



To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: **2020 Annual Amendment – Minor Plan and Code Amendments**
Meeting Date: February 5, 2020
Memo Date: January 30, 2020

Action Requested:
Comment and Direction.

Discussion:

At the meeting on February 5, 2020, the Planning Commission will review the Minor Plan and Code Amendments, which is one of the applications for the 2020 Annual Amendment to the Comprehensive Plan and Land Use Regularly Code (“2020 Amendment”). Specifically, the Commission will review the List of Issues and Proposed Amendments (see attached “Exhibit A”) and provide comments and direction to staff. The list represents the current scope of work and progress for this application and is subject to change.

Project Summary:

“Minor Plan and Code Amendments” compiles minor revisions to the One Tacoma Comprehensive Plan and various sections of the Tacoma Municipal Code, intended to keep information current, address inconsistencies, correct minor errors, increase clarity, and improve provisions that, through implementation of the Plan and the Code, are found to be unclear or not fully meeting their intent. Proposed revisions are not intended to suggest substantive or policy-level amendments to the Plan or the Code.

Prior Actions:

The following actions taken by the Planning Commission pertain to the 2020 Amendment package which includes this application:

- 07/17/2019 – Approval of scope of work and assessment report
- 06/19/2019 – Public Scoping Hearing
- 05/29/2019 – Review of draft scope of work and draft assessment report

Staff Contact:

- Lihuang Wung, lwung@cityoftacoma.org, (253) 591-5682

Attachment:

1. Exhibit “A”: Minor Plan and Code Amendments – Issues and Proposed Amendments (1-30-20 draft)

c. Peter Huffman, Director





**2020 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

EXHIBIT "A"

Minor Plan and Code Amendments – Issues and Proposed Amendments

January 30, 2020 Draft

(Prepared for the Planning Commission's review on February 5, 2020)

Issues and Analysis	Proposed Amendments
<p>1. Micro-housing Parking Exemption/Reduction</p> <p>TMC 13.06.510 and 13.06A</p> <p>Need to clarify whether this reduction is too generous, and whether it needs to be clarified to make it easier to understand how the calculation should be done. One question is how this should be applied to sites with multiple buildings on them. There is also a need to clarify that it can't be used for calculating ADA requirements in Reduced Parking Areas (RPAs) in the Downtown Code.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed to modify language about ADA parking and repeat what it says in the Downtown Code for the RPA (i.e., ADA parking is always required even if there are micro units). More discussion may be needed.</p>
<p>2. Accessible Parking Requirement</p> <p>TMC 13.06.510 and 13.06A</p> <p>The question is in regards to the exemption for Small, affordable housing types (Table 2): Group housing; student housing; and, efficiency multifamily dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided that within a single building, no more than 20 dwelling units, or 50 percent of the total dwelling units (whichever is greater), may utilize this exemption.</p> <p>Looking at Table 1106.1 of the IBC, it looks like accessible parking is only required when there is parking proposed as part of the development, so if someone wanted to do all efficiency units with 0 total parking spaces provided, then the requirement for accessible parking is not triggered. Is this a correct interpretation?</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed to modify language about ADA parking and repeat what it says in the Downtown Code for the RPA (i.e., ADA parking is always required even if there are micro units). More discussion may be needed.</p>

