



EXHIBIT “E”
2014 ANNUAL AMENDMENT

Amendments to the Tacoma Municipal Code

These amendments show all of the changes to the *existing* text of the Tacoma Municipal Code. The sections included are only those portions of the Code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 13.06A
DOWNTOWN TACOMA

Sections:

13.06A.010	Purpose.
13.06A.020	Applicability.
13.06A.030	Definitions.
13.06A.040	Downtown Districts and uses.
13.06A.050	Additional use regulations.
13.06A.052	Primary Pedestrian Streets.
13.06A.055	Nonconforming Development.
13.06A.060	Development Standards.
13.06A.065	Parking Standards.
13.06A.070	Basic design standards.
13.06A.080	Design standards for increasing allowable FAR.
13.06A.090	Transfer of Development Rights for Increasing Allowable Floor Area Ratio.
13.06A.100	Downtown Master Planned Development (DMPD).
13.06A.110	Variances.
13.06A.111	Downtown District Fencing Standards.
13.06A.112	<i>Repealed.</i>
13.06A.113	<i>Repealed.</i>
13.06A.120	<i>Repealed.</i>
13.06A.130	Severability.

* * *

13.06A.050 Additional use regulations.

A. Use Categories.

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

* * *

E. Work-Live.

1. Purpose and Intent: The purpose of this Section is to assist with the revitalization of Downtown Tacoma ~~and the City's other Mixed-Use Centers~~ and with the implementation of the City's Comprehensive Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to work-live units. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past and encourage the development of a work-live and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other. Adding a minor residential component to an existing or historic building does not trigger change of use requirements under the City's Land-use codes.

a. A work-live unit is a combined living and work unit that includes a kitchen and a bathroom. The residential portion of the unit, including the sleeping area, kitchen, bathroom, and closet areas, occupies no more than 33 percent of the total floor area of the legal non-residential use, and the living space is not separated from the work space. It must be located within buildings lawfully in existence on September 25, 2012 in Downtown ~~or the other mixed-use centers~~.

b. The requirements for the "work-live" units are as follows:

i. The residential use must be clearly incidental and subordinate to the work space.

ii. Buildings containing "work-live" units shall not generate additional impacts to any greater extent than what is usually experienced in the surrounding area.

iii. The Director may attach additional conditions to permits that are required for “work-live” units to ensure that the criteria set forth above are met.

* * *

13.06A.052 Primary Pedestrian Streets.

A. Within the Downtown, the “primary pedestrian streets” are considered key streets in the intended development and utilization of the area due to pedestrian use, traffic volumes, transit connections, and/or visibility. The streetscape and adjacent development on these streets should be designed to support pedestrian activity throughout the day. They are designated for use with certain provisions in the Downtown zoning regulations, including setbacks and design requirements. Within the Downtown, the primary pedestrian streets are:

1. Pacific Avenue between S. 7th and S. 25th Streets.
2. Broadway between S. 7th and S. 15th Streets.
3. Commerce Street between S. 7th and S. 15th Streets.
4. “A” Street between S. 7th and S. 12th Streets.
5. Tacoma Avenue between S. 7th and S. 15th Streets.
6. South Jefferson between South 21st Street and South 25th Street.
7. South 25th Street between I-705 and South Fawcett Avenue.
8. South ‘C’ Street.
9. Puyallup Avenue.
10. East 25th Street.
11. East 26th Street.
12. East ‘D’ Street.

* * *

13.06A.065 Parking Standards

* * *

B. Reduced Parking Area (RPA) – Parking Quantity Standards

	Residential Parking (stalls/ unit)		Non-Residential Parking (stalls/ floor area sf)	
	Minimum	Maximum	Minimum	Maximum
RPA	Not Applicable	Not Applicable	Not Applicable	Not Applicable

1. Minimum off-street parking stall quantity requirements do not apply within the Reduced Parking Area (RPA), which is located generally between 6th Avenue and South 23rd Street, and between Dock Street and Tacoma Avenue (the specific boundary of the area is shown in Figure 2, below).

