ZONING

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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)

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

1. Implement the goals and policies of the City's Comprehensive Plan.

2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.

3. Provide a fair and equitable distribution of a variety of housing types and living areas throughout the City's neighborhoods.

4. Protect and enhance established neighborhoods, and ensure that new development is in harmony with neighborhood scale and character.

5. Provide for predictability in expectations for development projects.

6. Allow for creative designs while ensuring desired community design objectives are met.

7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.

8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.

B. Districts established.

1. The following districts are intended primarily for residential land uses, as well as other uses such as daycares, parks, schools, churches and other uses which serve the neighborhood and have been deemed compatible with residential character.

2. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in areas with steep topography or an established pattern of larger lots.

3. R-2 Single-Family Dwelling District. This district is intended primarily for single-family detached housing but, in addition to the uses listed above, may also allow a limited number of compatible uses including lodging uses, holiday sales for Christmas and Halloween, and two-family dwellings in certain circumstances. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

4. R-2SRD Residential Special Review District. This district is intended primarily for single-family detached housing, but in addition to the uses listed above, it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area.

5. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the buildings within reflect significant aspects of Tacoma's early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Infill development shall be consistent with historic character of the district and shall be predominantly single-family. A limited number of two- and three-family dwellings may be permitted by conditional use permit provided they are consistent with the historic character of the district and are not conversions of historically contributing single-family houses. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.

6. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate, in addition to

the uses permitted in less dense zones. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

7. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended primarily for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

8. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. In addition to uses permitted in less dense zones, other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

9. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings, in addition to uses permitted in less dense zones. The district is generally located in the center of the city in close proximity to employment centers, conveniences, services, major transportation corridors, and public transportation facilities.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant to TMC 13.05.046.

2. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

4. 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.

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

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Accessory uses and buildings	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.F
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535
Adult retail and entertainment	N	N	N	N	N	N	N	N	
Agricultural uses	CU	CU	CU	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. Buildings shall not be permitted in connection with such use, except greenhouses having total floor area not in excess of 600 square feet. Livestock is not allowed.
Airports	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	N	N	N	N	N	N	N	
Animal sales and service	N	N	N	N	N	N	N	N	
Assembly facility	N	N	N	N	N	CU	CU	CU	
Brewpub	N	N	N	N	N	N	N	N	
Building materials and services	N	N	N	N	N	N	N	N	
Business support services	N	N	N	N	N	N	N	N	
Carnival	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.635.
Cemetery/internment services	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	N/CU	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	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.510.
Commercial recreation and entertainment	N	N	N	N	N	N	N	N	
Communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Antennas for such facilities are subject to the additional requirements contained in Section 13.06.545.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Confidential Shelter	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Continuing care retirement community	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Correctional facility	N	N	N	N	N	CU	CU	CU	Side yards shall be provided as specified in Section 13.06.602.
Craft Production	N	N	N	N	N	N	N	N	Prohibited except as provided for in Section 13.06.100.E
Cultural institution	N	N	N	N	N	N	N	N	
Day care, family	P	P	P	P	P	P	P	P	Must be licensed by the State of Washington.
Day care center	CU	CU	CU	CU	CU	P/CU	P	P	Subject to additional requirements contained in Section 13.06.155. For R-4-L, day care centers with an enrollment limited to 50 or fewer children or adults are permitted, while day care centers for more than 50 children or adults may be allowed subject to the approval of a conditional use permit.
Detoxification center	CU	CU	CU	CU	CU	CU	CU	CU	
Drive-through with any use	N	N	N	N	N	N	N	N	
Dwelling, single-family detached	P	P	P	P	P	P	P	P	No lot shall contain more than one dwelling unless specifically approved to do so through a Planned Residential District, Cottage Housing or other City review process.
Dwelling, two-family	N	CU[2]	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, two-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD/HMR-SRD or only upon issuance of a conditional use permit (see Section 13.06.640). In R-2 Districts, two-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), but requires issuance of a conditional use permit (see Section 13.06.640). Subject to additional requirements contained in Section 13.06.501.N.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Dwelling, three-family	N	N	P/CU	P/CU	P	P	P	P	In the R-2SRD and HMR-SRD districts, three-family dwellings are permitted if lawfully in existence at the time of reclassification to R-2SRD or HMR-SRD. New three-family dwellings are permitted only upon issuance of a conditional use permit. See Section 13.06.640. For R-3, three-family dwellings are permitted, provided existing single- or two-family dwellings shall not be enlarged, altered, extended, or occupied as a three-family dwelling, unless the entire building is made to comply with all zoning standards applicable to new buildings; and, further provided such existing structures shall not be enlarged or extended, unless such enlargement, extension, or alteration is made to conform to the height, area, and parking regulations of this district. Subject to additional requirements contained in Section 13.06.501.N.
Dwelling, multiple-family	N	N	N	P/N	CU[2]	P	P	P	In the HMR-SRD district, only multiple-family dwellings lawfully in existence on December 31, 2005 are permitted. Such multiple-family dwellings may continue and may be changed, repaired, and replaced, or otherwise modified, provided, however, that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling on December 31, 2005. In R-3 Districts multiple-family development may be considered under the Residential Infill Pilot Program (see Section 13.05.115), but requires issuance of a conditional use permit (see Section 13.06.640).
Dwelling, townhouse	N	CU[2]	CU	CU	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.G. In R-2, R-2SRD and HMR-SRD Districts townhouse development requires issuance of a conditional use permit. See Section 13.06.640. In R-2, townhouses also require review under the Residential Infill Pilot Program (see Section 13.05.115).
Dwelling, accessory (ADU)	P[2]	P[2]	P[2]	P[2]	P	P	P	P	Subject to additional requirements contained in Section 13.06.150. In all residential districts ADUs require the issuance of an ADU permit. In the R-1, R-2, R-2SRD and HMR-SRD districts, detached ADUs are subject to the provisions of the Residential Infill Pilot Program (Section 13.05.115).

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Dwelling, Cottage Housing	CU2	CU2	CU2	N	CU2	CU2	CU2	CU2	Cottage Housing developments require the issuance of a Conditional Use Permit (see Section 13.06.640) and are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.
Eating and drinking	N	N	N	N	N	N	N	P	For R-5, minor eating and drinking establishments are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities, are designed primarily to serve on-site residents, and are consistent with a restaurant use per Section 13.06.700.E.
Emergency and transitional housing	N	N	N	N	N	CU	CU	CU	Subject to additional requirements contained in Section 13.06.535.
Extended care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Foster home	P	P	P	P	P	P	P	P	
Fueling station	N	N	N	N	N	N	N	N	
Funeral home	N	N	N	N	N	N	N	N	
Golf course	P	P	P	P	P	P	P	P	
Group housing	P	P	P	P	P	P	P	P	In the R-1, R-2, R-2SRD, and HMR-SRD districts, group housing is limited to 6 or fewer unrelated adults. In the R-3 district, group housing is limited to 15 or fewer unrelated adults. In the R-4-L, R-4 and R-5 districts, there is no limit to the allowed number residents in a group housing facility.
Heliport	CU	CU	CU	CU	CU	CU	CU	CU	
Home occupation	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E.
Hospital	N	N	N	N	N	CU	CU	CU	
Hotel/motel	N	N	N	N	N	N	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	N	N	N	N	N	

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Intermediate care facility	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Juvenile community facility	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.530.
Live/Work	N	N	N	N	N	N	N	N	
Marijuana processor	N	N	N	N	N	N	N	N	
Marijuana producer	N	N	N	N	N	N	N	N	
Marijuana retailer	N	N	N	N	N	N	N	N	
Microbrewery/winery	N	N	N	N	N	N	N	N	
Mobile home/trailer court	N	N	N	N	N	CU	N	N	Subject to additional requirements contained in Section 13.06.502
Nursery	N	N	N	N	N	N	N	N	
Office	N	N	N	N	N	N	N	N	
Parks, recreation and open space	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	Parks, recreation and open space uses are permitted outright. However, the following parks and recreation features and facilities require a Conditional Use Permit: Destination facilities High-intensity recreation facilities High-intensity lighting Development of more than 20 off-street parking spaces Parks, recreation and open space uses are subject to the requirements of Section 13.06.560, where the above features are defined.
Passenger terminal	N	N	N	N	N	N	N	N	
Personal services	N	N	N	N	N	N	N	P	For R-5, minor personal service uses, such as beauty parlors and instructional services, are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	CU	CU	CU	CU	CU	CU	CU	CU	Unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. See Section 13.06.640.
Religious assembly	CU	CU	CU	CU	CU	CU	CU	CU	
Repair services	N	N	N	N	N	N	N	N	
Research and development industry	N	N	N	N	N	N	N	N	
Residential care facility for youth	N	N	N	N	P	P	P	P	Subject to additional requirements contained in 13.06.535.
Residential chemical dependency facility	N	N	N	N	N	P	P	P	Subject to additional requirements contained in 13.06.535.
Retail	N	N	N	N	N	N	N	P	For R-5, minor retail businesses such as drug stores and newsstands are permitted, provided they are within retirement homes, continuing care retirement communities, student housing, apartment complexes, or similar facilities and are designed primarily to serve on-site residents.
Retirement home	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
School, public or private	CU	CU	CU	CU	CU	CU	CU	CU	
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to additional requirements contained in Section 13.06.635.
Self-storage	N	N	N	N	N	N	N	N	
Short-term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Sections 13.06.575 and 13.06.150.
Short-term rental (3-9 guest rooms)	N	N	N	N	CU	CU	CU	CU	Subject to additional requirements contained in Sections 13.06.575 and 13.06.150.
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.575 and 13.06.150.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations[1]
Staffed residential home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Student housing	CU	CU	CU	CU	CU	CU	CU	CU	
Surface mining	CU	CU	CU	CU	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.540.
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.635
Theater	N	N	N	N	N	N	N	N	
Transportation/freight terminal	N	N	N	N	N	N	N	N	
Urban Horticulture	N	N	N	N	N	N	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	
Vehicle rental and sales	N	N	N	N	N	N	N	N	
Vehicle service and repair	N	N	N	N	N	N	N	N	
Vehicle service and repair, industrial	N	N	N	N	N	N	N	N	
Vehicle storage	N	N	N	N	N	N	N	N	
Warehouse, storage	N	N	N	N	N	N	N	N	
Wholesale or distribution	N	N	N	N	N	N	N	N	
Wireless communication facility	CU	CU	CU	N	CU	CU	CU	CU	Subject to additional requirements contained in Section 13.06.545 and the time limitations set forth in Chapter 13.05, Table G.
Work/Live	N	N	N	N	N	N	N	N	
Work release center	N	N	N	N	N	N	N	N	Subject to additional requirements contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	

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

Footnotes:
[1] 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.
[2] Certain land uses, including two-family, townhouse, cottage housing, and Detached Accessory Dwelling Units in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.

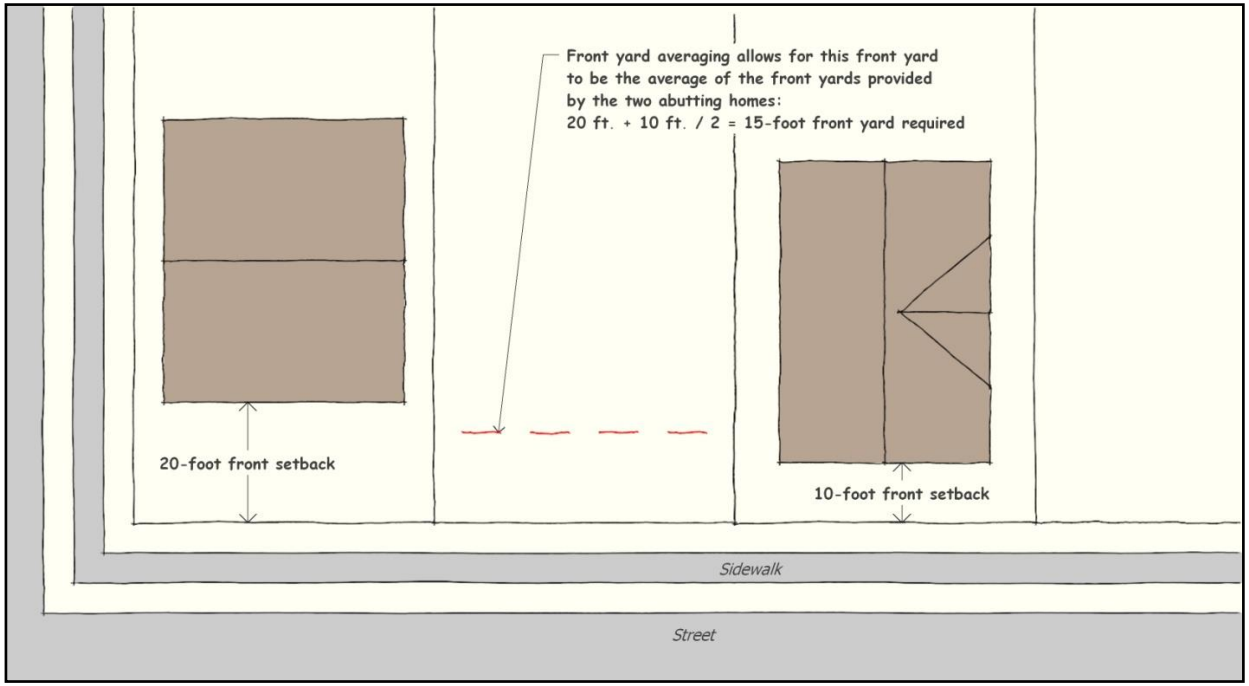
D. Lot size and building envelope standards.

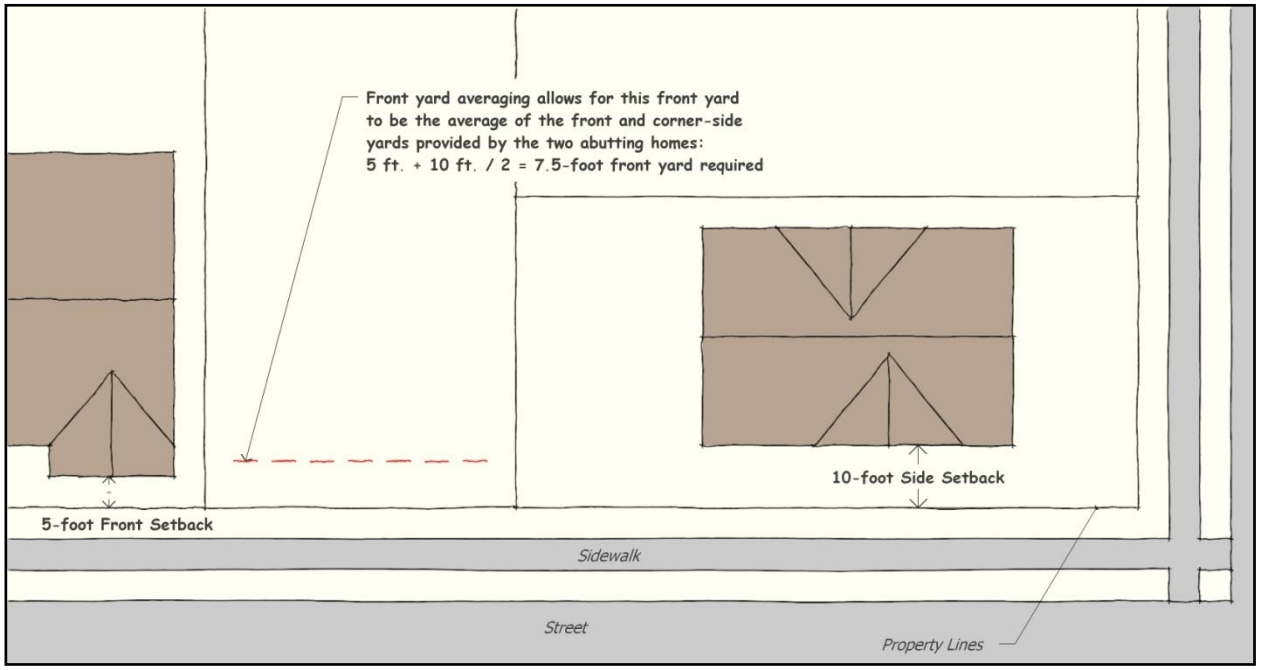
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
1. Minimum Lot Area (in square feet, unless otherwise noted)								
Single-family detached dwellings – Standard Lots	7,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Single-family detached dwellings – Small Lots (Level 1)	6,750	4,500	4,500	4,500	2,500	2,500	2,500	2,500
Two-family dwellings		6,000	6,000	6,000	6,000	4,250	3,750	3,500
Three-family dwellings			9,000	9,000	9,000	5,500	5,000	4,500
Multiple-family dwellings					9,000	6,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of four	6,000	6,000
Townhouse dwellings		3,000	3,000	3,000	3,000	1,500	1,000	1,000
Mobile home/trailer court						3.5 acres, provided at least 3,500 sq. ft. is provided for each mobile home		
Pre-existing lots	A lot which was a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements may be occupied by a single-family dwelling; provided all other applicable requirements are complied with, including required setbacks, yards and design standards (see Sections 13.06.145 and 13.06.630).							
Single-family Small Lots – Exceptions to Standard Minimum Lot Area Requirements	Reductions to minimum detached single-family dwelling lot area requirements, as shown above, may be allowed pursuant to Section 13.06.145. Lots smaller than the Minimum Lot Area for Standard Lots must meet the applicable Design Standards of Section 13.06.145. Single-family Small lot development must be oriented such that the lot frontage and the front façade of the house face the street. Small lot exceptions are not applicable to pipestem lots.							

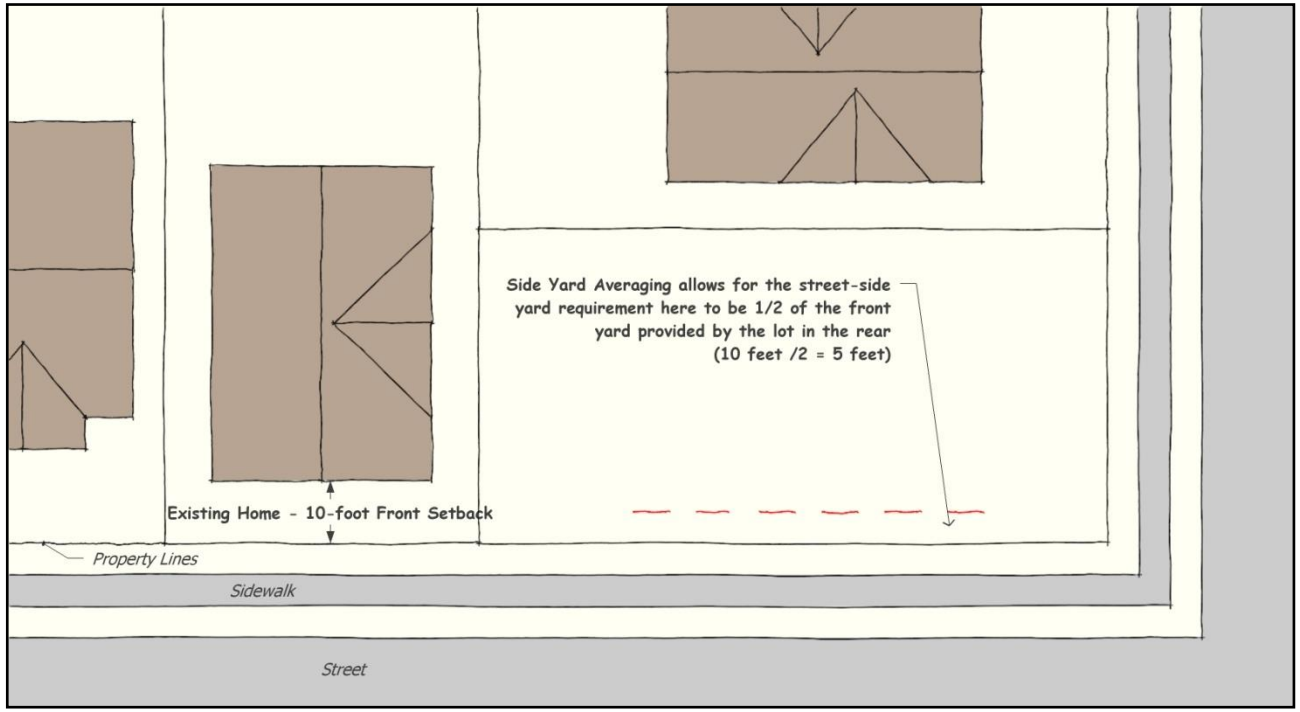
	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Single-family detached dwellings – Small Lots (Level 2): Additional exceptions to Minimum Lot Area Requirements	One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. In no case shall a new lot 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. 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. 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 other districts, provided that the overall average lot size within the Short or Full Plat meets the Standard Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging. 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. Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.145.F. Small lot exceptions are not applicable to pipestem lots.							
Critical Areas Density Bonus	Critical Areas Protection Ordinance Residential Density Bonus: Per Section 13.11.260, in order to provide flexibility to avoid critical area impacts, minimum lot sizes and setbacks may be reduced in association with Critical Areas approvals.							
Planned Residential Districts	Planned Residential Districts: Exceptions to the standard and small lot provisions of this section may be permitted through the provisions of Section 13.06.140.							
2. Lot Measurements (in feet)								
Minimum Average Lot Width – Standard Lots	50	50	50	50	50	50	50	50
					16 for townhouse dwellings; 32 for two-family dwellings			
Single-family Small Lots – Minimum Average Lot Width	45	35	35	35	30	25	25	25
Minimum Lot Frontage	25	25	25	25	25	25	25	25
	The minimum lot frontage requirement does not apply to townhouse dwellings. Pipestem lots which only serve one single-family dwelling are not required to meet the minimum lot frontage requirements, provided the access easement or lot extension to such pipestem lot has a minimum width of 10 feet.							
Small Lots – Exceptions to Minimum Average Lot Width	Reductions to minimum lot width, as shown above, may be allowed pursuant to Section 13.06.145. Small lot exceptions are not applicable to pipestem lots.							
3. Building Coverage (total building coverage / lot area x 100 = percentage)								
Maximum building coverage, percent of lot	-	-	-	-	50	50	65	65

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Bonus	-	-	-	-	Corner Lot: May add an additional 10% of the lot area to the total lot area for the purpose of calculating the maximum building coverage allowance. Alley: Lots with an alley may count 50% of the abutting alley as lot area for calculating the maximum allowable building coverage.			
Exceptions	-	-	-	-	Usable Yard Space that is covered, but not enclosed, shall not count towards the maximum building coverage. Detached Accessory Dwelling units and small-lot single family: Building coverage limitations do not apply to Detached ADUs, small–lot single family, or cottage housing that meet the standards in 13.06.145, 13.06.150 and 13.06.160.			
4. Minimum Density (units per gross acre)								
	-	-	-	-	10	14	18	22
5. Max. Height Limits (in feet)								
Main Buildings	35	35	35	35	35	35	60	150
Accessory Buildings	15-feet							
Exceptions	Buildings within a View Sensitive Overlay district are subject to the additional height restrictions contained in 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602. Single-family Small Lot development on lots with an average width between 40 and 50 feet: Maximum height is 30 feet. Single-family Small Lot development on lots with an average width of less than 40 feet: Maximum height is 25 feet.							
6. Setbacks (in feet)	These residential setback requirements are designed to provide yard areas that help to minimize impacts between neighboring uses, allow space for recreational activities, allow access to light and air, serve as filtration areas for storm water run-off, provide a level of privacy and comfort, provide emergency and utility access around and into buildings, provide public view corridors, create a pleasing, rhythmic streetscape, promote consistency with existing development patterns, and promote the desired character of residential neighborhoods. Certain conditional uses may require different minimum setbacks. See Section 13.06.640.							
Minimum Front Setback, except where Build-to Area is required	25	20	20	20	20	20	15	10

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Build-to Area for lots located on a designated pedestrian street	-	-	-	-	Occupied structures must be located between 5 feet and 20 feet from the front lot line abutting the pedestrian street right-of-way for a minimum of 50% of the pedestrian street frontage. Exception: porches, entries, landscaping and residential transition areas may be located within 5' of the lot line abutting the pedestrian street right-of-way. Exemptions: • Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided, the addition reduces the level of nonconformity as to maximum setback. • When a public easement precludes compliance with this standard, the setback requirement shall be measured from the back edge of the easement. • Public facilities on sites greater than 5 acres shall be exempt from Build-to Area requirements. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities. • Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.			
Townhouse Dwelling Minimum Front Setback	For townhouse dwellings, the minimum front yard setback shall apply only along the front property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							
Vehicular Doors Facing the front property Line	Vehicular doors that face the front property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front property line or private road easement.							
Pipestem Lot Setback	Pipestem lots shall provide the required front setback along one of the property lines that abut or are nearest to the accessway/lot extension. The accessway/lot extension shall not be included when measuring the setback. The front yard setback will determine the orientation of the other required setbacks.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Front Setback Averaging	For residential uses, the minimum front yard setback shall be either the minimum front setback required for the zoning district in which it is located (as noted above) or the average of the front yard setbacks provided by the structures on either side, whichever is less. 							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
	(1) Where a side property line abuts the rear property line of an adjacent corner lot (see example below), the front yard setback for the main building shall be either the average of the adjacent side and front setbacks provided by the structures on either side, or the minimum front yard setback required for the zoning district in which it is located, whichever is less.  (2) For properties where one side abuts an undeveloped lot, a street or an alley, the setback shall be equal to that provided by the one abutting house. (3) In no case shall averaging be construed to require a greater setback than the standard minimum setback required by the regulations of the district.							
Minimum Side Setback (Interior Lots)	7.5	5	5	5	5	5	5	5 ft. for buildings less than 6 stories Each side yard setback shall be increased 1-ft. in width for each story, or part thereof, above 6 stories.

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Townhouse Dwelling Minimum Side Setback	For townhouse dwellings, the minimum side yard setback shall apply only along the side property lines of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							
Minimum Side Setback (Corner Lots)	On corner lots, the side yard setback regulations shall be the same as for interior lots, except where the rear lot line of a corner lot abuts the side lot line of a lot in the rear (see example below). In this case, there shall be a side yard setback on the street-side of such corner lot of not less than one-half of the front yard setback provided on the lot in the rear, but such side yard setback need not exceed half the standard front yard setback requirement for the district. In no case, however shall the side yard setback be less than five feet. 							
Minimum Rear Setback	25	25	25	25	25	20	25 20 ft. for mobile home parks	20
Townhouse Dwelling Minimum Rear Setback	For townhouse dwellings, the minimum rear yard setback shall apply only along the rear property line of the development, and not to property lines internal to the development. For additional townhouse development requirements, see Section 13.06.100.G.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
7. Minimum Usable Yard Space								
a. Single Family Dwelling	All single family dwellings shall provide a contiguous rear or side usable yard space equivalent to at least 10% of the lot size. This usable yard space shall be subject to the following limitations: • Have no dimension less than 15-feet, except for lots that are less than 3500 SF, where the minimum dimension shall be no less than 12 feet; • Not include structures, parking, alley or driveway spaces or required critical areas and buffers; • Not be located in the front yard, with the exception of front porches, which may be counted towards the overall yard space requirement where meeting the design standards in e.1 below. For through lots, the required yard space may be located within the "functional rear yard" (see Subsection 13.06.100.F.5.a for additional information about "functional rear yards"). 							
b. Duplex/Triplex	In the R-1, R-2, R-2SRD and HMR-SRD districts, duplex and triplex developments shall provide usable yard space in accordance with the standards for single family dwellings, above. In the R-3, R-4-L , R-4 and R-5 Districts, duplex and triplex development shall provide at least 400 square feet of yard space for each dwelling unit. Private and common yard space must meet the design requirements specified in e. below.							
c. Townhouse	At least 300 square feet of private yard space and 100 square feet of common yard space is required for each townhouse. Private and common yard space must meet the design requirements specified in e. below.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
d. Multi-family	At least 20% of the lot area is required to be usable yard space. A minimum of 35% of the yard space shall be provided in common. The remainder can be provided as private or common yard space. Private and common yard space must meet the design requirements specified in e. below.							
e. Usable Yard Space Design	(1) Private Yard Space. To qualify, private yard space must meet the following standards: • Have no dimension less than 15-feet, except where lots are less than 3500 total SF, in which case the minimum single dimension of outdoor usable yard space shall be no less than 12 feet. • Private usable yard space shall be direct and immediately accessible from the dwelling unit or a bedroom. • Private usable yard space may be provided as balconies, porches, decks, patios or yards. To qualify as yard space, such spaces shall be at least 50 square feet, with no dimension less than five feet. (2) Common Yard Space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children's play areas, or other multi-purpose outdoor recreational and/or green spaces. Requirements for (and limitations on) common yard spaces include the following: • No dimension shall be less than fifteen feet in width. • Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity. • Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable. • Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable. • Spaces should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible. • Common yard space shall be open to the sky, except for clear atrium roofs and shared porches. A maximum of 25% of the common yard space may be covered but not enclosed. • Shared porches qualify as common yard space provided no dimension is less than eight feet. (3) Interior recreational space (for multi-family development only). Interior recreational space includes swimming pools, fitness centers, and other recreation spaces that are located within the primary structure or as an accessory structure. Interior recreational spaces may be used to meet up to 35% of the overall yard space requirement. (4) Rooftop decks may be used to meet the yard space requirements. To qualify, rooftop decks must meet the following standards: • No more than 50% of the rooftop deck may be used to meet private yard space requirements. • Must include amenities such as seating areas and landscaping. • Must feature appropriate hard surfacing to encourage active use. • Must include lighting for residents' safety. • No dimension shall be less than 15 feet in width. (5) Landscaping. Up to 35% of the usable yard space may be comprised of landscaping, including groundcover and shrubs. (6) Vehicular access areas shall not count as yard space.							

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
f. Yard Space Exceptions	(1) Critical Area Exception: • When the lot contains identified critical areas and/or buffers, said critical areas and/or buffer area shall be excluded from the lot size calculation for determining the required usable yard space required on site. • For usable yard space required on a per unit basis, critical areas and/or buffer areas may be counted towards the landscaping allowance. (2) Proximity to Active Public Recreation: • When the site is located within a quarter mile, using the shortest route, of a public park or school that has accessible outdoor recreation facilities, the common yard space requirement may be waived, reducing the overall required usable yard space to 13 percent of the lot area for multi-family development and 300 total square feet for townhouses.							
g. Acceptable Yard Space Examples	 *Balconies are a good source of private yard space.*			 *Above: Examples of common open space.*		 *Example of a shared rooftop deck.*		
8. Tree Canopy								
Tree Canopy, percentage of lot area	-	-	-	-	30	30	20	15

	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5
Calculating Tree Canopy	Tree Canopy is measured as a percentage of the overall lot area. Example: 6,000 square foot lot in the R-3 District would require a tree canopy of 1800 square feet (6000 x .3 = 1800). The Urban Forest Manual classifies trees as small, medium, and large based on the overall tree factor, which also weighs growth rate. In meeting the tree canopy requirement planted trees will receive the following canopy credit: • Small Trees: 300 sq. ft. • Medium Trees: 500 sq. ft. • Large Trees: 1000 sq. ft. 1800 square feet of tree canopy could be met as a combination of one large, one medium, and one small tree, or any other combination that meets or exceeds the overall canopy requirement. The canopy requirement may include the trees located on the lot or from street trees planted in the abutting right-of-way that overhang the lot. Tree canopy provided on the lot as a result of other landscaping requirements of this Chapter may be used to fulfill this requirement.							
Other standards and flexibility	Trees planted to meet this requirement are subject to the standards in Section 13.06.502.C General Landscaping Requirements applicable to all required landscaping. Trees may be located within private or common usable yard space. Tree retention credits from Section 13.06.502.D may be applied.							
Enforcement	Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.100.							

E. Home Occupation Standards. The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; reduce traffic congestion by providing opportunities for residents to work in their homes and reduce work-related commute trips; and to protect neighborhood character by establishing criteria and standards to ensure that home occupations are conducted in a manner that is clearly secondary and incidental to the primary use of the property as residential and do not significantly alter the exterior of the property or affect the residential character of the neighborhood. Home occupations are permitted within all zoning districts provided such uses meet the following criteria:

1. The occupation must be clearly incidental and subordinate to the use of the dwelling as a residence.

2. No outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises.

3. There shall be no change in the outside appearance of the building or premises, or other visible evidence that the residence is being operated as a home occupation.

4. A home occupation use shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.

5. Limited on-premises sales of products or stock-in-trade may be permitted in conjunction with a home occupation; provided, that the product is accessory to a service offered through the home occupation and that the applicant can clearly demonstrate that such on-premises sales will not be inconsistent with the criteria set forth above. For example, a home occupation engaged in hair salon services may sell hair care products or accessories.

6. No person other than members of the family residing on the premises shall be engaged in the home occupation at the dwelling. Non-related employees are allowed to be engaged in a home occupation provided they work at a jobsite other than the dwelling during the workday.

7. The Director may attach additional conditions to a home occupation license to ensure that the criteria set forth above are met.

8. One non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building shall be allowed for each dwelling containing a home occupation.

F. Accessory building standards. Accessory buildings permitted per Section 13.06.100.C.4, such as garages, sheds, common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-family uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85% of the square footage of the main building footprint and no more than 15% of the square footage of the lot. In addition, the total building footprint square footage of structures accessory to a single-family dwelling shall not exceed 1,000 square feet, except where properties contain a detached accessory dwelling unit, in which case, the total square footage of accessory building footprints (including the detached ADU) shall be no more than 1,500 square feet. See Section 13.06.150 for ADU standards. For lots greater than 1/2 acre (21,780 square feet), the total square footage of all accessory buildings shall be no more than 10 percent of the square footage of the lot (the 85 percent main building and 1,000/1,500 square foot limitations for smaller properties shall not apply).

2. A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.

3. Except for an approved Accessory Dwelling Unit (ADU – see Section 13.06.150), an accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.

4. Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.

5. Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.

a. For through lots, if there is an established pattern of "functional front and rear yards," detached accessory buildings shall be allowed in the "functional rear yard." A "functional rear/front yard" shall be defined by the established pattern of the block,

based on the orientation of existing dwellings and location of existing detached buildings. If the is no defined pattern, a locational variance shall be required. The required front setback for such an accessory building shall be either the standard front yard setback for the zoning classification or the average of the accessory and/or main building setbacks provided on the adjacent lots, whichever is smaller. However, if such accessory building includes vehicular doors facing and accessing the adjacent street, the building or portion of the building with such doors shall be setback at least 20 feet.

6. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front property line or private road easement.

7. Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line.

8. Commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district. Such storage containers may only be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.

9. Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.510, including subsection 13.06.510.A.6.

G. Townhouse Standards. Refer to Section 13.06.501.O for design standards that apply to all townhouse developments in R-Districts.

H. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.100 by reference:

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 support facilities.
13.06.512 Pedestrian and bicycle support standards.
13.06.520 Signs.
13.06.575 Short-term rental.
13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area).