Issues and Analysis	Proposed Amendments
<p>3. Detached Accessory Structures - Location on a Corner Lot</p> <p>TMC 13.06.100. F. under current code. .</p> <p>Consider adding back the setback requirement along the shared property line for a detached accessory structure on a corner lot where its rear yard is adjacent to a side yard of the lot to the rear. The code used to require a 7.5-foot setback along this property line, because that used to be the side yard setback. Going down to 5 feet in the R-2 or higher Districts makes sense since that is the new side yard setback for those districts. For the R-1, we recommend going back to 7.5 feet, which is still the R-1 side yard setback requirement. (See TMC 13.06.110.C.2., the old code prior to 2009 Residential Zoning Code Update effort.)</p>	<p><u>Comments:</u></p> <p>The detached accessory structure shall comply with the main structure setback. Proposed amendments are to be developed. Need additional information/examples that demonstrate the problem with the existing code and the improvement that would result from reinstating the standard. Such additional information may be site plan examples of a detached garage located at 5 feet from the corner street property line, where the neighboring home that fronts the corner street is set back 20 feet.</p>
<p>4. Drive Throughs – Variances</p> <p>TMC13.06.645 / TMC13.06.513</p> <p>There's no reference to TMC13.06.513 Drive Throughs in the Variance section.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed. Need to add a reference to TMC13.06.513 into TMC13.06.645. Need to consider that the location of the drive thru relative to the street is a development standard, whereas queuing lanes and landscaping are design variances. Need to consider enhancing the intent/purpose and applicability of the code provision.</p>
<p>5. References to Variances</p> <p>TMC 13.06.645</p> <p>The descriptions of which sections of code are subject to which variance standards are incomplete. For instance, it's not clear where a variance to TMC13.06.503 Residential Transition Standards would be, or what criterion one would use for an FAR variance. The references should be updated in the variance section and/or stated in the section containing the standard (e.g., "a variance to this standard may be requested and will be reviewed according to the criteria in xxxx").</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed. However, this issue may be partially addressed through the reorganization of the code, but may also require more policy discussion as part of a larger amendment.</p>
<p>6. Usable Yard vs Functional Yard</p> <p>TMC 13.06.145.E.7. and 13.06.100.D.7.e. & f.</p> <p>We need to update the "Functional Yard Space" section in the Small Lot Development Code to be consistent with the "Minimum Usable Yard Space" section in the Residential Code, where applicable. For example, the exceptions (including not counting critical areas and buffers in the total lot area and in the usable yard area) that are in the Residential Code are not in the Small Lot Development Code. Also, we recommend we use the same terminology for both sections.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed.</p>

Issues and Analysis	Proposed Amendments
<p>7. Definition of “Lot”</p> <p>TMC 13.06.700.L</p> <p>RCW 58.17.040, related to short plats and plats, does NOT APPLY when action is: “A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.”</p> <p>RCW 58.17.020 defines “lot” as: “Lot” is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.”</p> <p>TMC 13.04.085 defines BLA as: “...a minor alteration in the location of lot boundaries of an existing lot. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments.”</p> <p>TMC 13.06.700.L defines “lot” as: “A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise created by legal action.”</p> <p>The TMC definition of “lot” is different from the State and results in a dramatic difference in application of projects exempt from platting. For projects to be exempt from platting in the RCW, they must meet the definition of “lot” as defined in the RCW. Hence, our code is not compliant with RCW 58.17. The case “Chelan County v Nykreim” reinforces the applicability of the RCW. The City’s legal counsel has suggested that the City currently operates in a manner inconsistent with both RCW and the reference case.</p> <p>A method to resolve this discrepancy is to change the TMC definition of “lot” to be the same as that in RCW.</p>	<p><u>Proposal:</u> (subject to consultation with the legal counsel)</p> <p>13.06.700.L</p> <p>.....</p> <p>Lot. A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise created by legal action. <u>A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.</u></p>

Issues and Analysis	Proposed Amendments
<p>8. Temporary surface parking</p> <p>South Downtown Subarea Plan</p> <p>Using vacant lots as temporary surface parking is not very temporary, and once parking is there it is hard to change. This has been true for the Dome District and downtown for decades. Stronger language in the Comprehensive Plan and the South Downtown Subarea Plan should be provided to address this issue.</p>	<p><u>Comments:</u></p> <p>This concern was expressed by a Dome District representative in 2019 during the scoping process for the 2020 Amendment. The commenter made a reference to the following provisions as contained in the South Downtown Subarea Plan:</p> <ul style="list-style-type: none"> • <i>Policy 1.4:</i> <i>Manage parking to support transit access and promote transit ridership.</i> • <i>Proposed Action 1.4.2:</i> <i>Avoid creating more surface parking lots in close proximity to South Downtown transit stations; whenever possible locate parking below grade, or in above-grade structures that are wrapped with active street-level uses.</i> <p>Staff realizes that temporary surface parking lots lack a system for tracking the temporary operation status and prove to be hard to get rid of. There are examples in the shoreline district that are continuing to operate after their 'temporary' approval. This issue may require more policy discussion.</p>
<p>9. Rezone Modifications</p> <p>TMC 13.06.140.B. and TMC 13.05.080.C.1</p> <p>Please consider adding this process improvement for all major modification rezone applications that do not change the zoning district. We currently have it in the PRD modification section under TMC 13.06.140.B:</p> <p>"Applications filed subsequent to such a reclassification shall be considered by the Director."</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed.</p>
<p>10. Tree Canopy Requirement for Schools</p> <p>Consider exempting schools in the R-3 to R-5 Districts from the tree canopy requirements or lowering the %. The tree canopy requirement may not be feasible/practical when most of the site taken up with playfields and other recreation areas. Typically schools are located in the R-1, R-2 or an X-District that do not have a tree canopy requirement. Hunt Middle School is an example where the Tree Canopy provision would apply. Under its recent CUP (LU19-0070) staff provided justification as to why this provision should not apply and will work on a Landscape Plan to increase and provide for larger trees where feasible/appropriate.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed in consultation with the City's Urban Forest group to allow for additional trees in other ways on these large, school sites. This issue may require more policy discussion.</p>

