



# **Minor Plan and Code Amendments 2022 Annual Amendment**

City of Tacoma | Planning and Development Services

**Planning Commission Meeting  
January 19, 2022**



# OVERVIEW



- Scope of Work
- Issues and Proposed Amendments
- Next Steps
  
- Action Requested: Comment and Direction

# ● ● ● SCOPE OF WORK



- Minor Amendments to the Comprehensive Plan and the Land Use Regulatory Code
- Non-policy types of changes, technical in nature
- Objectives:
  - Maintain consistency
  - Correct errors
  - Keep information current
  - Clarify regulatory intents
  - Provide clarity
  - Ensure plan/code effectiveness
  - Improve customer service

# ISSUES



#	Subject	Objective
1	Definition of Family	Maintain consistency with State law
2	Preliminary and Final Plats	Maintain consistency with State law; Clarify regulatory intent
3	Residential Landscaping Requirements	Clarify regulatory intent
4	Homeowners' Association Owned Open Space & Other Tracts	Maintain consistency with State law; Prevent undesired consequences
5	Reference to Definition Section	Provide clarity
6	Cultural Institutions and Public Benefit Use	Enhance code clarity and applicability
7	Efficiency Unit Parking Exemption	Provide clarity
8	Single-family detached dwellings – Small Lots (Level 2)	Provide clarity
9	Public Facility, Public Facility Site, Public Safety Facilities, & Public Service Facilities	Enhance code effectiveness
10	Street Level Uses and Design	Provide clarity
11	Infill Pilot Program Handbook	Enhance code clarity and effectiveness
12	Special Use Standards	Address inconsistencies
13	Two-family and Townhouse Dwelling	Provide clarity
14	Sign Code Update	Maintain consistency with current laws

# ISSUE #1



## 1. Definition of Family:

- Proposal – Redefine “Family” as:

“One or more persons, related or unrelated, living together as a single household where all members have common access to and use of living, kitchen and other shared spaces.”

- Discussion:

- SB5235 (7/25/21) lifts unnecessary caps on the number of unrelated people allowed to share a home.
- PDS Director’s Rule 03-2021 (7/25/21) suspends the use of current definition to limit residential occupancy.
- The state law and Home In Tacoma Phase 1 call for a more holistic review of the use of the term “family” and of other standards.

## ISSUE #2



### 2. Preliminary and Final Plats:

- Proposal:

Remove provisions that state that an approved preliminary short or long plat is an assurance that the Final Plat will be approved.

- Discussion:

- Proposal is per City Attorney's recommendation, based on the decision for a recent preliminary plat case
- Current language was added per PW Director's Rule many years ago
- Current language not consistent with RCW 58.17.100 Review of Preliminary Plats

## ISSUE #3



### 3. Residential Landscaping Requirements:

- Proposal:

Add the following provision to the Residential Transition Standards:

“Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.”

- Discussion:

- Said exemption existed along with “landscaping buffers” in the code prior to the reorganization in 2019.
- The re-organized code moved buffers into a new section that does not have the same exemption listed in the applicability.
- The proposal would address the inadvertent error and clarify the regulatory intent.

## ISSUE #4



### 4. Homeowners' Association Owned Open Space & Other Tracts:

- Proposal:

Remove "homeowner's association" as an option for owning open spaces and other tracts.

- Discussion:

- Current code allows open space & other tracts to be owned by a homeowners' association (HA), the property owners within the subdivision or dedicated to the public.
- HAs often go defunct/bankrupt, resulting in open spaces not used as intended.
- RCW 58 (Boundaries and Plats) does not require local jurisdictions to include ownership by HAs as an option.
- Pierce County's code (Chapter 8.F30.030) also has no allowance for HAs.



## ISSUE #5



### 5. Reference to Definition Section:

- Proposal:

In the section regarding building height of accessory dwelling units located within View Sensitive Districts, add "(See definition "Building, height of.")" to the reference to TMC 13.01.060, so that code readers know where to look in the definitions section that is cited.

- Discussion:

- The definition of "Building, height of" requires that building height shall be measured consistent with the applicable Building Code, except for buildings located within a View-Sensitive Overlay District, which shall be measured based on the method provided therein.
- The proposal would provide clarity and is not only appropriate but also necessary.

## ISSUE #6



### 6. Cultural Institutions and Public Benefit Use:

- Proposal:
  - Enhance the definition of “cultural institutions” and revise the definition of “public benefit use” accordingly
  - Include “public benefit use” in use tables
- Discussion:
  - “Cultural institutions” should not be limited to museums, as the current language might suggest.
  - The definition of “public benefit use” currently includes “art gallery or museum”, which should be replaced with “cultural institutions” as re-defined.