(Ord. 28376 Exs. B, D; passed Aug. 16, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27964 § 3; passed Mar. 1, 2011: Ord. 27918 §§ 2,3; passed Feb. 22, 2011: Ord. 27949 § 3; passed Feb. 22, 2011: Ord. 27918 §§ 2,3; passed Feb. 22, 2011: Ord. 27916 §§ 2,3; passed Feb. 15, 2011: Ord. 27917 § 3; passed Feb. 8, 2011: Ord. 27880 § 3; passed Aug. 31, 2010: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27817 § 3; passed Apr. 6, 2010: Ord. 27813 Ex. D, H-1, I-1; passed Jun. 30, 2009: Ord. 27782 § 3; passed Mar. 24, 2009: Ord. 27772 § 5,8,11-20; passed Dec. 9, 2008: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27432 § 1; passed Nov. 15, 2005: Ord. 27296 § 1; passed Nov. 16, 2004: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.105 R-1 One-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008: Ord. 27562 §§ 3,5,7,9; passed Dec. 12, 2006: Ord. 27539 § 4; passed Oct. 31, 2006: Ord. 26966 § 1; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.110 R-2 One-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008; Ord. 27741 § 3; passed Dec. 9, 2008: Ord. 27701 § 4; passed Jul. 29, 2008: Ord. 27576 § 3; passed Jul. 29, 2008: Ord. 27695 § 3; passed Apr. 15, 2008: Ord. 27651 § 3; passed Feb. 26, 2008: Ord. 27532 § 3; passed Jan. 8, 2008: Ord. 27665 § 3; passed Dec. 4, 2007: Ord. 27613 § 3; passed Aug. 14, 2007: Ord. 27594 § 3; passed Jul. 31, 2007: Ord. 27574 § 3; passed Mar. 20, 2007: Ord. 27544 § 3; passed Feb. 6, 2007: Ord. 27562 §§ 2,4,6; passed Dec. 12, 2006: Ord. 27380 § 3; passed Dec. 12, 2006: Ord. 27539 § 5; passed Oct. 31, 2006: Ord. 27471 § 3; passed Jul. 25, 2006: Ord. 27470 § 3; passed Apr. 25, 2006: Ord. 27420 § 3; passed Jan. 17, 2006: Ord. 27432 § 8; passed Nov. 15, 2005: Ord. 27407 § 3; passed Nov. 1, 2005: Ord. 27413 § 3; passed Oct. 4, 2005: Ord. 27362 § 3; passed Jun. 7, 2005: Ord. 27325 § 3; passed May 24, 2005: Ord. 26966 § 2; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.115 R-2SRD Residential Special Review District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008: Ord. 27733§ 3; passed Sept. 9, 2008: Ord. 27697§ 1; passed Feb. 19, 2008: Ord. 27665§§ 5,7,9; passed Dec. 4, 2007: Ord. 27539 § 6; passed Oct. 31, 2006: Ord. 27432 § 4; passed Nov. 15, 2005: Ord. 27079 § 14; passed Apr. 29, 2003: Ord. 26966 § 3; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.118 HMR-SRD Historic Mixed Residential Special Review District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008: Ord. 27539 § 7; passed Oct. 31, 2006: Ord. 27432 §§ 2,3,4; passed Nov. 15, 2005: Ord. 27296 § 6; passed Nov. 16, 2004)

13.06.120 R-3 Two-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008: Ord. 27576 § 3; passed Jul. 29, 2008: Ord. 27695 § 2; passed Apr. 15, 2008: Ord. 27665 § 6; passed Dec. 4, 2007: Ord. 27594 § 3; passed Jul. 31, 2007: Ord. 27553 § 3; passed Jun. 19, 2007: Ord. 27575 § 3; passed Feb. 20, 2007: Ord. 27518 § 3; passed Nov. 14, 2006: Ord. 27539 § 8; passed Oct. 31, 2006: Ord. 27469 § 3; passed Jul. 18, 2006: Ord. 27393 § 3; passed Aug. 9, 2005: Ord. 26966 § 4; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.125 R-4 Multiple-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008; Ord. 27665 § 8; passed Dec. 4, 2007: Ord. 27539 § 9; passed Oct. 31, 2006: Ord. 27079 § 15; passed Apr. 29, 2003: Ord. 26966 § 5; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.130 R-4-L Low-Density Multiple-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008; Ord. 27694 § 3; passed Jun. 17, 2008: Ord. 27680 § 2; passed Jul. 31, 2007: Ord. 27575 § 2; passed Feb. 20, 2007: Ord. 27544 § 2; passed Feb. 6, 2007: Ord. 27562 § 8; passed Dec. 12, 2006: Ord. 27539 § 10; passed Oct. 31, 2006: Ord. 27470 § 2; passed Apr. 25, 2006: Ord. 27079 § 16; passed Apr. 29, 2003: Ord. 26966 § 6; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.135 R-5 Multiple-Family Dwelling District. *Repealed by Ord. 27771.*

(Ord. 27771 Ex. C, passed Dec. 9, 2008: Ord. 27539 § 11; passed Oct. 31, 2006: Ord. 27335 § 3; passed Jun. 14, 2005: Ord. 27079 § 17; passed Apr. 29, 2003: Ord. 26966 § 7; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.140 PRD Planned Residential Development District.

A. Intent. The PRD Planned Residential Development District is intended to: provide for greater flexibility in large scale residential developments; promote a more desirable living environment than would be possible through the strict regulations of conventional zoning districts; encourage developers to use a more creative approach in land development and stormwater management; provide a means for reducing the improvements required in development through better design and land planning; conserve natural features and retain native vegetation; provide a high quality of urban design pursuant to creating a livable and attractive neighborhood and place-making; facilitate more desirable, aesthetic, and efficient use of open space; promote sustainable building and site design practices; and promote the voluntary incorporation of affordable housing through provision of voluntary density bonuses.

The PRD District is intended to be located in areas possessing the amenities and services generally associated with residential dwelling districts, and in locations which will not produce an adverse influence upon adjacent properties.

Land classified as a PRD District shall also be classified as one or more of the regular residential zoning districts and shall be designated by a combination of symbols (e.g., R-3-PRD planned residential development district).

B. Procedures. Application for reclassification to a PRD District shall be made in accordance with the provisions of Chapter 13.05 and Section 13.06.650. Applications for reclassification to a PRD District shall bear the written consent of the owners of all property within the proposed PRD. Applications for a major modification to an existing PRD District shall bear the written consent of the owners of the specific properties proposed to be modified.

An application for site approval shall accompany a request for reclassification to a PRD District. Applications filed subsequent to such a reclassification shall be considered by the Director. Where only a portion of the development is submitted for site approval, a preliminary plan for the remainder of the development shall also be submitted, indicating the intended layout for the remainder of the development.

The Hearing Examiner shall conduct a public hearing on all applications for site approval which accompany a reclassification request. In acting upon a request for site approval, the Hearing Examiner or Director shall consider, but not be limited to, the following criteria:

1. The site development plan shall be consistent with the goals and policies of the Comprehensive Plan.

2. The plan shall be consistent with the intent and regulations of the PRD District and any other applicable statutes and ordinances.

3. The proposed development plan for the PRD District is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The findings of the Hearing Examiner or Director shall be concerned with, but not limited to, the following:

a. The generation of noise or other nuisances which may be injurious or to the detriment of a significant portion of the community.

b. Availability and/or adequacy of public services which may be necessary or desirable for the support of the development. These may include, but shall not be limited to, availability of utilities; transportation systems, including vehicular, pedestrian, and public transportation systems; and education, police, and fire services, and social and health services.

c. Adequacy of landscaping, recreation facilities, screening, yards, setbacks, open spaces, or other development characteristics necessary to provide a sound and healthful living environment and mitigate the impact of the development upon neighboring properties and the community.

d. The compliance of the site development plan with any conditions to development stipulated by the City Council at the time of the establishment of the PRD District.

e. The demonstration of urban design excellence in site and building design through establishing Basic Neighborhood Patterns, pedestrian-friendly design, de-emphasized parking, minimized scale contrasts and privacy impacts, usable outdoor spaces, sustainability features and connectivity as appropriate to the site, context and proposed development type and density.

An application for site approval shall include:

4. A plan or plans at a scale of not less than one inch equals 200 feet for the proposed development showing:

a. Proposed name of the development, north point, scale, date, legal description, and names and addresses of the developer, engineer, surveyor, land planner, and landscape architect.

b. The basic layout of the site or portion thereof, including lot design, if any, building locations, street layout, and roadway widths.

c. Horizontal alignment data for all streets and vehicular accessways.

d. Any areas proposed to be dedicated or reserved for public parks, schools, or playgrounds, or otherwise dedicated or reserved for public purposes.

e. Other undedicated open space set aside for the use of the residents of the development in common.

f. A general land use plan for the proposed district indicating the areas to be used for the various purposes.

g. Types of dwellings and site locations thereof.

h. Proposed locations of off-street parking areas with dimensions.

i. Pedestrian walks, malls, and other trails, both public and private.

j. A circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares, routes and pathways. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown.

k. The stages to be built in progression, if any.

l. Finished contours at a five-foot interval.

m. The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.

n. Land within the tract not to be developed as a part of the PRD District, with indication of existing and/or intended use or uses.

o. Necessary building setback lines, including those required for sight distance purposes.

p. Existing zoning boundaries.

q. The intended time schedule for development.

r. Tables showing the density and lot coverage of the overall development and of each zoning district within the development.

s. A narrative and supporting exhibits demonstrating how the project will be consistent with the PRD intent and the provisions of this section.

C. General requirements.

1. This Section was substantially updated on December 1, 2015. PRD Districts approved prior to that date are subject to the provisions of their approvals, including the amount and designation of required open space. PRD applications submitted after that date shall meet the following standards and requirements.

2. PRDs are permitted as an overlay in all residential districts, with the exception that PRDs are not permitted in the HMR-SRD District or within designated Historic Districts.

3. The site approval shall be binding upon the development and substantial variations from the plan shall be subject to approval by the Director.

4. No building permit shall be issued without a site approval.

5. The site approval shall expire as provided in Chapter 13.05.

6. In granting site approval, the Hearing Examiner and/or the Director may attach conditions as authorized in Chapter 1.23, or, in the case of approval by the Director, Chapter 13.05, and unless other arrangements are agreed to by the City, the owner and/or developers shall be responsible for paying the cost of construction and/or installation of all required on- and off-site improvements. This responsibility shall be the subject of a contractual agreement between the owner and/or developer and the City. Such contract shall require that, in lieu of the actual construction of the required improvements, the owner and/or developer shall deposit a performance bond or cash deposit with Planning and Development Services, in an amount not less than the estimate of the City Engineer for the required improvements, and provide security satisfactory to the Department of Public Utilities, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the time specified in the contractual agreement. Also, such contract and recorded covenants, governing all land within the PRD District, shall provide for compliance with the regulations and provisions of the district and the site plan as approved.

7. PRDs are subject to the provisions of the underlying zoning district and other pertinent sections of the TMC, unless specifically addressed in this section or through the conditions of the PRD decision or site approval.

8. Urban design, sustainability and connectivity. The PRD site design shall demonstrate the following:

a. Establishment of high quality and context-responsive Basic Neighborhood Patterns, including the following:

(1) Street frontage characteristics.

(2) Rhythm of development along the street.

(3) Building orientation on the site and in relation to the street.

(4) Front setback patterns.

(5) Landscaping and trees.

(6) Backyard patterns and topography.

(7) Architectural features.

b. Pedestrian-friendly design. The proposal must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways, and must emphasize pedestrian connectivity and the high quality of the pedestrian experience within the site and in the abutting public right-of-way. Transportation infrastructure within PRD Districts shall implement complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

c. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.510 in a manner that de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-way.

d. Minimize scale contrasts and privacy impacts. The proposal must demonstrate that it will limit scale contrasts and privacy impacts on existing adjacent parcels and buildings to a reasonable extent.

e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents. These outdoor spaces shall be provided per the open space requirements of this section.

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 if full new roadway sections are constructed.

g. Connectivity. Proposed PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, to the maximum extent feasible.

h. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts, conditions recommended by the Historic Preservation Officer may include:

(1) Designation of the historically significant property to the Tacoma Register of Historic Places.

(2) Avoidance of the historically significant property or minimizing exterior changes to the property.

(3) Documentation and architectural salvage of the historically significant property, if demolition cannot be avoided.

9. Not more than one-third of the gross area of the site shall have a finished grade exceeding 20 percent, consist of bodies of water, or consist of tidelands, unless otherwise permitted by the decision.

10. The development of the property in the manner proposed will not be detrimental to the public welfare, will be in keeping with the general intent and spirit of the zoning regulations and Comprehensive Plan of the City of Tacoma, and will not impose an abnormal burden upon the public for improvements occasioned by the proposed development.

11. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities which are compatible with the properties adjacent to the proposed development.

12. The PRD District shall be located on property which has an acceptable relationship to major transportation facilities, and those facilities within the vicinity of the PRD District shall be adequate to carry the additional bicycle, pedestrian and vehicular traffic generated by the development.

13. A PRD District shall make provisions for existing and future streets, pathways and undeveloped areas adjacent to the development to allow for the proper and logical development of such areas.

14. The internal circulation system within the PRD District shall be designed and constructed to insure the safety and convenience of pedestrian, bicycle and vehicular traffic by providing proper horizontal and vertical alignments, widths, physical improvements, parking provisions (on- and/or off-street), pedestrian facilities, sight distances, necessary traffic control regulations and signs, and necessary directional and identification signs.

15. Placement and maintenance of traffic, directional, and identification signs for private vehicular accessways shall be the responsibility of the developer.

16. Preliminary plats within PRD Districts shall connect with and continue the abutting street network, to provide for a continuous connection with the neighborhood pedestrian, bicycle and vehicular pathways, unless specifically exempted by the City Engineer.

17. Transportation infrastructure within PRD Districts shall be designed to complete streets principles including emphasizing the pedestrian environment and providing for safe and comfortable bicycle travel.

18. The grades and alignments and other construction details for all vehicular accessways and utilities, both public and private, shall be established and approval granted by the City of Tacoma prior to commencement of any construction within the area for which site approval was granted.

19. Subject to width variations, all vehicular accessways within the PRD District, both public and private, shall be constructed and improved to meet or exceed minimum City of Tacoma standards; except that all public and private vehicular accessways shall be paved with a hard surface with necessary base preparations, in accordance with City of Tacoma standards.

20. The developer shall guarantee, to the satisfaction of the Building Official, the improvement of all streets and accessways, both public and private, to minimum City of Tacoma standards prior to the occupancy of any dwelling units served by such streets and accessways.

21. The internal circulation within the PRD District shall permit vehicular access to each building for fire protection and such other purposes as may be necessary.

22. Fire hydrants and facilities shall be provided in accordance with the standards of the National Board of Fire Underwriters.

23. All utilities, including storm drainage, within the PRD District shall be provided as set forth by the City of Tacoma.

24. Due consideration shall be given by the developer or subdivider to the allocation of suitable areas for schools, parks, playgrounds, and other necessary facilities to be dedicated for public use or purposes.

25. The initial stage of development shall be of sufficient size and dimension to produce the intended environment of a PRD District, and shall provide an equitable amount of open space, off-street parking, and other amenities commensurate with the zoning and density of said initial stage. The requirements of any subsequent stage may be determined in conjunction with the approved standards of all previous stages in order to determine its conformance to the overall requirements of this district.

26. All nonconforming uses within a PRD District shall be removed or provisions made for their removal prior to the issuance of a building permit.

27. There shall be adequate provisions to insure the perpetual maintenance of all non-dedicated accessways and all other areas used, or available for use, in common by the occupants of the PRD District.

D. Use regulations. A building, structure, or land, and a building or structure hereafter built, altered, or enlarged, shall be used for only the following permitted uses:

1. The uses of property permitted in the regular zoning district with which the PRD District is combined.

2. Townhouses in all PRD Districts.

3. Multi-family dwellings in R-3-PRD Districts.

4. Indoor and outdoor recreational facilities and structures for the use of the residents of the PRD District.

5. Day care centers with an enrollment of 50 or fewer children or adults.

6. Special needs housing, in accordance with the provisions of Section 13.06.535.

7. Limited non-residential uses in R-3-PRD and denser Districts. Such uses shall be small in size, internally oriented within the PRD District, serve the immediate neighborhood and are prohibited from producing noise, traffic, or signage impacts incompatible with the surrounding area. Such uses shall otherwise meet the pertinent requirements of the TMC with the exception that parking requirements may be reduced or eliminated to reflect the intent of serving the immediate neighborhood. Potential examples include small cafes, live-work spaces, artist lofts, and small offices.

E. Height regulations. The height of buildings, structures, or portions thereof, shall be the same as the residential district with which the PRD District is combined.

F. Area regulations.

1. Setback regulations. A minimum 20-foot building setback shall be maintained from the district property line on the perimeter of the PRD District. Setbacks from dedicated arterial streets within the PRD District shall be maintained in accordance with the requirements of the residential district with which it is combined.

The distance separating buildings, exclusive of accessory buildings, shall be adequate to provide for fire safety, emergency access, maintenance and, where appropriate, pedestrian passage, except that a building on a platted lot may be attached to any building or buildings on any adjoining platted lot or lots. Accessory buildings shall not be permitted within required setback areas.

Building setbacks from the PRD District boundary, from dedicated streets adjacent to and within the PRD District, and from other buildings shall be increased by one-half foot for each one foot the height of such a building or structure exceeds 35 feet.

2. Site area. The minimum gross site area for a PRD District shall be one acre of net site area, not including abutting public rights-of-way.

3. Density.

a. PRD Base Density. The permitted density of dwelling units within a PRD District shall be approximately 1.25 times the densities permitted in the base district, as described below. Retirement home guest rooms and/or guest suites shall be construed as dwelling units for purposes of computing density:

b. Density bonuses

(1) An additional 0.50 times the underlying district density is permitted through the provision of affordable housing units pursuant to TMC 1.39.

(2) Once the density available for the provision of affordable housing units has been utilized, an additional 0.25 times the underlying district density is permitted through the provision of both of the following features:

(a) Built Green Emerald Star or Living Building Challenge 3 Petals; and,

(b) Greenroads Gold if new full roadway sections are constructed.

(3) The following table summarizes the number of dwelling units permitted in the underlying zoning districts, and the three tiers of density available through the provisions of the PRD section, provided in gross density (dwelling units per acre) of the site:

	Underlying Zoning Density	**Tier 1: PRD Base Density**	**Tier 2: PRD Affordable Housing**	**Tier 3: PRD Sustainability features**
R-1	5.8	7	10	12
R-2	8.7	11	15	17.5
R2-SRD	8.7	11	15	17.5
R-3	14.5	18	25	29
R-4-L	29.0	36	51	58
R-4	43.6	55	76	87
R-5	58.1	73	102	116

These dwelling units may be any combination of residential land uses permitted in the PRD District.

4. Minimum dimensions. The minimum average width and depth of any PRD District shall not be less than 120 feet, except that the minimum average width and depth of an R-5-PRD District shall not be less than 200 feet.

5. Site coverage. Buildings and structures shall not occupy more than one-half of the area of the PRD District.

6. Common Open Space. A minimum of fifteen percent of the site area of the PRD District shall be provided as common open space. For the purpose of this section, common open space shall be defined as land which is provided or maintained for the general enjoyment of the residents of the PRD District or the general public and not used for buildings, dedicated public rights-of-way, private access/road easements, driveways, traffic circulation and roads, private yards, required sidewalks, utility areas, storm water facilities (unless also developed as a recreational area), parking areas, or any kind of storage. Common open space includes, but is not limited to woodlands, open fields, streams, wetlands, other water bodies, habitat areas, steep slope areas, landscaped areas, parks, beaches, community gardens, courtyards, or recreation areas.

a. A minimum of one-half of this required common open space shall be devoted to recreation area for use by the residents of the PRD District or the general public. For the purpose of this section, recreation area includes, but is not limited to trails, athletic fields and courts, playgrounds, swimming pools, picnic areas or similar facilities. Such recreation area(s) shall be located in a central area of the district or spread throughout the district to provide convenient access to all residents. The recreation area(s) shall be of a size, topography and configuration so as to accommodate a variety of recreational functions for residents, with the overall intent of consolidating amenity areas to avoid fragmented areas of marginal utility. Said recreation areas shall not entirely consist of concrete or other hardscape.

b. Common open space areas shall be located and configured to protect mature trees, native vegetation and critical areas, provide for recreational opportunities, and create open space corridors, green belts and connections between existing or planned parks, trails or open space.

c. Such common open space shall be available for use or enjoyment by all of the residents of the PRD District or the general public. The common open space shall be dedicated, reserved or otherwise held in common by a homeowners association or by a proportional ownership interest shared among all of the property owners within the PRD, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.

d. Permanent provisions for the maintenance and management of open space, private trails, private parks and recreation areas, and other common areas shall also be provided. These provisions shall run with the land and be recorded.

G. Parking regulations. Off-street parking space shall be provided in accordance with Section 13.06.510. Required off-street parking for dwellings shall not be located more than 100 feet from the dwelling or dwellings it is intended to serve unless otherwise permitted by the Hearing Examiner or the Director.

Required parking spaces shall be surfaced with a hard surface.

H. Modifications. Modifications to existing PRDs shall be subject to further review and approval, in accordance with the criteria and standards contained in Section 13.05.080, including the additional provisions in subsection 13.05.080.F., and the expanded notice provisions in Sections 13.05.020.C.2 and 13.05.020.D.2.

(Ord. 28336 Ex. B; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27631 Ex. B; passed Jul. 10, 2007: Ord. 27539 § 12; passed Oct. 31, 2006: Ord. 27471 § 2; passed Jul. 25, 2006: Ord. 27079 § 18; passed Apr. 29, 2003: Ord. 26966 § 8; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.145 Small-lot single-family residential development.

A. Purpose. These regulations are intended to supplement and amend the regulations pertaining to single-family detached residential development by providing criteria for small-lot single-family detached development in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts. These regulations are intended primarily to promote residential infill development within the City to be consistent with the mandate of the State Growth Management Act and the City's Comprehensive Plan, to encourage growth within urban areas, and to minimize sprawl. Residential infill within already urbanized areas is increasingly recognized as a regional stormwater best management practice by encouraging a more compact urban form that reduces the development footprint within sensitive watersheds and greenfield areas. These provisions are designed to provide a mechanism to create new lots and develop existing lots that have a smaller area and/or width than the standard lot size requirements in the R Districts. However, in allowing for the creation of and development on these smaller lots, additional design standards are applied to better ensure that new single-family development on such lots is compatible with the desired character of the City's residential areas.

B. Lot size standards.

1. New Small Lots that are smaller than the applicable standard minimum lot dimensions in Section 13.06.100.D, shall be allowed, without variance, in the R-1, R-2, R-2SRD, HMR-SRD, R-3, R-4, R-4-L and R-5 Districts, subject to the Small Lot standards of that section, and provided that all new dwellings meet the design standards in Section 13.06.145.E.

2. New lots that are smaller than the applicable Level 1 Small Lot minimum lot dimensions in Section 13.06.100.D shall only be allowed pursuant to the Level 2 Small Lots provisions of that section, or with approval of a variance (see Section 13.06.645), and provided that all new dwellings meet the design standards in Section 13.06.145.E and F.

3. New small lot development must be oriented such that the lot frontage and the front façade of the house face the street.

4. The provisions of this section are not applicable to pipestem lots, which are required to meet the applicable Standard Lot dimensions specified in Section 13.06.100.D, and any other applicable provisions.

C. Building envelope standards. New single-family detached dwellings on small lots shall be subject to the standard building envelope requirements for single-family dwellings in the applicable zoning district (see Section 13.06.100.D).

D. Design standards - Applicability.

1. New single-family dwellings on new lots that are less than the Standard Lot dimensions, and no less than the minimum Level 1 Small Lot dimensions in Section 13.06.100.D (for example, in the R-2 District Small Lots are between 5,000 and 4,500 square feet and/or between 50 and 35 feet in width) shall be subject to the design requirements found in Section 13.06.145.E.

2. New single-family dwellings on lots that are smaller than the applicable Level 1 Small Lot standards in Section 13.06.100.D (including Level 2 Small Lots, legally pre-existing lots and lots where a variance has been approved) shall be subject to the design requirements found in Sections 13.06.145.E and 13.06.145.F.

3. Proponents of new Small Lots located within designated Historic Districts shall provide a site plan and massing study demonstrating consistency with the provisions of this section and with the pertinent historic design standards. No subdivision shall be permitted which would lead to the demolition of an historically contributing structure.

E. Design Standards – Level 1. The following design standards shall be met for all new single-family dwellings on new Small Lots, and on all pre-existing lots that are smaller than the current, applicable minimum lot size and/or width requirements in Section 13.06.100.D:

1. Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.

2. Clear building entries. Dwellings shall provide a clearly defined building entrance that faces the street and provides weather protection that is at least 4 feet deep along the width of the building entry. A porch may serve to comply with this provision.

(a) Within designated Historic Districts, covered porches (projecting or alcove) a minimum of 60 square feet and no dimension less than 6 feet, with decorative piers, columns, railings or other architectural features are required.

2. Garages:

a. The garage shall be located in the rear with rear access if suitable access is available, such as abutting right-of-way that is or can be practicably developed.

b. Where vehicular access is not available from an alley or side street, garages or carports shall be setback at least 5 feet behind the front façade of the house or the front of a covered porch (where the porch is at least 48 square feet and contains no dimension less than 6 feet). In addition, vehicular doors and carports (measurement based on width of canopy) shall not

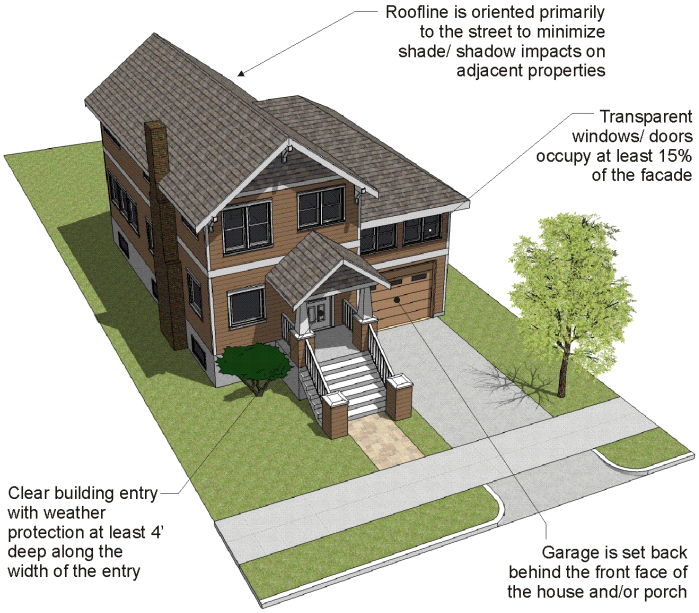
occupy more than 50% of the width of the front façade. For narrower lots, this requirement may preclude development of a garage or carport.

c. Within Designated Historic Districts, garages located in the rear yard shall be detached from the house, unless an alternate design is approved by the Landmarks Preservation Commission.

3. Façade transparency. At least 15% of any façade (excluding exposed foundations and unfinished attic space) facing a street shall be transparent. The façade shall include all vertical surfaces of the façade of the dwelling.

4. Roofs. For two-story houses with peaked roofs, the primary roofline(s) shall be oriented towards the front of the lot, running perpendicular to the street or front property line to minimize shade and shadow impacts to adjacent properties. Exceptions to this standard are allowed for projects involving multiple, adjacent single-family dwellings on small lots where alternating roofline orientation is being used to meet the Housing Style Variety requirement in Subsection 7, below, or for lots that measure less than 80 feet in depth. Roof pitches shall be designed to achieve architectural balance with the scale of the house. Two story houses with peaked roofs shall provide a minimum roof pitch of 6:12, excluding dormers and excluding vegetated roofs. Eave overhangs a minimum of 2 feet shall be provided.

5. All street-facing windows and doors shall be finished with decorative molding / framing details.



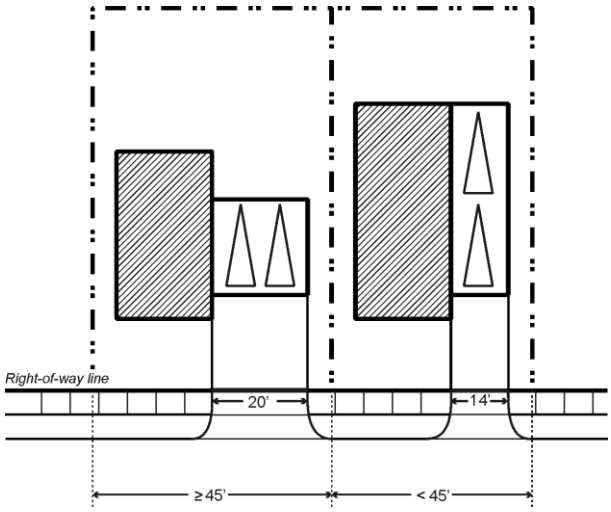
6. Driveways.

a. Vehicular access shall be from the rear of the site whenever feasible.

b. For driveways accessing the street, the maximum width of driveway approaches shall be 20 feet.

c. Driveway approach widths for lots less than 45 feet wide shall be no greater than 14 feet.

d. In no case shall a driveway approach occupy more than 50% of any lot frontage. Shared driveway approaches may be appropriate for narrower lots.



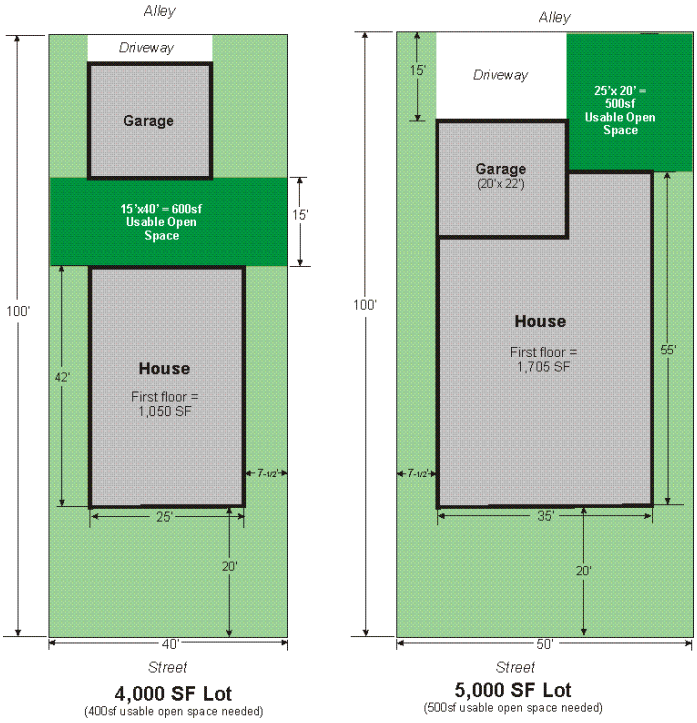
7. Functional yard space. All lots shall provide at least one contiguous yard space equivalent to at least 10% of the lot size. (See examples below) This usable yard space shall:

a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.

b. Not include alleys or driveway space.

c. Not be located within the required front yard.

d. Be directly connected to and accessible from the house.



8. Housing style variety. Duplicative front façade elevations adjacent to each other are prohibited. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation on adjacent lots are not sufficient to meet this requirement. In addition, a minimum of two of the following alternatives shall be utilized:

a. Different window opening locations and designs,

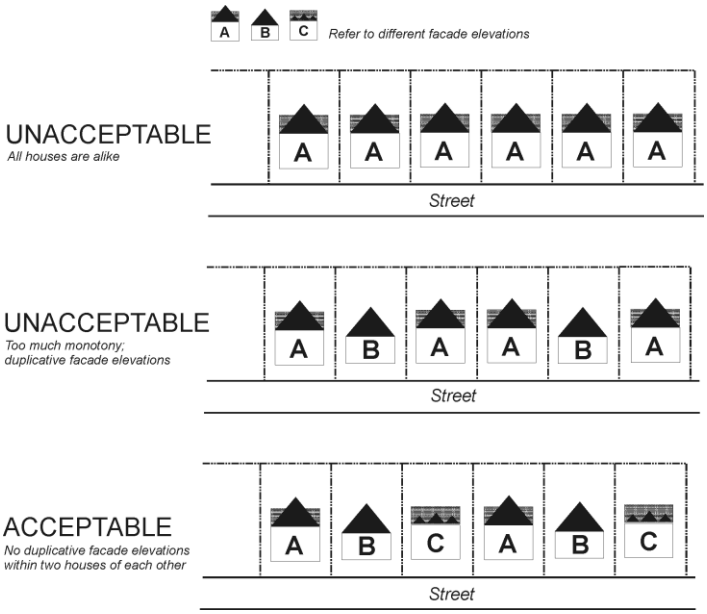
b. One and two –story dwellings,

c. Different exterior finish materials and finishes, or

d. Different garage location, configuration and design.

Example Layouts:

These single-family dwellings employ different rooflines, material treatments, porch design, windows, and details to add visual interest and differentiate the dwellings from each other.



9. Prohibited materials. Plywood and other similar sheet siding materials, such as T1-11 siding, shall not be used for front façades and façades facing streets, except that board and batten siding shall be allowed for façade variation up to 40 percent of the front façade facing the street.

10. Street tree. One street tree shall be installed per small lot, per the provisions of TMC 13.06.502.

11. Within designated Historic Districts, whenever the applicable historic design standards conflict with the provisions of this section, the historic design standards shall control. The Landmarks Preservation Commission has the authority to provide direction in such cases.

F. Design Requirements – Level 2. In addition to meeting all the design requirements listed in subsection E, above, all new single-family dwellings on lots that are smaller than the applicable Level 1 Small Lot minimum lot size and/or width requirements in Section 13.06.100.D (including Level 2 Small Lots, legally pre-existing lots and lots where a variance has been approved), shall meet the following design standards:

1. Architectural details. At least three of the following architectural details shall be incorporated into the street-facing façades of the dwelling:

a. Decorative porch or entry design, including decorative columns or railings,

b. Bay windows or balconies,

c. Decorative door design including transom and/or side lights or other distinctive feature,

d. Decorative roofline elements, such as brackets, multiple dormers, and chimneys,

e. Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities,

f. Landscaped trellises or other decorative elements that incorporate landscaping near the building entry, or

g. Other decorative façade elements or details that meet the intent of the criteria

2. At least one of the following must be provided:

a. Dwelling(s) shall meet Built Green or other equivalent environmental certification for new construction, or

b. Dwelling(s) shall include a porch with a minimum area of 60 square feet and no dimension less than 6 feet.

(Ord. 28336 Ex. B; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27432 § 5; passed Nov. 15, 2005: Ord. 27296 § 9; passed Nov. 16, 2004: Ord. 27079 § 19; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.150 Accessory dwelling units.

A. Intent. Accessory dwelling units (hereinafter referred to as "ADUs") are intended to:

1. Provide homeowners with a means of providing for companionship and security.

2. Add affordable units to the existing housing supply.

3. Make housing units within the City available to moderate income people.

4. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young families, retired), and modern development technology.

5. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that ADUs are installed in a compatible manner under the conditions of this section.

6. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Procedures. Any property owner seeking to establish an ADU in the City of Tacoma shall apply for approval in accordance with the following procedures:

1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and fees as prescribed in subsection B.2 below.

2. Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.

3. Accessory dwelling unit agreement. The owner of any property containing an ADU shall record with the Pierce County Auditor an accessory dwelling unit agreement for the ADU. Such agreement shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.; and (c) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the accessory dwelling unit agreement has been recorded prior to issuance of an ADU permit by Planning and Development Services. The accessory dwelling unit agreement shall run with the land as long as

the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the accessory dwelling unit agreement. Such termination shall be granted upon proof that the ADU no longer exists on the property.

4. Permit. Upon receipt of a complete application, application fees, proof of recorded accessory dwelling unit agreement, and approval of any necessary building or other construction permits, an ADU permit shall be issued.

5. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.

6. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.

7. Detached ADUs in the R-1, R-2, R2-SRD and HMR-SRD Districts are reviewed under the provisions of the Residential Infill Pilot Program per TMC 13.05.115. Such applications shall provide for notification of property owners within 100 feet.

C. Requirements. The creation of an ADU shall be subject to the following requirements, which shall not be subject to variance.

1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single-family detached dwelling in the City of Tacoma.

2. Occupancy. The maximum number of occupants in an ADU shall be 4 persons. Maximum occupancy may be further limited by the Minimum Building and Structures Code in Title 2.

3. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.

4. Ownership. The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed $5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.

5. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.

6. Home occupations. Home occupations shall be allowed, subject to existing regulations. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.

7. Short-term rental. The use of an ADU as a short-term rental shall be allowed, subject to compliance with Sections 13.06.150 and 13.06.575.

8. Legalization of Nonconforming ADUs. Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applied for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards. After January 1, 1996, owners of illegal ADUs shall be guilty of a misdemeanor and, upon conviction thereof, subject to a fine not to exceed $1,000, including all statutory costs, assessments, and fees, plus $75 per day after notice of the violation has been made. All owners of illegal ADUs shall also be required to either legalize the unit or remove it.

D. Bulk, Location and Design Requirements. The creation of an ADU shall be subject to the following requirements:

1. For Attached ADUs, the lot must meet the minimum Level 1 Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).

2. Size. The ADU, excluding any garage area and other non-living areas, such as workshops or greenhouses, shall not exceed 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. An ADU shall not contain more than 1,000 square feet. In addition, detached ADUs shall meet the standards of 13.06.100.F. Accessory building standards.

3. Height. The maximum height for detached ADUs shall be 18 feet, measured per the Building Code. Detached ADUs shall be no taller than the main house. The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, the structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.

4. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, when allowed, permitted as a detached structure located in the rear yard.

5. Setbacks. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, excepting that no setback from the alley shall be required.

6. Design - Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single-family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade of the dwelling. If a separate outside entrance is necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy.

7. Design - Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space.

8. Walkways. For ADUs with a separate exterior entrance, a pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be at least 4 feet wide and composed of materials that are distinct from any adjacent vehicle driving or parking surfaces. The walkway may function as a shared pedestrian/vehicle space provided that it is constructed of distinct materials, is located along an exterior edge of a driving surface, and vehicles are not permitted to park on the walkway.

(Ord. 28376 Exs. D, E; passed Aug. 16, 2016: Ord. 28336 Ex. B; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D.; passed Jun. 14, 2011: Ord. 27912 Ex. A.; passed Aug. 10, 2010: Ord. 27893 Ex. A.; passed Jun. 15, 2010: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27245 § 8; passed Jun. 22, 2004: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.155 Day care centers.

A. Purpose. It is found and declared that day care centers are facilities which perform a needed community service. The City of Tacoma recognizes the need for locating day care centers within areas which they service and ensuring, to the extent possible, that day care centers in residential districts will be compatible with the surrounding neighborhood and will not adversely affect adjacent properties.

B. Development standards. The following development standards are hereby established for the location, design, and operation of day care centers in addition to any other requirements of law:

1. In residential zoning districts, the lot size and setbacks for day care centers shall conform to the requirements for single-family homes in the underlying zoning district. In addition, day care centers with an enrollment of more than 50 children or adults shall provide minimum side yard setbacks of 20 feet in all residential zoning districts, except that on corner lots the side yard facing the street shall provide the same setback as that required for a single-family dwelling.

2. Day care centers located in R-1, R-2, R-2SRD, HMR-SRD, and R-3 Districts shall be limited to one building face sign with a maximum area of six square feet. Sign regulations for day care centers located in PRD and multiple-family districts shall be the same as those specified in the R-4 Multiple-Family Residential District.

3. No structured area for active play shall be located in a front yard. Play structures shall maintain a minimum ten-foot setback from any side or rear lot line.

