.140	Spill prevention and management.
13.09.150	Release reporting, investigation, corrective action.
13.09.160	Recordkeeping.
13.09.170	Waivers.
13.09.180	Deferral.
13.09.190	Enforcement Responsibility.
13.09.200	Enforcement Process.
13.09.210	Administrative Review.
13.09.220	Appeals.
13.09.230	Penalties.
13.09.240	Civil Penalty.
13.09.250	Criminal Penalty--Misdemeanor.
13.09.260	Other Remedies.
13.09.270	Severability.

13.09.040 Definitions.

For the purpose of this chapter, certain words and terms are defined as follows:

A. “Abandon” means an aboveground storage tank, underground storage tank, or other container used for storage of hazardous substances left unused for more than one year, without being substantially emptied or permanently altered structurally to prevent reuse.

B. “Aboveground storage tank” means a device meeting the definition of “tank” in this section and that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

R. “Hazardous substance(s)” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity which may pose a present or potential hazard to human health or to the quality of the drinking water supply in the South Tacoma aquifer system when improperly used, stored, transported, or disposed of or otherwise mismanaged, including without exception:

1. Those materials that exhibit any of the physical, chemical or biological properties described in Department of Ecology’s 173-303-082 WAC, 173-303-090 WAC, or 173-303-100 WAC as may be amended from time to time; and
2. Those materials set forth in the General Guidance and Performance Standards hereinafter referred to;

3. Petroleum products and by-products, including crude oil or any fraction thereof such as gasoline, diesel, and waste oil which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute); and

4. Any substance or category of substances meeting the definition of a hazardous substance under Chapter 173-340 WAC as may be amended from time to time.

S. “Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

ST. “High-impact use” means a business establishment that is considered to be hazardous and/or noxious due to the probability and/or magnitude of its effects on the environment. For purposes of this chapter, these uses or establishments possess certain characteristics, which pose a substantial or potential threat or risk to the quality of the ground and surface waters within the South Tacoma Groundwater Protection District.

TU. “Impervious surface” means natural or man-made material on the ground that does not allow surface water or contaminants to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc.

UV. “Manifest” means the shipping document, prepared in accordance with the requirements of Department of Ecology’s 173-303-180 WAC as may be amended from time to time, which is used to identify the quantity, composition, origin, routing, and destination of a hazardous waste while it is being transported to a point of transfer, disposal, treatment, or storage.

VW. “Misdemeanor” means any crime punishable by a fine not exceeding \$1,000, or imprisonment not exceeding 90 days, or both, unless otherwise specifically defined.

WX. “Omission” means a failure to act.

XY. “On-site” means the same or geographically contiguous property which may be divided by public or private right of way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Noncontiguous properties owned by the same person but connected by a right of way, which they control and to which the public does not have access, are also considered on-site property.

YZ. “Operator” means the person responsible for the overall operation of a facility.

ZAA. “Permeable surfaces” means sand, gravel, and other penetrable deposits or materials on the ground which permit movement of materials, such as groundwater or contaminants, through the pore spaces, or active or abandoned wells which permit the movement of fluid to the groundwater.

AABB. “Person” means any individual, trust, joint stock company, corporation (including government corporation), partnership, association, consortium, joint venture, commercial entity, state, municipality, commission, political subdivision of a state, interstate body, the federal government, or any department or agency of the federal government.

BBCC. “Person responsible for the violation” means any person that commits any act or omission which is a violation or causes or permits a violation to occur or remain on the property or regulated facility, and includes but is not limited to owners(s), lessor(s), tenant(s), or other person(s) entitled to control, use, and/or occupy property or the regulated facility where a violation occurs, and any person who aids and abets in a violation.

DD. “Pollution-generating hard surface (PGHS)” means those hard surfaces considered to be a significant source of pollutants in stormwater runoff. See the listing of surfaces under pollution-generating impervious surface.

EEE. “Pollution-generating impervious surface (PGIS)” means those impervious surfaces considered to be a significant source of pollutants in stormwater runoff. Such surfaces include those that are subject to: regular vehicular use; industrial activities (involving material handling, transportation, storage, manufacturing, maintenance, treatment or disposal); or storage of erodible or leachable materials, waste or chemicals, and which receive direct rainfall or the run-on or blow-in of rainfall. Metal roofs are also considered to be PGIS unless they are coated with an inert, non-leachable material. Roofs that are subject to venting significant amounts of dusts, mists, or fumes from manufacturing, commercial, or other indoor activities are considered PGIS.