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<p>11. VSD Footnotes in Parking Code</p> <p>TMC 13.06.510 - Table 1</p> <p>Consider moving Footnotes 10 and 11 to after the "VSD" notation for retail and eating/drinking uses so it is clear that the listed parking requirement is for those not within a VSD Overlay.</p> <p>Since the parking requirements listed under "Retail" are for those not within a view-sensitive overlay district, an alternative approach would be deleting "View Sensitive" from the heading of "Retail" and from the use of "Eating and drinking establishments", in order to avoid confusion. Code users would simply check Footnotes 10 and 11 at the bottom of Table 1 to find out what would apply within a VSD.</p>	<p>Proposal:</p> <table border="1" data-bbox="1108 237 1969 831"> <thead> <tr> <th colspan="3" data-bbox="1108 237 1969 285">TABLE 1 – Required Off-Street Parking Spaces^{9, 14}</th> </tr> <tr> <th data-bbox="1108 285 1572 383">Use</th> <th data-bbox="1572 285 1753 383">Unit</th> <th data-bbox="1753 285 1969 383">Required parking spaces (min.)</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1108 383 1969 415">.....</td> </tr> <tr> <td colspan="3" data-bbox="1108 415 1969 456">Retail¹⁰ (View-Sensitive)</td> </tr> <tr> <td data-bbox="1108 456 1572 553">Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area</td> <td data-bbox="1572 456 1753 553">1,000 square feet of floor area.</td> <td data-bbox="1753 456 1969 553">2.50</td> </tr> <tr> <td data-bbox="1108 553 1572 643">Shopping Center</td> <td data-bbox="1572 553 1753 643">1,000 square feet of floor area.</td> <td data-bbox="1753 553 1969 643">4.00</td> </tr> <tr> <td data-bbox="1108 643 1572 740">Retail commercial establishments, except as otherwise herein</td> <td data-bbox="1572 643 1753 740">1,000 square feet of floor area.</td> <td data-bbox="1753 643 1969 740">4.00</td> </tr> <tr> <td data-bbox="1108 740 1572 831">Eating and drinking establishments¹¹ (View-Sensitive)</td> <td data-bbox="1572 740 1753 831">1,000 square feet of floor area.</td> <td data-bbox="1753 740 1969 831">6.00</td> </tr> </tbody> </table>	TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}			Use	Unit	Required parking spaces (min.)			Retail¹⁰ (View-Sensitive)			Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area	1,000 square feet of floor area.	2.50	Shopping Center	1,000 square feet of floor area.	4.00	Retail commercial establishments, except as otherwise herein	1,000 square feet of floor area.	4.00	Eating and drinking establishments ¹¹ (View-Sensitive)	1,000 square feet of floor area.	6.00
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<p>12. Long-Term Bike Parking Dispersment</p> <p>TMC 13.06.512.D.4</p> <p>Where a development contains multiple buildings, consider requiring that long term bike parking be located within or somehow in close proximity to the buildings it serves.</p> <p>The rationale is that, currently, short term bike parking must be located within 50 feet of the building entrance. Other pedestrian type features must be located 50 feet from entrances (plazas) or every 150 feet (pedestrian benches on core streets, walkways from the sidewalk). It seems reasonable to require long tem bike parking be located within, say, 100 feet of the building it serves.</p>	<p>Proposal:</p> <p>13.06.512 Pedestrian and bicycle support standards.</p> <p>.....</p> <p>D. Short and Long Term Bicycle Parking.</p> <p>.....</p> <p>4. Location of long-term bicycle parking facilities:</p> <p>a. Long-term bicycle parking facilities for residential uses shall be located on site <u>and within 100 feet of the building they serve.</u></p>																								