4. In R-1, R-2, R-2SRD, HMR-SRD, and R-3 Districts, the site shall be landscaped in a manner consistent with adjacent residences. In all zoning districts, day care centers shall be landscaped in a manner approved by the Director prior to the operation of the day care center.

5. Day care centers in existing structures which are located in residential districts shall maintain a residential appearance. Any new building, building addition, or building exterior which is remodeled shall be designed to be compatible with the residential character of the surrounding neighborhood. Elevations of the proposed structure shall be approved by the Director prior to the issuance of any building permits for the day care center.

C. Waiver. The Director may waive any of the aforementioned development standards where a finding is made that such waiver(s) does not violate the spirit or intent of such development standards or the Comprehensive Plan. Applications for waivers shall be processed in accordance with the provisions of Chapter 13.05.

(Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. D.; passed Jun. 14, 2011: Ord. 27432 § 6; passed Nov. 15, 2005: Ord. 27296 § 10; passed Nov. 16, 2004: Ord. 27079 § 20; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.160 Cottage Housing.

A. Intent. Cottage housing developments are intended to:

1. Add affordable units to the existing housing supply.

2. Provide an increased choice of housing that responds to changing needs and lifestyles (e.g., young families, retired people).

3. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that cottage housing developments are designed in a compatible manner.

4. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Applicability. Cottage housing developments may be proposed in all residential districts.

C. Procedures. Cottage housing developments require the following applications:

1. A complete Conditional Use Permit application, pursuant to TMC 13.06.640.

2. Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.115.

3. A completed Preliminary Plat application, if applicable.

4. A completed environmental checklist, if applicable.

5. A completed application for a site plan approval.

6. Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

D. Application. Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit and for approval under the Residential Infill Pilot Program.

E. Development standards.

1. Residential Infill Pilot Program. Cottage housing developments shall comply with the sustainability and connectivity requirements, as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.115.

2. Minimum site size. Cottage housing developments require a minimum net site size of 10,000 square feet.

3. Number of units. Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.

4. Cottage housing types:

a. Cottage – A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.

b. Carriage – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.

c. Two/Three-dwelling Buildings – A structure containing two or three dwelling units, not to exceed 1,000 square feet per unit on average, designed to look like a detached single-family house. Two/three-dwelling cottage buildings are not permitted in the R-1 or R-2 Districts.

5. Maximum density. Cottage housing developments are permitted 1.5 times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or six cottage housing units.

6. Parking. Each cottage unit is required to have one off-street parking space. Parking may be contained in detached garages adjacent to dwelling units no larger than 250 square feet in floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.

7. Vehicular access. Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.

8. Setbacks. The external setbacks of the underlying zoning district shall apply.

9. Separation between units. A minimum of 8 feet shall be provided between structures containing dwelling units.

10. Common open space. A minimum of 400 square feet of common open space shall be required per unit. Each area of common open space shall be in one contiguous and central location with no dimension less than 20 feet. Common open space shall be located in a central area, that is easily accessible and visible to all dwellings within the cottage cluster. No sight-obscuring fences are permitted within common open spaces. The common open space shall be surrounded by cottage or common buildings on at least three sides, unless topography precludes this. Common open space shall be attractively landscaped and improved with gathering space, gardening, walkways or recreational features.

11. Private open space/yard. A minimum of 300 square feet of private open space shall be required per unit.

12. Maximum height for dwellings: Dwellings maximum height is 18 feet, or up to 25 feet with a minimum of 6:12 sloped roof.

13. Design Standards.

a. Each cottage building is required to have an attached covered porch a minimum of 50 square feet in size with no dimension less than 5 feet.

b. Each carriage unit shall have a deck or balcony, oriented toward the common open space.

c. Buildings adjacent to the public right-of-way must orient entrances toward the public right-of-way, provide a minimum of 15 percent façade transparency, and provide an inviting façade through façade modulation, roofline variation or other design features.

d. Cottage projects shall establish building and site design that is attractive and promotes visual interest. All structures shall be designed according to a coherent design concept that allows for variation in style, features, materials and colors.

e. Cottage developments shall provide for variation in unit sizes, building and site design. A variety of building styles, features, colors and site design elements are required within a cottage housing development.

f. Cottage developments shall be stick-built.

14. Community buildings. Community buildings in common ownership are permitted within cottage housing developments, and shall be incidental in use and size to the cottage dwellings.

15. Connectivity. All dwelling units shall be directly connected to the public sidewalk.

16. Landscaping. Street trees are required per the provisions of 13.06.502. Parking areas shall be softened or screened with landscaping. Internal landscaping shall be determined through the Residential Infill Pilot Program review process.

17. Accessory Dwelling Units. Not permitted.

18. Floor Area Ratio. A maximum of 0.5 FAR is required for the overall site.

(Ord. 28336 Ex. B; passed Dec. 1, 2015)

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. 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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.]

4. 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.

5. District use table.

Uses	T	C-1	C-2[1]	PDB	Additional Regulations[2, 3] (also see footnotes at bottom of table)
Adult family home	P	P	P	P	See definition for bed limit.
Adult retail and entertainment	N	N	N	N	Prohibited except as provided for in Section 13.06.525.
Agricultural uses	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	
Ambulance services	N	P	P	P	
Animal sales and service	N	P	P	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	P	
Brewpub	N	N	P	N	2,400 barrel annual brewpub production maximum, equivalent volume wine limit.
Building materials and services	N	N	P	N	
Business support services	N	P	P	P	
Carnival	TU	TU	TU	TU	Subject to Section 13.06.635.
Cemetery/internment services	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	
Commercial recreation and entertainment	N	N	P	P	
Communication facility	N	N	P	P	
Confidential shelter	P	P	P	P	See Section 13.06.535. Limit: 15 residents in T District.
Continuing care retirement community	P	P	P	P	See Section 13.06.535.
Correctional facility	N	N	N	N	

Uses	T	C-1	C-2[1]	PDB	Additional Regulations[2, 3] (also see footnotes at bottom of table)
Craft Production	CU	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	
Day care, family	P	P	P	P	
Day care center	P	P	P	P	Subject to regulations set forth in Section 13.06.155.
Detoxification center	N	N	N	N	
Drive-through with any use	N	N	P	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	
Dwelling, two-family	P	P	P	P	
Dwelling, three-family	P	P	P	P	
Dwelling, multiple-family	P	P	P	P	
Dwelling, townhouse	P	P	P	P	
Dwelling, accessory (ADU)	P	P	P	P	Subject to additional requirements contained in 13.06.150.
Eating and drinking	N	P/CU	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	See Sections 13.06.535 and 13.06.640.
Extended care facility	P	P	P	P	See Section 13.06.535.
Foster home	P	P	P	P	
Fueling station	N	P	P	N	
Funeral home	P	P	P	N	
Golf course	P	P	P	P	
Group housing	P	P	P	P	

Uses	T	C-1	C-2[1]	PDB	Additional Regulations[2, 3] (also see footnotes at bottom of table)
Heliport	N	N	N	N	
Home occupation	P	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	N	CU	CU	N	
Hotel/motel	N	N	P	P	
Industry, heavy	N	N	N	N	
Industry, light	N	N	N	N	
Intermediate care facility	P	P	P	P	See Section 13.06.535.
Juvenile community facility	N	N	N	N	Prohibited except as provided for in Section 13.06.530.
Live/Work	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Marijuana processor, producer, and researcher	N	N	N	N	
Marijuana retailer	N	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
Microbrewery/winery	N	N	N	N	
Mobile home/trailer court	N	N	CU	N	
Nursery	N	N	P	N	
Office	P	P	P	P	
Parks, recreation and open space	P	P	P	P	Subject to the requirements of Section 13.06.560.D.
Passenger terminal	N	N	P	N	
Personal services	N	P	P	P*	*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	
Public safety and public service facilities	P	P	P	P	
Religious assembly	P	P	P	P	
Repair services	N	P	P	N	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Research and development industry	N	N	N	P	
Residential care facility for youth	P	P	P	P	See Section 13.06.535. See definition for bed limit.

Uses	T	C-1	C-2[1]	PDB	Additional Regulations[2, 3] (also see footnotes at bottom of table)
Residential chemical dependency treatment facility	P	P	P	P	See Section 13.06.535.
Retail	N	P	P/CU~	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	See Section 13.06.535.
School, public or private	P	P	P	P	
Seasonal sales	TU	TU	TU	TU	Subject to Section 13.06.635.
Self-storage	N	N	P	P	Any other use of the facility shall be consistent with this section. See specific requirements in Section 13.06.503.B.
Short-term rental (1-2 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.575 and 13.06.150.
Short-term rental (3-9 guest rooms)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.575 and 13.06.150.
Short-term rental (entire dwelling)	P	P	P	P	Subject to additional requirements contained in Sections 13.06.575 and 13.06.150.
Staffed residential home	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Student housing	P	P	P	P	
Surface mining	CU	CU	CU	CU	See specific requirements in Section 13.06.540.
Temporary uses	TU	TU	TU	TU	Subject to Section 13.06.635.
Theater	N	P	P	N	Movie theaters are limited to 4 screens. This does not include adult entertainment.
Transportation/freight terminal	N	N	P	P	
Urban Horticulture	N	N	N	N	
Utilities	CU	CU	CU	CU	
Vehicle rental and sales	N	N	P	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).
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	

Uses	T	C-1	C-2[1]	PDB	Additional Regulations[2, 3] (also see footnotes at bottom of table)
Wholesale or distribution	N	N	N	P	
Wireless communication facility	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/Live	P	P	P	P	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
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	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0
Minimum Lot Width	0	0	0	0
Maximum Building Coverage – applies to single-use multi-family residential development only	None non-residential; Residential maximum building coverage in accordance with the R-4-L District	None non-residential; Residential maximum building coverage in accordance with the R-4-L District	None non-residential; Residential maximum building coverage in accordance with the R-4 District	None non-residential; Residential maximum building coverage in accordance with the R-4 District
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.			

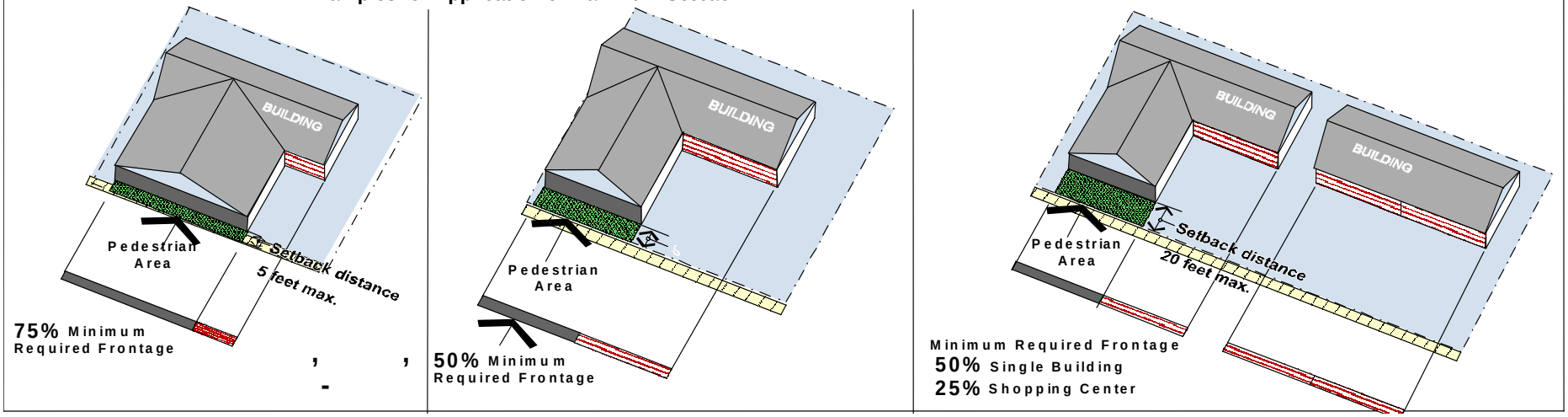
	T	C-1	C-2	PDB
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue. Residential development shall meet the Build-to Area standard in 13.06.100.D.6.			
Maximum Height Limit	35 feet	35 feet	45 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
Minimum Usable Yard Space – applies to single-use residential development only	Minimum usable yard space shall be provided in accordance with the residential building type requirements in 13.06.100.D.7. Duplex/triplex dwellings shall provide usable yard space in accordance with the R-3, R-4-L, R-4 and R-5 Districts.			
Tree Canopy Coverage (percent of lot) – applies to single-use residential development only	30	30	20	20
	Tree canopy shall be provided in accordance with the standards in 13.06.100.D.8.			

E. Maximum setback standards on designated streets. To achieve a pedestrian supportive environment, where buildings are located in close proximity to the street and designed with areas free of pedestrian and vehicle movement conflicts, maximum building setbacks are required as follows:

Designated Pedestrian Streets in Commercial Districts	**Requirements**
1. Designated Pedestrian Streets Requiring Maximum Setback	a. 6th Avenue (Madison Street to Alder Street). b. 6th Avenue (Sprague Avenue to I Street). c. North 30th Street (from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline).
2. Maximum Setback Applied	a. 10 feet maximum front and/or corner side setback from property lines at the public right-of-way shall be provided for at least 75 percent of building facing the designated street frontage. b. When the site is adjacent to a designated pedestrian street, that street frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the façade as indicated above. c. This requirement supersedes any stated minimum setback. d. Maximum setback areas shall be designed to be sidewalk, pedestrian plaza, public open space, landscaping, and/or courtyard and to be free of motor vehicles at all times.
3. Exceptions	a. Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided the addition does not increase the level of nonconformity as to maximum setback.. b. Buildings that are 100 percent residential do not have a maximum setback.. c. The primary building of a gas station, where gas stations are allowed, is subject to the maximum setback on only one side of the

	building on corner parcels. Kiosks without retail and intended for fuel payment only are exempt. d. Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.

Examples for Application of Maximum Setback



F. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.200 by reference.

Refer to Section 13.06.500 for the following requirements in Section 13.06.200 districts:

13.06.501 Building design standards.
13.06.502 Landscaping and buffering standards.
13.06.503 Residential transition standards.
13.06.510 Off-street parking and storage areas.
13.06.511 Transit support facilities.
13.06.512 Pedestrian and bicycle support standards.
13.06.520 Signs.
13.06.575 Short-term rental.
13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area)

(Ord. 28376 Ex. B, D; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27964 § 2; passed Mar. 1, 2011: Ord. 27949 § 2; passed Feb. 22, 2011: Ord. 27917 § 2; passed Feb. 8, 2011: Ord. 27880 § 2; passed Aug. 31, 2010: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27817 § 2; passed Apr. 6, 2010: Ord. 27752 § 2,4,5; passed Mar. 30, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27782 § 2; passed Mar. 24, 2009: Ord. 27742 § 2; passed Feb. 24, 2009: Ord. 27771 §§ 6,7,9,10,19; passed Dec. 9, 2008: Ord. 27741 § 2; passed Dec. 9, 2008: Ord. 27733 § 2; passed Sept. 9, 2008: Ord. 27701 §§ 2,3; passed Jul. 29, 2008: Ord. 27576 § 2; passed Jul. 29, 2008: Ord. 27716 §§ 2,3; passed Jun. 24, 2008: Ord. 27694 §§ 2,3; passed Jun. 17, 2008: Ord. 27680 § 3; passed May 13, 2008: Ord. 27651 § 2; passed Feb. 26, 2008: Ord. 27532 § 2; passed Jan. 8, 2008: Ord. 27665 § 2 (Ex. A), §10; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27613 § 2; passed Aug. 14, 2007: Ord. 27628 § 3; passed Aug. 7, 2007: Ord. 27612 §§ 2,3; passed Jul. 31, 2007: Ord. 27553 §§ 2,3; passed Jun. 19, 2007: Ord. 27543 §§ 2,3; passed Feb. 6, 2007: Ord. 27380 § 2; passed Dec. 12, 2006: Ord. 27518 § 2; passed Nov. 14, 2006: Ord. 27539 § 13; passed Oct. 31, 2006: Ord. 27469 § 2; passed Jul. 18, 2006: Ord. 27420 § 2; passed Jan. 17, 2006: Ord. 27432 § 7; passed Nov. 15, 2005: Ord. 27413 § 2; passed Oct. 4, 2005: Ord. 27393 § 2; passed Aug. 9, 2005: Ord. 27335 § 2; passed Jun. 14, 2005: Ord. 27362 § 2; passed Jun. 7, 2005: Ord. 27325 § 2; passed May 24, 2005: Ord. 27279 § 2; passed Mar. 29, 2005: Ord. 27324 § 1; passed Mar. 22, 2005: Ord. 27296 § 11; passed Nov. 16, 2004: Ord. 27245 § 9; passed Jun. 22, 2004: Ord. 27079 § 22; passed Apr. 29, 2003: Ord. 26966 § 9; passed Jul. 16, 2002: Ord. 26947 § 1-50; passed Apr. 23, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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.

2. Strengthen the City's economic base by encouraging more efficient use of existing infrastructure and limited land supply through mixed-use, density, and design, as well as transit and pedestrian orientation in specified centers.

3. Allow and encourage a variety of housing options within mixed-use centers, including residences over businesses that can promote live-work arrangements which reduce demands on the transportation system.

4. Help provide employment opportunities closer to home and reduce vehicular trips for residents of the City and surrounding communities by encouraging mixed-use development.

5. Create a variety of suitable environments for various types of commercial and industrial uses, and protect them from the adverse effects of inharmonious uses.

6. Allow commercial and industrial growth in specified centers and/or districts while minimizing its impact on adjacent residential districts through requirements of buffering, landscaping, compatible scale, and design.

7. Accommodate and support alternative modes of transportation, including transit, walking, and bicycling, to reduce reliance on the automobile by making specified centers more "pedestrian-oriented" and "transit-oriented" through the provision of street amenities, landscaping, windows, continuous building frontages, limited curb cuts, and direct pedestrian entrances adjacent to the right-of-way and/or public sidewalk.

8. Locate and design parking to be consistent with the overall intent of providing a pedestrian and transit-supportive environment that encourages human-oriented design instead of vehicle-oriented design and promotes alternatives to single-occupancy vehicles. Examples include building location at the street, parking location behind or within buildings, adequate screening, avoidance of pedestrian-vehicle conflicts, and conveniently located transit stops.

9. Within Centers, the core areas of the district are the central hub and focus for the greatest level of growth and activity. Within these core areas, enhanced standards and design flexibility is appropriate to ensure that they are developed consistent with the community vision and goals for these areas, as outlined in the Comprehensive Plan.

10. To promote and attract dense infill development that may otherwise have resulted in the expansion of the region's urban footprint into sensitive greenfield areas within the watershed, and to achieve a compact land use pattern that promotes air and water quality, healthy watersheds and the reduction of regional stormwater runoff.

B. Districts established. The following specific districts are established to implement the purposes of this section and the goals and policies of Tacoma's Comprehensive Plan:

1. NCX Neighborhood Commercial Mixed-Use District. To provide areas primarily for immediate day-to-day convenience shopping and services at a scale that is compatible and in scale with the surrounding neighborhood, including local retail businesses, professional and business offices, and service establishments. This district is intended to enhance, stabilize, and preserve the unique character and scale of neighborhood centers and require, where appropriate, continuous retail frontages largely uninterrupted by driveways and parking facilities with street amenities and direct pedestrian access to the sidewalk and street. Residential uses are encouraged as integrated components in all development.

2. CCX Community Commercial Mixed-Use District. To provide for commercial and retail businesses intended to serve many nearby neighborhoods and draw people from throughout the City. These areas are envisioned as evolving from traditional suburban development to higher density urban districts. Walking and transit use are facilitated through designs which decrease walking distances and increase pedestrian safety. Uses include shopping centers with a wide variety of commercial establishments; commercial recreation; gas stations; and business, personal, and financial services. Residential uses are encouraged in CCX Districts as integrated development components.

3. UCX Urban Center Mixed-Use District. To provide for dense concentration of residential, commercial, and institutional development, including regional shopping centers, supporting business and service uses, and other regional attractions. These centers are to hold the highest densities outside the Central Business District. An urban center is a focus for both regional and local transit systems. Walking and transit use is facilitated through designs which decrease walking distances and increase pedestrian safety. Residential uses are encouraged in UCX Districts as integrated development components.

4. RCX Residential Commercial Mixed-Use District. To provide sites for medium- and high-intensity residential development in centers, with opportunities for limited mixed use. This district is primarily residential in nature and provides housing density on the perimeter of more commercial mixed-use zones. Commercial uses in this district are small in scale and serve the immediate neighborhood. These uses provide opportunities for employment close to home. This district frequently provides a transition area to single-family neighborhoods.

5. CIX Commercial Industrial Mixed-Use District. To provide sites for a mix of commercial establishments and limited industrial activities, including light manufacturing, assembly, distribution, and storage of goods, but no raw materials processing or bulk handling. Larger scale buildings are appropriate. Residential uses are permitted.

6. NRX Neighborhood Residential Mixed-Use District. To provide for a predominantly residential neighborhood, to discourage removal of existing single-family residential structures; and to encourage in-fill residential development of appropriate size and design. This district is designed for areas characterized by an established mix of housing types and limited neighborhood commercial uses, in areas which were formerly zoned to permit residential development at densities greater than single-family, where redevelopment removed many existing single-dwelling structures and where there is continued development pressure that threatens single-family dwellings. Adaptive reuse of existing single-family detached structures as duplexes or triplexes is permitted with special review. Multiple-family dwellings in existence at the time of reclassification to NRX are conforming uses.

7. URX Urban Residential Mixed-Use District. To provide sites for medium intensity residential development, such as townhouses, condos and apartments. This district is residential in nature and provides housing density in proximity to more commercial mixed use zones. This district serves as a transition between more intensive MUC uses and surrounding residential areas.

8. HMX Hospital Medical Mixed-Use District. This district is intended for limited areas that contain hospitals and/or similar large-scale medical facilities along with a dense mix of related and supportive uses, such as outpatient medical offices, care facilities, counseling and support services, medical equipment and support facilities, food and lodging. Residential uses are also appropriate. The district includes limitations on non-medical and non-related uses. It is not intended for introduction into

areas not containing or non-contiguous to a hospital or similar facility. Walking and transit use is facilitated through designs which decrease walking distances and increase pedestrian safety. This classification is not appropriate inside Comprehensive Plan designated low-intensity areas.

C. Applicability and pedestrian streets designated.

Applicability. The following tables compose the land use regulations for all Mixed-Use Center Districts. All portions of Section 13.06.300 and applicable portions of Section 13.06.500, apply to all new development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts, unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.300.A through 13.06.300.D 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. Refer to 13.06A.052 for Pedestrian Streets within Downtown Tacoma.

TABLE C.1: MIXED-USE CENTER PEDESTRIAN STREETS ESTABLISHED

The following pedestrian streets are considered key streets in the development and utilization of Tacoma's mixed-use centers, due to pedestrian use, traffic volumes, transit connections, and/or visibility. They are designated for use with certain provisions in the mixed-use zoning regulations, including use restrictions and design requirements, such as increased transparency, weather protection and street furniture standards. In some centers, these "pedestrian streets" and/or portions thereof are further designated as "core pedestrian streets" for use with certain additional provisions. The "core pedestrian streets" are a subset of the "pedestrian streets," and thus, those provisions that apply to designated "pedestrian streets" also apply to designated "core pedestrian streets."

In centers where multiple streets are designated, one street is designated the Primary Pedestrian Street. This is used when applying certain provisions, such as the maximum setback requirements for projects that abut more than one pedestrian street. Primary Pedestrian Streets are denoted with an asterisk*.

Mixed-Use Center	**Designated Pedestrian Streets** (All portions of the streets within Mixed-Use Centers, unless otherwise noted.)	**Designated Core Pedestrian Streets** (All portions of the streets within Mixed-Use Centers, unless otherwise noted)
6th Avenue Neighborhood Center	6th Avenue	6th Avenue
Narrows Neighborhood Center	6th Avenue	6th Avenue
McKinley Neighborhood Center	McKinley Avenue from Wright Avenue to East 39th Street*	McKinley Avenue from Wright Avenue to East 36th Street
Lower Portland Crossroads Center	Portland Avenue*, East 32nd Street, East 29th Street	Portland Avenue
Proctor Neighborhood Center	North 26th Street; North Proctor Street*	North 26th Street; North Proctor Street
Stadium District – Downtown Regional Growth Center (DRGC)	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue*; North 1st Street; North I Street	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue; North 1st Street
Hilltop Neighborhood – Downtown Regional Growth Center (DRGC)	Martin Luther King Jr. Way*; South 11th Street; Earnest S. Brazill Street; 6th Avenue, South 19th Street	Martin Luther King Jr. Way from South 9th to South 15th, South 11th Street; Earnest S. Brazill Street
Lincoln Neighborhood Center	South 38th Street*; Yakima Avenue from South 37th Street to South 39th Street; and South G Street south of 36th Street	South 38th Street
Lower Pacific Crossroads Center	Pacific Avenue	Pacific Avenue
South Tacoma Way	South Tacoma Way*; South 56th Street	South Tacoma Way
Upper Portland Crossroads Center	East 72nd Street*; Portland Avenue	East 72nd Street, Portland Avenue
Upper Pacific Crossroads Center	South 72nd Street; Pacific Avenue*	Pacific Avenue
Tacoma Central Crossroads Center	Union Avenue*; South 19th Street between South Lawrence Street and South Union Avenue	Union Avenue south of South 18th Street; South 19th Street between South Lawrence Street and South Union Avenue

Tacoma Mall Regional Growth Center	South 47th/48th Transition Street; Steele Street*	N/A
James Center Crossroads Center	Mildred Street*; South 19th Street	Mildred Street south of South 12th Street; South 19th Street
Westgate Crossroads Center	Pearl Street*; North 26th Street	Pearl Street

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)
Adult family home	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535. See definition for bed limit. Prohibited at street level along designated pedestrian streets in NCX.[2] Not subject to minimum densities found in Section 13.06.300.E.
Adult retail and entertainment	N	N	N	N	N	N	N	N	Prohibited, except as provided for in Section 13.06.525.
Agricultural uses	N	N	N	N	N	N	N	N	
Airport	CU	CU	CU	CU	CU	CU	CU	CU	
Ambulance services	N	CU	CU	N	P	P	N	N	
Animal sales and service	P	P	P	N	P	N	N	N	Except in the CIX District, must be conducted entirely within an enclosed structure. Must be set back 20 feet from any adjacent residential district or use.
Assembly facility	P	P	P	CU	P	N	N	N	Prohibited at street level along designated pedestrian streets in NCX.[2]
Brewpub	P	P	P	P	P	N	N	N	Brewpubs located in NCX, CCX, UCX, and RCX shall be limited to producing, on-premises, a maximum of 2,400 barrels per year of beer, ale, or other malt beverages, as determined by the annual filings of barrelage tax reports to the Washington State Liquor Control Board. Equivalent volume winery limits apply.
Building materials and services	N	P	P	N	P	N	N	N	Prohibited at street level along frontage of designated core pedestrian streets.[2]
Business support services	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. Customer service offices must be located at building fronts on designated pedestrian streets in NCX.
Carnival	TU	TU	P	N	TU	TU	TU	N	Subject to Section 13.06.635.
Cemetery/ internment services	N	N	N	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	N	P	P	N	N	Prohibited at street level along frontage of designated pedestrian streets in NCX and CCX Districts.[2]
Commercial recreation and entertainment	P	P	P	N	P	N	N	N	

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Communication facility	CU	CU	P	N	P	N	N	N	Prohibited at street level along frontage of designated pedestrian streets in NCX and CCX Districts.[2]
Confidential shelter	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX.[2] Not subject to minimum densities founding Section 13.06.300.E.
Continuing care retirement community	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX.[2]
Correctional facility	N	N	N	N	N	N	N	N	
Craft Production	P	P	P	P	P	N	N	N	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.D. All production, processing and distribution activities are to be conducted within an enclosed building.
Cultural institution	P	P	P	N	P	N	N	N	
Day care, family	P	P	P	P	N	P	P	P	
Day care center	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement.[1]
Detoxification center	N	N	N	N	CU	CU	N	N	
Drive-through with any use	P	P	P	N	P	P*	N	N	* In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses. All drive-throughs are subject to the requirements of TMC 13.06.513.
Dwelling, single-family detached	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.300.E for minimum densities.
Dwelling, two-family	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.300.E for minimum densities.
Dwelling, three-family	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.300.E for minimum densities.

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Dwelling, multiple-family	P	P	P	P	P	P	P	N	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.300.E for minimum densities. In the NRX District, multiple-family dwellings lawfully in existence on August 31, 2009, the time of reclassification to this district, shall be considered permitted uses; said multiple-family dwellings may continue and may be changed, repaired, replaced or otherwise modified, provided, however that the use may not be expanded beyond property boundaries owned, leased, or operated as a multiple-family dwelling at the time of reclassification to this district.
Dwelling, townhouse	P	P	P	P	P	P	P	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.300.E for minimum densities.
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.150 for specific Accessory Dwelling Unit (ADU) Standards.
Eating and drinking	P	P	P	P	P	P*	N	N	Outdoor seating is permitted with a 12-seat maximum in RCX. In RCX live entertainment is limited to that consistent with a Class "C" Cabaret license, as designated in Chapter 6B.70. In all other districts, live entertainment is limited to that consistent with a either a Class "B" or Class "C" Cabaret license, as designated in Chapter 6B.70. *Limited to 7,000 square feet of floor area, per business, in the HMX District.
Emergency and transitional housing	CU	P	P	CU	N	CU	CU	CU	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Extended care facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Foster home	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Fueling station	N	P	P	N	P	N	N	N	Prohibited along frontage of designated pedestrian streets within the UCX and CCX Districts.[2] Fueling station pump islands, stacking lanes and parking areas shall be located at the side or rear of the building.
Funeral home	P	P	P	N	P	P	N	N	

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Golf course	N	N	N	N	N	N	N	N	
Group housing	P	P	P	P	P	P	P	P	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Heliport	N	N	N	N	CU	CU	N	N	
Home occupation	P	P	P	P	P	P	P	P	Home occupations shall be allowed in all X-Districts pursuant to the standards found in Section 13.06.100.E.
Hospital	N	CU	CU	N	P	P	N	N	
Hotel/motel	P	P	P	N	P	P	N	N	
Industry, heavy	N	N	N	N	N	N	N	N	
Industry, light	N	N	N	N	P	N	N	N	
Intermediate care facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Juvenile community facility	P	P	P	P/CU	P	N	P/CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] See Section 13.06.530 for additional information about size limitations and permitting requirements.
Live/Work	P	P	P	P	P	P	P	P	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Marijuana processor, producer, and researcher	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
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
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	
Nursery	P	P	P	N	P	N	N	N	
Office	P	P	P	P	P	P	N	N	Not subject to RCX residential requirement for properties fronting the west side of South Pine Street between South 40th Street and South 47th Street.[1]

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Parks, recreation and open space	P	P	P	P	P	P	P	P	Not subject to RCX residential requirement.[1] Subject to the requirements of Section 13.06.560.D.
Passenger terminal	P	P	P	N	P	N	N	N	
Personal services	P	P	P	P	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District.
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	N	N	N	N	N	N	
Public safety and public service facilities	P	P	P	P	P	P	P	CU	In the NRX District, unless the specific use is otherwise allowed outright, public service facilities are permitted only upon issuance of a conditional use permit. See Section 13.06.640. Not subject to RCX residential requirement.[1]
Religious assembly	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement.[1]
Repair services	P	P	P	N	P	N	N	N	In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited.
Research and development industry	N	N	N	N	P	N	N	N	
Residential care facility for youth	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] Not subject to minimum densities found in Section 13.06.300.E.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In CCX and NCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Retail	P	P/CU~	P/CU~	P	P/CU~	P*	N	N	~ A conditional use permit is required for retail uses exceeding 45,000 square feet. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HMX District.
Retirement home	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
School, public or private	P	P	P	P	P	P	P	CU	Not subject to RCX residential requirement.[1]
Seasonal sales	TU	TU	TU	TU	TU	TU	TU	TU	Subject to Section 13.06.635.

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Self-storage	N	P	P	N	P	N	N	N	See specific requirements in Section 13.06.503.B. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2]
Short-term rental (1-2 guest rooms)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.[2] Subject to additional requirements contained in Section 13.06.575 and 13.06.150.
Short-term rental (3-9 guest rooms)	P	P	P	CU	P	P	P	CU	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.[2] Subject to additional requirements contained in Section 13.06.575 and 13.06.150.
Short-term rental (entire dwelling)	P	P	P	P	P	P	P	P	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.[2] Subject to additional requirements contained in Section 13.06.575 and 13.06.150.
Staffed residential home	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. Prohibited at street level along designated core pedestrian streets in NCX and CCX Districts.[2] Not subject to minimum densities found in Section 13.06.300.E.
Student housing	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in NCX and CCX Districts.[2]
Surface mining	CU	CU	CU	CU	CU	CU	CU	N	
Temporary uses	TU	TU	TU	TU	TU	TU	TU	TU	See Section 13.06.635
Theater	P	P	P	N	P	N	N	N	Theaters only permitted up to 4 screens in NCX and CCX. Theaters only permitted up to 6 screens in CIX.
Transportation/ freight terminal	P	P	P	N	P	P	N	N	
Urban Horticulture	N	N	N	N	P	N	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] Not subject to RCX residential requirement.[1]
Vehicle rental and sales	N*	P	P	N	P	N	N	N	In CCX Districts, prohibited at street level along frontage of designated core pedestrian streets.[2] *Use permitted in the South Tacoma Way Neighborhood Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited.

Uses	NCX	CCX	UCX	RCX[1]	CIX	HMX	URX	NRX	Additional Regulations[3, 4, 5] (also see footnotes at bottom of table)
Vehicle service and repair	N*	P	P	N	P	N	N	N	All activities must occur within buildings; outdoor storage and/or repair is prohibited. Subject to development standards contained in Section 13.06.510.E. In CCX Districts, prohibited along frontage of designated core pedestrian streets.[2] *Use permitted in the South Tacoma Way Neighborhood Center NCX only, provided all activities occur entirely within buildings; outdoor storage and/or repair is prohibited.
Vehicle service and repair, industrial	N	N	P	N	P	N	N	N	Subject to additional development standards contained in Section 13.06.510.E.
Vehicle storage	N	N	N	N	P	N	N	N	Subject to development standards contained in Section 13.06.510.D.
Warehouse, storage	N	N	N	N	P	N	N	N	
Wholesale or distribution	N	N	N	N	P	N	N	N	
Work/Live	P	P	P	P	P	P	P	P	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
Wireless communication facility	P*/ CU**	P*/ CU**	P*/ CU**	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	CU	N	CU	N	N	N	Permitted with no more than 15 residents in the UCX and no more than 25 residents in the CIX, subject to a Conditional Use Permit and the development regulations found in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	N	N	N	N	N	N	

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

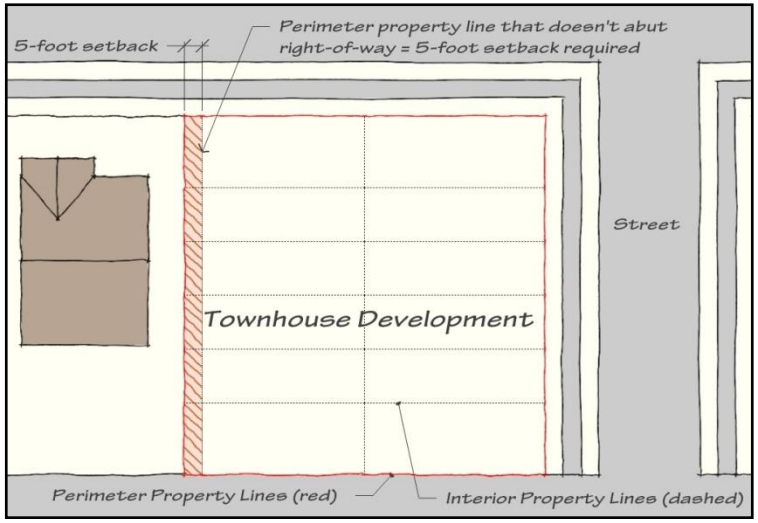
Footnotes:

1. The floor area of any development in RCX must be at least 75 percent residential, unless otherwise noted.
2. For uses that are restricted from locating at street-level along designated pedestrian or core pedestrian streets, the following limited exception is provided. Entrances, lobbies, management offices, and similar common facilities that provide access to and service a restricted use that is located above and/or behind street-level uses shall be allowed, as long as they occupy no more than 50-percent or 75 feet, whichever is less, of the site's street-level frontage on the designated pedestrian or core pedestrian street. See Section 13.06.300.C. for the list of designated pedestrian and core pedestrian streets.
3. 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.
4. Commercial shipping containers shall not be an allowed type of accessory building in any mixed-use zoning district. Such storage containers may be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.
5. Additional restrictions on the location of parking in mixed-use zoning districts are contained in the parking regulations – see Section 13.06.510.A.1 Table 2

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	3,500 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	
Minimum lot width	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	25 feet for single-family dwellings, duplexes and triplexes; 14 feet for townhouses	

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Minimum setbacks	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	For single, two- and three-family dwellings and townhouses: 10-foot front, 5-foot sides, 15-foot rear For other uses: 10-foot front, 7.5-foot sides, 20-foot rear	Maximum setbacks may apply (see Section 13.06.300.F). If a buffer is required, a minimum setback is created (see Section 13.06.503). Townhouse setback standards apply to the perimeter property lines of the development and not to individual internal property lines between townhouses in the same development. See 13.06.501.N for additional requirements applicable to duplex, triplex and townhouse developments.
	For townhouse developments, a setback of at least 5 feet shall be provided along the perimeter of the development on all sides that do not abut public street or alley right-of-way.  								
	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: • Minimum 10-foot front yard setbacks are required along non-designated Pedestrian Streets. • Limited exception: For corner lots that also front on a designated Pedestrian Street, this setback shall not apply for the first 130 feet from the corner, as measured along the edge of the right-of-way. • Covered porches and entry features may project up to 6 feet into the setback. • The setback area may include landscaping, walkways, pedestrian plazas, private patios, porches, or vehicular access crossings (where allowed), but not include parking.								