Figure 2: Reduced Parking Area (RPA)



* * *

C. Parking Quantity Standards Outside of the RPA

	Residential Parking (stalls/unit)		Non-Residential Parking (stalls/floor area sf)	
	Minimum	Maximum	Minimum	Maximum
DMU	1	Not Applicable	2/1000	3/1000
DR	1	Not Applicable	1/1000	3/1000
WR	1	Not Applicable	1/1000	3/1000

1. Minimum parking ratios for non-residential development located east of Jefferson Avenue from South 23rd to South 28th Street shall be reduced by 50 percent in recognition of the availability of transit.
2. The first 3,000 square feet of each street level establishment is exempt from parking requirements.
3. Special needs housing, including, but not limited to, seniors, assisted living, congregate care, licensed care, or group care homes may provide less than one stall per residence upon a showing that a lesser parking requirement will reasonably provide adequate parking for residents, staff, and visitors, subject to the approval of the City Engineer.
4. Required parking for hotels shall be .5 stalls per room inclusive of all accessory uses.

5. Telecommunications exchange facilities may provide less than the required parking stalls upon a showing that a lesser parking requirement will reasonably provide adequate parking for operational, vendor, and transient service staff, subject to the approval of the City Engineer.

6. 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:

a. A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location.

b. Within a single building, no more than 20 dwelling units, or 50% of the total dwelling units (whichever is greater), may utilize this bonus.

D. General Parking Design Standards Applicable to the RPA and All Downtown Zones

1. Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.510, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.

2. Tandem parking is permitted only for residential development subject to approval of the City Engineer.

3. All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees, ~~and shrubs~~ and groundcover per the General Landscaping requirements and the Parking Lot Perimeter requirements of TMC 13.06.502.

a. In no case shall fewer than three trees per 100 linear feet of frontage be provided.

b. Masonry walls no lower than 15" and no higher than 30" may be substituted for shrubs.

c. For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees, ~~and shrubs~~ and groundcover.

~~d. All trees shall have a minimum caliper of 2 1/2 inch at the time of planting.~~

ed. Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.

* * *

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~~One street tree~~ shall be provided per each 25~~100~~ linear feet of frontage, with tree grates or alternative pervious surface materials covering the pits, in conformance with the City 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. ~~One s~~street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length for each 25 linear feet 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. ~~To achieve consistency with the existing pattern of tree spacing, the quantity of required street trees may be modified.~~

- 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.
- ~~e. All trees shall have a minimum caliper of 2 1/2 inch at the time of planting.~~

* * *

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.

* * *

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.
 - 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 facade, or entrance lobby.
4. Landscaping covering at least 15 percent of the surface of the roof and/or the use of "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.
7. Retention and renovation of any designated or listed historic structure(s) located on the site.

B. For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 2, up to the Maximum with Design Standards.

No variances shall be granted to the following:

1. Provide a "hill climb assist" in the form either of a landscaped public plaza or an interior public lobby with an escalator or elevator. Such space shall be open to the public during daylight hours or shall be open during the times detailed in a management plan approved by the City of Tacoma, Building and Land Use Services Department.
2. Provide works of art or water features equivalent in value to at least 1 percent of construction costs within publicly accessible spaces on site or off site within the downtown zoning district where the development is located.
3. Provision of public rest rooms, open to the public at least 12 hours each weekday.

4. Contribution to a cultural, arts organization or to the Municipal Art Fund for a specific development or renovation project located downtown, in an amount equal to at least 1 percent of the construction cost of the development.

5. Parking contained entirely within structures or structures on site.

13.06A.090 Transfer of Development Rights for Increasing Allowable Floor Area Ratio.

Development projects can incorporate Transfer of Development Rights, in compliance with Chapter 1.37 Transfer of Development Rights Administrative Code, to increase the as-of-right allowable FAR up to the “Maximum for TDR.”

~~For each of the following Design Standards that are incorporated into a development, the allowable FAR can be increased by 2, up to the “Maximum with Design Standards”.~~

~~No variances shall be granted to the following:~~

~~1. Provide a “hill climb assist” in the form either of a landscaped public plaza or an interior public lobby with an escalator or elevator. Such space shall be open to the public during daylight hours or shall be open during the times detailed in a management plan approved by the City of Tacoma, Building and Land Use Services Department.~~

~~2. Provide works of art or water features equivalent in value to at least 1 percent of construction costs within publicly accessible spaces on site or off site within the downtown zoning district where the development is located.~~

~~3. Provision of public rest rooms, open to the public at least 12 hours each weekday.~~

~~4. Contribution to a cultural, arts organization or to the Municipal Art Fund for a specific development or renovation project located downtown, in an amount equal to at least 1 percent of the construction cost of the development.~~

~~5. Parking contained entirely within structures or structures on site.~~

* * *