Issues and Analysis	Proposed Amendments
<p>13. Fee Code for Public Meetings</p> <p>TMC 2.09</p> <p>The fee code exempts fees for public meetings that are requested per TMC 13.06.020.G (the reference in the fee code footnote isn't correct). This should be clarified that the fee's not required if the meeting is due to public request or city decision. If the applicant requests it (to avoid the uncertainty in the Type II process) they should have to pay for it. Also it's unclear if the extended SEPA notification covers the cost of *that* public meeting, or if it's additional.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed. There actually isn't a problem with the footnote. The fee code needs a new line for public meeting, and the footnote associated with that line.</p>
<p>14. Community Engagement for Projects</p> <p>TMC 13.05.030 and 13.12.610.A</p> <p>Concerning community engagement for certain projects triggering SEPA review in Mixed-Use Center and Commercial Districts, currently the permitting process does not allow for project notification or community meetings unless a discretionary permit is requested (e.g., a variance or conditional use permit). Public notice is provided for projects that trigger a SEPA determination, but such notice is limited to the appropriate Neighborhood Council and notice in a local paper. This level of notification and engagement does not meet the community's expectations or the goals laid out in the One Tacoma Comprehensive Plan and the PDS Strategic Plan. The PDS Director has issued a Director's Rule 01-2019 on July 19, 2019, directing staff to facilitate an early involvement community meeting and expanded notification for such meeting for projects that meet certain size and location criteria.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed to clarify or strengthen TMC 13.05.030 Director Decision Making Authority (a section in the Land Use Permit Procedures chapter), TMC 13.12.610 Public Notice (a section in the Environmental Code chapter), and other appropriate sections, to implement Director's Rule 01-2019.</p>
<p>15. Projections into Yards</p> <p>TMC 13.06.602.A.4.m(6)</p> <p>This code section allows uncovered, ground level decks to occupy up to 50 percent of a required setback. Some staff have interpreted this provision to mean linear distance, but based on context of wording, it should be "area." The word "area" should be added for clarification.</p>	<p><u>Proposal:</u></p> <p>13.06.602 General restrictions.</p> <p>A. This section contains general provisions for use, height, area, setbacks and yards.</p> <p>.....</p> <p>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> <p>.....</p> <p>m. Projections into required setbacks and yards. Every part of a required setback or yard shall be open, from the ground to the sky, and unobstructed, except for the following:</p> <p>.....</p> <p>(6) Uncovered, ground level decks (deck surface no more than 30-inches in height from surrounding grade) may occupy up to 50 percent of a required setback <u>area</u> and may also extend into required side yard setbacks to within 3-feet of the property line.</p>

Issues and Analysis	Proposed Amendments
<p>16. DADU Height</p> <p>TMC 13.06.150.D.3.b(1)</p> <p>The code section allows 2 additional feet of height (over the 18-foot maximum) for detached accessory dwelling units (DADUs) if there is "parking on the main level of the structure."</p> <p>The intent of the code is that the height increase only applies when parking is below or above the DADU, not next to it. However, customers have argued that a two-story DADU with an attached garage at ground level meets the above provision since the garage is on the 'main' level.</p> <p>Also, the provision does not exclude the DADU from being part of the main level and it should. The provision is not supposed to promote a two-story DADU, but to promote a DADU over a garage.</p>	<p><u>Proposal:</u></p> <p>13.06.150 Accessory dwelling units.</p> <p>.....</p> <p>D. Development Standards. The creation of an ADU shall be subject to the following development standards, which shall be subject to variance:</p> <p>.....</p> <p>3. Height.</p> <p>a. Attached ADUs are subject to the height limitations applicable to the main house.</p> <p>b. Detached ADUs shall be no taller than the main house. In addition, height shall be limited to the most restrictive of the following:</p> <p>(1) The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking on the main level of <u>below or above</u> the <u>DADU</u> structure <u>(not next to)</u>, or with certification of the DADU under Built Green criteria with 4 stars, or equivalent environmental certification.</p>