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Maximum height of structures (feet)	45 feet[1]; 65 feet in the Stadium District of the DRGC.[1]	60 feet; 75 feet, if at least 25 percent of floor area is residential or through use of TDRs from an identified TDR sending area[4].	75 feet; 120 feet, if at least 25 percent of floor area is residential or through use of TDRs from an identified TDR sending area[4].	60 feet[1]	75 feet	150 feet	45 feet[2]	35 feet	Height will be measured consistent with Building Code, Height of Building. Maximum heights, shall be superseded by the provisions of Section 13.06.503.A. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.
	[1] In NCX, RCX, and CIX Districts, additional height above these standard height limits may be allowed is certain areas through the X-District Height Bonus Program – see Section 13.06.300.E.2.								
	[2] In the McKinley Neighborhood Center, the portion of the URX District that is north of the alley between East Wright Avenue and East 34th Street has a height limit of 35 feet instead of 45 feet.								
Upper story setback	See Section 501.C.2 for stepback standards along pedestrian streets.	See Section 501.C.2 for stepback standards along pedestrian streets.	None	None	None	None	None	None	See Section 13.06.503; residential transition standards may also apply.
Maximum floor area	30,000 square feet per business; 45,000 square feet for full service grocery stores only; offices shall be exempt from these limits.	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J	30,000 square feet per business; 45,000 square feet for full service grocery stores only.	45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J	7,000 SF per business for eating and drinking, retail and personal services uses	None	None	See Section 13.06.300.D for limitations on the amount of non-residential space allowed in developments in RCX Districts.

	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.
	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 7 units (.16 x 40 = 6.4, which rounds up to 7 units).								

2. X-District Height Bonuses. The Height Bonus program provides a mechanism to allow for additional height for projects within certain portions of the Mixed-Use Centers designated in the Comprehensive Plan. It is designed to encourage new growth and foster economic vitality within the centers, consistent with the State Growth Management Act and the City's Comprehensive Plan, while balancing taller buildings and greater density with public amenities that help achieve the community's vision for the centers, with improved livability, enhanced pedestrian and transit orientation, and a quality built environment, and realize other City-wide goals. Through this program, projects within certain areas may qualify for additional building height, above and beyond the standard maximum height limits outlined above, under Subsection E.1. In order to achieve these increased height limits, projects are required to provide one or more public benefit bonus features.

a. Applicability. Where applicable in the Mixed-Use Centers, the height bonus provision allows for projects to be eligible to increase the standard maximum height limit through the incorporation of one or more public benefit features into the development of the project. These pubic benefit features are divided into two levels, each of which is outlined below (see graphic on the next page). The following table details the areas within the various neighborhood centers that are eligible for this height bonus program and the maximum additional height allowed through each of the two bonus levels:

Zoning District & Center	**Base Height Limit** (allowed without any bonus items)	**Maximum Height Allowed Through Level 1**[3]	**Maximum Height Allowed Through Level 2**[3]
NCX – Neighborhood Commercial Mixed-Use District (Proctor, Lincoln, 6th Ave, McKinley, and Narrows)	45 feet	65 feet	Not Available
NCX – Neighborhood Commercial Mixed-Use District (Stadium District, DRGC)	65 feet	75 feet	85 feet
NCX – Neighborhood Commercial Mixed-Use District (South Tacoma Way)	45 feet	65 feet	85 feet
NCX – Neighborhood Commercial Mixed-Use District (Hilltop Neighborhood, DRGC – property within 200 ft of Core Pedestrian Street)[1]	45 feet	65 feet	85 feet
NCX – Neighborhood Commercial Mixed-Use District (Hilltop Neighborhood, DRGC – property not within 200 ft of core pedestrian street)[1]	45 feet	65 feet	Not Available
RCX – Residential Commercial Mixed-Use District (Hilltop Neighborhood, DRGC – east of MLK Jr. Way and between 9th and 13th Streets)	60 feet	70 feet[2]	80 feet
CIX – Commercial-Industrial Mixed-Use District (South Tacoma Way)	75 feet	90 feet	100 feet

Footnotes:

1. The 200-foot depth used to define some of the areas eligible for the height bonus program shall be extended to encompass an entire development site when at least 60% of the development site is within the standard 200-foot deep bonus area. For purposes of this provision, the "development site" can include multiple parcels as long as they are part of the same project proposal and are abutting or separated by no more than an alley right-of-way.
2. Within the RCX-zoned area, the "Residential Use" item that is provided within the Level 1 bonus palette is not available.
3. Projects that qualify for this program are still subject to the upper-story stepback restrictions found in Section 13.06.503.A.

b. Height Bonus Palettes. The two tables below outline the various public benefit features available for incorporation as part of a project in order to increase maximum height limits, as described above. The following limitations and guidelines apply to the use of the bonus palettes:

(1) In no case, regardless of how many bonus features are incorporated, can the additional maximum height limits outlined above be exceeded.

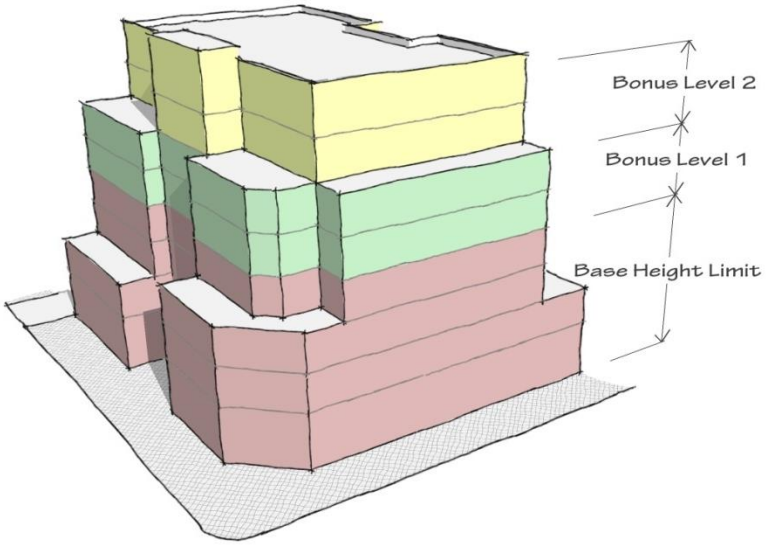
(2) In cases where the bonus height associated with a feature exceeds the maximum bonus height available, that bonus feature can be incorporated but shall only be worth the maximum amount available. For example, if the maximum amount available is 10 feet and a project incorporates the "Affordable Housing" bonus feature (which is normally worth 20 feet), that feature would only be worth 10 feet in that case.

(3) Within each level, projects can include any combination of the available features to achieve the additional allowed height. In those areas where the maximum height bonus available is divided into two steps, the bonus features in the Level 2 palette cannot be utilized for the first step of additional height and the bonus features in the Level 1 palette cannot be utilized for the second step of additional height.

(4) The bonus palettes identify the minimum of what must be incorporated in order to achieve each feature and qualify for the associated bonus height. Bonus features must be provided in full in order to qualify and partial credit is not available. For example, the "Residential Use" bonus feature requires that at least 50% of the project be residential in order to receive 10 feet of additional height – providing 25% of the project as residential is not worth 5 feet.

(5) Bonus features cannot be counted more than once toward the additional allowed height or be worth more than the maximum height identified for that feature, even if the project provides more than the minimum amount required to qualify (providing a bonus feature twice or at twice the level described is not worth twice the bonus amount). A limited exception to this restriction is allowed for green roofs, such that a green roof can count as the "Green Roof" bonus item and also be one part of a larger design strategy to achieve the "LID Stormwater Management" or "Energy Efficiency" bonus items.

(6) Bonus features are not subject to variance.



X-District Height Bonus Program

(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
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

Height Bonus Palette – Level 1		
BONUS FEATURE	**DEFINITION**	**BONUS HEIGHT**
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.	10 feet
Vegetated Roof	Provide a vegetated roof that covers at least 60% of the building footprint. Vegetated roofs shall conform to best available technology standards, such as those published by Leadership in Energy and Environmental Design (LEED) and be designed in accordance with the City of Tacoma Stormwater Management Manual.	10 feet
Solar Energy Collection	Install a solar energy collection system on the site that is designed to provide at least 15% of the expected annual operating energy for the building. The system shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such systems.	10 feet
Adjacent Historic Rehabilitation	Retention, renovation and incorporation of a designated or listed City Landmark adjacent to new construction. Renovation must qualify as a "substantial rehabilitation" as defined in RCW 84.26.020(2). Incorporation and renovation shall be coordinated with the City's Historic Preservation Officer and approved by the Landmarks Preservation Commission.	10 feet
Landmark Designation	Voluntary placement of any significant, historic building in the same Mixed-Use Center on the Tacoma Register of Historic Places. Notice of intent to utilize incentive required in writing prior to submittal of Landmark Nomination. Listing is subject to the approval of the Landmarks Preservation Commission and City Council.	10 feet
Historic Façade Retention	Retention and incorporation of an existing façade that is 50 or more years in age. The project shall retain 100% of the original front wall surface, window and door configurations, cornice line, parapet and any original architectural ornamentation. New construction exceeding the height of the original façade must be setback behind the street-side plane of the original façade. Subject to the approval of the Historic Preservation Officer.	10 feet
Energy Efficiency	Design the structure to reduce energy usage beyond the prerequisite standards by at least 20% for new structures and 10% for existing structures or existing portions of structures. Project shall utilize an energy cost budget analysis to demonstrate energy savings over current standards.	10 feet

Height Bonus Palette – Level 1		
BONUS FEATURE	**DEFINITION**	**BONUS HEIGHT**
Quality of Life		
Affordable Housing	At least 20% of residential units provided for households making less than 80% of area median income. In order to qualify, the affordable units shall meet all of the standards prescribed through the City's Multi-family Property Tax Incentive program.	20 feet
Affordable Housing Trust Fund	Contribution to the City's Housing Trust Fund in an amount equal to the fee in lieu provisions of TMC 1.39 Affordable Housing Incentives Administrative Code. First priority for the use of the contribution would be within the mixed-use center where the project contribution is being made.	10 feet
Open Space Fund Contribution (0.5%)	Contribution to the City's Open Space Fund in an amount equal to 0.5% of the value of the building (as calculated using the latest Building Valuation Data published by the International Code Council). These funds would be utilized for acquisition and management of open spaces within the City, with a particular focus, when appropriate, on acquiring and managing open spaces within and in close proximity to the subject Mixed-Use Center.	10 feet
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area.	10 feet

(8) Height Bonus Palette – Level 2:

Height Bonus Palette – Level 2		
BONUS FEATURE	**DEFINITION**	**BONUS HEIGHT**
Quality of Life		
Transfer of Development Rights (TDR)	Use of TDRs from an identified TDR sending area.	10 feet (Stadium Center and MLK Center RCX-zoned area); 20 feet (MLK and 56th & South Tacoma Way Centers)

c. The Director, or his/her designee, shall have the authority to require any and all necessary agreements or documentation, as they deem appropriate, to ensure that projects utilizing the height bonus program maintain all required bonus features for the life of the project. Any such agreements or documentation shall be in a format acceptable to the City Attorney and shall be recorded on the title of the property.

F. Maximum setback standards. To achieve a pedestrian serviceable environment, where buildings are located in close proximity to the street and designed with areas free of pedestrian and vehicle movement conflicts, maximum building setbacks are required as follows:

	Non-residential buildings and/or shopping centers of 30,000 square feet or less floor area	**Non-residential buildings greater than 30,000 square feet floor area**	**Shopping centers greater than 30,000 square feet floor area**
NCX and RCX Districts	• 5 feet maximum front and corner side setback from the property lines at the public right-of-way for 75 percent of front and corner side façade.	• 5 feet maximum setback from property lines at the public right-of-way for 75 percent of front and corner side façade.	• 5 feet maximum setback from property lines at the public right-of-way for at least 75 percent of the front and corner side street frontage of the shopping center.
CCX Districts	• 10 feet maximum front and corner side setback from the property lines at the public right-of-way for 50 percent of front and corner side façade.	• 10 feet maximum setback from the property line at the public right-of-way for 50 percent of the front or side of the façade.	• 10 feet maximum setback from the property lines at the public right-of-way for at least 25 percent of the front and corner side street frontage of the shopping center.
UCX, HMX and CIX Districts	• 20 feet maximum front and corner side setback from the property lines at the public right-of-way for 50 percent of front and corner side façade.	• 20 feet maximum setback from the property line at the public right-of-way on either 50 percent of the front or side of the façade.	• 20 feet maximum setback from the property lines at the public right-of-way for at least 25 percent of the front and corner side street frontage of the shopping center.
Pedestrian Streets	• When the site is adjacent to a designated pedestrian street(s), that street(s) frontage shall be utilized to meet the maximum setback requirement with the front, side, and/or corner side of the façade, as indicated above. • When the site has more than two pedestrian street frontages, the primary pedestrian street frontage shall be utilized to meet the maximum setback requirement.		
Motor Vehicles	• Maximum setback areas shall be designed to be sidewalk, pedestrian plaza, public open space, landscaping, and/or courtyard, and to be free of motor vehicles at all times.		
Corner Sites	• To allow additional flexibility on corner sites, particularly for features such as outdoor seating areas or other enhanced pedestrian amenities, the minimum percentage may be calculated based on the total of the front and corner side building frontage and the required percentage provided along any combination of the two, as long as the total percentage requirement is met.		
Exceptions	• In all X-Districts, when there is a steep slope (at least 25% slope with a vertical relief of 10 or more feet) located adjacent to the sidewalk the maximum setback requirement shall be measured from the top or toe of the slope, as appropriate. • When a residential buffer is required, the buffer requirement shall supersede the maximum setback requirement (see Section 13.06.502.D).		
Exemptions in all Mixed-Use Center Districts	• Additions to legal, nonconforming buildings are exempt from maximum setbacks, provided, the addition reduces the level of nonconformity as to maximum setback. • When a public easement precludes compliance with this standard, the setback requirement shall be measured from the back edge of the easement. • Buildings that are 100 percent residential do not have a maximum setback. • The primary building of a fueling station, where fueling stations are allowed, is subject to the maximum setback on only one side of the building on corner parcels. Kiosks without retail, and intended for fuel payment only, are exempt. • Public facilities on sites greater than 5 acres in neighborhood, community and urban mixed-use centers shall be exempt from maximum setback requirements. This exemption shall expire upon the establishment of a new Institutional Zoning designation, an Institutional Master Plan process, or similar zoning process for reviewing, evaluating and approving large, public, campus-like facilities. • Within parks, recreation and open space uses, accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the maximum setback standards.		

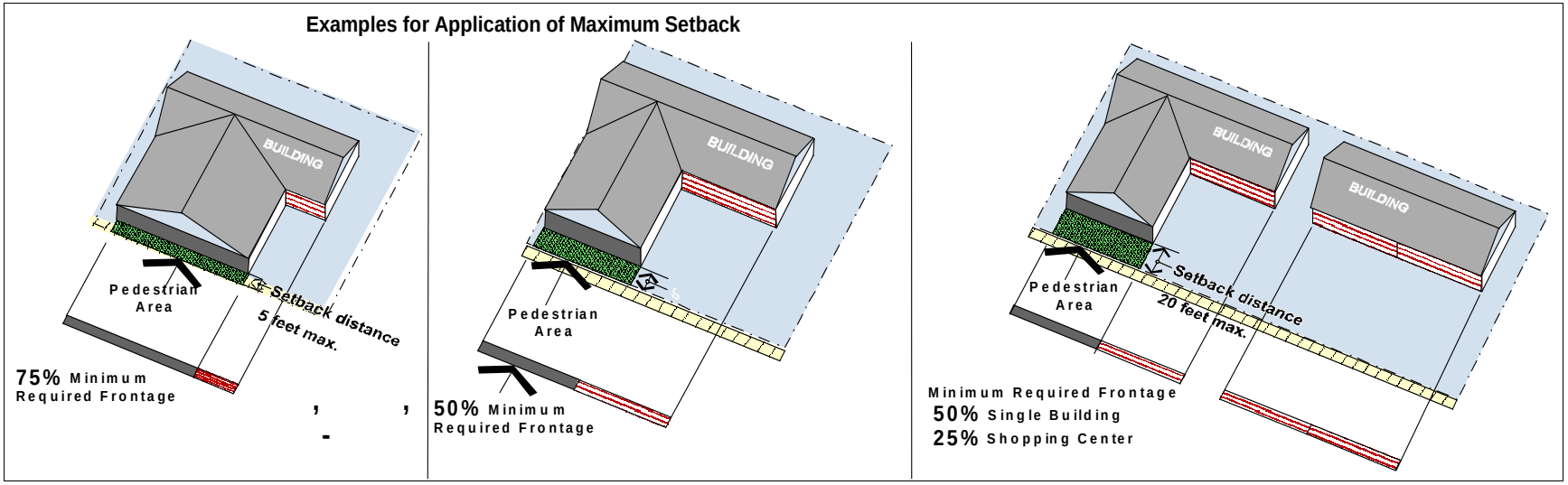

Examples for Application of Maximum Setback
BUILDING
Pedestrian Area
Setback distance
5 feet max.
75% Minimum Required Frontage
BUILDING
Pedestrian Area
50% Minimum Required Frontage
BUILDING
BUILDING
Pedestrian Area
Setback distance
20 feet max.
Minimum Required Frontage
50% Single Building
25% Shopping Center

TABLE 13.06.300.G: X-District Residential Yard Space Standards
1. Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.
2. Townhouse Development. At least 200 square feet of yard space is required for each townhouse. Required yard space could include a combination of private front or rear yard space, porches, balconies, rooftop decks, or shared common yard space amongst groups of townhouses. Vehicular access areas and required walkways and buffers shall not count as yard space.
3. Multi-Family and Mixed-Use Development. At least 50 square feet of yard space is required for each dwelling unit. Required setback and buffer areas, vehicular access areas and required walkways and buffers shall not count towards the yard space requirement. This required yard space can be provided through any combination of the following types of areas/features: a. Common Yard space. This includes landscaped courtyards or decks, front porches, community gardens with pathways, children's play areas, or other multi-purpose recreational and/or green spaces. Requirements for common yard spaces include the following: (1) No dimension shall be less than fifteen feet in width (except for front porches). (2) Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity. (3) Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable. (4) Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable. (5) Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible. (6) Common yard space shall be open to the sky, except for clear atrium roofs and shared porches. (7) Shared porches qualify as common yard space provided no dimension is less than eight feet. b. Private balconies, porches, decks, patios or yards. To qualify as yard space, such spaces shall be at least thirty five square feet, with no dimension less than four feet. c. Rooftop decks, To qualify, rooftop decks must meet the following standards: (1) Must be accessible to all dwelling units. (2) Must include amenities such as seating areas and landscaping. (3) Must feature hard surfacing appropriate to encourage residential use. (4) Must include lighting for residents' safety. (5) No dimension shall be less than 15 feet in width. d. Exceptions: (1) Projects located within a quarter mile of a public park or public school that includes outdoor recreational facilities. (2) Projects with a minimum floor area ratio (FAR) of 3. (3) Projects that meet the ground floor retail/restaurant height bonus requirements.

H. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.300 by reference.

Refer to Section 13.06.500 for the following requirements for development in Mixed-Use Center Districts:

13.06.501 Building design standards.
13.06.502 Landscaping and buffering standards.
13.06.503 Residential transition standards.
13.06.510 Off-street parking and storage areas.
13.06.511 Transit support facilities.
13.06.512 Pedestrian and bicycle support standards.
13.06.520 Signs.
13.06.575 Short-term rental.
13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area)

(Ord. 28376 Exs. D, E; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28281 Ex. A; passed Feb. 17, 2015: Ord. 28230 Ex. D; passed Jul. 22,

2014: Ord. 28222 Ex. A; passed May 13, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28088 Ex. A; passed Sept. 25, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27772 § 3; passed Dec. 9, 2008: Ord. 27665 §§ 4,6,8,12,14, Ex. A; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27539 § 14; passed Oct. 31, 2006: Ord. 27407 § 2; passed Nov. 1, 2005: Ord. 27375 § 1; passed Jun. 28, 2005: Ord. 27364 § 2,3; passed Jun. 28, 2005: Ord. 27296 § 18; passed Nov. 16, 2004: Ord. 27245 § 10; passed Jun. 22, 2004: Ord. 27079 § 23; passed Apr. 29, 2003: Ord. 26947 § 51; Ord. 26966 § 10; passed Jul. 16, 2002: Ord. 26947 § 51; passed Apr. 23, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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

A. Industrial district purposes.

The specific purposes of the Industrial districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.

2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.

3. Create a variety of industrial settings matching scale and intensity of use to location.

4. Provide for predictability in the expectations for development projects.

B. Districts established.

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

1. M-1 Light Industrial District. This district is intended as a buffer between heavy industrial uses and less intensive commercial and/or residential uses. M-1 districts may be established in new areas of the City. However, this classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.

2. M-2 Heavy Industrial District. This district is intended to allow most industrial uses. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.

3. PMI Port Maritime & Industrial District. This district is intended to allow all industrial uses and uses that are not permitted in other districts, barring uses that are prohibited by City Charter. The Port of Tacoma facilities, facilities that support the Port's operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area's employees.

Expansion beyond current PMI District boundaries should be considered carefully, as such expansion may decrease the distance between incompatible uses.

Expansion should only be considered contiguous to the existing PMI District. This classification is only appropriate inside Comprehensive Plan areas designated for high intensity uses.

4. ST-M/IC South Tacoma Manufacturing/Industrial Overlay District. This overlay district is intended to provide additional protection to industrial and manufacturing uses within the designated boundary of the South Tacoma M/IC by placing further restrictions on incompatible uses within this defined area. Standards established through the overlay zone are in addition to the

requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply. The additional requirements imposed through the South Tacoma M/IC Overlay District are intended to preserve this area for long term urban industrial and manufacturing use consistent with policy direction in the Comprehensive Plan. Expansion of the overlay district beyond the current boundaries can only be done in conjunction with an expansion of the designated South Tacoma M/IC Center in the Comprehensive Plan. Expansion beyond current boundaries should be carefully considered, as such expansion may decrease the distance between incompatible uses and will impose additional restrictions on the development of residential and commercial uses in affected areas.

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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets." The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

4. 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.

5. District use table.

Uses	M-1	M-2	PMI	Additional Regulations[1]
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
Agricultural uses	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area.
Airport	CU	CU	CU	
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
Assembly facility	P	P	N	
Brewpub	P	P	P	
Building material and services	P	P	P	
Business support services	P	P	P	
Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District

Uses	M-1	M-2	PMI	Additional Regulations[1]
Cemetery/internment services	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	
Commercial recreation and entertainment	P/CU*	P/CU*	N	*Within the South Tacoma M/IC Overlay District, a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district.
Communication facility	P	P	P	
Confidential shelter	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Continuing care retirement community	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Correctional facility	P	P	P	
Craft Production	P	P	P	
Cultural institution	P/CU*	P/CU*	N	*Conditional use within the South Tacoma M/IC Overlay District, unless an accessory use.
Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Day care center	P	P	N	Subject to development standards contained in Section 13.06.155.
Detoxification center	CU	CU	N	
Drive-through with any permitted use	P	P	P	Subject to the requirements of TMC 13.06.513.
Dwelling, single-family detached	P/N*~	N*	N*	In M-1 districts, single-, two- and three-family and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision. In M-1 districts, new multi-family residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District except for quarters for caretakers and watchpersons and temporary worker housing, as noted above.
Dwelling, two-family	P/N*~	N*~	N*~	
Dwelling, three-family	P/N*~	N*~	N*~	
Dwelling, multiple-family	P/N*~	N*~	N*~	
Dwelling, townhouse	P/N*~	N*~	N*~	
Dwelling, accessory (ADU)	P/N~	N	N	Subject to additional requirements contained in 13.06.150. ~Not permitted within the South Tacoma M/IC Overlay District.
Eating and drinking	P	P	P	

Uses	M-1	M-2	PMI	Additional Regulations[1]
Emergency and transitional housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008 the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Extended care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Fueling station	P	P	P	
Funeral home	P	P	N	
Golf course	P/N*	P/N*	N	*Not permitted within the South Tacoma M/IC Overlay District.
Group housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Heliport	CU	CU	CU	
Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District. ~Not permitted within the South Tacoma M/IC Overlay District.
Hotel/motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Industry, heavy	N	P	P	Animal slaughter, fat rendering, acid manufacture, smelters, and blast furnaces allowed in the PMI District only.
Industry, light	P	P	P	

Uses	M-1	M-2	PMI	Additional Regulations[1]
Intermediate care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.
Live/Work	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Marijuana processor, producer, and researcher	P	P	P	See additional requirements contained in Section 13.06.565
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.
Microbrewery/winery	P	P	P	
Mobile home/trailer court	N	N	N	
Nursery	P	P	N	
Office	P*	P*	P	*Within the South Tacoma M/IC Overlay District, unless an accessory use, 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.
Parks, recreation and open space	P	P	P	Subject to the requirements of Section 13.06.560.D.
Passenger terminal	P	P	P	
Personal services	P	P	P	
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	P*	*Preferred use.
Public safety and public service facilities	P	P	P	
Religious assembly	P	P	P	
Repair services	P	P	P	
Research and development industry	P	P	N	

Uses	M-1	M-2	PMI	Additional Regulations[1]
Residential care facility for youth	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Residential chemical dependency treatment facility	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Retail	P~	P~	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District. ~Within the South Tacoma M/IC Overlay District, unless an accessory use, 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. Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per use, unless approved with a conditional use permit. See Section 13.06.640.J.
Retirement home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
School, public or private	P/N*	P/N*	P/N*	*General K through 12 education not permitted in the PMI District or in the South Tacoma M/IC Overlay District.
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.635.
Self-storage	P	P	P	See specific requirements in Section 13.06.503.B.
Short-term rental	N	N	N	
Staffed residential home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Student housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Surface mining	CU	CU	CU	

Uses	M-1	M-2	PMI	Additional Regulations[1]
Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.635.
Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Transportation/freight terminal	P	P	P	
Urban Horticulture	P	P	P	
Utilities	P	P	P	
Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.510.
Warehouse/storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
Wholesale or distribution	P	P	P	
Wireless communication facility	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/Live	P	N	N	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
Work release center	CU	CU	P	Subject to development standards contained in Section 13.06.550.
Uses not prohibited by City Charter and not prohibited herein	N	N	P	

Footnotes:

1. 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.

D. Building envelope standards.

	M-1	M-2	PMI
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A
Maximum Lot Coverage	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless: • Created by requirements in Section 13.06.502; or • Abutting a dwelling district, then equal to the dwelling district setback for the first 100 feet from that side. The above setback requirements may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		

	M-1	M-2	PMI
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		
Maximum Height Limit	75 feet	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.
Maximum Height Exceptions	Certain specified uses and structures are allowed to extend above height limits, per Sections 13.06.602.A.2 and 13.06.545.		

E. Residential Development.

1. Minimum Usable Yard Space. Residential development shall provide usable yard space in accordance with the provisions of 13.06.100.D.7 based on the building type.

2. Tree canopy coverage. Residential uses shall meet the tree canopy coverage requirements in 13.06.100.D.8 in accordance with the R-4 District.

F. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.400 by reference.

Refer to Section 13.06.500 for the following requirements for development in Industrial Districts:

13.06.502 Landscaping and buffering standards.
13.06.503 Residential transition standards.
13.06.510 Off-street parking and storage areas.
13.06.511 Transit support facilities.
13.06.512 Pedestrian and bicycle support standards.
13.06.520 Signs.
13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area)

(Ord. 28376 Exs. B, D; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015: Ord. 28281 Ex. A; passed Feb. 17, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27772 §§ 2,3,5-18; passed Dec. 9, 2008: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27680 § 2; passed May 13, 2008: Ord. 27665 §§ 11,13; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27574 §§ 2, 3; passed Mar. 20, 2007: Ord. 27539 § 15; passed Oct. 31, 2006: Ord. 27362 § 3; passed Jun. 7, 2005: Ord. 27245 § 11; passed Jun. 22, 2004: Ord. 27079 §§ 24-28; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.410 M-1 Light Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 29; passed Apr. 29, 2003: Ord. 26966 § 11; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.420 M-2 Heavy Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 30; passed Apr. 29, 2003: Ord. 26966 § 12; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.430 M-3 Heavy Industrial District. *Repealed by Ord. 27079.*

(Ord. 27079 § 31; passed Apr. 29, 2003: Ord. 26966 § 13; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.500 Requirements in all preceding districts.

Applicability. The regulations of this section are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning

district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

(Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.501 Building design standards.

A. General applicability. The design standards of this section are required to implement the urban design goals of the Comprehensive Plan of the City of Tacoma. The building design standards apply to all new development as outlined below, except as follows:

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

2. Alterations. Three thresholds are used to gauge the extent of design standard compliance on alterations to existing development:

a. Level I alterations include all remodels and/or additions within a two year period whose cumulative value is less than 50% of the value of existing development or structures, as determined by the applicable Building Code. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building modulation would not be required.

b. Level II alterations include all remodels and/or additions within a two year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the applicable Building Code. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II alterations.

c. Level III alterations include all remodels and/or additions within a two year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code. Such alterations shall conform to ALL standards.

d. 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.

e. No addition or remodel shall increase the level of nonconformity or create new nonconformities to the development or design standards.

3. Super regional malls. Additions to super regional malls of less than 10,000 square feet of floor area are exempt from the design standards of this section.

4. Temporary. Temporary structures are exempt from the design standards of this section.

5. Residential and/or mixed-use. Single, two, and three-family dwellings are subject only to the design standards in Subsection N. Townhouses are subject only to the design standards in Subsection O. For other residential uses, such as mixed-use buildings and multi-family dwellings of 4 units or more, the standards herein apply unless otherwise noted.

a. Single-family dwellings legally established prior to August 1, 2011 are exempt from these standards. However, remodels and additions to such single-family dwellings shall not increase the level of nonconformity.

6. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.

7. Religious assembly facilities which can demonstrate that the design standards impose a substantial burden, administratively or financially, on their free exercise of religion, shall be exempt from compliance.

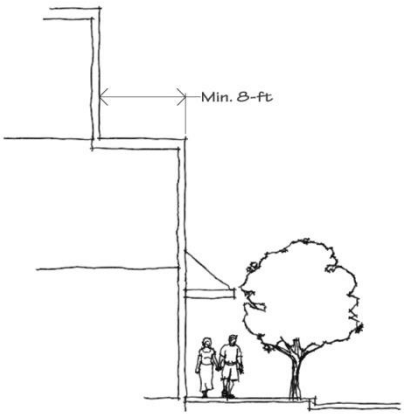
8. Floor area. For purposes of this section of the code (Section 13.06.501), "floor area" shall not include spaces below grade.

9. Parks, recreation and open space uses. Accessory or ancillary structures, such as restroom buildings, playground equipment and picnic shelters, are exempt from the design standards of this section.

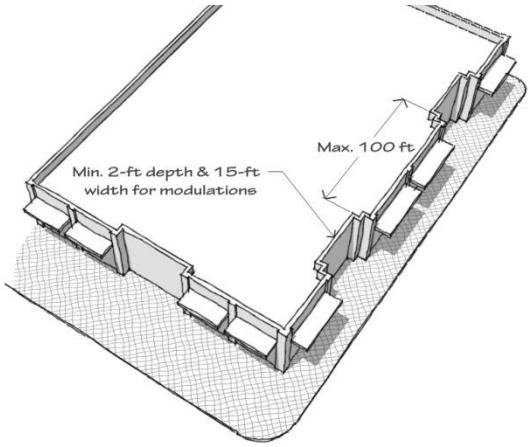
B. Commercial District Minimum Design Standards.

1. Applicability. The following requirements apply to the C1, C2, T, and PDB zoning districts. See Section 13.06.501.H, below, for X-District requirements. Single-use multi-family residential developments in the C1, C2, T, and PDB zoning districts are subject to the requirements in Section 13.06.501.D Multi-family Residential Minimum Design Standards.

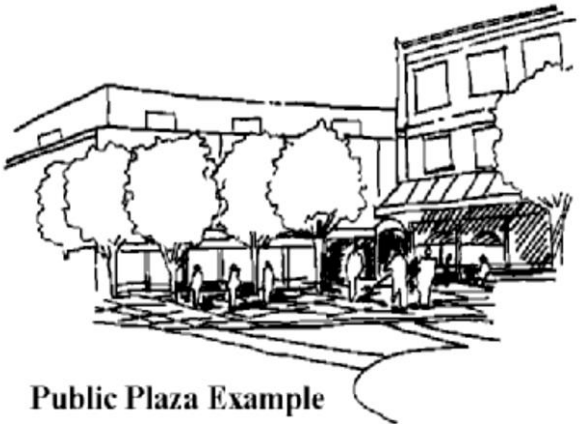
2. Mass Reduction Standards. Purpose: The following design choices are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.	
a. Size to choice ratio for b below	(1) Buildings under 7,000 square feet of floor area are not required to provide mass reduction. (2) 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. (3) Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.
b. Mass reduction choices	(1) 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. (2) 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. (3) 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. (4) 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.



Upper Story Setback

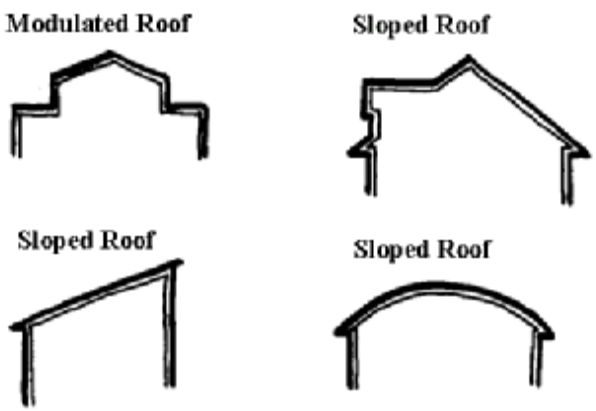


Wall Modulation Example

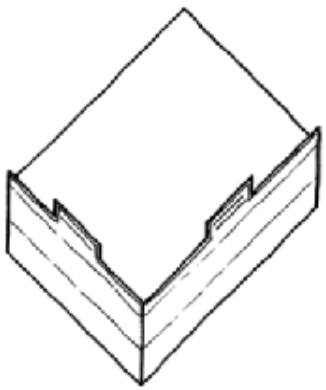


Public Plaza Example

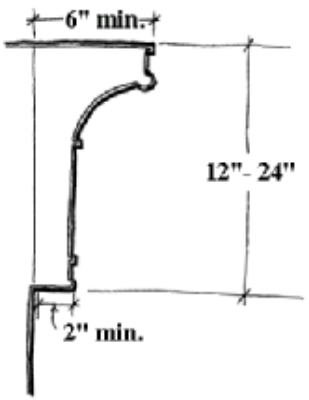
3. Roofline Standards. Purpose: The following standards are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development. All buildings with rooflines of 100 feet or more in length, except where otherwise noted, must use one or more of the following roofline choices.	
a. Roofline Choices	(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.



Roofline Examples

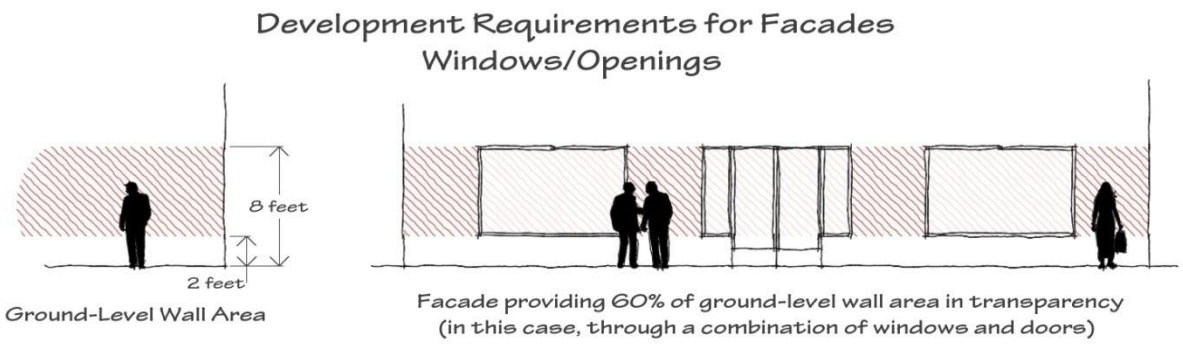


Modulated Roof Example

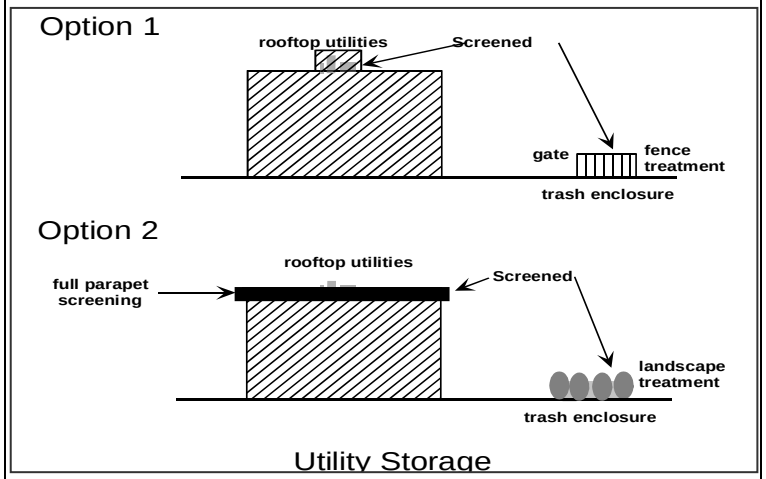


Cornice Example

4. Windows and Openings. Purpose: The following standards 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.	
a. Street level	(1) 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. (2) 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). (3) The "ground level wall area" is defined as the area between 2 feet and 8 feet above the adjacent finished grade. (4) 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.
b. Upper levels	(1) 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. (2) Upper level windows shall be a different type than the ground level windows on the same elevation. (3) For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.
c. Exemptions	(1) Residential privacy. On sides where C, T, or PDB District boundaries adjoin R-1, R-2, R-2SRD, or R-3 District boundaries, structures within the C, 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.