## ISSUE #7



### 7. Efficiency Unit Parking Exemption

- Proposal:
  - Eliminate redundancy regarding bike parking
  - Provide clarify regarding threshold and limitation on efficiency unit parking exemption
- Discussion:
  - Efficiency unit parking exemption indicates that a development must have 0.75 bike parking spaces per unit to qualify for exemption, but the standard bike parking requirement is already 1 bike parking space per unit regardless of vehicle parking requirements.
  - The current language “(whichever is greater)” can be interpreted in multiple ways. Proposed language clarifies intent that multi-family buildings with 20 units or less, where all units are efficiency units, would be exempt from all parking quantity requirements, with the exception of ADA parking. This is consistent with how PDS is currently administering Code.

# ISSUE #8



## 8. Single-family detached dwellings – Small Lots (Level 2):

- Proposal:
  - Improve language clarity in the table of Residential District Development Standard – Minimum Lot Area

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
k. Single-family detached dwellings – Small Lots (Level 2):  Additional exceptions to Minimum Lot Area Requirements	<p>One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. Except in the case of a Planned Residential District no new lot shall be smaller than the following without grant of a variance: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft.</p> <p>Lot Size Averaging – Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size.</p> <p>Lot Size Averaging – Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in the R-2, R2-SRD and HMR-SRD Districts, provided that the overall average lot size within the Short or Full Plat meets the Small Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging.</p> <p>Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size.</p> <p>Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.100.F.                      Small lot exceptions are not applicable to pipestem lots.</p>							

## ● ● ● ISSUE #9



9. (1) Public Facility
- (2) Public Facility Site
- (3) Public Safety Facilities
- (4) Public Service Facilities

- Proposal:

- Clarify and consolidate definitions of these terms into:
  - Public Facility Site
  - Public Service Facilities
- Update use tables accordingly.

- Discussion:

- Current four definitions are somewhat repetitive, overlapping, and confusing.
- “Public safety facilities” and “public service facilities” are currently already bundled as “public safety and service facilities.” The proposed changes will not affect allowed uses.

# ●●● ISSUE #10



## 10. Street Level Uses and Design

- Proposal:
  - Clarify street level use requirements in downtown districts along Primary Pedestrian Streets
- Discussion:
  - Current Code infers that applicants can choose between EITHER:
    - Providing specified commercial uses on street level within downtown zoning districts  
OR
    - Designing street level spaces to incorporate elements to accommodate commercial uses.
  - Proposed clarification pares the requirement down to just indicate that the spaces on the street level within downtown zoning districts incorporate elements to accommodate commercial uses.

# ●●● ISSUE #11



## 11. Infill Pilot Program Handbook:

- Proposal:
  - Add a reference to the Infill Pilot Program Handbook and clarify how the handbook is to be used to guide implementation of the program.
- Discussion:
  - Residential Infill Pilot Program 2.0:
    - 4 types of housing – Two-Family, Planned Infill, Small Multi-Family, and Cottage
    - 6 spots available per type per Council District
  - The Handbook illustrates the design intent, explains the standards for each housing type, clarifies the permit process, and provides additional information of use.
  - The Handbook is a tool for program applicants, staff, and the special advisory review body.

# ● ● ● ISSUE #12



## 12. Special Use Standards:

- Proposal:
  - Add HMR-SRD zoning exclusion text and amend minimum lot size to be consistent with TMC 13.05.010.A.7.c (Infill Pilot CUP)
  - Fix gramatical error
- Discussion:
  - There are two inconsistencies between the Cottage Housing Special Use Standards and the Infill Pilot Program Cottage Housing standards pertaining to applicable zoning districts and minimum lot size.
  - Cottage Housing is only permitted through the Infill Pilot Program so the Special Use and Infill Pilot Progam standards should be consistent with each other.



# ISSUE #13



## 13. Two-family and Townhouse Dwelling:

- Proposal:
  - Revise Infill Pilot Program Two-family and Townhouse dwelling text to address vagueness related to number of townhouses permitted and minimum lot/development site size
- Discussion:
  - The Infill Pilot Program permits a two-family dwelling or two townhouse dwelling unit development on an R-2 site subject to a minimum lot size
  - Current text is somewhat vague as it relates to the number of townhouses permitted. The proposed amendment would provide clarity.
  - As currently written, it is not entirely clear how the current minimum “proposed lot” size standard is to be applied to townhouse developments since townhouse dwellings, as defined in the TMC, are located on separate parcels. The proposed amendment would provide clarity.

# ● ● ● ISSUE #14



## 14. Sign Code Update:

- Proposal:
  - Amend sections in Title 13 re: Temporary Signs and in Title 2 re: Political Signs
- Discussion:
  - Signs regulated based on content have been found to be illegal and unenforceable.
  - Signs currently regulated based on content – political signs and real estate signs.
  - For the last 18 months, the City has informally been administering the Sign Code as proposed here-in.
  - The proposal brings code into compliance with current laws. Without this change, staff are barred from enforcing clutter created by temporary signs.

# NEXT STEPS



For the 2022 Amendment Package:

Date	Planning Commission Actions
February 2, 2022	Review of individual applications
February 16, 2022	Final review of applications; Release the package for public review
(Prior to Hearing)	(Open House conducted by staff)
March 16, 2022	Public Hearing
April 6 & 20, 2022	Recommendations