Issues and Analysis	Proposed Amendments
<p>17. Site Approval Applicability</p> <p>TMC 13.06.660.C</p> <p>This code section pertaining to the applicability of site approvals needs to be clarified that this is an AND rather than an OR. In other words, it must be 1 acre AND in Subarea Plan area AND within a block at least 8 acres in size AND over 200 units/60,000 sf.</p>	<p><u>Proposal:</u></p> <p>13.06.660 Site Approval.</p> <p>.....</p> <p>C. Applicability. <u>A Site Approval for transportation connectivity is required when proposed development meets both the site characteristics circumstances and the development thresholds as set forth below:</u></p> <p>1. Site Characteristics. A Site Approval requirement applies under-<u>The development site must meet all of</u> the following circumstances:</p> <p>a. The proposed development <u>site</u> is located in an area subject to an adopted Subarea Plan, including the Tacoma Mall Neighborhood Subarea Plan, with a transportation element that identifies the need for additional street and pedestrian connectivity in order to accommodate planned growth.</p> <p>b. The development site, defined as land sharing common access, circulation, and improvements as specified in TMC 13.06.700.D, is at least one acre in size.</p> <p>c. The development site is located within a block that is eight acres or larger in size. Blocks, for this purpose, are defined as assemblages of land circumnavigated by the shortest possible complete loop via the public street network.</p> <p>2. Development Thresholds. Site Approval for transportation connectivity is required when<u>The</u> proposed development must exceeds<u>exceed</u> one or more of the following thresholds:</p> <p>a. Construction of 200 or more dwelling units.</p> <p>b. Construction of 60,000 or more square feet.</p> <p>Development activities that exceed these thresholds may generate significant transportation impacts and could also potentially create barriers to circulation and pedestrian connectivity.</p> <p>3. Project proponents may elect to apply for a Site Approval in association with development <u>projects that do not meet both of the above site characteristics circumstances and development</u> below the thresholds above.</p>

Issues and Analysis	Proposed Amendments
<p>18. PRD Code for Sustainability</p> <p>TMC 13.06.140.C.8.f.(2)</p> <p>In the Planned Residential Development District (PRD) code an applicant has to demonstrate compliance with Greenroads and there's no language in there that offers an "or alternative" or an "or equivalent". This pushes people to purchase a specific brand of certification for their infrastructure. There should be something either in this section or in the processing section of the PRD that allows for "best available" or "best practicable" argument to be made as part of the discretionary process.</p>	<p><u>Proposal:</u></p> <p>13.06.140 PRD Planned Residential Development District. C. General requirements. 8. Urban design, sustainability and connectivity. The PRD site design shall demonstrate the following: f. Sustainable features. The proposal must provide documentation of the incorporation of both green building and site features as follows: (1) Built Green 4 Stars or LEED Gold Certified rating for Building Design and Construction; and, (2) Greenroads Bronze, or equivalent best available or practicable certification, if full new roadway sections are constructed.”</p>
<p>19. Missing Footnote on Correctional and Detention Facilities</p> <p>TMC 13.06.400</p> <p>In the industrial use table there is an asterisk after correction and detention facilities but no key on what the asterisk means. Ordinance No. 28491 shows what the asterisk is for (special notice distance provision)</p>	<p><u>Proposal:</u></p> <p>Add the following provision to the box of “Additional Regulations” for each of the uses of “Correctional facility” and “Detention facility”, as depicted in Exhibit “A” of Amended Ordinance No. 28491, adopted on February 20, 2018, that was not codified due to the scrivener’s error: The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.</p>
<p>20. Site Standards for Sites with Multiple Buildings</p> <p>TMC 13.06</p> <p>Land use, landscaping, parking, pedestrian/bike standards and open space standards apply differently for one-, two-, three-, and multi-family. This gets confusing when there is more than one building on a single site. The issue concerns X Districts, Downtown, C Districts, and T Districts.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed.</p>