5. Façade Surface Standards. Purpose: The following standards 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.	
a. Blank wall limitation	(1) 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.
b. Façade variety	(1) Buildings with under 2,000 square feet of floor area are exempt from the variety requirement. (2) 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. (3) Buildings with over 30,000 square feet of floor area shall use at least 3 different materials, textures, or patterns on each building elevation. (4) 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.
c. Building face orientation	(1) 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. (2) This requirement applies to a maximum of 2 building elevations on any given building.
6. Pedestrian Standards. Purpose: The following standards 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.	
a. Customer entrances	(1) 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. (2) 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.
b. Street level weather protection	(1) 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. (2) 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. (3) 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.

7. Fencing and Utilities. Purpose: 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.		
a. Utility screening	(1) 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. (2) 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. (3) Chain link fencing, with or without slats, is prohibited for required screening.	
b. Fencing type limitation	(1) 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. (2) 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. (3) Electrified. The use of electrified fencing is prohibited in all zoning districts.	

C. Mixed-Use District Minimum Design Standards.

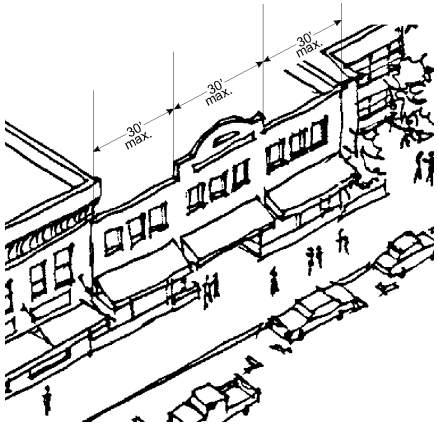
1. Applicability: The following requirements apply to all development located in any X-District, except where noted or unless specifically exempted.

2. Facade Articulation.

Purpose: The following standards 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.

a. All building façades fronting directly on a Designated Pedestrian Street must include at least two of the following articulation features at intervals no greater than 40 feet to reinforce the desired pattern of small storefronts adjacent to the sidewalk. Buildings that have 60 feet or less of frontage on the designated pedestrian street are exempt from this standard.

(1) Use of window and/or entries that reinforce the pattern of small storefront spaces.
(2) Use of vertical piers to reinforce the pattern of small storefront spaces. Such piers must project at least 2 inches from the façade and extend from the ground floor to the roofline.
(3) Use of weather protection features that reinforce the pattern of small storefronts. For example, for a business that occupies three lots, use three separate awnings to break down the scale of the storefronts. Alternating colors of the awnings may be useful as well.
(4) Roofline modulation as defined in Section 13.06.501.C.5
(5) Change in building material or siding style.



Example Figures

Right: This building uses roofline modulation, window configurations, and weather protection elements to reinforce the pattern of small storefronts.

Below: Other acceptable façade articulation examples. All use window configurations to reinforce the desired small storefront pattern. Other features used in these examples to meet the standards include:

Vertical piers

Roofline modulation

Different weather protection elements

b. All non-residential façades fronting on a non-Pedestrian Designated Street or containing a pedestrian entrance must include at least three of the following articulation features at intervals no greater than 60 feet. Buildings that have 120 feet or less of frontage on the non-designated street are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.	(1) Use of window configurations and/or entries that reinforce the pattern of storefront spaces. (2) Vertical building modulation. The minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.C. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively. (3) Use of separate weather protection features that reinforce the pattern of storefront spaces. (4) Roofline modulation as defined in Section 13.06.501.C.5 (5) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 feet of the façade. (6) Change in building material or siding style. (7) Use of vertical piers. Such piers must project at least 2 inches from the façade and extend from the ground floor to the roofline. (8) Providing a trellis, tree, or other landscape feature within each interval. Such feature must be at least one-half the height of the building (at planting time for any landscaping element).
c. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all façades facing a street, common open space, or common parking areas. Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.	(1) Repeating distinctive window patterns at intervals less than the required interval. (2) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.C.5. Otherwise, minimum depth and width of modulation is 10 and 15 feet, respectively. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade at least 18 inches. (3) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 percent of the façade (4) Roofline modulation as defined in Section 13.06.501.C.5. (5) Vertical articulation of the façade. This refers to design treatments that provide a clear delineation of the building's top, middle and bottom. (a) Top features may include a sloped roofline or strong cornice line as defined in Section 13.06.501.C.5. For façades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street). (b) Middle features: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing (c) Bottom: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of both contrasting window design/configuration and contrasting exterior materials (d) Façade reduction elements including balconies and bay windows may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way

Above: Residential building articulation at 30-foot or less intervals.

Below: Articulation examples of mixed-use buildings containing residential uses on upper floors. These examples include vertical and horizontal modulation and changes in building materials at no more than 30-foot articulation intervals.

3. Mass Reduction: Upper Floor Streetfront Stepbacks.

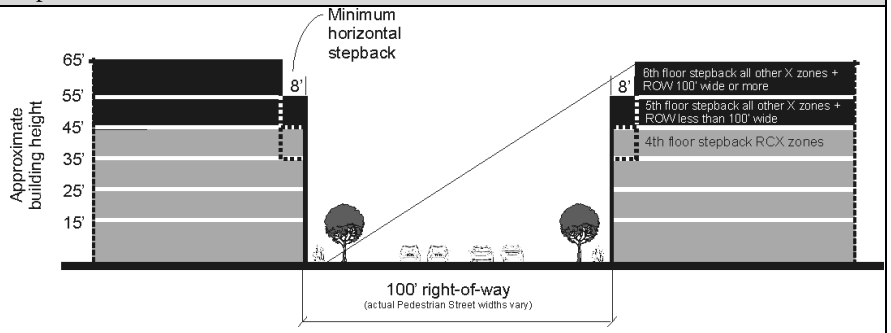
Purpose: The following standards are intended to reduce the appearance of bulk and reduce the potential for shade and shadow impacts on pedestrian streets. They apply to all development along designated pedestrian streets, unless specifically exempted.

a. 8' minimum stepback along the streetfront façade for 4th floor and above in RCX Districts.

b. 8' minimum horizontal stepback along for 5th floor and above in X Districts other than RCX, where the ROW width is less than 100'.

c. 8' minimum horizon stepback for 6th floor and above in X zones other than RCX, where the ROW width is 100' or greater.

d. Exceptions to b and c above: One distinctive design element of no more than 25 feet in width is allowed to extend vertically without these required stepbacks for each façade along a designated pedestrian street.



4. Mass Reduction: Maximum Façade Widths.

Purpose: The following standards are intended to incorporate a significant modulation of the exterior wall through all floors except the ground floor. They apply to the upper story façades of multi-story buildings that are greater than 120 feet in width. Such buildings shall include at least one of the following features to break up the massing of the building and add visual interest:

a. Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings the modulation must extend through more than one-half of the building floors.

b. Use of a contrasting vertical modulated design component that extends through all floors above the first floor fronting on the street (upper floors that are stepped back more than 10 feet from the façade are exempt) and featuring at least two of the following:

(1) Utilizes a change in building materials that effectively contrast from the rest of the façade.

(2) Component is modulated vertically from the rest of the façade by an average of 6 inches.

(3) Component is designed to provide roofline modulation per 13.06.501.C.5, below.

c. Façade employs building walls with contrasting articulation that make it appear like two distinct buildings. To qualify for this option, these contrasting façades must employ the following:

(1) Different building materials and/or configuration of building materials.

(2) Contrasting window design (sizes or configurations).

Examples of façades wider than 120 feet that effectively use techniques to reduce the apparent bulk and scale of the structure. The image on the left uses street and upper level courtyards whereas the right image uses both vertical building modulation and the use of contrasting building materials and articulation.

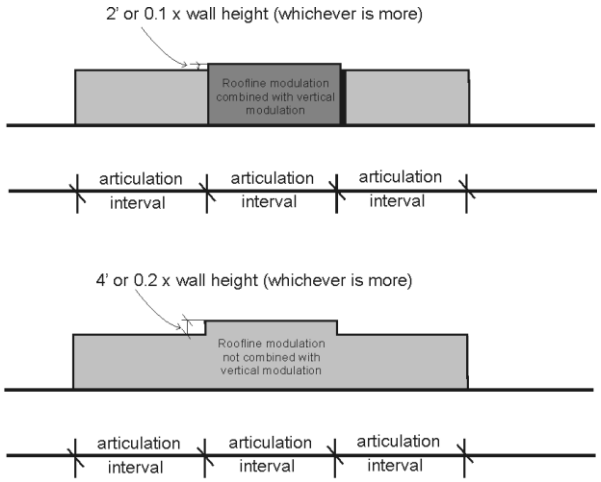
5. Roofline Standards.

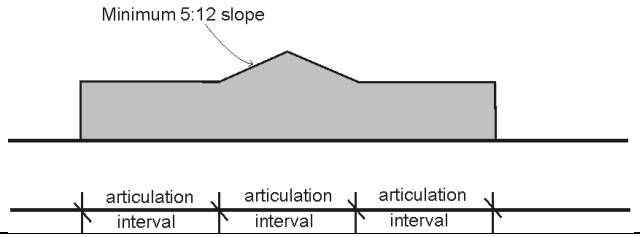
Purpose: The following roofline design choices are intended to ensure that roofline is addressed as an integral part of building design to discourage flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with human scale development.

a. Roofline modulation. Roofline modulation is not required of all buildings. However, in order to qualify as a façade articulation element in other mass reduction standards herein, the roofline shall meet the following modulation requirements along façades facing a street:

(1) For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.

(2) Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components (such as gabled, hipped, shed, or other similar roof forms) at the interval required per the applicable standard in Section H, above. Rounded, gambrel, and/or mansard forms may be averaged.





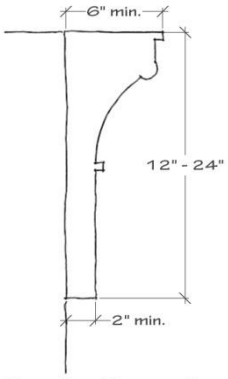
b. Flat roof standards. Buildings or portions thereof featuring flat roofs (horizontal roofs with either no slope or only a slope sufficient to effect drainage, often which incorporate surrounding parapets) that do not incorporate roofline modulation, as described above, shall employ decorative roofline treatments incorporating one or more of the following design elements along façades facing a street:

(1) 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. See graphic at right. 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. The cornice must extend along at least 75 percent of the façade.

(2) A one-piece cornice element that projects at least 18 inches from the façade for buildings four stories or less or at least 2 feet from the façade for buildings taller than 4 stories. The cornice line must extend along at least 75 percent of the façade.

(3) Use of balcony/deck railings that function as a visual roofline element. Such railings must be at least 2 feet in height and extend along at least 75 percent of the façade and shall be visible from the adjacent street centerline.

(4) Use of contrasting building materials on the top floor or top two floors for buildings five stories or taller, for at least 75 percent of the façade.



Cornice Example

c. Roofline elements shall not project over property lines, except where permitted on property lines abutting public right-of-way.

d. Canopy Exemption. Fueling station canopies, drive through canopies, or similar canopies are exempt from roofline requirements.

6. Windows and Openings: Façade Transparency and Solar Access. Purpose: The following standards are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, to provide for natural lighting to buildings interiors to conserve energy, and to provide architectural detailing and variety to building elevations on each story.	
a. Street level transparency standards for non-residential uses:	(1) Façades facing a designated Core Pedestrian Street shall have transparent windows or openings for at least 60 percent of the ground level wall area. (2) Façades facing a designated Pedestrian Street shall have transparent windows or openings for at least 50 percent of the ground level wall area. (3) Façades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater shall have transparent windows or openings for at least 40 percent of the ground level wall area. (4) Flexibility for sloping properties. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for building elevations where the finished grade level adjacent to the building is four feet above or below the level of the sidewalk. 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 running parallel to the elevation and crossing the floor plates of the building. (5) Flexibility for industrial uses. The window and opening requirements shall be reduced to 30 percent of the ground level wall area for the façades of industrial uses located along designated Pedestrian Streets and reduced to 20 percent of the ground level wall area for the façades of industrial uses facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater. (6) Flexibility for structured parking. For structured parking or portions of a building containing structured parking that is located at the ground level and subject to these requirements, the window and opening requirement for that portion of the ground-level wall area shall be reduced to 30 percent along façades facing designated Pedestrian Streets and 20 percent along façades facing a non-pedestrian street, internal courtyard, plaza or containing customer entrances and facing customer parking lots of 20 stalls or greater. Additionally, alternatives such as decorative grilles, art work, display windows, or similar features can be substituted for the transparency required in that portion of the ground-level façade. (7) Required view. Required windows or openings must provide either views into building work areas, sales areas or lobbies. Art or display windows may substitute for transparent elements for up to 25% of the requirement on façades facing designated Pedestrian Streets and up to 50% on all other applicable façades. 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). (8) The "ground level wall area" is defined as the area between 2 feet and 8 feet above the adjacent finished grade. (9) This standard shall apply on a maximum of 2 such building elevations, and shall apply in the order provided above. As an example, for a building that faces a Core Pedestrian Street, a non-pedestrian street, and a qualifying parking lot, the requirements would apply to the façade facing the Core Pedestrian and either the façade facing the non-designated street or the façade facing the parking lot. (10) Rough openings are used to calculate this requirement.

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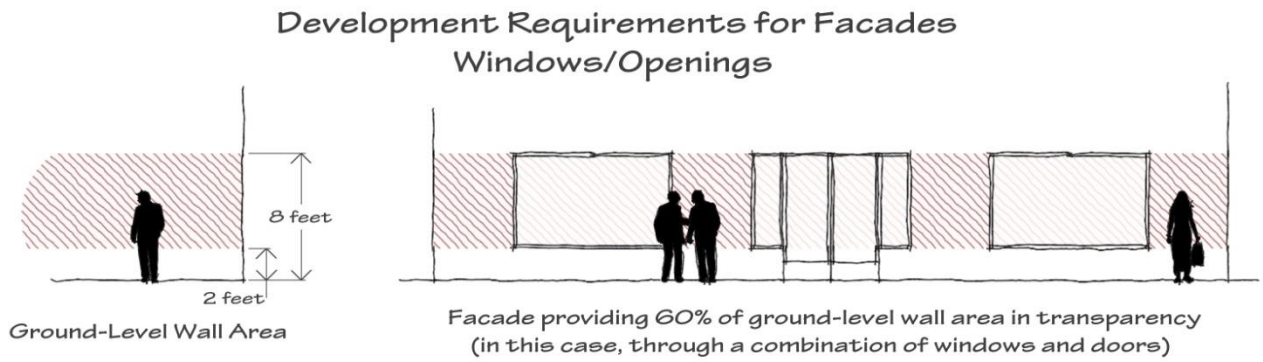
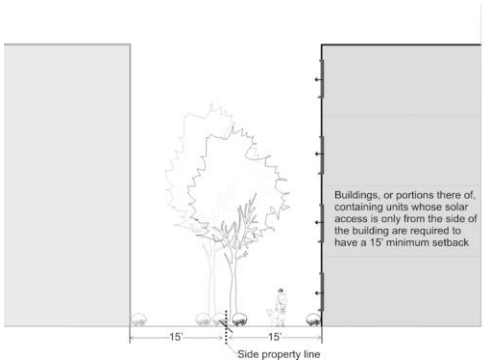
<tr><td></td><td> 
</td></tr>
<tr><td>b. Upper level transparency standards for non-residential uses:</td><td>(1) Exterior walls facing streets or containing a customer entrance and facing customer parking lots of 20 stalls or greater shall use a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor.
(2) Upper level windows shall be a different type than the ground level windows on the same elevation.
(3) For purposes of this requirement, a window type is either a grouping of windows, a window size, or a window shape.</td></tr>
<tr><td colspan="2">c. Residential buildings and residential portions of mixed-use buildings shall incorporate transparent windows and doors equal to at least 15% of all vertical façade surfaces facing the street and equal to at least 10% of all vertical surfaces facing alleys, courtyards, plazas and surface parking lots.</td></tr>
<tr><td>d. Solar access for residential units.</td><td>(1) Buildings or portions thereof containing dwelling units whose solar access is only from the side or rear of the building (facing towards the side or rear property line) shall be set back from the applicable side or rear property lines at least 15 feet. This standard shall not apply in cases where the rear or side property line abuts an alley. Examples are provided below.
 

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e. Window/Trim Detailing. Building façades shall employ techniques to recess or project individual windows or groupings of windows above the ground floor at least two inches from the surrounding façade or incorporate window trim at least four inches wide surrounding the windows. Windows on façades that face the rear property line or alleys are exempt from this standard.

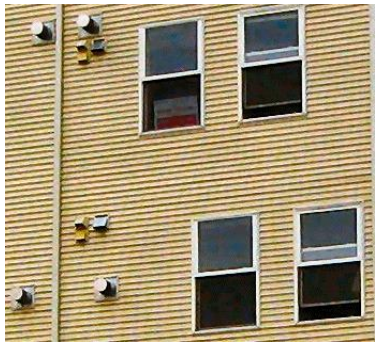
Examples:

Recessed window OK

Projected window OK

Window with trim OK

Unacceptable



7. Façade Surface Standards.

Purpose: The following standards 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.

a. Blank walls limitation	(1) Blank wall definition: A ground floor wall or portion of a ground floor wall that is over 4 feet in height and has a horizontal length greater than 15 feet without a transparent window or door (2) Blank walls facing a street, internal pathway, or customer parking lot of 20 stalls or greater must be treated in one or more of the following ways: • Transparent windows or doors. • Display windows at least 2 feet in depth and integrated into the façade (tack-on display cases do not qualify). • Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. • Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.
b. Building face orientation	(1) 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. (2) For buildings that have more than 2 qualifying elevations, this requirement shall only be applied to two of them.

c. Building Details for Core Pedestrian Streets	(1) All façades facing designated Core Pedestrian Streets shall be enhanced with appropriate details. All new buildings shall employ at least one detail element from each of the three categories below. To qualify as an element, features must be used continuously along the façade or at 30-foot intervals. (a) Window and/or entry treatment: • Display windows divided into a grid of multiple panes. • Transom windows. • Roll-up windows/doors. • Recessed entry. • Decorative door. • Arcade. • Landscaped trellises or other permanent decorative elements that incorporate landscaping near the building entry. (b) Decorative façade attachments: • Decorative weather protection element(s) such as a steel canopy or glass, fixed-fabric, or retractable awning. • Decorative building-mounted light fixtures. (c) Decorative building materials and other façade elements: • Use of brick, stonework, and architectural pre-cast concrete for at least 10 percent of siding material on the façade. • Incorporating a decorative mix of building materials. • Decorative kick-plate, pier, or belt course.
	Decorative elements referenced above must be distinct and unique elements or unusual designs that require a high level of craftsmanship. The examples below include a decorative door, use of materials, transom windows, and a retractable awning (left image), decorative lights, arcade, use of brick, and decorative planters near the entry (center image), and decorative canopies, decorative windows, and use of brick (right image).

8. Pedestrian Standards. Purpose: The following standards 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.	
a. Customer entrances	(1) 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. (2) 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.
b. Street level weather protection	(1) Weather protection shall be provided above a minimum of 50 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. Façades or portions of façades where planting strips of more than 5 feet in width separate the walkway from the building wall are exempt from these standards. (2) Mixed-Use Center District designated pedestrian streets. Weather protection shall be provided above a minimum of 80 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. (3) 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. (4) 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 accessories to not less than 3 feet in width. (5) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.
9. Fencing, Retaining Wall and Utility Standards. Purpose: The following standards are intended to provide for thoughtful placement and design of utilities, mechanical equipment, service areas and fences to mitigate visual impact on public views, general community aesthetics and residential privacy.	
a. Utility screening	(1) Rooftop. All rooftop mechanical 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. (2) All ground level. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street and other pedestrian areas. If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, customer parking lots (alleys are excluded), or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. All landscape screening shall provide 50 percent screening at the time of planting and 100 percent screening within 3 years of planting. Items that exceed 4 feet in height must use an opaque fence or structure to screen the element. Limited flexibility in this standard is allowed to ensure that the function of the utility equipment is not compromised by the screening requirement. (3) Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Where there is no alley available, service elements shall be located and/or screened to minimize the negative visual, noise, odor, and physical impacts.

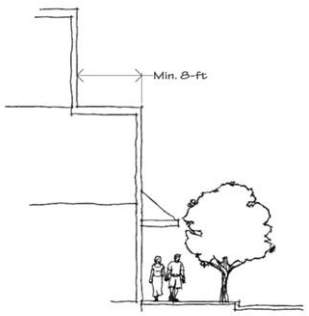
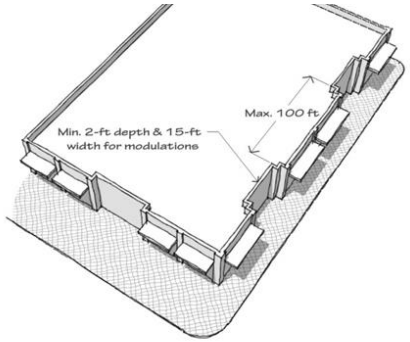
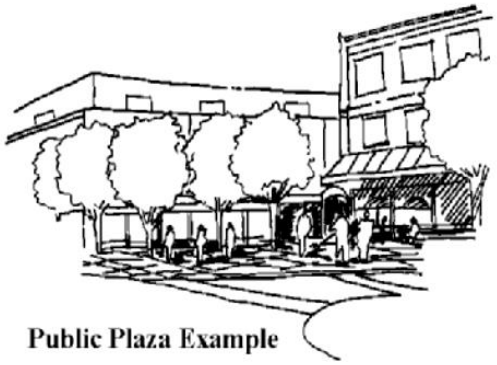
b. Fencing type limitation	(1) Chain link fencing, with or without slats, is prohibited for required screening. (2) Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to a public street or to an adjacent residential use. (3) Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses. (4) Electrified. The use of electrified fencing is prohibited in all zoning districts. (5) The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided the portion of the fence between 3 and 7 feet above grade is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment. Fences required by the Washington State Liquor Control Board shall also be exempt from the maximum height limitation, provided any portion of the fence between 3 and 7 feet above grade is at least 50 percent transparent. (6) Fences along alleys are allowed provided fences greater than 3 feet in height are at least 20% transparent between 3 and 7 feet above grade. If no transparency is provided, the maximum height of such fence shall be 3 feet.
c. Retaining Walls	(1) Retaining walls located adjacent to public street rights-of-way shall be terraced such that individual sections are no greater than 4 feet in height. Bench areas between retaining wall sections shall be planted with Type C or D landscaping to soften the view of the wall and contribute to the pedestrian environment.

D. Multi-family Residential Minimum Design Standards.

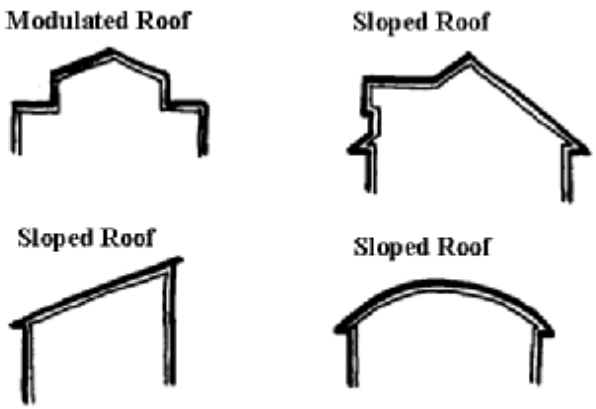
1. Applicability: The following requirements apply to multi-family residential developments in all districts, except, see Section 13.06.501.C Mixed-Use District Minimum Design Standards for X-District requirements. Multi-family residential development with commercial ground floor uses are subject to the requirements of 13.06.501.B Commercial District Minimum Design Standards.

2. Pedestrian Orientation Standards. Purpose: These requirements are intended to enhance pedestrian mobility and safety by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.	
a. Entrances	(1) Buildings meeting the “build-to area” for designated pedestrian streets shall provide at least 1 entrance within 8 feet of the longest street-facing wall of the building. Buildings that have a shared main entrance must use the shared main entrance to fulfill the requirements of this standard. (a) The shared main entrance must face the street or be at an angle of up to 45 degrees from the street. (b) The shared main entrance may open onto a porch. The porch must have a minimum dimension of 4 feet by 6 feet; have a roof that is no more than 12 feet above the floor of the porch; and be at least 30 percent solid. If at least 30 percent of the porch is covered with a solid roof, the rest may be covered with an open material, such as a trellis. (2) Weather protection is required for all multi-family building entries. For private entries, required weather protection must be at least 3 feet deep along the width of the entry. For common building entries, the required weather protection shall be 5 feet.

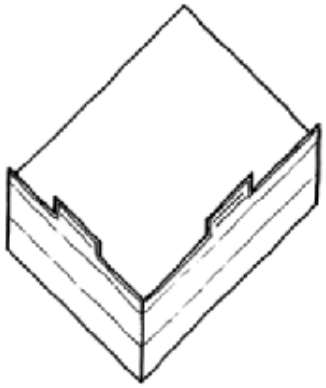
b. Transition areas	(1) Residential buildings meeting the "build-to" requirements along designated pedestrian streets shall provide a transition area between the public right-of-way and the ground floor dwelling units. (a) Transitions can be accomplished through grade changes that elevate the ground floor units and main entry or through landscaping and other design elements, such as plazas, artwork, fountains, bioswales, or other amenities. (b) Fences, walls, and gateways may be used to provide some visual separation of private residences, but not to hide the transition area. (c) Fences over 3' in height must be transparent and cannot exceed 5' in height. (d) The transition area may be used to meet usable yard space requirements. (e) Parking may not be used as a feature of the transition area. *Examples: The above examples use trees and landscaping, elevation changes, transparent fencing, and arbors to create an effective transition between public and private spaces.*

3. Mass Reduction Standards. Purpose: The following standards 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.	
a. Size to choice ratio for b below	(1) Buildings under 7,000 square feet of floor area are not required to provide mass reduction. (2) 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. (3) Buildings over 30,000 square feet of floor area shall provide at least two mass reduction features.
b. Mass reduction choices	(1) 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. (2) 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. (3) Plaza. A plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater shall be located within 50 feet of, and visible to, the primary public entrance; and such plaza shall 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 features may be counted toward other requirements, including landscaping and usable yard space standards. 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.  Upper Story Setback  Wall Modulation Example  Public Plaza Example

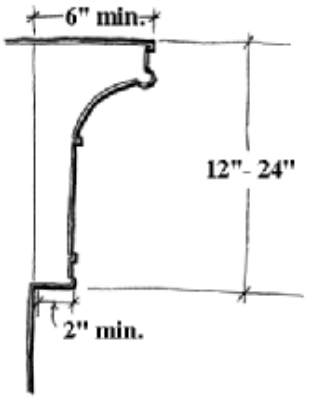
4. Roofline Standards. Purpose: The following standards are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.	
a. Roofline Choices (All buildings shall use one or more of the roofline options)	(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.



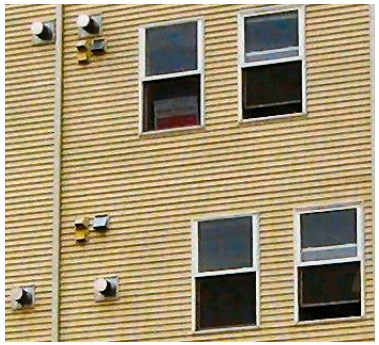
Roofline Examples



Modulated Roof Example



Cornice Example

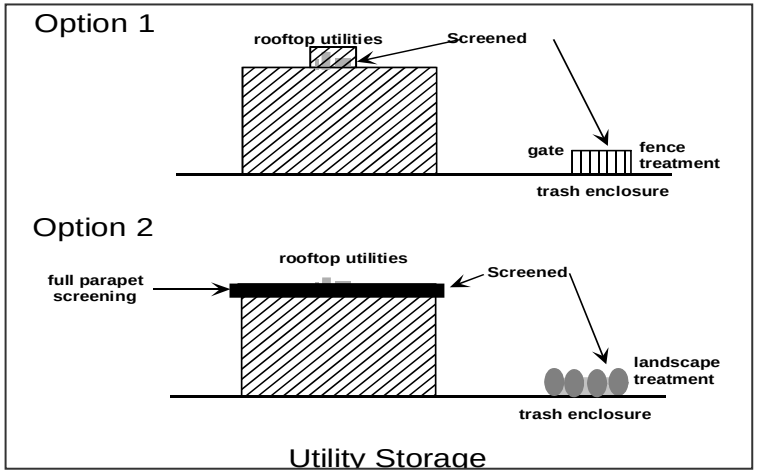
5. Windows and Openings. Purpose: These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps to encourage pedestrian mobility, to provide a visual connection between the living area of the residence and the street, and to provide architectural detailing and variety to building elevations on each story.	
a. Street level	(1) Front, side, or corner side exterior walls facing designated pedestrian streets shall have transparent windows or openings equal to at least 35 percent of the ground level wall area. Rough openings are used to calculate this requirement. This standard shall apply on a maximum of 2 such building elevations. The requirement shall be reduced to 15 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. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard a door must be facing the street property line. (2) The "ground level wall area" is defined as the area between 2 feet and 8 feet above the adjacent finished grade.
b. Transparency	Vertical façade surfaces facing a street shall incorporate transparent doors and windows equal to at least 15% of all vertical façade surfaces. Vertical façade surfaces facing alleys, courtyards, plazas, and surface parking lots shall incorporate transparent doors and windows equal to at least 10% of all vertical façade surfaces. Rough openings are used to calculate this requirement. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard.
c. Window and Trim detailing	Building façades shall employ techniques to recess or project individual windows or groupings of windows above the ground floor at least two inches from the surrounding façade or incorporate window trim at least four inches wide surrounding the windows. Windows on façades that face the rear property line or alleys are exempt from this standard. Recessed window OK Projected window OK Window with trim OK  Unacceptable
6. Façade Surface Standards. Purpose: The following standards 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.	
a. Building face orientation	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. The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.

b. All residential buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all façades facing a street, common open space, or common parking areas. Buildings that have 60 feet or less of frontage on the street or façade width facing the common open space or common parking area are exempt from this standard. Buildings that employ brick as the siding material on a majority of the subject façade are required to only provide two of the articulation features instead of three.	(1) Repeating distinctive window patterns at intervals less than the required interval. (2) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in building material/siding style and/or roofline modulation as defined in Section 13.06.501.D.3. Otherwise, minimum depth and width of modulation is 2 and 15 feet, respectively. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade at least 18 inches. (3) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet and the treatment must be used in increments at no greater than the articulation interval or provided along more than 75 percent of the façade. (4) Roofline modulation as defined in Section 13.06.501.D.3. (5) Vertical articulation of the façade. This refers to design treatments that provide a clear delineation of the building's top, middle and bottom. (a) Top features may include a sloped roofline or strong cornice line as defined in Section 13.06.501.D.3. For façades utilizing upper level stepbacks, the "top" design treatment may be applied to the top of the front vertical plane of the building or the top of the building where it is set back from the building's front vertical wall (provided the top of the building is visible from the centerline of the adjacent street). (b) Middle features: provide consistent articulation of middle floors with windows, balconies, exterior materials, modulation, and detailing. (c) Bottom: provide a distinctive ground floor or lower floors design that contrasts with other floors through the use of both contrasting window design/configuration and contrasting exterior materials. (d) Façade reduction elements including balconies and bay windows may project into street rights-of-way, where allowed by the Public Works Department, but not into alley rights-of-way. *Above: Residential building articulation at intervals of 30-foot or less.*
c. Blank wall limitation	(1) 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 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.

7. Fencing and Utilities.
Purpose: The following standards 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.

a. Utility screening

(1) 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.



(2) All ground level. Mechanical or utility equipment, loading areas, dumpsters and other utility apparatus shall be located and/or designed to minimize their visibility from the street, including highways, and other pedestrian areas and residences. If such elements are mounted in a location visible from the street, common open space or pedestrian plaza, internal pedestrian pathway, or shared internal access roads for residential uses, they shall be screened with vegetation or by architectural features. 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 is not compromised by the screening requirement.

(3) Chain link fencing, with or without slats, is prohibited for required screening.

Well-designed service enclosure example.

Landscaping helps to minimize the negative visual impacts of utility meters.

Exposed utility meters like this will not be allowed where visible from common open spaces, streets or pedestrian areas.

b. Fencing type limitation

(1) 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.

(2) 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.

(3) Electrified. The use of electrified fencing is prohibited in all zoning districts.

E. Single, Two and Three-Family Dwelling Minimum Design Standards.

1. Applicability: The following requirements apply to all single, two, and three-family dwellings in X-Districts, and to all two and three-family dwellings in all districts.

2. Purpose: The following standards are intended to promote pedestrian access, compatibility with residential neighborhoods, building orientation to the street, and to minimize the impacts of vehicular access.

3. Main building orientation. All dwellings shall maintain primary orientation to the 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 facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance.

4. Entries. Covered entries are required for each common entry or individual dwelling unit entry with minimum dimensions of 4 feet by 6 feet.

5. Windows and openings. At least 15 percent of the street-facing façades (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.

6. Garage design standards.

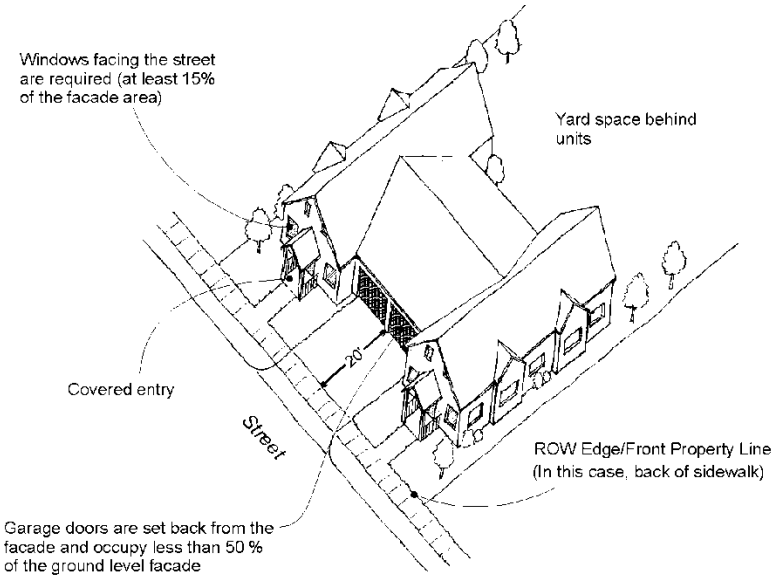
a. Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as an abutting right-of-way that is or can be developed, is available.

b. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the property line or private road easement.

c. The garage face or side wall shall occupy no more than 50 percent of the length of a ground-level façade facing a street.

d. Where the garage faces the side, but is visible from the frontage, the garage shall incorporate a window on the front-facing façade so that it appears to be a habitable portion of the building. The window size and design must be compatible with the windows on habitable portions of the dwelling.

e. Driveway approaches shall also be consistent with the standards in Section 13.06.510.



7. Corner duplexes. Duplexes located on corner lots shall be designed with pedestrian entries located on opposite street frontages so that the structure appears to be a single-family dwelling from each street, or with a single shared entrance that presents the appearance of one single-family house. Where no alley is available for vehicular access, separate driveways for each unit may be placed on opposite streets.

8. Articulation. Duplexes and triplexes shall be articulated to either look like two or three distinct dwelling units from the street or to look like one single-family dwelling. Specifically:

a. Buildings articulated to look like distinct dwelling units shall include individual covered entries plus one of the following:

(1) Roofline modulation consistent with Section 13.06.501.I.1 to distinguish one unit from another (or the appearance of separate units) as viewed from the street; or

(2) Vertical building modulation to help distinguish between the different units in the building. The minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.

b. Buildings designed to look like one large single-family dwelling shall feature only one entrance visible from the street. This could be a common entrance for all units, or the entrances for additional units could be provided at the side or rear of the building.