DDFF. “Pollution-generating pervious surfaces (PGPS)” means any non-impervious surface subject to vehicular use, industrial activities (as further defined in the glossary of the *Stormwater Management Manual for Western Washington (SWMMWW)*); or storage of erodible or leachable materials, wastes, or chemicals, and that receive direct rainfall or run-on or blow-in of rainfall, use of pesticides and fertilizers, or loss of soil. Typical PGPS include permeable pavement subject to vehicular use, lawns, and landscaped areas including: golf courses, parks, cemeteries, and sports fields (natural and artificial turf).

DDGG. “Recharge areas” means areas of permeable deposits exposed at the surface which transmit precipitation and surface water to the aquifer.

~~EE~~HH. “Regulated facility” means any facility with one or more of the following: underground storage tank(s), aboveground storage tank(s), hazardous substances at regulated quantities, or stormwater infiltration unit(s) subject to regulation under section 13.09.080 of this chapter.

~~FF~~II. “Release” means intentional or unintentional entry, spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of a hazardous substance, as defined in this section, into the environment and includes the abandonment or discarding of barrels, containers, and other receptacles containing hazardous substances. Should the definition of “release” in RCW 70.105D.020(20) be amended from time to time, then such amendment is incorporated herein by reference as if set forth at length.

~~GG~~JJ. “Release detection” means a method or methods of determining whether a release or discharge of a hazardous substance has occurred from a regulated facility into the environment.

~~HH~~KK. “Retail business use” means a use in which individually packaged products or quantities of hazardous substances are rented or sold at retail to the general public and are intended for personal or household use.

~~II~~LL. “Solid waste” means all putrescible and non-putrescible solid and semi-solid waste, including, but not limited to, garbage, rubbish, ashes, industrial waste, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

~~JJ~~MM. “Stormwater” means water derived from a storm event or conveyed through a storm system.

~~KK~~NN. “Stormwater infiltration unit” means an impoundment, typically a pond, trench, or bio-infiltration swale which collects stormwater and allows it to percolate into surrounding soil.

~~LL~~OO. “Substantial modifications” means the construction of any additions to an existing facility, or restoration, refurbishment, or renovation which:

1. Increases or decreases the in-place storage capacity of the facility;
2. Alters the physical configuration;
3. Impairs or affects the physical integrity of the facility or its monitoring systems; or
4. Alters or changes the designated use of the facility.

~~MM~~PP. “Surface water” means water that flows across the land surface, in natural channels not considered a stormwater conveyance system, or is contained in depressions in the land surface, including but not limited to wetlands, ponds, lakes, rivers, and streams.

~~NN~~QQ. “Tank” means a stationary device designed to contain an accumulation of hazardous substances, and which is constructed primarily of non-earthen materials to provide structural support.

~~OO~~RR. “Temporary closure” means to take a tank out of service for more than one month and less than one year.

~~PP~~SS. “TMC” means the Tacoma Municipal Code.

~~QQ~~TT. “Underground storage tank” means any one or a combination of tanks (including underground pipes connected thereto) which are used to contain or dispense an accumulation of hazardous substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. Specific exemptions to this definition are contained in Section 13.09.090 TMC.

~~RR~~UU. “Violation” means an act or omission contrary to the requirement of the chapter, and includes conditions resulting from such an act or omission.

Chapter 13.11
CRITICAL AREAS PRESERVATION

13.11.200 Allowed Activities.

A. Purpose. The purpose of this section is to allow certain activities that are unlikely to result in critical area impacts. The activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. All activities shall use reasonable methods to avoid and minimize impacts. Any incidental damage to, or alteration of, a critical area, or buffer, shall be restored or replaced at the responsible party's expense.

B. The following activities may occur without City review or approval in compliance with the purpose stated above.

1. The maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public provided such work does not expand the footprint of the facility or right-of-way or alter any regulated critical area or buffer. Activities must be in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area.

2. The maintenance and repair of legally existing roads, structures, or facilities used in the service of the public to provide stormwater services may occur provided such work is in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provides all known and reasonable protection methods for the critical area, and does not expand further into the critical area.

3. Holding basins and detention ponds that are part of the municipalities storm-water system are exempt from the permit provisions of this chapter when such holding basin ~~and/or~~ detention ponds is controlled by an engineered outlet.

13.11.210 Activities Allowed with Staff Review.

A. Purpose. The purpose of this section is to allow City staff review to determine whether potential impacts to a critical area or buffer may occur, without requiring a critical area permit. The staff review will ensure the activity meets the specific criteria below.