Issues and Analysis	Proposed Amendments						
<p>21. Building Face Orientation</p> <p>TMC 13.06.501.C.7.b.</p> <p>Multifamily residential buildings in mixed-use districts have less stringent standards for building face orientation than multifamily in all other districts. Essentially the unadorned side of a building with no entrance or porch can face the street in mixed-use districts. In all other districts, the front of the building (entrance/porch) must face the street.</p> <p>Currently, in TMC 13.06.501.D.6.a, pertaining to Multi-family Residential Minimum Design Standards, Façade Surface Standards, Building Face Orientation, there is a requirement about primary orientation of dwellings that can be made applicable to multi-family dwellings in mixed-use districts. The requirement is as follows: "All dwellings shall maintain primary orientation to an adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director."</p>	<p><u>Proposal:</u></p> <p>13.06.501 Building design standards. C. Mixed-Use District Minimum Design Standards. 7. Façade Surface Standards. </p> <table border="1" data-bbox="1108 358 1969 824"> <tr> <td data-bbox="1108 358 1266 423">.....</td> <td data-bbox="1266 358 1969 423">.....</td> </tr> <tr> <td data-bbox="1108 423 1266 792">b. Building face orientation</td> <td data-bbox="1266 423 1969 792"> <p>(1) — All multi-family dwellings shall maintain primary orientation to an adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation(s) facing street public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</p> <p>(2) For buildings that have more than 2 qualifying elevations, this requirement shall only be applied to two of them.</p> </td> </tr> <tr> <td data-bbox="1108 792 1266 824">.....</td> <td data-bbox="1266 792 1969 824">.....</td> </tr> </table>	b. Building face orientation	<p>(1) — All multi-family dwellings shall maintain primary orientation to an adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director. The building elevation(s) facing street public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.</p> <p>(2) For buildings that have more than 2 qualifying elevations, this requirement shall only be applied to two of them.</p>
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.....						
<p>22. Public Art in Private Development</p> <p>TMC 13.06</p> <p>The City's Arts Administrator suggests that the Land Use Code be strengthened to clarify how art is reviewed. There are places in the code where it does not specify who is to review the art proposal, which leads to inconsistent levels of review.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed for sections of the code where "art work", "public art", "works of art", "art", etc., is referenced as an option, to clarify that "Art features shall be coordinated with the City's Arts Administrator or approved by the Arts Commission." This language is already used in some sections.</p>						
<p>23. Perimeter Landscaping Strips</p> <p>TMC 13.06.502.E.4</p> <p>The purpose section says: 4. Site Perimeter Landscaping: Site Perimeter Landscaping is intended to ensure that areas abutting public rights-of-way, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.</p> <p>But then the requirement in (b) says that a strip is required around the entire site. That seems to be the intent but it also conflicts with the opening statement.</p>	<p><u>Proposal:</u></p> <p>13.06.502 Landscaping and buffering standards. TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts. 4. Site Perimeter Landscaping: Site Perimeter Landscaping is intended to ensure that areas abutting public rights-of-way property lines, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.</p>						

Issues and Analysis	Proposed Amendments
<p>24. Specificity for Bicycle Parking Credit</p> <p>TMC 13.06.510</p> <p>TMC 13.06.510 has a parking space reduction credit for additional bicycle parking space. However, it does not specify whether it has to be long term or short term. In a residential development, it would presumably be long term parking space, but in a commercial it would probably be short term.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed to clarify that it would be short-term parking for commercial.</p>
<p>25. Facade Articulation Options</p> <p>TMC 13.06.501.C.2</p> <p>In the Facade Articulation section, as part of the Mixed-Use District Minimum Design Standards, there are options a, b, and c. When applying the code to a 100% residential building on a Designated Pedestrian Street, it is unclear if you apply option a AND c or ONLY option c. If it is 100% residential do we still want to reinforce the pattern of small storefronts (option a), or do we only apply the "residential building" option c? Reinforcing the wording to determine which are applicable would be helpful. The current practice is to only require option c.</p>	<p><u>Comments:</u></p> <p>Proposed amendments are to be developed to clarify that option c would apply in the situation in question. Need to ensure such application is consistent with the intent of the code for residential) buildings.</p>
<p>26. Decision on Rezone Applications</p> <p>TMC 13.05.010.J.3</p> <p>The code states that the first reading of a rezone ordinance by the City Council is considered the final decision on the application for such rezone, whereas it is the common understanding of the Council's legislative process that the final reading of an ordinance constitutes the Council's decision. This should be clarified.</p>	<p><u>Proposal: (subject to consultation with the legal counsel)</u></p> <p>13.05.010 Application requirements for land use permits. J. Time Periods for Decision on Application. 3. Decision when effective. A decision is considered final at the termination of an appeal period if no appeal is filed, or when a final decision on appeal has been made pursuant to either Chapter 1.23 or Chapter 1.70. In the case of a zoning reclassification, the first-final reading of the reclassification ordinance by the City Council shall be considered the final decision. First reading shall be considered a tentative approval, and does not constitute final rezoning of the property. However, first reading of the ordinance shall assure <u>assures</u> the applicant that the reclassification will <u>likely</u> be approved, provided that the application complies with all requirements and conditions for reclassification as may have been imposed by the Hearing Examiner or the City Council.</p>

