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.

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C. Conditional Use Permits and Historic Properties. For proposals affecting properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the Director shall refer the complete application to the Landmarks Preservation Commission for comment regarding whether the proposal appears to meet applicable historic guidelines and standards.

D. Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.

2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.

3. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.

4. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
   a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
   b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
   c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

5. An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

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H. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District. A conditional use permit for a multi-family dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot is a minimum of 9,000 square feet in size.

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.
3. The proposed structure is designed to minimize the overall impression of density and bulk and to fit with established neighborhood patterns. Access to dwellings shall be through a shared primary entrance. Parking shall be limited to one space per unit, and shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

4. Applications for multi-family dwellings in R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.