B. The following activities require review by City staff. Review and authorization may occur over-the-counter or staff may issue a letter of approval with conditions. Additional information and studies may be requested. Activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. Any incidental damage to, or alteration of, a critical area shall be restored or replaced at the responsible party's expense.

1. Emergencies. Those activities necessary to prevent an immediate threat to public health, safety, or welfare or pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for normal processing. Emergency actions that create an impact to a critical area or its buffer shall use best management practices to address the emergency and, in addition, the action must have the least possible impact to the critical area or its buffer.

The person or agency undertaking such action shall notify the City within one (1) working day following the commencement of the emergency activity. The City shall determine if the action taken was within the scope of an emergency action and following that determination, may require the action to be processed in accordance with all provisions of this chapter including the application of appropriate permits within thirty (30) days of the impact. The emergency exemption may be rescinded at any time upon the determination by the City that the action was not, or is no longer necessary.

After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary mitigative actions including, but not limited to, restoration and rehabilitation or other appropriate mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved mitigation plan. All mitigation activities must take place within one (1) year following the emergency action and impact to the critical area, or within a timeframe approved by the City and reflected within an approved schedule. Monitoring will be required as specified in the General Mitigation Requirements (Section 13.11.270).

2. Maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public may occur following review where alteration of the critical area or buffer is unavoidable. All activities must be in compliance with the current City ~~Surface Water~~Stormwater Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area and shall not expand further into the critical area.

10. Voluntary enhancement of a critical area or buffer that exceeds the provisions above in 13.11.200.B.56 may be allowed if the activity meets the requirements of this section.

13.11.230 Application Submittal Requirements.

A. The purpose of information submittal and review is to require a level of study sufficient to protect critical areas and/or the public from hazards. All information submitted shall be reviewed as to its validity and may be rejected as incomplete or incorrect. Additional information or electronic copies of all information may be requested for review and to ensure compliance. In the event of conflicts regarding information submitted, the Director may, at the applicant's expense, obtain expert services to verify information.

B. The following items are required for permit review and approval, where applicable depending upon the project and permit type, and as determined necessary by City staff.

1. A Joint Aquatic Resource Permit Application and vicinity map for the project.
2. A surveyed site plan that includes the following:
 - a. Parcel line(s), north arrow, scale and two foot contours.
 - b. Location and square footage for existing and proposed site improvements including, utilities, stormwater and drainage facilities, construction and clearing limits, and off-site improvements. Include the amounts and specifications for all draining, excavation, filling, grading or dredging.
 - c. The location and specifications of barrier fencing, silt fencing and other erosion control measures.
 - d. Base flood elevation, floodplain type and boundary and floodways, if site is within a floodplain.
 - e. Critical Areas including all surveyed, delineated wetland boundaries, and the ordinary high water mark of any stream and their buffers, and all Fish and Wildlife Conservation Areas (FWHCA), and any FWHCA Management Areas.
 - f. The square footage of the existing critical areas and buffers located on-site and the location and square footage of any impacted areas.
 - g. Locations of all data collection points used for the field delineation and general location of off-site critical areas and any buffer that extends onto the project site. Location and dominant species for significantly vegetated areas.
 - h. The location and square footage of impact areas, mitigation areas and remaining critical areas and buffers; including areas proposed for buffer modification.
3. Critical Area report prepared by a qualified professional as defined in 13.11.900.Q. The analysis shall be commensurate with the sensitivity of the critical area, relative to the scale of potential impacts and consistent with best available science. The report must include the following where appropriate:
 - a. Delineation, characterization and square footage for critical areas on or within 300 feet of the project area and proposed buffer(s). Delineation and characterization is based on the entire critical area. When a critical area is located or extends off-site and cannot be accessed, estimate off-site conditions using the best available information and appropriate methodologies.
 - (1) Wetland Delineations will be conducted in accordance with the current manual designated by the Department of Ecology, including federally approved manuals and supplements.
 - (2) The wetland characterization shall include physical, chemical, and biological processes performed as well as aesthetic, and economic values and must use a method recognized by local or state agencies. Include hydrogeomorphic and Cowardin wetland type.
 - (3) Ordinary high water mark determination shall be in accordance with methodology from the Department of Ecology.
 - (4) Priority species and habitat identification shall be prepared according to professional standards and guidance from the Washington Department of Fish and Wildlife. Depending on the type of priority species, the review area may extend beyond 300 feet.