9. Façade variety. Single-family detached dwellings shall not use front façades that are duplicative with adjacent single-family detached dwellings. In order to qualify as a different façade elevation, dwellings shall have different roofline configurations and different entry/porch designs. Simple reverse configurations of the same façade elevation on adjacent lots are not sufficient to meet this requirement. In addition, a minimum of two of the following alternatives shall be utilized:

a. Different window opening locations and designs,

b. One and two–story dwellings,

c. Different exterior finish materials and finishes, or

d. Different garage location, configuration and design.

10. Utilities.

a. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.

b. Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.

11. Fencing.

a. Chain link fencing, with or without slats, is prohibited for required screening.

b. 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.

c. 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.

d. Electrified. The use of electrified fencing is prohibited in all zoning districts.

e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment.

F. Townhouse Minimum Design Standards.

1. Applicability. The following requirements apply to all townhouse dwellings in all districts.

2. Purpose. The following standards are intended to provide façade articulation that emphasizes individual units and reduces the apparent mass of structures, minimizes impacts of vehicular access and service elements, and emphasizes pedestrian access and building orientation to the street.

3. Building Mass:

a. The maximum number of units in one building is six, with minimum spacing between buildings of 10 feet.

b. Unit articulation. Façades with more than two townhouses facing a street, alley, common open space or common parking area shall be articulated to emphasize individual units. This can be accomplished by either roofline modulation consistent with Section 13.06.501.I.1 and/or vertical building modulation. To qualify for vertical building modulation, the minimum depth and width of modulation shall be 2 and 4 feet, respectively, if tied to a change in building material/siding style. Otherwise, the minimum depth and width of modulation shall be 10 and 15 feet, respectively.

4. Garage Orientation & Vehicular Access:

a. Garages shall not face any street.

b. Vehicular access and garages for all units shall be placed off of the alley, where suitable access, such as abutting right-of-way that is or can be developed, is available.

c. Where street-front vehicular access is necessary, driveway approaches shall be limited to no more than one for every 9 units in the development.

d. Driveway approaches shall also be consistent with the standards in Section 13.06.510.

5. Pedestrian Orientation:

a. Non X-Districts:

(1) All dwellings shall maintain primary orientation to the adjacent street or right-of-way and not toward the alley or rear of the site, unless otherwise determined by the Director.

(2) Townhouses must have an individual entry that faces and is accessible from the street/sidewalk. Townhouses on corner lots only need to provide such an entry to one of the two adjacent streets/sidewalks.

(3)The building elevation facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.

b. In designated centers:

(1) All townhouses on lots with street frontage must have an individual entry that faces and is accessible from the street/sidewalk. Townhouses on corner lots only need to provide such an entry to one of the two adjacent streets/sidewalks.

(2) A continuous pedestrian walkway, which can be a shared walkway, must be provided between the front entrance of each unit and the nearest public sidewalk. Walkways shall be either a raised sidewalk or composed of materials different from any adjacent vehicle driving or parking surfaces. Walkways accessing individual units shall be a minimum of 4 feet wide and walkways accessing multiple units shall be a minimum of 5 feet wide.

6. Windows and openings. At least 15 percent of the façade (all vertical surfaces facing the street) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.

7. Utilities:

a. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.

b. Service, loading, and garbage areas. Developments shall provide a designated area for service elements (refuse and disposal). Such elements shall be sited along the alley, where available. Such elements shall not be located along the street frontage. Where there is no alley available, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts and shall be screened from view from the street and sidewalk.

8. Fencing.

a. Chain link fencing, with or without slats, is prohibited for required screening.

b. 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.

c. 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.

d. Electrified. The use of electrified fencing is prohibited in all zoning districts.

e. The maximum height of free-standing walls, fences, or hedges between any public street and building shall be 3 feet. Exception: Decorative fences up to 8 feet in height may be allowed between a public street and any residential use provided such fence is at least 50 percent transparent and features a planting strip at least 5 feet wide with Type C or D landscaping to soften the view of the fence and contribute to the pedestrian environment.

(Ord. 28376 Exs. B, E; passed Aug. 16, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27278 § 1; passed Oct. 26, 2004: Ord. 27079 § 32; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

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 Best Management Practices (LID BMPs) designed in accordance with the City of Tacoma Stormwater Management Manual may be counted as landscaping. Trees and landscaping provided as required under this section, may also be counted towards compliance with tree canopy and usable yard space standards.

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):

a. Level I alterations to a site include all remodels and/or additions within a two-year period whose cumulative value is less than 50% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. The requirement for such alterations is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards. For example, for an expanded parking area, landscaping would be required for the new parking area, but the applicant would not be required to bring an existing parking area into conformance with these landscaping standards.

b. Level II alterations to a site include all remodels and/or additions within a two-year period whose cumulative value ranges from 50% to 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II.

c. Level III alterations to a site include all remodels and/or additions within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the Building Code, excluding purchase costs of the property and/or structure. Such developments shall be brought into conformance with ALL of the applicable landscaping standards.

d. 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.

e. No alteration shall increase the level of nonconformity or create new nonconformities to these standards. Existing landscaping that is above and beyond the current requirements may be removed, provided that the quantity is not reduced below the current requirements for the use on the site. All required landscaping shall be preserved in a healthy and thriving condition or replaced as necessary to maintain conformance with the applicable code requirements herein.

2. Street trees. In addition to the thresholds identified above, street trees are required when:

a. Street or sidewalk improvements are required in association with a Preliminary Plats or Short Plats with 5 or more lots; or

b. Constructing new permanent roadways, excluding residential Local Improvement Districts; alterations to the width of existing permanent roadways; constructing new sidewalk; replacing more than 50% of an existing sidewalk along a site's

frontage (when 50 linear feet or more is being constructed). In the case of sidewalk replacement, street trees shall be required proportionate to the linear footage of sidewalks replaced.

c. If street trees are required in the applicable zone, then existing street trees shall be preserved in healthy condition per the tree preservation requirements of this section and the technical specifications of the UFM, or replaced, in association with street improvement projects.

C. General Landscaping Requirements applicable to all required landscaping.

1. Process and procedural requirements.

a. Landscape Plans and Landscape Management Plans demonstrating compliance with the installation, plant material, area and location, and maintenance requirements of this Section shall be submitted for all development proposals with landscaping requirements.

(1) Landscape Plans and Landscape Management Plans, when required, shall be prepared by a Registered Landscape Architect, Certified Landscape Technician, or Certified Professional Horticulturalist, unless otherwise approved by the City, and shall be submitted in a form specified by the City.

(a) Landscape Plans must be drawn to scale and show all of the following:

- Plant species names (common and scientific);
- Plant stock sizes, condition, and quantity;
- Installation location of plant materials;
- Existing and proposed utilities;
- Existing and proposed bus stops (as applicable);
- Existing trees planned to be retained;
- Finished grade; and,
- Required irrigation systems (if applicable).

(b) Landscape Management Plans shall address the following:

- Entity responsible for maintenance of the landscape during the establishment period (3 years following planting); and
- A schedule of maintenance activities, including, but not limited to, pruning, watering, fertilization, and inspection and replacement of dead and/or damaged plant materials.

(2) Developments with less than 500 square feet of landscaped area are exempt from submitting a Landscape Management Plan, and may submit a Landscape Plan prepared by a non-professional. New permanent roadways involving fewer than 10 street trees are exempt from submitting a Landscape Management Plan.

b. The Urban Forest Manual (UFM) provides best management practices for plant selection, design, installation, care, and other specifications. Required landscaping shall be selected, installed and maintained consistent with the technical guidance of the UFM.

c. The Director will consider adopted neighborhood, area-specific or streetscape design specifications and/or plans for landscaping selection and location, and may modify the standard requirements of this section if such plans meet the intent of this section.

d. Modifications to landscaping installed under this section shall be in conformance with the intent of these requirements and the technical guidance of the UFM. Regular maintenance and pruning; replacement of plant material in kind; and revisions to planting plans that are consistent with all requirements and any conditions of approved permits, are authorized without further review. Significant changes to the configuration or location of required landscaped areas require the approval of the Director.

e. Landscaping quantity calculations. When an amount or number of trees or plants is specified, that shall be the minimum number required. Any requirement resulting in a fraction of 0.3 or greater, when applied, shall be rounded up to the nearest whole number. Any requirement resulting in a fraction of less than 0.3 shall be rounded down to the nearest whole number. In cases where the minimum is expressed as a ratio of a number of trees or shrubs per a specified amount of area or length of site frontage or buffer, the number of required trees or shrubs shall be calculated by applying the ratio to the square footage of the area or length. For example, street tree requirements of 4 Small, 3 Medium or 2 Large trees per 100 feet of street frontage can be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet. Small, Medium and Large Trees may be used in combination, according to the applicable ratios.

EXAMPLE: A site with 50 feet of street frontage would require 2 Small (50 x 4/100 = 2), 2 Medium (50 x 3/100 = 1.5, which rounds up to 2), or 1 Large (50 x 2/100 = 1).

EXAMPLE: A site with 60 feet of street frontage would require 3 Small (60 x 4/100 = 2.4 which rounds up to 3), 2 Medium (60 x 3/100 = 1.8, which rounds up to 2), or 1 Large (60 x 2/100 = 1.2, which rounds down to 1).

f. Landscaping provided to meet one requirement may in some cases count toward another applicable requirement if the intent of both requirements are being fully met. When two or more landscaping requirements apply to the same portion of a site, the most stringent of the requirements shall apply.

g. All landscaping required by this section must be planted prior to the issuance of a certificate of occupancy. If the applicant files financial security with the City, which ensures that the vegetation will be installed, the vegetation may be deferred during the summer months to the next planting season, but for no more than 6 months, unless otherwise approved by the Director.

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) Open Space Corridors. A minimum of 50 percent of required landscaping located within Comprehensive Plan designated Open Space Corridors, and a minimum of 25 percent in adjacent areas within 20 feet of Open Space 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 LID BMPs, as defined in the City of Tacoma Stormwater Management Manual. A vegetated LID BMP may be used to meet landscaping requirements. Limited flexibility shall be granted to specific landscaping standards as applicable to accommodate LID BMPs.

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 LID BMPs 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 LID 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. Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements. For sites utilizing LID BMPs 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.

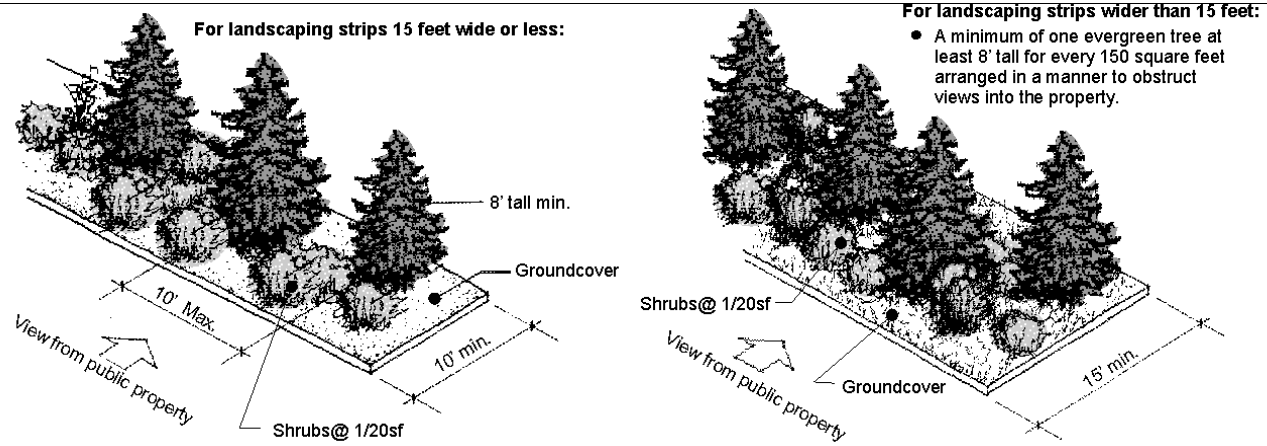
a. To initiate this optional process, public agencies must submit a request to PDS to be designated as a self-managed agency, including the agency's urban forestry plan, an overview of its urban forestry program, and an analysis demonstrating general consistency with the Comprehensive Plan and landscaping 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.

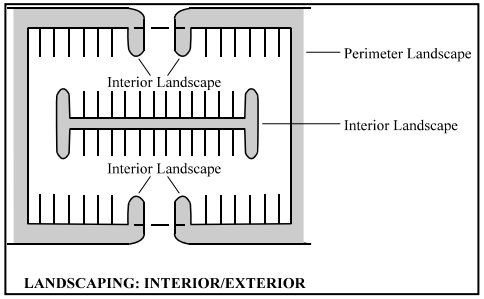
b. Self-managed agencies may choose to plant landscaping required as part of a particular development proposal in another location per their urban forestry plan. This flexibility can be utilized at the agency's discretion on subsequent site-specific development proposals. Each request to utilize this 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. LID BMPs may be used to fulfill all or a portion of landscaping requirements, where the vegetation within the LID 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.	
Using this table: This table contains both numerical and distribution requirements for trees. In each case, whichever requirement would generate the larger number shall control and be the required number of trees.	
Overall Site Landscaping: Overall Site Landscaping is intended to ensure that a minimum amount of landscaping is provided with development.	
Overall Site Landscaping Minimums	This requirement may be provided anywhere on the site. The amount is determined as a percentage of the site which is not covered with structures. It may be satisfied by landscaping provided to meet other requirements. • Residential Districts: 5 percent • Commercial Districts: 10 percent • Industrial Districts: 5 percent of parking areas over 20,000 sf • X Districts: 15 percent (for single-purpose residential projects)
Planting requirements	When Required, Overall Site Landscaping shall consist of a mixture of trees, shrubs and groundcover plants, as follows: • At least one Small Tree per 200 square feet; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required overall site landscaped area. • Shrubs and groundcover to completely cover the remaining area within 3 years.
X Districts Exceptions	• Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no overall site landscaping requirement. If 50 percent of the parking is structured, then the amount of required overall site landscaping is reduced by 50 percent. • Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements. • Planting strips within street rights-of-way shall not be counted toward this requirement.
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.	
Exceptions: (1) Site Perimeter Landscaping is not required in Industrial or X Districts.	
General	• When applicable, a Site Perimeter is required around the entire perimeter of the site. Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys, but not by accessory structures, paved areas, outdoor storage or other development. • A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth. • A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.

Planting Requirements	The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants, as follows: • At least one Small Tree per 200 sf; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required landscaped area. • Trees planted shall be generally evenly distributed over the site. • Place trees to create a canopy in desired locations without obstructing necessary view corridors. • Shrubs and groundcover to completely cover the remaining area within 3 years.
Landscaping Buffers: Landscaping buffers are intended to function as a substantial vegetative screening providing physical and visual separation between dissimilar districts in order to soften visual and aesthetic impacts. Buffers also provide the aesthetic and environmental benefits of vegetation.	
Exceptions: (1) When there is a 20 foot vertical grade difference between a development site that is located across the street or alley or is abutting R-District property, no Landscape buffers are required along the affected property line if such grade difference is demonstrated to provide comparable protection. (2) When the development site is across an arterial street or highway from the R-District property being screened, it is not required to provide a Landscape buffer along the affected property line abutting the arterial street or highway. (3) The Director may waive the requirement for a screening if equivalent screening is provided by existing parks, parkways, recreation areas, or by topography or other natural conditions. (4) The Director may waive the requirement for a screening if the R-District property being screened is in long-term use for a purpose other than residential, and which would not be negatively impacted by adjacency to a more intensive use. (5) The continuous landscaping buffer may be interrupted to the minimum extent necessary to accommodate walkway access and preferred driveway access to and from the property.	
More intensive district abutting an R-District property	• A continuous planting area that has a minimum width of 15 feet shall be provided on the property, along the boundary with the R-District. • Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to the minimum 10-foot wide buffer listed below.
More intensive district across the street or alley from R-District property	• A continuous planting area that has a minimum width of 7 feet shall be provided on the property, across from the R-District. • In cases where there is a demonstrated site constraint, the minimum buffer width may be reduced to a minimum 4 feet, with the integration of a continuous site-obscuring vegetated fence or wall.
Planting – when abutting R-District	a. For landscaping strips 10 to 15 feet wide: i. At least one row of evergreen trees, minimum 8 feet in height at the time of planting and 10 feet maximum separation. ii. Shrubs at a rate of one shrub per 20 square feet of landscaped area. In addition to being from minimum 3-gallon sized containers, shrubs shall be at least 16 inches tall at planting and have a mature height of at least 3 feet. iii. Groundcover plants. Note: These provisions supersede the standard height, spacing and visibility provisions of the General Section, above. b. For landscaping strips wider than 15 feet: i. A minimum of one evergreen tree for every 150 square feet arranged in a manner to obstruct views into the property. ii. Shrubs and groundcover as required above. c. This Landscaping Buffer is not subject to landscaping credits or flexibility provisions of TMC 13.06.502.D. d. Alternative species selection and spacing plans demonstrated to substantially meet the Buffer intent may be approved with staff review.

	
Planting – across the street or alley from R-District	• At least one Medium Tree per 300; or one Large Tree per 400 square feet of landscaped area. • Trees to be spaced at an average of 20 feet on-center, but may be grouped in asymmetrical arrangements. • At least 50 percent of trees must be evergreen conifers.
Mobile home/trailer courts abutting Residential districts (where permitted).	• A wall, fence, vegetated wall, evergreen hedge, or other suitable enclosure of minimum height four and one half feet and maximum height of seven feet placed at least five feet from the side and rear lot lines. The area between such enclosures and the property lines shall be landscaped to form a permanent screening area. • A landscaped screening area at least five feet in depth must be provided along the street frontage on a non-arterial street forming a boundary between a mobile home park site and an R-1, R-2, or R-3 District. • No signs shall be permitted on any part of a screening enclosure or within a screening area.
Street trees: Street trees are intended to provide multiple benefits including aesthetics, traffic calming, environmental, shading, visual buffering and noise separation from streets.	
Exceptions: (1) Street trees are not required in PMI Districts, with the exception of the following gateway corridors into the City located within or near the Port of Tacoma: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street).	
Planting Requirements:	• Four Small Trees; three Medium Trees; or, Two Large Trees per 100 linear feet of site frontage. • 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, traffic signs, or other streetscape features, or if such variations are demonstrated to better achieve the intent. • Street trees shall, when possible, be planted within the right-of-way adjacent to the curb and between the pedestrian lane/sidewalk and curb. When this is not possible or a different location would better achieve the intent, street trees may be located elsewhere within the right-of-way, including behind the sidewalk, in street medians, parking strips or bulbouts. If neither of these preferred locations is possible, such as when existing infrastructure prevents trees from being planted within the right-of-way, trees located within 10 feet of the right-of-way may be counted as street trees.

Parking Lot Landscaping: Parking lot landscaping is intended to provide visual relief, to enhance the aesthetic appearance, screening from adjacent sites and public areas, to reduce environmental impacts of parking and other paved areas, and to provide shade and shelter for pedestrians.	
Exceptions: (1) Parking Lot Perimeter Landscaping is not required in M-2 or PMI Districts. (2) Parking lots of 15 stalls or less are not required to meet Interior Planting requirements. (3) Parking lots of 15 stalls or less, located behind buildings and accessed by alleys, are exempt from the Site Perimeter requirement.	
Parking Area tree minimum - overall	• One Small Tree per 700 square feet; one Medium Tree per 1,000 square feet; or, one Large Tree per 1,400 square feet of parking lot area.
Parking Lot – Interior Planting Requirements	A mixture of trees, shrubs and groundcover meeting the following requirements: • At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area. • Trees planted shall be generally evenly distributed over the site. Shrubs and groundcover plants as required above. • Trees placed to create a canopy in desired locations without obstructing necessary view corridors. 
Distribution	• No stall shall be more than 50 feet from a tree trunk. • Long rows of parking shall be broken by islands or peninsulas with trees, such that there are no more than eight parking stalls in a row without a tree. • Planting areas with trees are required at all parking aisle ends. • Trees shall be provided at an average of 40-foot intervals along walkways within or adjacent to parking lots. In X Districts, trees shall be provided at an average of 30-foot intervals.
Distribution Flexibility Bonuses	For each of the following bonuses provided, Parking Lot Distribution requirements may be modified as follows: The maximum distance from each stall may increase by 10 feet; and, maximum parking row length may increase by 1 stall. • Tree retention: Retention of trees at least 20 inches in diameter constitutes at least 50 percent of the number of required trees. • Evergreen trees: Evergreen trees constitute greater than two-thirds of required trees. • Low Impact Development: Sites utilizing Low Impact Development (LID) techniques as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach.
Parking lot - Perimeter landscaping Planting Requirements	• Parking Lots with more than 20 stalls are required to provide a 10-foot wide planting strip per the planting requirements below. • Where the subject property is 150 feet or less in depth, the perimeter strip can be reduced to 5 feet in width. • When applicable, a Parking Lot Perimeter is required around the shortest circumferential line defining the exterior boundary of a parking, loading or similar paved area, excluding primary structures, driveways or walkways providing access to the facility. Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements: • At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area. • Trees planted shall be generally evenly distributed over the site. • Shrubs and groundcover plants as required above. • Trees placed to create a canopy in desired locations without obstructing necessary view corridors.

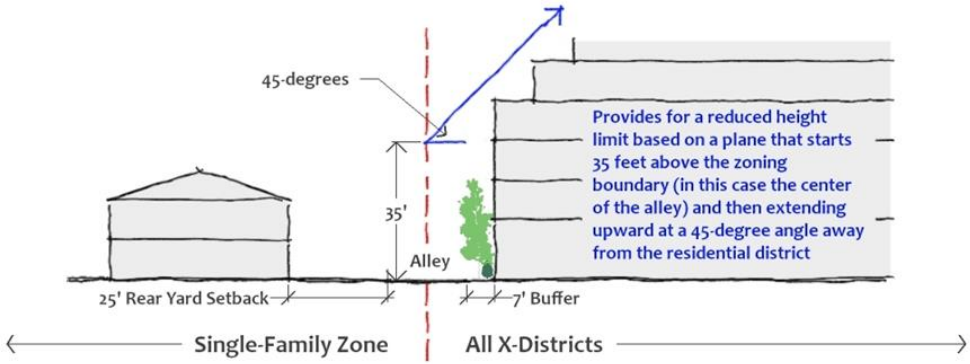
X District Front Yard and Foundation Landscaping: Trees, shrubs and groundcover plantings intended to soften the visual appearance of exposed foundations and building frontages in highly pedestrian areas.
• In areas where buildings are not located adjacent to the sidewalk, the area between the public sidewalk and buildings shall incorporate expanded sidewalk space, outdoor seating, plazas and/or landscaping with a combination of trees, shrubs, and/or ground cover plants. • All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building façade that provide access for pedestrians or vehicles to the building. • The foundation landscaping must meet the following standards: 1. The landscaped area must be at least three feet wide. 2. There must be at least one shrub for every three lineal feet of foundation. 3. Groundcover plants must fully cover the remainder of the landscaped area.

(Ord. 28376 Exs. B, E; passed Aug. 16, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Repealed and reenacted by Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. d; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27296 § 21; passed Nov. 16, 2004: Ord. 27278 § 2; passed Oct. 26, 2004: Ord. 27079 § 33; passed Apr. 29, 2003: Ord. 26947 § 52; passed Apr. 23, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.503 Residential transition standards.

The following items are required to help ensure appropriate transitions between non-residential and/or higher intensity development and adjacent residential districts, in terms of building bulk and scale, location of activity areas for privacy and noise reduction, provision of greenspace, and visual separation:

[See table below.]

A. Upper Story Stepback	1. Structures shall not intercept a 25-degree daylight plane inclined into the C, T, PDB, HM, M, or PMI District from a height of 25 feet above existing grade at any R-District / C, T, PDB, HM, M, or PMI District boundaries, excluding boundaries with R-4 Districts, R-5 Districts, and/or non-residential uses in any R District. For purposes of this provision, vacant land located in an R-District shall be considered a residential use. 2. The following requirements apply in all X-Districts, where a Mixed-Use Center boundary is adjacent to single-family zoning (R-1, R-2 and R-2SRD Districts), except where the adjacent use within the single-family zone is a park, permanent open space, undevelopable steep slope, public facility or freeway. a. Projects abutting a single-family zone at a street, alley or rear or side property line shall not intercept a 45-degree daylight plane inclined into the X-District from a height of 35 feet above existing grade, measured from the zone transition line (example of the alley scenario below).  Upper Story Stepback - Alley Scenario
B. Storage and/or Service Openings	Vehicle ingress, vehicle egress, and/or loading bay doors of self-storage uses and/or vehicle service uses shall not face any residentially-zoned property.
C. Buffer Planting Areas	SEE SECTION 13.06.502.
D. Lighting	1. Light trespass. Light trespass from sites in non-residential zoning districts shall not exceed 3 lux (0.3 foot candles) at parcel boundaries with residential zoning districts. This luminance value shall be measured at the eye in a plane perpendicular to the line-of-sight when looking at the brightest source in the field of view at any point on the property line of any residential parcel. 2. Residential light pollution. To ensure control of and to minimize glare, any lighting within 100 feet of an R District shall use luminaires which meet the Illuminating Engineering Society's cutoff light distribution specification. 3. General light pollution. To control and minimize glare, all other luminaries for area and/or off-street parking shall meet the Illuminating Engineering Society's semi-cutoff light distribution specification. Lighting shall be directed toward the site, with cutoff shields or other means, to prevent spillover glare to adjacent properties or vehicular traffic. Luminaires with a light source not greater than 1800 lumens (100 watt incandescent) are exempt from this requirement. 4. View-Sensitive Overlay Districts. Parking lot lighting shall not exceed 20 feet in height.

(Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27079 § 34; passed Apr. 29, 2003: Ord. 26947 § 53; passed Apr. 23, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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.

Applicability. Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas:

1. Off-street parking spaces - quantity. The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

a. Fractions. Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.

b. Multiple uses. Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.

c. Use not listed. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.

d. Historic buildings and sites. Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

e. For buildings in existence prior to the adoption of the Tacoma Municipal Code on May 18, 1953, no additional parking shall be required for changes in use. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

f. In Commercial Districts (T, C-1, C-2, HM, and PDB), no additional parking shall be required for a change of use in a structure that existed prior to September 25, 2012. Existing parking that is above and beyond the current requirements may be removed, provided that the quantity of parking is not reduced below the current requirements for the use on the site. New development, including additions, shall provide parking as required.

g. If a new use would have required more parking before October 8, 2012, the accessible parking requirements shall be based on the standards in place before October 8, 2012, except in cases where, after consulting with the City's ADA coordinator, the Building Official approves an alternative to providing on-site accessible parking upon a determination that the alternative is reasonable in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities.

TABLE 1 – Required Off-Street Parking Spaces[9, 14]		
Use	**Unit**	**Required parking spaces**
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home [1, 2, 12]	Dwelling.	2.00
Two-family dwelling in all districts[1, 2, 12]	Dwelling.	2.00
Townhouse dwelling in R-2SRD, R-3, R-4-L and R-4 Districts.	Dwelling.	1.00
Three-family in R-2SRD, HMR-SRD and R-3[1, 2, 12]	Dwelling.	2.00

TABLE 1 – Required Off-Street Parking Spaces[9, 14]		
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents[1, 16]	Room, suite or dwelling.	1.00
Small Lots, Cottage Housing and lots not conforming to area/width [3]	Dwelling.	1.00
Mobile home park[1, 2, 12]		
Multiple-family dwelling[1, 2, 12, 16]		
Located in R-4-L, T, HMR-SRD, and PRD Districts[12]	Dwelling.	1.50
Located in R-4, C-1, C-2, HM, and M-1 Districts[12]	Dwelling.	1.25
Located in R-5 District[12]	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club[1]	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Chapter 13.06A.	
Retail[10] (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
Office		
Business and professional offices	1,000 square feet of floor area.	3.00
Medical and dental clinics	1,000 square feet of floor area.	3.00
Lodging		
Hotel or Motel[1]	Guestroom or suite.	0.50
Institutional		
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
Special needs housing, as listed in the use table in Section 13.06.535.B and not otherwise listed in this table	Bed.	0.10 plus one per employee
Extended care facilities	Bed.	0.33
Religious assembly	Seat.[4]	0.20
Elementary, middle, and junior high schools	Classroom.	1.20
High school	Student.	0.40
College and university	Student.	0.75
Work release or juvenile rehabilitation	Employee.	1.00 [5]
Recreational		
Auditoriums, stadiums, and theaters	Seat. [4]	0.25
Miniature golf course	1,000 square feet of lot area, excluding parking.	2.50
Skating rink	1,000 square feet of floor area.	6.00
Bowling establishment	Lanes.	5.00
Public dance halls and private clubs	1,000 square feet of floor area.	7.50
Marina	Moorage space.	0.50
Boat launch	Ramp.	25.00 [6]
Recreational uses not listed elsewhere	Same as retail, based on size.	

TABLE 1 – Required Off-Street Parking Spaces[9, 14]		
Warehouse/Industrial [13]		
Self-service storage	Storage unit.	See note 7.
Warehousing	2,000 square feet of floor area.	1.00
Industrial/manufacturing	1,000 square feet of floor area.	1.00
Services		
Laundromat	Washing and dry-cleaning machine.	0.50
Car wash	Wash stall or 25 feet of wash lane.	4.00 [8]
Day-care centers	Each 10 children in care.	2.00

TABLE 1 Footnotes
1. Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required. The parking requirements may be reduced to one parking space every three dwelling units; provided, the following conditions exist: a. The use will provide residency for retirement age persons with an estimated average persons-per-dwelling unit factor of 1.5 or less, low-income individuals or households, or a combination thereof; b. Yard space is available on the same lot the use is to be located upon or an adjoining lot, where off-street parking at a future time could be provided should the use be converted to an apartment or for other reasons additional parking is needed to serve the premises. If these conditions do not exist, a variance of the number of parking spaces to be provided is required.
2. For purposes of this regulation, a mobile home shall be construed to be a single-family dwelling. Tandem parking is permitted for single-family, two-family, and three-family dwellings.
3. Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.145, Cottage Housing Dwellings approved per TMC 13.06.155, and lots which were a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.
4. Seat, 18 inches of bench or 25 square feet of floor space.
5. There shall be 2 visitor-parking stalls provided for each 10 required employee stalls.
6. Parking spaces shall be minimum 10 feet wide and 40 feet long.
7. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide when storage facilities open onto one side of the lane only and at least 25 feet wide when storage facilities open onto both sides of the lane. Driving lanes shall be designed to accommodate single unit vehicles. Two parking spaces shall be provided adjacent to the manager's quarters. One parking space for every 200 storage spaces or fraction thereof shall be located adjacent to, or within 100 feet of, the office. A minimum of two such spaces shall be provided. Required parking spaces may not be rented as, or used for, long-term vehicular storage.
8. The required stalls may include waiting and finishing or drying space.
9. The number and size of required handicapped accessible parking spaces shall be consistent with the applicable Building Code.
10. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 3,000 square feet of retail space.
11. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 750 square feet of eating and drinking establishments.
12. Additional off-street parking for existing residential uses, including those nonconforming as to off-street parking, in all "R" Residential Dwelling Districts shall only be required if the number of dwelling units is increased.

13. Storage warehousing, distribution warehousing, and industrial uses.

a. The off-street parking requirements, set forth in Table 1 of this section, shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed utilizing the requirements set forth in Table 1.

b. In determining whether to apply the parking standard based on floor area or the standard based on the number of employees, the City shall consider the following:

(1) The extent to which automation is utilized in the operation of the facility;

(2) The long-term versus the short-term nature of the use;

(3) The means of product delivery and distribution;

(4) The need for storage of company vehicles on-site;

(5) The availability of accurate employee counts;

(6) Future expansion plans;

(7) The amount of available area which could be converted to additional off-street parking should the need arise; for example, due to an increase in the work force or change in use.

If, after reviewing the project in light of the above factors, the City finds that the off-street parking standard based on number of employees more accurately reflects the parking needs of the facility while still protecting the general health, safety, and welfare of the community, such standards shall be applied.

14. In instances where the parking requirement is based on number of employees and the employees work in shifts, the number of regular employees in the largest shift shall be used for the purpose of determining the required number of parking stalls.

15. For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.

16. Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (Table 2), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table (Table 1).

TABLE 2 – Required Off-Street Parking Spaces in Mixed-Use Center Districts	
Quantity	Residential Uses. Minimum 1.0 stall per unit. Commercial or Office Uses. Minimum 2.5 stalls per 1000 square feet of floor area. 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. See Section 13.06.510.B.2.f for use of compact stalls. For purposes of calculating parking quantity requirements, “floor area,” when used, shall not include space devoted to parking.
Exemptions	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. 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). 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. 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 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.

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	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.
Trip Reduction Plan	Parking requirement shall be reduced by 25% for developments that create and implement a site-specific Trip Reduction plan and program that includes features such as employer-provided transit passes, telecommuting, ridesharing, carpooling, car-sharing, bicycling, flexible work schedules, etc. The trip reduction plan shall be reviewed and approved by the City's CTR Coordinator and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.
Car-Sharing Stalls	Parking requirements shall be reduced by one stall for each stall that is dedicated and designated for use by a locally-operating car sharing program, such as "Zipcar."
Mixed-Use/Shared Parking Credit	No parking shall be required for the residential units in a mixed-use project where at least 50 percent of the floor area is designed for commercial or institutional use.
On-Street Parking Credit	Parking requirements shall be reduced ½ stall per each new public, on-street parking stall provided as part of the project (through the installation of angled or perpendicular spaces with bulb-outs and curbs or other methods). Any modifications to the right-of-way are subject to the acceptance and approval of the Public Works Department. This one-time credit applies at the time of the development and shall not be affected by any future changes to the right-of-way configuration, design or alignment.
Bicycle Parking Credit	For every five non-required bicycle parking spaces provided on the site (beyond the standard requirements, as found in Section 13.06.512.D), the automobile parking requirement shall be reduced by one space. This credit is limited to a maximum of 5 automobile spaces, or 15% of the standard parking requirement for the development, whichever is less.
Motorcycle/Scooter Parking Credit	For every 4 motorcycle/scooter parking spaces provided, the automobile parking requirement shall be reduced by one space. Each motorcycle/scooter parking space must be at least 4 feet wide and 8 feet deep and may be located in areas that are otherwise unusable for automobile parking (such as in corners, at aisle ends and near pillars). This credit is limited to a maximum of 5 automobile spaces, or 5% of the standard automobile parking requirement for the development, whichever is less.
The Director or designee shall have the authority to require any and all necessary agreements or documentation, as they deem appropriate, to ensure that projects utilizing this parking quantity reduction program maintain all required features for the life of the project. Any such agreements or documentation shall be in a format acceptable to the City Attorney and shall be recorded on the title of the property.	

2. Off-Street Parking Development Standards – X-Districts and Multi-family Residential.

a. Applicability: The following standards apply to all X-Districts and multi-family residential development, except where otherwise noted.

b. Purpose: The size and placement of vehicle parking areas and access are regulated in order to enhance the appearance of neighborhoods, to break up monotonous street frontages with active uses, and to create a well-defined public realm.

c. Off-street Parking Location:

(1) NCX, RCX, NRX, and URX Districts

Parking shall be located to the rear, side, within, or under a structure, or on a separate lot.

Surface parking located to the side of a structure shall not exceed a maximum of 60 feet in width for paved vehicular area along designated pedestrian street frontages.

(2) CCX, UCX, HMX and CIX Districts

Parking may be located on any side provided maximum setback requirements are met.

(3) Multi-Family Development Parking

In multi-family residential developments with multiple buildings, off-street surface parking and circulation areas shall, to the extent practicable, be located on the sides and rear portions of the development site. In X-Districts, areas between buildings and along street frontages shall be used to fulfill yard space requirements (see Section 13.06.501.N).

Non-X-Districts: In multi-family residential developments all on-site parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed the following:

- Surface parking and access thereto shall not occupy more than 50% of the front yard and corner street side yard street frontages and more than 80 feet in continuous street level frontage.
- Surface parking located to the side of a structure meeting the maximum setback shall not exceed a maximum of 60 feet in width for paved vehicular area.
- Surface parking shall not be located between a structure meeting the “build-to area” maximum setbacks and the pedestrian street right-of-way.

(4) Loading Spaces. In NCX and RCX Districts, off-street loading spaces for retail sales and service uses shall only be required in shopping centers.

3. Development Standards – Compact Stalls.

a. Compact Stalls. A maximum 30 percent of the parking spaces provided may be composed of compact stalls, except that for any parking provided in excess of the minimum quantity requirements, up to 50% of those excess stalls may be composed of compact stalls.

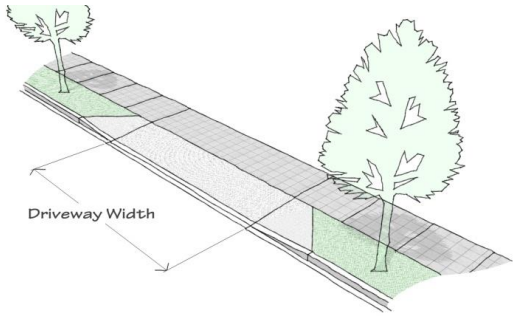
4. Development Standards – Driveways. Driveways shall be located and developed in a manner that recognizes the overall goals for promoting pedestrian activity over vehicle orientation. They shall be limited in size and number and located in the preference order described below:

a. Driveway location. Driveways shall meet the location requirements of TMC 10.14.050.

b. Driveway size. The maximum driveway approach width shall be 25 feet on designated pedestrian streets and 30 feet on all other streets.