Issues and Analysis	Proposed Amendments
<p>27. Tacoma-Fife Boundary Line Adjustments</p> <p>Comprehensive Plan and Zoning Code</p> <p>The City Council adopted Resolution No. 40540 on January 28, 2020, approving minor Boundary Line Adjustments (BLAs) between Tacoma and Fife in three areas: the parcel at 5205 8th St. E., the right-of-way along 12th St. E., and the right-of-way at the terminus of 8th St. E. The adjusted boundaries need to be reflected in the Comprehensive Plan and the Official Zoning Map.</p> <p>The GIS mapping database should be updated to reflect the boundary changes resulted from the BLAs, and the Official Zoning Map which is parcel-based should be updated accordingly. In terms of maps in the Comprehensive Plan, the following are those that encompass the BLA subject areas:</p> <ul style="list-style-type: none"> • Figures 2, 3, 6, 7, and 8 in the Urban Form Element; • Figures 9, 10, and 13 in the environmental and Watershed Health Element; • Figure 1 in the Housing Element; • Figures 23, 26, and 27 in the Economic Development Element; • All maps that encompass the subject areas (about 21 maps) in the Transportation Master Plan (the Transportation Element); • Figures 36 and 37 in the Parks and Recreation Element; • Figures 38, 39, and 40 in the Public Facilities and Services Element; • Figure 41 in the Container Port Element; • Figures 5-1, 9-12, and 9-15 in the Shoreline Master Program; and • Maps 1.1, 1.2, 2.1, 2.2, and 2.3 in the Historic Preservation Plan Element. <p>Most of these maps are citywide-scaled and non-parcel based, where the BLA subject areas, if delineated, would be hardly distinguishable. Since these BLAs are minor and relatively insignificant, the need to update these maps does not appear to be urgent or imminent. It may be more practical to update any or some of the maps when the need arises or when there are other more substantive amendments proposed to the respective elements of the Comprehensive Plan.</p>	<p><u>Proposal:</u></p> <ol style="list-style-type: none"> 1. Update the GIS mapping database to reflect the boundary changes resulted from the BLAs; 2. Update the Official Zoning Map as included in the Zoning Code; and 3. Update maps in various elements of the Comprehensive Plan when the need arises or when there are other substantive amendments proposed to the respective elements.