- b. Field data sheets for all fieldwork performed on the site. The field assessment shall identify habitat elements, rare plant species, hydrologic information including inlet/outlets, water depths, and hydro-period patterns based on visual cues, and/or staff/crest gage data.
- c. Provide a detailed description of the project proposal including off-site improvements. Include alterations of ground or surface water flow, clearing and grading, construction techniques, materials and equipment, and best management practices to reduce temporary impacts.
- d. Assess potential direct and indirect physical, biological, and chemical impacts as a result of the proposal. Provide the square footage for the area of impact with the analysis. The evaluation must consider cumulative impacts.
- e. Identification of priority species/habitats and any potential impacts. Incorporate Washington State Department of Fish and Wildlife and/or US Department of Fish and Wildlife management recommendations where applicable. When required, plan shall include at a minimum the following:
 - (1) Special management recommendations which have been incorporated and any other mitigation measures to minimize or avoid impacts, including design considerations such as reducing impacts from noise and light.
 - (2) Ongoing management practices which will protect the priority species and/or habitat after development, including monitoring and maintenance programs.
- f. A hydrologic report or narrative demonstrating that pre and post development flows to wetlands and streams will be maintained.
- g. Runoff from pollution generating surfaces proposed to be discharged to a critical area shall receive water quality treatment in accordance with the current City's ~~Surface Water~~ Stormwater Management Manual, where applicable. Water quality treatment and monitoring may be required irrespective of the thresholds established in the manual. Water quality treatment shall be required for pollution generating surfaces using all known, available and reasonable methods of prevention, control and treatment.
- h. Studies of potential flood, erosion, geological or any other hazards on the site and measures to eliminate or reduce the hazard.

13.11.440 Stream Standards.

- A. Type F1, F2, Np, and Ns1, and Ns2 streams may be relocated or placed in culverts provided it can be demonstrated that:
 - 1. There is no other feasible alternative route with less impact on the environment;
 - 2. Existing location of the stream would prevent a reasonable economic use of the property;
 - 3. No significant habitat area will be destroyed;
 - 4. The crossing minimizes interruption of downstream movement of wood and gravel;
 - 5. The new channel or culvert is designed and installed to allow passage of fish inhabiting or using the stream and complies with WDFW requirements;
 - 6. The channel or culvert also complies with the City Tacoma current Storm-~~W~~water Management Manual.
 - 7. The applicant will, at all times, keep the channel or culvert free of debris and sediment to allow free passage of water and fish;

13.11.900 Definitions.

Words and phrases used in this chapter shall be interpreted as defined below. Where ambiguity exists, words or phrases shall be interpreted so as to give this chapter its most reasonable application in carrying out its regulatory purpose.

Hydrophytic vegetation. Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual.

Hyporheic zone. The saturated located beneath and adjacent to streams that contains some portion of surface water, serves as a filter for nutrients, and maintains water quality.

13.11.900.I

Impervious surfaces. ~~A hard surface that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.~~
A non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

In Lieu Fee Program. An agreement between a regulatory agency (state, federal, or local) and a single sponsor, generally a public agency or non-profit organization. Under an in lieu fee agreement, the mitigation sponsor collects funds from an individual or a number of individuals who are required to conduct compensatory mitigation required under a wetland regulatory program. The sponsor may use the funds pooled from multiple permittees to create one or a number of sites under the authority of the agreement to satisfy the permittees' required mitigation.

In-kind compensation. To replace critical areas with substitute areas whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement "in category."

Infiltration. The downward entry of water into the immediate surface of the soil.

Isolated wetlands. Those wetlands that are outside of and not contiguous to any 100-year floodplain of lake, river or stream, and have no continuous hydric soil or hydrophytic vegetation between the wetland and any surface water.

Chapter 13.16
CONCURRENCY MANAGEMENT SYSTEM

Sections:

13.16.010	Intent.
13.16.020	Definitions.
13.16.030	Concurrency test.
13.16.040	Certificate of capacity.
13.16.050	Exemptions.
13.16.060	Facility capacity fees.
13.16.070	Appeals.

13.16.050 Exemptions.

A. No Impact. Development permits for development which creates no additional impacts on any concurrency facility are exempt from the requirements of this chapter. Such development includes, but is not limited to:

1. Any addition or accessory structure to a residence with no change in use or increase in the number of dwelling units;
2. Interior renovations with no change in use or increase in number of dwelling units;
3. Interior completion of a structure for use(s) with the same or less intensity as the existing use or a previously approved use;
4. Replacement structure with no change in use or increase in number of dwelling units;
5. Temporary construction trailers;
6. Driveway, resurfacing [within the right-of-way, driveway and/or parking lot paving maintenance](#);
7. Reroofing of structures;
8. Demolitions.