For two and three-family and townhouse dwellings, driveway approach widths on streets are limited to 14 feet when serving one unit and 20 feet in width when serving multiple units.

In all cases, the driveway approach width limitations indicated are exclusive of the radii of the returns (see graphic below).



Measuring Driveway Width

c. Pedestrian street driveway frequency. Driveways shall be no closer than 150 feet to another driveway as measured from centerlines on designated pedestrian streets. The centerline of a driveway shall be no closer than 50 feet to a designated pedestrian street corner.

d. Review of new driveways. New driveways in Mixed-Use Center Districts are subject to review and approval by the City Engineer pursuant to Chapter 10.14, taking into account safe traffic flow, existing and planned transit operations, the objectives and requirements of this chapter, and the efficient functioning of the development.

In addition to these standards, the driveway standards contained in Chapter 10.14 shall apply. When portions of Chapter 10.14 or this chapter are in conflict, the more restrictive shall apply.

Exceptions may be allowed by the City Traffic Engineer for public safety or if strict application of these standards would prohibit vehicular access to a development, pursuant to Chapter 10.14.

Any proposed exception to the standards and/or requirements for driveways in Chapter 10.14 or this chapter shall be forwarded to Pierce Transit for review and comment.

5. 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.

a. Core Pedestrian Streets. 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.

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.

b. Pedestrian Streets. 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.

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.

c. Parking Garage Design Standards. These standards apply to parking garages for five or more vehicles.

Parking garage openings, including vehicular access openings, shall not exceed 50% of the total ground floor façade adjacent to a public street or sidewalk.

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.

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.

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.

6. 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.

7. 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.

8. 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.

9. 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.

10. Vehicle access and parking for all single, two and three dwelling residential uses and townhouses, and all non-residential development in R-Districts (except see Section 13.06.510.C for applicable standards in X-Districts). All on-site parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard or not practicably limited only to the rear and sides (such as for institutional and other large uses), subject to determination by the City Engineer, then vehicular access to the front may be developed. However, in all cases such access and parking shall be limited to the minimum necessary and in no case shall driveway and/or parking areas exceed a total of 50 percent of the front yard or 50 percent of a corner street side yard. In the case of Small Lots, see the additional provisions of Section 13.06.145.

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; 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.

e. Grades of access driveways. The grade of access driveways for off-street parking areas shall be subject to the approval of the City Engineer, as outlined in the driveway regulations contained in Chapter 10.14.

f. Parking space standards.

(1) Standard parking spaces shall have a minimum width of eight and one-half feet, a minimum length of 16.5 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code.

(2) Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet. The minimum clearance above the parking space shall be consistent with the applicable Building Code. A maximum 30 percent of the total parking spaces provided may be composed of compact stalls. The parking area shall be arranged such that a row of compact stalls has an exclusive aisleway or shares an aisleway with full size stalls. In no case shall two rows of compact stalls share the same aisleway. Aisleway widths shall conform to the requirements of full size parking. All compact stalls shall be clearly marked "COMPACT."

g. Landscaping. Provide landscaping consistent with Section 13.06.502.

h. Lighting standards.

(1) Light trespass. Light trespass from sites in non-residential zoning districts shall not exceed three lux (0.3 footcandles) at parcel boundaries with residential zoning districts. This illuminance value shall be measured at the eye in a plane perpendicular to the line-of-sight when looking at the brightest source in the field of view at any point on the property line of any residential parcel.

(2) Residential light pollution. To ensure control of and to minimize glare, any lighting within 100 feet of an R District shall use luminaires which meet the cutoff light distribution specification of the Illuminating Engineering Society.

(3) General light pollution. To control and minimize glare, all other luminaries for area and/or off-street parking shall meet the semi-cutoff light distribution specification of the Illuminating Engineering Society. Lighting shall be directed toward the site, with cutoff shields or other means, to prevent spillover glare to adjacent properties or vehicular traffic. Luminaires with a light source not greater than 1,800 lumens (100 watt incandescent) are exempt from this requirement.

(4) View-Sensitive Overlay Districts. Parking lot lighting shall not exceed 20 feet in height.

i. Walkways. See Section 13.06.512 for minimum requirements. The exact location of walkways shall be subject to the approval of the City Engineer.

j. Parking garage openings. 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.

C. Loading spaces.

1. Intent. It is the intent of this regulation to require all future commercial, business, or industrial development to provide off-street loading facilities, in order to guarantee full utilization of existing rights-of-way to accommodate present and future traffic demands. Off-street loading facilities are intended to provide adequate space to accommodate outside deliveries from large vehicles which cannot be functionally served by normal parking stalls. Off-street loading facilities must be located in such a manner that service vehicles do not block or intrude into public rights-of-way or block driveways or parking area circulation.

2. Minimum standards.

a. Loading Space Required Quantity Table.[1]		
Use	**Unit**	**Required Space**
Offices	Floor area 0-10,000 square feet	1 stall, an adjacent parking lot may be used for loading in off-peak hours to satisfy the requirement
	10,001-25,000 square feet	1 stall
	25,001-100,000 square feet	2 stalls
	Over 100,000 square feet	1 stall for each additional 100,000 square feet or fraction thereof over 100,000 square feet
Retail and wholesale sales warehouses and industrial	Floor area 0-10,000 square feet	1 stall
	10,001-25,000 square feet	2 stalls
	Over 25,000 square feet	2 stalls plus 1 stall for each additional 25,000 square feet thereof over 25,000 square feet
Hospitals	Floor area 0-5,000 square feet	1 stall
	5,000-20,000 square feet	2 stalls

	Over 20,000 square feet	2 stalls plus 1 stall for each additional 20,000 square feet or fraction thereof over 20,000 square feet
Restaurants		An adjacent parking lot which can be used during off-peak business hours for loading stall purposes
Self-service storage facilities, multi-storied facilities		3 loading stalls per 200 storage units
Footnotes: [1] For purposes of calculating loading space quantity requirements, "floor area," when used, shall not include space devoted to parking.		

b. Dimensions. The off-street loading spaces herein required shall each have minimum dimensions of ten feet in width, 25 feet in length, with a clear space above approved by the Traffic Engineer, and shall be accessible to an alley, court, or street with said access subject to approval by the Traffic Engineer.

c. Screening. Where off-street loading is located adjacent to a public street right-of-way or residential zone, the off-street loading area shall be screened by landscaping or vegetative screen.

d. Application. The foregoing regulations shall apply in all zoning districts with exceptions only as noted. The Traffic Engineer may otherwise specify off-street loading requirements where necessary to protect the public interest. The Traffic Engineer may also administratively lower the number of required loading spaces upon request of an applicant and making a finding that the characteristics of a proposed development do not necessitate the stated minimum.

D. Storage areas and vehicle storage areas.

1. Intent. It is the intent of this regulation to require minimum standards for all storage areas and vehicle storage areas in order to protect adjoining property, minimize nuisances, and maintain a landscaped setting along street frontages. Storage areas and vehicle storage areas are places where minimal movement of equipment and vehicles occur. These areas are not to be construed as parking lots or areas with high traffic movement.

2. Minimum standards.

a. Screening. Where storage areas and vehicle storage areas are located adjacent to a public street right-of-way or residential zones, the area shall be screened by a six-foot tall, opaque screening fence. Storage areas in the PMI District shall be exempt from this screening requirement.

b. Surfacing of storage areas. Surfacing of storage areas and vehicle storage areas must provide for the following minimum standards of approval:

(1) Dust is controlled;

(2) Stormwater is treated to City standard; and

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

If, after construction, the City determines that the surfacing is not providing the standards listed above, paving shall be required.

c. Entrances and exits shall be provided in accordance with Section 13.06.510.B.2.a above.

d. If provided, lighting shall meet requirements of Section 13.06.510.B.2.h above.

e. Application. The foregoing regulations shall apply in all zoning districts with exceptions only as noted.

E. Vehicle services and repair; and vehicle service and repair, industrial.

1. Intent. It is the intent of this regulation to require minimum standards for all vehicle repair uses in order to protect adjoining property, minimize nuisances, and maintain a landscaped setting along street frontages.

2. Minimum standards.

a. Screening. Vehicles awaiting repair must be fully screened from public view. These areas shall be screened by a six-foot tall, opaque screening fence.

b. Junk vehicles and auto parts must be stored inside an enclosed building, except in the M, PMI, or UCX, Districts.

c. Customer vehicles awaiting repair or pickup must be parked on business property and not on City right-of-way.

d. All repairs must be conducted entirely within an enclosed building.

e. No windows or openings are allowed if facing a residential district.

3. Application. The foregoing regulations shall apply in all zoning districts with exceptions only as noted.

F. Electric vehicle parking.

The purpose of this section is to proactively plan for and accommodate an adequate supply of electric vehicle parking and charging facilities to support the continued growth of electrical vehicle usage, to improve the cost effectiveness of future electric vehicle charging station installations, support the reduction of greenhouse gas emissions associated with the continued growth of electric vehicle use, and to promote improved air quality and the public health.

1. Application: The following requirements 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.

2. Commercial/Institutional Development Requirements

a. Commercial and institutional uses identified in Table 1 are required to provide electric vehicle infrastructure and a level 2 charging station for the specified percentage of parking spaces provided.

Table 1: Required Electric Vehicle Parking Quantities*		
Land Use Type	**Minimum Development Size**	**% Parking Stalls with Level 2 Charging Station**
Lodging	None	3% of parking provided
Office	None	3% of parking provided, up to 6 spaces
Institutional	At least 12,000 sq. ft.	3% of parking provided, up to 6 spaces
Retail and Shopping Center	At least 15,000 sq. ft.	1% of parking provided, up to 8 spaces
Auditorium, stadium, and theater	At least 500 seats	1% of parking provided, up to 12 spaces

*If the formula for determining the number of electric vehicle parking spaces results in a fraction, the number of required electric vehicle parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

3. Residential Development Recommendations

a. It is recommended, but not required, that new multi-family residential development provide level 2 electric vehicle charging stations for 50% of the total number of parking spaces.

b. It is recommended, but not required, that new all single-family residential development provide an electric vehicle charging station.

4. Location and Design Criteria for Off Street Electric Vehicle Charging Stations.

a. Where provided, parking for electric vehicle charging purposes is required to include the following:

(1) Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced.

(2) Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

(3) Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.

(4) Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.

b. Parking for electric vehicles should also consider the following:

(1) Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.

(2) Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).

(3) Data Collection. To allow for maintenance and notification, the local permitting agency will require the owners of any private new electric vehicle infrastructure station that will be publicly available to provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information.

5. Accessible Electric Vehicle Charging Stations

a. Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations are required as follows:

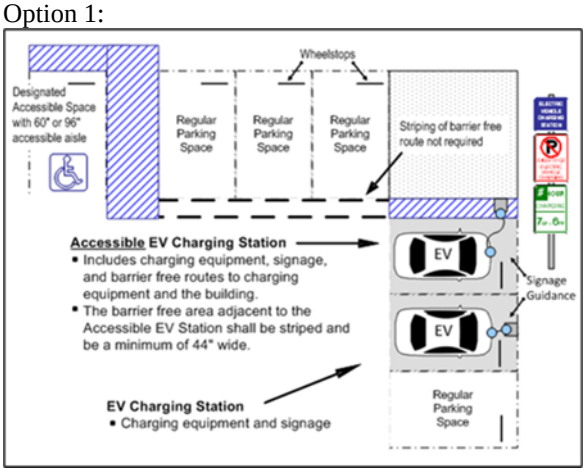
(1) Accessible electric vehicle charging stations provided in the ratios shown on the following table.

Number of EV Charging Stations	Minimum Accessible EV Charging Stations
1-50	1
51-100	2
101-150	3
151-200	4
201-250	5
251-300	6

(2) Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.

Figures: Off-Street Accessible Electric Vehicle Charging Station

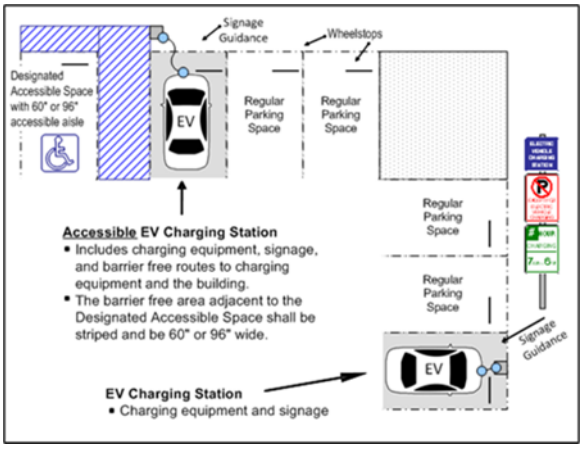
Option 1:



Accessible electric vehicle charging stations may be more cost effectively installed by using an existing end stall or where a clear area is already maintained. Photo source Green Car Reports

Option 2:

Fashion Island Shopping Mall, Newport Beach, CA. This location has a shorter travel distance for disabled persons. Photo by LightMoves.



NOTE: The illustrations above show two options for providing accessible EV charging stations. Option 1 is a likely scenario for installation in existing parking lots. By using an existing wider end parking stall or restriping, an accessible EV charging station may be more cost effectively installed. Where feasible, a wider clear area around the equipment (60") is preferable. Additionally, this location away from the near building prime parking has a better likelihood of being available for disabled persons, since the accessible charging station is not exclusively reserved for disabled persons. Option 2 provides a location that has a shorter travel distance for disabled persons and can be easily installed in a new parking lot. This option may allow the installer to provide a wider, more fully-compliant aisle.

While other options, depending on the specific layout of the new or reconfigured parking area, are likely, at a minimum, an accessible EV charging station should be located within accessible reach of the barrier-free access aisle (minimum 44-inch width) and the electric vehicle and connect to a barrier-free route of travel. However, because the charging station facility is not a parking facility, the accessible charging station does not need to be located immediately adjacent to the building entrances or reserved exclusively for the use of disabled persons.

(Ord. 28376 Ex. B; passed Aug. 16, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28088 Ex. A; passed Sept. 25, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27539 § 16; passed Oct. 31, 2006: Ord. 27432 § 9; passed Nov. 15, 2005: Ord. 27296 § 22; passed Nov. 16, 2004: Ord. 27245 § 12; passed Jun. 22, 2004: Ord. 27079 § 35; passed Apr. 29, 2003: Ord. 26966 § 14; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.511 Transit support facilities.

A. Purpose. It is found and declared that new development and redevelopment in the City of Tacoma creates a need for transit support facilities, namely benches and shelters, and that such development should provide for such facilities based on existing or potential transit ridership and Pierce Transit standards. Such seating and weather protection, where warranted, are needed for those who depend on transit for daily transportation; these facilities also help encourage use of the transit system, which is consistent with the Comprehensive Plan.

B. Applicability. These provisions apply Citywide 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, on streets where regularly scheduled transit service is provided. 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.

C. Projects required to provide transit support facilities. Any single-family or multiple-family residential, commercial, industrial, or park or recreation project that will be located on, or within 500 feet of, a street where regularly scheduled transit service is provided, and meets the project size thresholds in Table 13.06.511.D.1 below, shall be required to provide a concrete pad(s) for the required transit support facilities and pay to Pierce Transit the costs of providing and installing such facilities, unless mutually agreeable alternative arrangements for providing support facilities that conform to Pierce Transit's standards are agreed to between the project applicant and Pierce Transit. In addition, for parks, recreation and open space uses required to obtain a Conditional Use Permit, the Director shall determine the appropriate transit support facilities based on the methodology outlined below. For projects subject to the transit support facilities standard, evidence of compliance with this requirement shall be provided to Planning and Development Services prior to issuance of a certificate of occupancy.

D. Facility standards. Two benches and foundation pads are to be provided at a bus stop within 500 feet of the proposed project where at least five transit riders are expected to board buses on an average weekday. Two foundation pads and shelters are to be provided at a bus stop within 500 feet of the proposed project where at least ten transit riders are expected to board buses on an average weekday. Where there are multiple transit stops within 500 feet of the project site, Pierce Transit shall be consulted as to the need for an appropriate location for the transit support facilities.

TABLE 13.06.511.D.1	**2 Benches and Foundation Pads (for future transit provided shelters)**	**2 Foundation Pads and Shelters**
Office	16,000–32,000 square feet of floor area	Over 32,000 square feet
Retail and service	5,000–10,000 square feet of floor area	Over 10,000 square feet
Shopping center	4,000–8,000 square feet of floor area	Over 8,000 square feet
Convenience market	2,000-4,000 square feet of floor area	Over 4,000 square feet
Fast-food restaurant	1,000-2,000 square feet of floor area	Over 2,000 square feet
Manufacturing	45,000–90,000 square feet of floor area	Over 90,000 square feet
Single-Family Housing	60–120 dwelling units	More than 120 dwelling units
Duplexes, Triplexes and Multi-family Housing	30–60 dwelling units	More than 60 dwelling units
Parks and recreation (as defined in Section 13.06.560.C)	High-intensity recreation facilities	Destination facilities

Note: These project thresholds are generally based on trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition, and Pierce Transit data showing 3% of weekday vehicular trips are on transit.

E. Exemptions. Projects shall be exempt from these requirements when the required transit support facility(ies) (a bench or shelter) already exist(s) at the nearest bus stop pair (the closest stops on both sides of the street) or when Pierce Transit determines that the required facilities would not enhance the capacity or function of the transit system, such as when there are accessibility issues or pending route changes.

(Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27562 Ex. A; passed Dec. 12, 2006: Ord. 27079 § 36; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.512 Pedestrian and bicycle support standards.

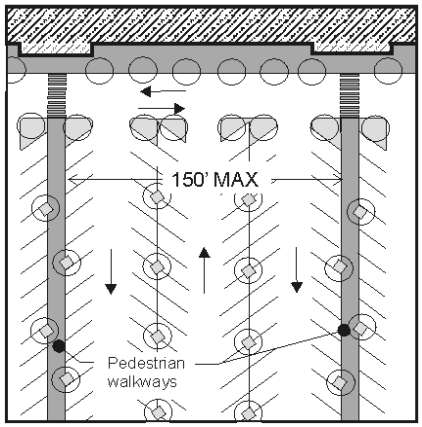
A. General Applicability.

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.
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.
4. Temporary. Temporary structures are exempt from the standards of this section.
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.
6. Parks, recreation and open space uses shall meet the standards of this table, except as specifically exempted below.
7. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.
8. Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.

B. Bicycle and Pedestrian Connections.

Purpose: Pedestrian and bicycle standards encourage a safe, direct, attractive, and usable multimodal circulation system in all developments as well as connections between abutting streets and buildings on the development site, and between buildings and other activities within the site.

1. Interior Access Roads. Interior access roads in multi-building developments shall be designed to look and function like public streets. This includes planting strips and street trees, sidewalks on one or both sides, and perpendicular or parallel parking on one or both sides.
2. Connection between streets and entrances. There must be a connection between one main entrance of each building on the site and the adjacent street. The route may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less. Where there is more than one street frontage, an additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance of each building.
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. 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 access points).



4. Route directness. Connections to streets shall be designed and located to facilitate direct travel to all bus stops, transit stations/centers, schools, public bicycle facilities, trails, or shared-use paths in proximity of the development site.
5. Internal pedestrian system. On sites larger than 10,000 square feet, and with multiple buildings or uses, an internal pedestrian connection system must be provided. The system must connect all main entrances on the site that are more than 20 feet from the street, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities

6. Facility Design.

a. Lighting and landscaping. For walkways that are longer than 25 feet, trees shall be provided adjacent to the walkways at a rate equivalent to the linear requirements for street trees in 13.06.502.C, and pedestrian-scaled lighting shall be provided at a ratio of 2 per 100 feet. Trees shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards.

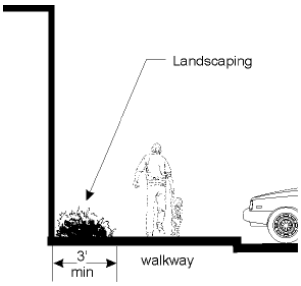
b. Size and materials.

(1) Required walkways must be hard-surfaced and at least 5 feet wide, excluding vehicular overhang, except for walkways accessing less than 4 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.

(2) Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.

(3) Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

(4) Internal pathways in multi-building residential developments shall be separated from structures at least 3 feet by landscaping, except where adjacent to usable yard spaces or other design treatments are included on or adjacent to the wall that add visual interest at the pedestrian scale. Examples include the use of a trellis with vine plants, sculptural, mosaic, bas-relief artwork, or other decorative wall treatments.



Above left and center: Parking lot pathway examples. Above right: Separate walkway from structures with at least 3' of landscaping.

c. Bicycle facilities. At least one driveway and travel lane on site shall be designed to accommodate bicycles in accordance with the Public Works Design Manual. Where a 10' walkway is provided, it may be used as a shared-use path for both pedestrians and bicyclists. The route shall include signage to direct bicyclists to on-site bicycle parking facilities.

C. Street Furniture.

Purpose: To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including resting places at reasonable intervals.

1. Minimum. A minimum of one fixed bench or equivalent seating area for every 250 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 250 feet of street frontage. Projects in the PMI District are exempt from this requirement. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.

2. Minimum on designated pedestrian streets in Mixed-Use Center Districts. A minimum of one fixed bench or equivalent seating area for every 150 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 150 feet of street frontage. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.

3. Design. Furniture shall be consistent with any applicable adopted business area improvement plans and shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. See examples below.

4. Credit. Any adjacent public street furniture can be counted toward this requirement.

D. Short and Long Term Bicycle Parking.

Purpose: To promote bicycling as an important and integral mode of transportation, which enables healthy lifestyles, is affordable, and reduces greenhouse gas emissions, and to provide the necessary bicycle parking facilities for a bicycle friendly community. The following requirements and standards are intended to provide for safe and efficient bicycle parking at the trip origin and destination and to serve the needs of specific uses that generate bicycle traffic by residents, customers, guests and employees.

1. Bicycle parking shall be provided as follows:

a. The minimum number of off-street parking spaces for bicycles required for specified uses is set forth in Table 13.06.512.D.7. In the case of a use not shown on Table 13.06.512.D.7, there is no minimum bicycle parking requirement.

b. After the first fifty cumulative (50) spaces for bicycles are provided, additional spaces are required at one half (1/2) the ratio shown in Table 13.06.512.D.7, except for rail transit facilities; passenger terminals; and park and ride lots. Spaces within dwelling units or on balconies do not count toward the bicycle parking requirement.

c. Vehicle parking spaces, other than spaces required for electric vehicles and accessible parking, shall be permitted to be used for the installation of required long-term bicycle parking spaces.

2. Location of short-term bicycle parking facilities:

a. Short-term bicycle parking shall be located within 50 feet of, and visible from, the primary building entrance for individual sites.

b. Short-term bicycle parking may be shared at a common location on the same block and same side of the street, provided the quantity meets the total requirement and is no more than 100 feet from any site served.

c. Where directional signage is provided at the main building entrances, short-term bicycle parking shall be permitted to be provided at locations not visible from the main entrance.

d. Short-term bicycle parking may be grouped near an owner designated primary entrance in shopping centers.

e. Short-term bicycle parking shall not block pedestrian use of a walkway and shall be located where there is sufficient space to allow bicycle maneuvering and allow access to the rack without moving another bicycle.

f. Short-term bicycle parking shall be located at the same grade as the sidewalk or at a location reachable by ramp or accessible route.

g. Short-term bicycle parking serving parks and open space/natural areas may be located and distributed throughout the park to serve multiple access points and outdoor recreation facilities.

3. Design of short-term bicycle parking facilities:

a. Bicycle parking facilities shall be consistent with any applicable, adopted business area improvement plan, streetscape design plan, or other applicable design guidelines.

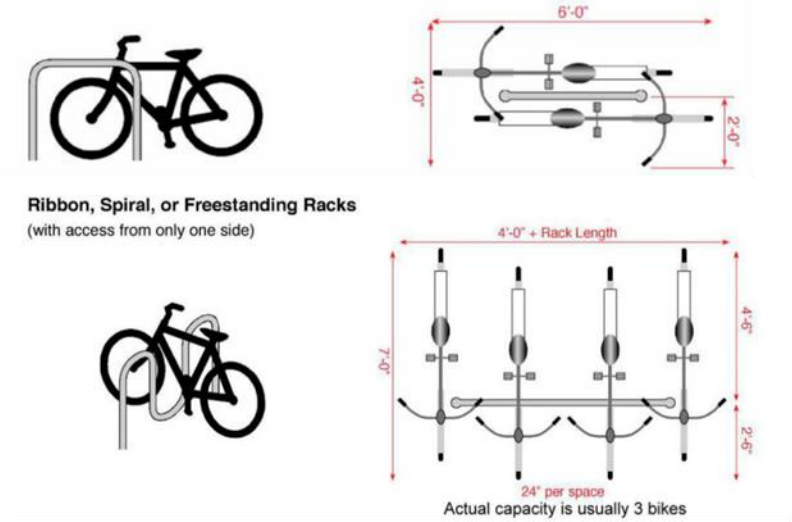
b. If the location is not currently lighted, it shall be provided with illumination of not less than 1 footcandle at the parking surface. Lighting is not required for park and open space/natural areas where the use is limited to daylight hours.

c. It shall have an area of not less than 24 inches by 60 inches for each bicycle.

d. It shall be provided with a rack or other facility for locking or securing each bicycle in an upright position and to allow for the frame and at least one wheel to be secured with a standard U-lock.

e. To increase visibility to pedestrians, racks should have a minimum height of 33 inches or be indicated or cordoned off by visible markers.

f. Examples of short-term bicycle parking (from the Pedestrian and Bicycle Design Guidelines):



Post and ring rack

Coat hanger rack

Inverted U rack

Wheel well with support arm

4. Location of long-term bicycle parking facilities:

a. Long-term bicycle parking facilities for residential uses shall be located on site.

b. Non-residential long-term bicycle parking shall be located on-site or within a shared bicycle parking facility within three-hundred (300) feet of the lot, except as provided in subsection 6 below.

c. Long-term bicycle parking shall be in a secure location where access to the bicycles is limited and is not available to the general public.

d. Bicycle parking facilities may include, but are not limited to, the following:

(1) Designated indoor bike room with locking system;

(2) Bike cage with locking system in a parking garage;

(3) Uncaged bike parking in a garage or area with 24-hour secured access (protect bike parking areas not in a cage from autos with bollards, curbs, or other means);

(4) Individual bicycle lockers with locking system, provided the lockers are partially transparent or include a view hole to discourage improper use;

(5) Designated bike space with racks inside an office area which can be locked when it is not occupied.

(6) Limited access areas and areas monitored by a security camera, with weather protection.

e. If garage racks are accessible to the general public they must be directly adjacent to an attendant booth that is occupied 24-hours a day.

5. Design of long-term bicycle parking facilities:

a. The following rack types are acceptable for long-term bicycle parking:

(1) Post and Ring

(2) Inverted U (single or fastened in series)

(3) Wall-Mounted Racks with fixed attachment points

(4) Wheel well - Secured, with arm or feature that supports frame

(5) Modified Coat hanger

(6) Two-Tier or Double-Decker

b. Long-term bicycle shall be provided with a permanent cover including, but not limited to, parking structure, roof overhang or awning.

c. A minimum 3 feet parallel spacing between conventional ground-level bicycle racks (e.g. inverted-U racks) to allow access to bicycles parked adjacent to each other.

d. A minimum 5 feet perpendicular access aisle between rows of bicycle parking to allow users to safely move and park their bicycles.

e. A minimum 2 feet 6 inches perpendicular spacing between a row of conventional ground-level bicycle racks (e.g. inverted-U racks) and walls or obstructions to allow the bike to be placed correctly on the rack.

f. Allow 24" minimum clearance for user access between a wall or other obstruction and the side of the nearest parked bicycle (may use 18" minimum for some rack types such as wall-mount).

g. Provide at least 25% ground-level bicycle parking spaces, to allow for use by those unable to lift their bicycles to higher racks and those with bicycle types that may not fit in upper-level or wallhanging racks (e.g. recumbents, folding bicycles, cargo bicycles, or those with trailers).

h. For in-building bicycle parking facilities and where more than five (5) long-term bicycle parking spaces are required, lockable clothing/gear storage lockers must also be provided. However, facilities that already provide personal lockers are not required to provide additional locker space for bicycle clothing/gear.

i. Examples of long-term bicycle parking facilities:

Bike cage in Penn Station

Bike Station

Bike lockers at a transit station

6. Bicycle parking for non-residential uses may be located in a facility within three hundred (300) feet of the lot that is not a shared bicycle parking facility, if the Director determines that safe, accessible and convenient bicycle parking accessory to a nonresidential use cannot be provided on-site or in a shared bicycle parking facility within three-hundred (300) feet of the lot without extraordinary physical or financial difficulty.

Table 13.06.512.D.7: Minimum Quantity Requirements for Short and Long-Term Bicycle Parking
Bicycle parking shall be provided at the following rates. For uses identified with an * (asterisk), bicycle parking quantity requirements shall be applied at one-half the rate identified below when the use is located outside of designated Mixed-Use Centers and Downtown. Minimum Requirements: Identified uses shall provide no less than 1 long-term and 2 short-term bicycle parking space, except that no long-term bicycle parking is required on a site where there is less than 2,500 square feet of gross building area and where indicated below. Where the calculation results in a fraction, the fraction shall be rounded to the nearest whole number.

Use		Long-term	Short-term
Commercial Uses			
1.	Business and professional offices*	1 per 4,000 sq. ft.	1 per 40,000 sq. ft.
2.	Medical and dental clinics*	1 per 12,000 sq. ft.	1 per 40,000 sq. ft.
3.	Lodging*	1 per 20 rentable rooms	2 per business
4.	Shopping Center*	1 per 12,000 sq. ft.	1 per 8,000 sq. ft.
5.	Eating and Drinking establishments*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
6.	Retail*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
Residential Uses			
7.	Multi-family dwellings with 5 or more units	1 per unit	1 per 20 units
8.	Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club	1 per 20 residents	2
Institutional Uses			
9.	Libraries, museums, art galleries	1 per 4,000 sq. ft.	1 per 2,000 sq. ft.
10.	Religious Assembly*	1 per 12,000 sq. ft.	1 per 40 seats or 1 per 1,000 sq. ft. of non-seat area
11.	Elementary schools	1 per classroom	2
12.	Secondary (middle, junior and high) schools	2 per classroom	2
13.	College and university	A number of spaces equal to ten (10) percent of the maximum students present at peak hour plus five (5) percent of employees	1 per 40,000 sq. ft.
14.	Hospitals*	1 per 12,000 sq. ft.	1 per 40,000 sq. ft.
Warehouse/Industrial			
15.	Warehousing*	1 per 40,000 sq. ft.	None
16.	Industrial/Manufacturing*	1 per 15,000 sq. ft.	None
Recreational			
17.	Auditoriums, stadiums, theaters	1 per 12,000 sq. ft.	10, or 1 per 40 seats
18.	Miniature golf course*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
19.	Skating rink and bowling alley*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
20.	Public dance halls and private clubs*	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
21.	Marina	1 per 40 slips	At least 2
22.	Open Space/Habitat Areas with Trailhead or Passive Recreation	None	1 per 10 acres, but not less than 2
23.	Active Parks		
	• Community gardens	None	2
	• Neighborhood Park	None	2
	• Community/Urban Park	None	1 per 40,000 sq. ft. of maintained area, plus 2 per outdoor recreation facility provided at the park
	• Regional Park	None	1 per 40,000 sq. ft. of maintained area
24.	Community center	1 per 12,000 sq. ft.	1 per 4,000 sq. ft.
25	Other recreation facilities not listed	None	2

Transportation Facilities			
26.	Rail transit station and passenger terminals	At least 10	At least 10
27.	Principal use parking and park and ride lots	1 per 40 auto spaces	1 per 40 auto spaces
Services			
28.	Day-care centers*	1 per 10,000 sq. ft.	At least 2

8. Changing and shower facilities. At a minimum, a single changing and shower facility shall be provided when a new use is required to provide at least ten (10) long-term bicycle parking spaces. Additional shower and changing facility shall be provided for each additional twenty (20) required long-term bicycle parking spaces, according to Table 13.06.512 E 7. Where more than one changing and shower facility is required, separate facilities shall be provided for each sex. Multifamily residential and transportation facilities are exempt from this requirement.

Table 13.06.512 E 7: Quantity Requirements for Changing and Shower Facilities	
Number of Long Term Bicycle Parking Spaces	Number of Changing and Shower Facilities Required
0-9	N/A
10-20	1
21-40	2
41-60	3
61-80	4
81 +	No additional facilities required

(Ord. 28376 Ex. B; passed Aug. 16, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27245 § 13; passed Jun. 22, 2004: Ord. 27079 § 37; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.513 Drive-throughs.

A. Purpose. The regulations of this section are intended to allow for drive-through facilities while mitigating potential negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, aesthetics, and queued traffic interfering with on-site and offsite traffic and pedestrian flow. The specific purposes of this section are to:

Reduce noise and visual impacts on abutting uses, particularly residential uses;

Promote safer and more efficient on-site vehicular and pedestrian circulation;

Promote a pedestrian-oriented environment;

Reduce conflicts between queued vehicles and traffic on adjacent streets.

B. Applicability. The regulations of this section apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-throughs are not permitted in some zoning districts—see the permitted uses tables for the applicable zone. Where they are permitted, drive-through facilities are still not always feasible; the size or dimensions of the site, or the size and location of existing structures may make it impossible to meet the regulations of this section.

C. Standards. A drive-through facility is composed of two parts - the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queuing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted:

a. Pedestrian streets (includes all TMC pedestrian street designations) and transit stops.

(1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.

(2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. Exceptions to this requirement shall be processed in accordance with TMC 10.14.030.B.7.

(3) Exterior drive-through windows shall not face a designated pedestrian, light rail or streetcar street, and stacking areas shall not lie between a building and such a street.

b. Setbacks and Landscaping.

(1) Exterior service areas and stacking lanes, except for vehicle access crossings, must be set back a minimum of 5 feet from street frontages. In some cases, a greater setback may be necessary to meet other standards such as Landscaping.

(2) Exterior stacking lanes and service areas shall provide a minimum 3 foot landscaped buffer along sides which do not abut the building. The buffer must be landscaped with decorative landscaping to include flowering or colored-foliage shrubs which will cover at least 50 percent of the landscaped area within three years; the remainder shall be fully landscaped with additional trees, shrubs and/or groundcover. Alternatively, on sides that do not front on streets, the buffer width may be reduced to 1 foot and improved with a vegetated wall at least 6 feet in height to reach maturity with full screening within three years. The required buffer may be interrupted by structures or for vehicle or pedestrian access crossings.

(3) Where perimeter strips or buffers are otherwise required, they may also satisfy these requirements. The greater of the buffer, setback or perimeter areas shall apply.

(4) All required landscaping must be maintained consistent with the provision of TMC 13.06.502.

c. Vehicular and pedestrian circulation.

(1) Adequate stacking lane capacity must be provided to serve the proposed development on-site. Stacking spaces shall be a minimum ten (10) feet in width and eighteen (18) feet in length. The City Engineer, or designee, shall make a determination regarding the number of stacking spaces required. In pedestrian oriented areas including Downtown and X Districts, this determination shall reflect the overall goals of promoting pedestrian activity over vehicle orientation.

(2) Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation. Stacking lanes must be separated from traffic aisles, other stacking lanes, and parking areas.

(3) Pedestrian paths that cross a drive-through aisle shall use a raised platform and be marked with symbols, signage, separate material, and/or special painting.

(4) The drive-through shall not impede pedestrian or vehicular movement within the right-of-way. Drive-through driveways shall be designed to ensure adequate pedestrian visibility as vehicles cross sidewalks.

(5) Driveways are also subject to applicable standards of TMC 10.14, TMC 13.06.510 and TMC 13.06A.070.

d. Noise and trash receptacles.

(1) Noise from amplified speakers shall be minimized through means such as orientation, volume control, and sound buffers or barriers. In addition, amplified speakers shall not be audible from abutting residential uses.

(2) A trash receptacle shall be provided adjacent to the drive-through aisle in order to reduce the potential for littering.

e. Bicyclists.

(1) Drive-throughs shall be required to serve bicyclists, both motorized and non-motorized.

2. The following additional standard apply in the Downtown Districts:

a. Drive-throughs and associated stacking lanes shall be located entirely within buildings.

Example of a drive-through within a structure

3. The following additional standards apply in X Districts where drive-throughs are permitted:

a. All exterior vehicle use areas associated with a drive-through shall be located at the side or rear of the building.

b. Drive-through stacking lanes and service windows shall be fully screened from the view of adjacent properties and the public right-of-way with landscaping and/or structures.

c. Within NCX Districts, exterior drive-through stacking lanes may be no closer than 25 feet to the property frontage of a designated pedestrian, light rail or streetcar street.

4. Drive-throughs accessory to existing use. Drive-through eating and drinking establishments (such as coffee stands) located in the C-2, CCX, M-1, M-2, and PMI Districts and that are accessory to an existing use, utilize existing driveways, and do not include a permanent foundation or similar permanent improvements, are not required to provide landscaping or separation along the stacking lane(s) as would be required by subsections 1.b.(2) and 1.c.(2), above.