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<p>28. Distance Measurement for Transit Access Parking Reduction</p> <p>TMC 13.06.510, Table 2</p> <p>Most code sections that discuss requirements in relation to distance state how that distance is measured (as the crow flies, walking distance etc.). This code section does not, which leads to inconsistency with application.</p> <p>Table 2 of this code section (TMC 13.06.510) pertains to Required Off-Street Parking Spaces in Mixed-Use Center Districts. The table includes provisions for Parking Quantity Reductions. The specific parking reduction associated with Transit Access does not state how the distance to a transit stop is measured.</p> <p>An example of distance measurement can be found in TMC 13.06.300.G.3.d, concerning the X-District Residential Yard Space Standards, where one of the exceptions for Multi-Family and Mixed-Use Development states:</p> <p>"(1) Projects located within a quarter mile <i>accessible walking distance</i> of a public park or public school that includes attractive, and well-maintained outdoor recreational facilities which are regularly available to the public on a long-term basis."</p> <p>It is suggested that clarifying language be added to TMC 13.06.510, Table 2, that matches the Mixed-use open yard area exemption as provided in TMC 13.06.300.G.3.d.</p>	<p>Proposal:</p> <p>13.06.510 Off-street parking and storage areas.</p> <p>.....</p> <table border="1" data-bbox="1108 297 1969 881"> <thead> <tr> <th colspan="2" data-bbox="1108 297 1969 358">TABLE 2 – Required Off-Street Parking Spaces in Mixed-Use Center Districts</th> </tr> </thead> <tbody> <tr> <td data-bbox="1108 358 1266 391">.....</td> <td data-bbox="1266 358 1969 391">.....</td> </tr> <tr> <th colspan="2" data-bbox="1108 391 1969 423">Parking Quantity Reductions.</th> </tr> <tr> <td colspan="2" data-bbox="1108 423 1969 545">The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts and Downtown Districts as listed in TMC 13.06A may be reduced as follows:</td> </tr> <tr> <td data-bbox="1108 545 1266 854">Transit Access</td> <td data-bbox="1266 545 1969 854">Parking requirement shall be reduced by 25% for sites located within 500 feet accessible walking distance of a transit stop and 50% for sites located within 500 feet accessible walking distance 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.</td> </tr> <tr> <td data-bbox="1108 854 1266 881">.....</td> <td data-bbox="1266 854 1969 881">.....</td> </tr> </tbody> </table>	TABLE 2 – Required Off-Street Parking Spaces in Mixed-Use Center Districts		Parking Quantity Reductions.		The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts and Downtown Districts as listed in TMC 13.06A may be reduced as follows:		Transit Access	Parking requirement shall be reduced by 25% for sites located within 500 feet accessible walking distance of a transit stop and 50% for sites located within 500 feet accessible walking distance 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.
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<p>29. Front Yard Setback Inconsistency</p> <p>TMC 13.06.300.E.1</p> <p>All commercial and industrial zone districts that abut a residential district have a front yard setback requirement, i.e., "...abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side."</p> <p>The Mixed-use districts have a front yard setback requirement when they are <i>across</i> from a residential district, but not when they <i>abut</i> a residential district.</p> <p>This is an inconsistency within the code that does not provide similar transition between residential districts and more intense districts. Language should be added to the table of building envelope standard for mixed-use center districts regarding the front yard setback that matches the commercial and industrial codes.</p>	<p>Proposal:</p> <p>13.06.300 Mixed-Use Center Districts.</p> <p>.....</p> <p>E. Building envelope standards.</p> <p>1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:</p> <table border="1" data-bbox="1108 418 1969 943"> <thead> <tr> <th></th> <th>NCX</th> <th>CCX</th> <th>UCX</th> <th>RCX</th> <th>CIX</th> <th>HMX</th> <th>URX</th> <th>NRX</th> <th>Additional Requirements</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="8">.....</td> <td></td> </tr> <tr> <td>Minimum setbacks</td> <td colspan="8"> For X District property abutting a residential zone, equal to the residential zoning district for the first 100 feet from that side. For X District property across a non-designated Pedestrian Street from R-1, R-2 or R-2SRD District property, the following front yard setback shall be provided: <ul style="list-style-type: none"> • Minimum 10-foot front yard setbacks are required along non-designated Pedestrian Streets. </td> <td></td> </tr> </tbody> </table>		NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements										Minimum setbacks For X District property abutting a residential zone, equal to the residential zoning district for the first 100 feet from that side. For X District property across a non-designated Pedestrian Street from R-1, R-2 or R-2SRD District property, the following front yard setback shall be provided: <ul style="list-style-type: none"> • Minimum 10-foot front yard setbacks are required along non-designated Pedestrian Streets. 														
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<p>30. Density Requirements</p> <p>TMC 13.06.100.D Table</p> <p>Since we are not using "gross area" to calculate minimum density, the heading of "4. Minimum Density (units per gross acre)" in the table in TMC 13.06.100.D may be confusing. The word "gross" should be deleted from the heading.</p> <p>For clarification, TMC 13.06.602.A.4.b states, "Primary access easements and lot extensions on pipestem lots shall not be included in the calculation of lot area."</p>	<p>Proposal:</p> <p>13.06.100 Residential Districts.</p> <p>D. Lot size and building envelope standards.</p> <table border="1" data-bbox="1108 1097 1969 1224"> <thead> <tr> <th></th> <th>R-1</th> <th>R-2</th> <th>R-2SRD</th> <th>HMR-SRD</th> <th>R-3</th> <th>R-4-L</th> <th>R-4</th> <th>R-5</th> </tr> </thead> <tbody> <tr> <td>.....</td> <td colspan="8"></td> </tr> <tr> <td>4. Minimum Density (units per gross acre)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>10</td> <td>14</td> <td>18</td> <td>22</td> </tr> </tbody> </table>		R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5									4. Minimum Density (units per gross acre)										-	-	-	-	10	14	18	22
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