Example drive-through layout

(Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28157 Ex. F; passed Jun. 25, 2013)

13.06.520 Signs.

A. Purpose. The purpose of this section is to establish sign regulations that support and complement land use objectives set forth in the Comprehensive Plan, including those established by the Highway Advertising Control Act (Scenic Vistas Act). Signs perform important communicative functions. The reasonable display of signs is necessary as a public service and to the proper conduct of competitive commerce and industry. The sign standards contained herein recognize the need to protect the safety and welfare of the public and the need to maintain an attractive appearance in the community. This code regulates and authorizes the use of signs visible from public rights-of-way, with the following objectives:

1. To establish uniform and balanced requirements for new signs;

2. To ensure compatibility with the character of the surrounding area;

3. To promote optimum conditions for meeting sign users' needs while, at the same time, improving the visual appearance of an area which will assist in creating a more attractive environment;

4. To achieve quality design, construction, and maintenance of signs so as to prevent them from becoming a potential nuisance or hazard to pedestrian and vehicular traffic.

B. Scope.

1. The provisions and requirements of this section shall apply to signs in all zones as set forth in this chapter. Applicable sign regulations shall be determined by reference to the regulations for the zone in which the sign is to be erected.

2. The regulations of this section shall regulate and control the type, size, location, and number of signs. No sign shall hereafter be erected or used for any purpose or in any manner, except as permitted by the regulations of this section.

3. The provisions of this code are specifically not for the purpose of regulating the following: traffic and directional signs installed by a governmental entity; signs not readable from a public right-of-way or adjacent property; merchandise displays; point of purchase advertising displays, such as product dispensers; national flags, flags of a political subdivision, and symbolic flags of an institution or business; legal notices required by law; historic site plaques; gravestones; structures intended for a separate use, such as Goodwill containers and phone booths; scoreboards located on athletic fields; lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business; and barber poles.

4. Regulations pertaining to signs in Shoreline Districts are found in Chapter 13.10.

(Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27245 § 14; passed Jun. 22, 2004: Ord. 27079 § 38; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.521 General sign regulations.

A. Administration.

1. Director. The Director shall interpret, administer, and enforce the sign code in accordance with Chapter 13.05.

2. Building Official. The Building Official shall issue all permits for the construction, alteration, and erection of signs in accordance with the provisions of this section and related chapters and titles of the Tacoma Municipal Code (see Chapter 2.05). In addition, all signs, where appropriate, shall conform to the current Washington State Energy Code (see Chapter 2.10), National Electrical Code, and the National Electrical Safety Code. Exceptions to these regulations may be contained in the Tacoma Landmarks Special Review District regulations, Chapters 1.42 and 13.07.

3. Applicability. All new permanent signs, painted wall signs, and temporary off-premises advertising signs require permits. Permits require full conformance with all City codes, particularly Titles 2 and 13. Signs not visible from a public right-of-way or adjacent property are not regulated herein, but may require permits pursuant to the provision of Title 2.

4. In addition to and notwithstanding the provisions of this section, all signs shall comply with all other applicable regulations and authorities, including, but not limited to, Chapter 47.42 RCW – Highway Advertising Control Act – Scenic Vistas Act and Chapter 468-66 WAC – Highway Advertising Control Act.

5. Substitution Clause. Any sign allowed under this Code may contain, in lieu of any other message or copy, any lawful noncommercial message or copy.

B. Exempt signs. The following signs shall be exempt from all requirements of this section and shall not require permits; however, this subsection is not to be construed as relieving the user of such signage from responsibility for its erection and maintenance, pursuant to Title 2 or any other law or ordinance relating to the same.

1. Changing of the advertising copy or message on a sign specifically designed for the use of replaceable copy.

2. Repainting, maintenance, and repair of existing signs or sign structures; provided, work is done on-site and no structural change is made.

3. Signs not visible from the public right-of-way and beyond the boundaries of the lot or parcel.

4. Incidental and warning signs.

5. Sculptures, fountains, mosaics, murals, and other works of art that do not incorporate business identification or commercial messages.

6. Signs installed and maintained on bus benches and/or shelters within City right-of-way, pursuant to a franchise authorized by the City Council.

7. Seasonal decorations for display on private property.

8. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.

9. Signs of public service companies indicating danger and aid to service or safety.

10. Non-electric bulletin boards not exceeding 12 square feet in area for each public, charitable, or religious institution, when the same are located on the premises of said institutions.

11. Construction signs denoting a building which is under construction, structural alterations, or repair, which announce the character of the building enterprise or the purpose for which the building is intended, including names of architects, engineers, contractors, developers, financiers, and others; provided, the area of such sign shall not exceed 32 square feet.

12. Window sign.

13. Political signs, as set forth in Title 2.

14. Real estate signs, 12 square feet or less, located on the site. Condominiums or apartment complexes shall be permitted one real estate sign with up to 12 square feet per street frontage. Such sign(s) may be used as a directory sign that advertises more than one unit in the complex.

15. Off-premises open house or directional signs, subject to the following regulations:

a. The signs may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or

impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign.

b. Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign.

c. A maximum of three off-premises open house or directional signs will be permitted per single-family home. One additional open house or directional sign identifying the open house shall be permitted at the house being sold.

d. Signage shall not exceed four square feet in area per side (eight square feet total) and three feet in height. Off-premises open house or directional signs shall not be decorated with balloons, ribbons, or other decorative devices.

e. Signage shall only be in place between the hours of 11:00 a.m. and 6:00 p.m., when the seller of the product, or the seller's agent, is physically present at the location of the product.

f. Each off-premises open house or directional sign that is placed or posted shall bear the name and address of the person placing or posting the sign in print not smaller than 12 point font. The information identifying the name and address of the person placing or posting the sign is not required to be included within the content of the speakers' message, but may be placed on the underside of the sign or in any other such location.

g. New plats may have up to a maximum of eight plat directional signs for all new homes within the subdivision. New plat directional signs shall identify the plat and may provide directional information but shall not identify individual real estate brokers or agents. New plat directional signs shall be limited in size and manner of display to that allowed for off-premises open house or directional signs. Off-premises open house or directional signs shall not be permitted for new homes within new plats.

h. A maximum of three off-premises open house or directional signs shall be allowed per condominium or apartment complex.

16. Professional name plates two square feet or less.

17. Changing plex-style faces in existing cabinets; provided, work is done on-site without removing sign.

18. Temporary public event signs not exceeding 12 square feet, and temporary event banners, placed on publicly owned land or adjacent public right-of-way. Signs or banners shall be securely attached to the ground or a structure and must be removed after the event.

C. Prohibited signs. The following commercial signs are prohibited, except as may be otherwise provided by this chapter:

1. Signs or sign structures which, by coloring, wording, lighting, location, or design, resemble or conflict with a traffic control sign or device, or which make use of words, phrases, symbols, or characters in such a manner as to interfere with, mislead, or confuse persons traveling on the right-of-way or which, in any way, create a traffic hazard as determined by the City Engineer or his or her designee.

2. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicular traffic, or which obstruct a clear view of official signs or signals as determined by the City Engineer or his or her designee.

3. Signs, temporary or otherwise, which are affixed to a tree, rock, fence, lamppost, or bench; however, construction, directional, and incidental signs may be affixed to a fence or lamppost.

4. Any sign attached to a utility pole, excluding official signs as determined by Tacoma Public Utilities.

5. Signs on public property, except when authorized by the appropriate public agency.

6. Signs attached to or placed on any stationary vehicle or trailer so as to be visible from a public right-of-way for the purpose of providing advertisement of services or products or for the purpose of directing people to a business. This provision shall not apply to the identification of a firm or its principal products on operable vehicles operating in the normal course of business. Public transit buses and licensed taxis are exempt from this restriction.

7. Roof signs, except where incorporated into a building to provide an overall finished appearance.

8. All portable signs not securely attached to the ground or a building, including readerboards and A-frames on trailers, except those allowed by the regulations of the appropriate zoning district.

9. Abandoned or dilapidated signs.

10. Portable readerboard signs.

11. Inflatable signs and blimps.

12. Digital Billboards.

13. Off-premises signs, except pursuant to Section 13.06.521.L.

D. Special regulations by type of sign. In addition to the general requirements for all signs contained in this section, and the specific requirements for signs in each zone, there are special requirements for the following types of signs: Wall signs;

Projecting signs; Freestanding signs; Electronic changing message center signs; Under-Canopy and Blade Signs; Canopy and awning signs; Temporary signs; Off-premises direction signs; and Billboards.

The special requirements for these signs are contained in subsections E through M of this section.

E. Wall Signs. Special regulations governing wall signs are as follows:

1. A wall-mounted sign shall not extend above the wall to which attached or above the roofline.

2. A wall sign shall not extend more than 18 inches from the wall to which it is attached.

3. No wall sign shall cover wholly or partially any wall opening nor project beyond the corner of the wall to which it is attached.

4. Where a wall sign extends over a public or private walkway, a vertical clearance of eight feet shall be maintained above such walkway.

5. For the purposes of this subsection, any building with an actual or false mansard roof may use such walls or roof for wall sign installation.

6. An architectural blade designed primarily for the placement of signs may be erected on top of a wall, parapet, roof, or building face and shall comply with all applicable height limitations. All supporting structure for such signs shall be completely enclosed.

7. Painted signs, on the building, shall be calculated with the allowed sign area for a business.

F. Projecting signs. Special regulations governing projecting signs are as follows (Note, for the purposes of this section, Blade Signs and Under Canopy Signs are not considered projecting signs and thus, are regulated under 13.06.521.I.)

1. No projecting sign shall extend nearer than two feet to the face of the nearest curb line, measured horizontally.

2. The maximum projection permitted for any one sign shall be six and one-half feet or two-thirds of the width of the sidewalk below the location of the projecting sign, whichever is less.

3. A projecting sign shall not rise above the roofline or the wall to which it is attached.

4. Minimum clearance. All projecting signs over the public right-of-way shall have a minimum clearance to the ground as follows:

a. Over alleys and driveways, 14-1/2 feet; provided, said projection is no more than 12 inches;

b. Over automobile parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;

c. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet;

d. All parts of electric reflector lamps or other illuminating devices extending over the sidewalk space shall be at least ten feet above the sidewalk, and the projection horizontally over the sidewalk space may not be more than six and one-half feet, but no closer than two feet from the curb line.

5. No projecting sign shall be erected in such a position as to completely block visibility of another projecting sign already in place on either side.

6. All projecting signs shall be installed in such a manner that the support structure above a roof, building face, or wall shall be minimally visible.

7. Supporting framework for a projecting sign may rise 12 inches above a parapet; however, where there is a space between the edge of the sign and the building face, such framework must be enclosed.

G. Freestanding signs. Special regulations governing freestanding signs are as follows:

1. No freestanding sign shall be located within 15 feet of a residentially-zoned district, and where the side of a commercially zoned property abuts the side of a residentially-zoned property the first 100 feet of the commercial frontage shall have a sign setback requirement of 15 feet.

2. Minimum clearance. All freestanding signs shall have a minimum clearance to the ground as follows:

a. Over parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;

b. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet.

3. Signs shall be located upon the frontage for which the sign area is calculated.

4. No freestanding sign shall project over a public right-of-way, unless an adjacent structure or sign is built out to or over the property line that blocks visibility to a freestanding sign on the adjoining property; then, such freestanding sign may be

located so that the sign structure is on private property and the sign cabinet may project over the right-of-way, subject to all the provisions regulating projecting signs which project over rights-of-way.

5. Signs placed on public property and/or right-of-way, abutting the business for which they identify, will require a Street Occupancy Permit. Sign regulations shall be determined by the zoning district of the abutting property.

H. Electronic changing message center signs. Electronic changing message center signs may either be attached to buildings or freestanding signs, and in addition to all other applicable sign regulations the following are special regulations governing electronic changing message center signs. When a conflict exists between these regulations and other regulations outlined throughout the sign code, the more restrictive shall apply:

1. Freestanding electronic changing message center signs cannot exceed 15 feet in height. Such signs located on sites defined as a Regional Public Convention & Entertainment Facility and super regional mall sites are exempt from this limitation.

2. One Digital Changing Message Center sign is allowed per site. The maximum allowed sign area for any electronic changing message center sign shall be limited to 75% of the area that would be allowed outright in the zoning district it is located in, or 30 square feet, whichever is less. Such signs located on sites defined as a regional public convention & entertainment facility and super regional mall sites are exempt from this limitation.

3. Electronic changing message center signs shall never flash, flicker, scroll, animate, depict movement or provide video. The frequency of picture/message change for an electronic changing message center sign shall not be less than 12 seconds per message.

4. The brightness of an electronic changing message center sign shall not exceed .3 foot candles over ambient light levels at any given time. Such signs shall be equipped with a sensor and automatic dimmer/light adjuster to ensure compliance with this requirement. When brightness is deemed a traffic safety hazard or is deemed a nuisance, the brightness of such sign shall be reduced to a level determined by the Director.

5. Electronic Changing Message Center signs shall not operate between 10 PM and 6 AM. Businesses located outside of a residential district that are open beyond these hours may have such signs on between 10 PM and 6 AM, but in no instance may such sign be on when the business is closed. Such signs shall be equipped with an automatic timer or sensor that turns the sign off and on to ensure compliance with this requirement. Such signs located on sites defined as a regional public convention & entertainment facility and super regional mall sites are exempt from this limitation.

6. Electronic changing message center signs shall only provide advertising for goods and services that are available on-site. Advertising for other businesses and services that are off-site shall be prohibited.

I. Under-canopy and blade signs.

1. Under-canopy signs shall be considered “blade signs” for the purposes of sign area calculation.

2. Each business is allowed one individual blade sign or under canopy sign as-of-right, up to eight square feet in area. Such signs shall not be counted against the business’ allowed sign area.

3. An under-canopy sign may project the full width of such feature. Such a sign shall not exceed eight square feet in area unless otherwise allowed in the district.

4. A blade sign may project a maximum of 3 ½ feet from the building face.

5. Both blade and under-canopy signs are limited to a maximum sign thickness of 12 inches.

6. Both blade and under-canopy signs must meet all minimum clearance requirements for projecting signs.

7. Such signs shall be illuminated only by indirect lighting.

J. Canopy and awning signs. Special regulations governing canopy and awning signs are as follows:

1. Signs are permitted along the faces and edges of canopies and awnings; provided, they are printed, marked, stamped, or otherwise impressed upon the awning in a professional manner.

2. Signs designed as an integral part of a canopy or awning and located along the face or edge may be illuminated. Sign area calculation shall include all illuminated areas, except that area providing illumination to the sidewalk below.

3. Signs located on canopies and awnings shall designate only the name of the business and/or the place and kind of business. A decorative design and/or the emblem or initials of the business occupying the premises may be placed flat on the main portions of the canopy or awning.

4. Awnings and canopies may extend over public property, but no portion of any awning or canopy shall extend nearer than two feet to the face of the nearest curb line, measured horizontally. Awnings shall project a minimum of three feet and not

more than seven feet, when over public property, from the face of the supporting building. Canopies shall not extend more than 11 feet, when over public property, from the face of the supporting building.

5. Awnings and canopies shall maintain a minimum clearance of eight feet and shall not extend above 15 feet in overall height from grade to top of awning or canopy. Awnings and canopies shall not rise above the wall, roofline, or parapet to which it is attached.

6. Awnings and canopies which have support systems attached to public property, right-of-way or sidewalk will require a Street Occupancy Permit.

K. Temporary signs. Special regulations governing temporary signs are as follows:

1. The duration of display of a temporary sign shall not exceed six months in any 12-month period, unless otherwise noted.

2. No flashing temporary signs of any type shall be permitted.

3. All temporary signs must be authorized by the public or private property owner.

4. All temporary signs shall be securely fastened and positioned in place so as not to constitute a hazard to pedestrians or motorists.

5. No temporary sign shall project over or into a public right-of-way or property except properly authorized banners over streets (see Title 9).

6. All temporary signs shall meet vehicular sight distance requirements established by the Traffic Engineer.

7. The regulations governing the size, number, and type of temporary signs are located in Section 13.06.522.

L. Off-premises directional signs. Special regulations governing off-premises directional signs are as follows:

1. Off-premises directional signs shall be limited to a maximum of 15 square feet in area and 6 feet in height.

2. Off-premises directional signs shall contain only the name of the principal use and directions to the use in permanent lettering.

3. Off-premises directional signs shall be placed on or over private property, except that business district identification signs may be located and comply with the applicable requirements of Title 9.

4. Off-premises directional signs are permitted when on-premises signs are inadequate to identify the location of a business. If applicable, only one such sign shall be allowed.

M. Billboards. Special regulations governing billboards are as follows:

1. a. New billboard faces. Any new billboard must be installed in compliance with this chapter. In no case shall the number of billboard faces, associated structures, and total square footage of billboards as defined by this code exceed that in existence on August 1, 2011. This number shall include billboard faces for which relocation permits are held. Further, this number shall be reduced on March 1, 2012, by the number and square footage of nonconforming billboard faces in existence upon passage of this code.

b. Expiration of relocation permits. Relocation permits issued pursuant to TMC 13.06.521.M prior to its amendment on September 1, 2011, related to the removal of nonconforming billboards, shall expire on September 1, 2012 or within 6 months of issuance, whichever is later.

c. Demolition. Removal of all faces from a billboard structure shall also require the issuance of a demolition permit for the structure itself and removal of billboard faces (and their associated structures, if necessary) shall be completed prior to the construction of new or relocated billboard faces. Structures removed shall be removed to grade and the grade restored at the site.

2. Maintenance. All billboards, including paint and structural members, shall be maintained in good repair and in compliance with all applicable building code requirements. Billboards shall be kept clean and free of debris. The exposed area of backs of billboards must be covered to present an attractive and finished appearance. Failure to maintain the billboard or its structure, including exterior painting, shall constitute a violation of this section and be subject to strict enforcement under the Land Use Code Enforcement procedures and penalties (Section 13.05.100), which may include removal by the City at the expense of the property owner, sign owner, or permitee.

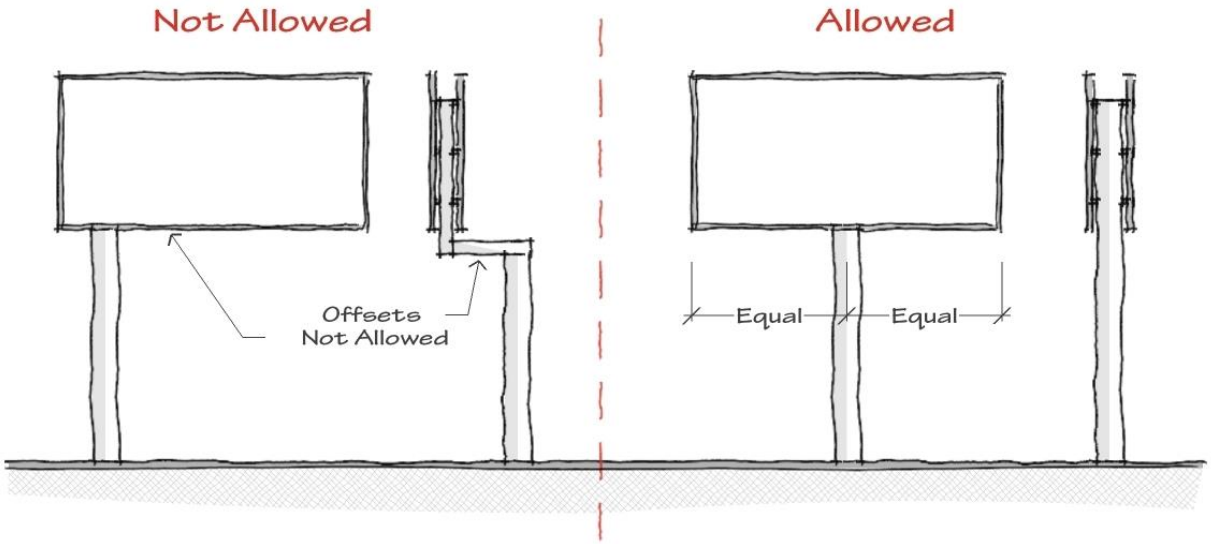
3. Design standards. The following design standards apply to all billboards.

a. Each sign structure must, at all times, include a facing of proper dimensions to conceal back bracing and framework of structural members and/or any electrical equipment. During periods of repair, alteration, or copy change, such facing may be removed for a maximum period of 48 consecutive hours.

b. No more than two billboard faces shall be located on a single structure.

c. Billboard faces located on the same structure shall be positioned back-to-back (i.e., their backs shall be parallel to each other) and within five (5) degrees of perpendicular to the roadway from which they are to be viewed.

d. Billboard faces must be in line with the support structure and no cantilevered design will be approved (see diagram below).



e. The billboard face or structure must be located within ten (10) feet of the property line which fronts the roadway from which the billboard is to be viewed.

f. No billboard can be located in such a way so that any portion of the sign face or structure is above a building.

g. No billboard may be constructed on a site where there is a freestanding sign.

4. Landscaping. The following standards apply to all billboards installed after August 1, 2011.

a. No code-required landscaping may be diminished for the installation of a billboard.

b. When the base of the billboard support is visible from the adjacent sidewalk and/or street the support shall be surrounded with a 5-foot-wide landscaping buffer composed of shrubs and groundcover not to exceed 36-inches in mature height.

c. Any alteration to any street tree (removal or pruning) is subject to City review and approval.

5. Dispersal. Billboard faces not located on the same structure shall be a minimum of 500 feet apart, including billboards which may be located outside the City limits.

6. Size. The maximum area of any one sign shall be 300 square feet, with a maximum vertical sign face dimension of 12 feet and maximum length of 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members; provided, cut-outs and extensions may add up to 20 percent of additional sign area.

7. Lighting.

a. No internally illuminated billboards are allowed.

b. All lighting must be shielded to maintain light on the subject property.

c. Lighting shall be directed toward the billboard and utilize cutoff shields or other means to prevent glare and spillover onto adjacent properties or skyward.

d. No flashing billboards shall be permitted.

e. Signs shall not imitate or resemble traffic control devices.

8. Buffering - Sensitive uses/areas. No billboard shall be located on, in, or within 500 feet of the following, whether within or outside the Tacoma City Limits:

a. A residential district;

b. A mixed-use district (X-district);

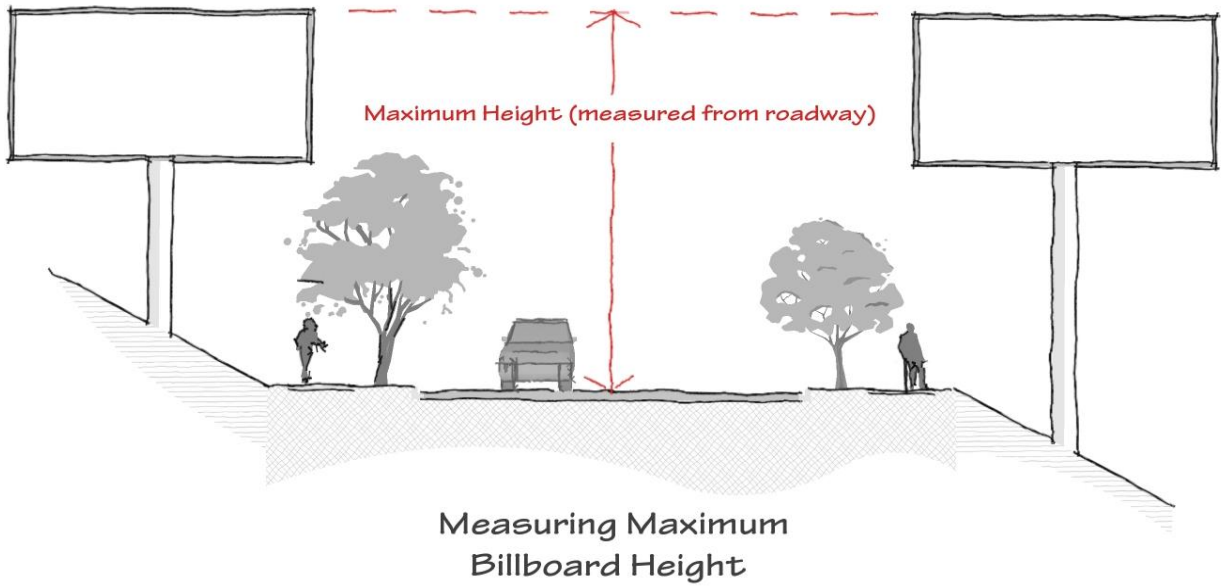
c. Any publicly-owned open space, playground, park, or recreational property, as recognized in the adopted Open Space Habitat and Recreation Element, as amended;

d. Any religious institution or primary or secondary school; or

e. Any designated historic or conservation district, whether on the federal, state, or local register of historic properties.

f. Any shoreline district.

9. The maximum height of all billboard signs shall be 30 feet, except in the PMI District, where the maximum height shall be 45 feet. For the purpose of this section, height shall be the distance to the top of the normal display face from the main traveled way of the road from which the sign is to be viewed (see diagram below).



10. Location – Billboards shall only be allowed in the C-2, M-1, M-2, and PMI zoning districts.

N. Nonconforming signs. It is the intent of this subsection to allow the continued existence of legal nonconforming signs, subject, however, to the following restrictions:

1. No sign that had previously been erected in violation of any City Code shall, by virtue of the adoption of this section, become a legal nonconforming sign.

2. No nonconforming sign shall be changed, expanded, or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved, in whole or in part, to any other location where it would increase its nonconformity. However, a legal nonconforming on-premises sign may be altered if the degree of nonconformity for height and sign area is decreased by 25 percent or greater. Further, a legal nonconforming on-premises sign may be relocated to a different portion of the site so long as it doesn't become further non-conforming to any separation, setback, or location standard. For purposes of this subsection, normal maintenance and repair, including painting, cleaning, or replacing damaged parts of a sign, shall not be considered a structural alteration.

3. Any sign which is discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and shall not, thereafter, be reestablished, except in full compliance with this chapter. Any period of such discontinuance caused by government actions, strikes, material shortages, acts of God, and without any contributing fault by the sign user, shall not be considered in calculating the length of discontinuance for purposes of this section.

4. Any nonconforming sign damaged or destroyed, by any means, to the extent of one-half of its replacement cost new shall be terminated and shall not be restored.

5. All existing billboards within the City which are not in compliance with the requirements of this section on September 1, 2011, are considered to be nonconforming billboards. In addition to the provisions of TMC 13.06.521 N.6, nonconforming billboards shall be made to conform with the requirements of this section under the following circumstances:

a. When any substantial alteration is proposed on a premises upon which is located a nonconforming billboard, the billboard shall be removed or brought into conformance with this section. For purposes of this provision, "substantial alteration" means

all alterations within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code, excluding purchase costs of the property and/or structure.

b. Whenever a building, or portion thereof, to which a nonconforming billboard is attached (such as upon the roof or attached to a wall), is proposed to be expanded and/or remodeled, all nonconforming billboards shall be removed or brought into compliance with this section if the value of the alterations within any two-year period is greater than or equal to 50 percent of the value of the existing building, as determined by the Building Code, excluding purchase costs of the property and/or structure.

6. Amortization. All legal nonconforming billboard signs shall be discontinued and removed or made conforming on or before March 1, 2012, and all billboards, which are made nonconforming by a subsequent amendment to this section, shall be discontinued and removed or made conforming within ten years after the date of such amendment (collectively the "amortization period"). Upon the expiration of the amortization period, the billboard shall be brought into conformance with this section, with a permit obtained, or be removed. Failure to remove a nonconforming billboard by the above date will result in enforcement action being taken pursuant to TMC 13.05.100.

O. Sign variances. Refer to Section 13.06.645.B.5.

P. Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Chapter or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Chapter or its application to any other person or situation.

(Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28009 Ex. A; passed Aug. 9, 2011: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27912 Ex. A; passed Aug. 10, 2010: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27562 Ex. A; passed Dec. 12, 2006: Ord. 27245 § 15; passed Jun. 22, 2004: Ord. 27079 § 39; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

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 each face 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 or 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.

F. R-4-L sign regulations. Sign regulations shall be the same as stated for the R-4 Multiple-Family Dwelling District.

G. R-5 sign regulations. Sign regulations shall be the same as stated for the R-4 Multiple-Family Dwelling District.

H. PRD sign regulations. Sign regulations shall be the same as specified herein for the R-4 Multiple-Family Dwelling District. Design of signs shall be submitted with development plans at the time of site approval for review and approval of the Hearing Examiner. A single identification sign for the overall development shall be allowed at each major access to the PRD District; provided, only one overall development sign shall be allowed adjacent to each -frontage of the PRD District, irrespective of the fact that more than one major access may enter said right-of-way.

I. Sign regulations for conditional uses in residential districts and specified uses in all districts.

1. Application. The following regulations apply to conditional uses as designated. These regulations also apply to the uses noted as permitted uses in any district when the provisions below provide the greater sign allowance, in whole or in part.

2. For conditional uses in residential districts limited to public park facilities, public and private schools, and religious assembly facilities, which are on sites that are over one acre in area and have a minimum of 100 feet of street frontage: one freestanding sign, not exceeding 40 square feet in area per face and not greater than 15 feet in height, and one building face sign, of the same maximum dimension, shall be allowed for each conditional use. One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage. 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.

3. For public and private schools, public park facilities, and churches which are on sites less than one acre or sites with less than 100 feet of frontage, as well as for all other conditional uses in residential districts: one freestanding sign, not exceeding 30 square feet in area for all faces and not greater than six feet in height, and one building face sign, of the same maximum dimensions for each conditional use; provided, the total area for the freestanding and building face signs may not exceed 30 square feet. 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.

4. Lighting. 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 electric wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.

5. 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.

6. 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.

7. For conditional uses in residential districts, freestanding signs larger than 30 square feet for all faces or taller than six feet shall be located a minimum of 50 feet from a lot occupied by a single-family residence. Freestanding signs for conditional uses may be constructed to the front property line.

8. In addition to the signage otherwise permitted, one sponsor identification logo sign may be included on a freestanding or wall sign for a conditional use. The sponsor identification logo shall not be internally illuminated and shall be limited to a maximum of one square foot per sign face.

[See next page for table.]

Section 13.06.522.J	DCC, DMU	WR	DR
Signage Allocation			
Total sign area allocation for signs attached to buildings and freestanding signs	Each business, 1-1/2 square feet per 1 foot building or street frontage on which the sign(s) will be located (area is calculated from frontage occupied by the business it identifies).	Same as DCC.	1 square foot per 1 foot of building frontage occupied by the business.
Signs Attached to Buildings			
Maximum number	Each business allowed 2 signs per frontage, but no more than 3 signs total for the business, no maximum number for public facility over 5 acres.	Same as DCC.	Same as DCC.
Maximum area per sign	Non-residential, 150 square feet per sign. Public facility over 5 acres, 300 square feet. Residential, 20 square feet.	Non-residential, 200 square feet per sign. Residential, 20 square feet.	Non-residential, 100 square feet per sign. Residential, 20 square feet.
Minimum sign area	First floor, 30 square feet. Second floor, 25 square feet.	Same as DCC.	Same as DCC.
Wall	Provisions of Section 13.06.521.E shall apply. Shall not exceed 35 feet above grade level, except for 1 corporate logo sign of 150 square feet allowed per building above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as WR, except no corporate logo allowed.
Awning, canopy, marquee, under marquee	Provisions of Sections 13.06.521.H, I, and J shall apply.	Same as DCC.	Same as DCC.
Projecting	Provisions of Section 13.06.521.F shall apply with one per building allowed if no freestanding sign exists on the same frontage, shall not extend above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as DCC.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as DCC.	Same as DCC.
Rooftop signs	Prohibited.	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.	Prohibited.
Freestanding Signs			
Maximum number	1 per street frontage, per site not use and no more than 2 per site. 1 per street frontage(s) for public facility over 5 acres.	Same as DCC.	Same as DCC.
Maximum area per sign	30 square feet. 300 square feet for public facility over 5 acres.	100 square feet.	30 square feet.
When not allowed	When building signage exceeds the sign area limit, not allowed on the same frontage as a projecting sign.	Same as DCC.	Same as DCC.
Maximum height	6 feet. 30 feet for public facility over 5 acres.	20 feet.	6 feet.

Section 13.06.522.J	DCC, DMU	WR	DR
Directionals	Shall be limited to 4 feet in height.	Same as DCC.	Same as DCC.
Setback	None, but signs shall be on private property.	Same as DCC.	Same as DCC.
Billboards	Prohibited.	Prohibited.	Prohibited.
Sign Features			
Lighting	Indirect, internal illumination, neon, and bare bulb allowed.	Same as DCC.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Same as DCC.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.	Prohibited.
Electronic changing message center	Allowed. Refer to TMC 13.06.524.H for additional regulations.	Same as DCC.	Same as DCC.
Temporary Signs			
A-boards	2 permitted each business, shall not exceed 12 square feet in area nor 4 feet in height and shall not be placed on sidewalks less than 12 feet in width.	Same as DCC.	Same as DCC.
Banners	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year.	Not allowed.
Feather Signs	Prohibited. Feather Signs are prohibited in all Downtown zones except for the following: a) Feather Signs identifying an accessory retail outlet co-located with a manufacturing facility. In this instance two feather signs are authorized per business. b) One special event per business once every two years. In this instance two feather signs are authorized for no more than 15 consecutive days. c) When associated with a use not located in private property such as food carts or car sharing services. Feather Signs must be located on private property unless a City street occupancy permit is secured.	Same as DCC	Same as DCC
Flags	Shall be on private property, no advertising allowed except logos.	Same as DCC.	Same as DCC.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as DCC.	Same as DCC.
Searchlights, beacons	1 allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Same as DCC.	Prohibited.
Temporary off-premises advertising signs	Section 13.06.521.C shall apply, except public facility sites in the DCC and DMU Districts shall be allowed temporary advertising signs of 32 square feet, including banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.	Prohibited.	Prohibited.

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 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.
Minimum sign area	Each business allowed 30 square feet regardless of frontage.	Same as C-2.
Wall	Provisions of Section 13.06.521.E shall apply.	Same as C-2.
Awning, canopy, marquee, under-marquee	Provisions of Section 13.06.521.H, I, and J shall apply.	Same as C-2.
Projecting	Provisions of Section 13.06.521.F shall apply, maximum projection 6-1/2 feet. Single business, in lieu of freestanding sign. Multi-business, not allowed.	Same as C-2.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as C-2.
Roof signs	Prohibited.	Prohibited.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
Freestanding Signs		
Maximum number	1 per street frontage, each 300 feet considered separate street frontage, corner sites require a minimum 300 feet on both frontages for an additional sign.	Same as C-2.
Maximum area per sign	200 square feet (additional 100 square feet allowed for name of shopping center), sites with freeway frontage shall not exceed 75 percent of the maximum allowed. 400 square feet for public facility over 5 acres.	100 square feet.
When not allowed	No freestanding sign shall be on same frontage as a projecting sign.	Same as C-2.
Maximum height	35 feet maximum; signs located 300 feet or less from residential district shall not exceed height of building it identifies. Sign height for site with freeway frontage is prohibited to exceed height of building it identifies. 45 feet for public facility over 5 acres.	6 feet for sites with less than 100 feet of frontage, 15 feet for sites with frontage between 100 feet and 300 feet, no sign shall exceed the height of the building it identifies.
Directionals	Shall be limited to 4 feet in height, except 15 feet shall be allowed in PMI.	Same as C-2.
Off-premises directionals	Provisions of Section 13.06.521.L shall apply, except 25 square feet shall be allowed in PMI with a maximum height of 15 feet and a maximum number of four per business.	Same as C-2.

Section 13.06.522.K	C-2, CIX, CCX, UCX, M-1, M-2, PMI	C-1
Setback	Provisions of Section 13.06.521.G shall apply, minimum 200 feet separation from other freestanding signs, sites with freeway frontage shall locate signs on the abutting parallel frontage, no signs shall be allowed adjacent to the freeway.	Same as C-2.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
Sign Features		
Lighting	Indirect, internal illumination, neon and bare bulb allowed.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.
Electronic changing message center	Allowed, but prohibited on Pedestrian Streets and Core Pedestrian Streets, as defined in 13.06.300.C, 13.06.200., and 13.06.521.H.	Same as C-2.
Temporary Signs		
A-boards	In the CIX District, 2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located. For all other districts, 1 per business, on private property, 12 square feet per side, 4 feet height.	Same as C-2.
Banners	1 per business, 60 square feet maximum, 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	Prohibited.
Feather Signs	1 per 50 feet of street frontage, per site, with maximum of 2 signs per street frontage. Each sign allowed up to 12 square feet in area and ten feet in height. Shall be located on private property.	Same as C-2.
Flags, pennants	Shall be on private property, no advertising allowed, except logos.	Same as C-2.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as C-2.
Searchlights, beacons	One allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Prohibited.
Temporary off-premises advertising signs	Provisions of Section 13.06.521.C shall apply.	Prohibited.

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Signage Allocation		
Maximum total sign area	1-1/2 square feet per 1 linear feet of building frontage abutting a street frontage, applies to the first 50 feet, with 1/2 square foot per 1 linear foot of building frontage over 50 feet.	HM and HMX sign regulations for use by hospitals only, all other uses in HM and HMX to follow T sign regulations.
Signs Attached to Buildings		
Maximum number	2 per primary frontage (1 may be ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.	One per elevation.

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Maximum area per sign	Shall not exceed size allocation on primary frontage, 50 square feet on perpendicular frontage(s), 25 square feet on alley frontage, 10 square feet on upper story or basement uses.	Identification signs at 75 square feet. Directional signs at 25 square feet.
Minimum sign area	30 square feet, except for upper story or basement uses.	
Wall	Provisions of Section 13.06.521.E shall apply.	Same as T.
Awning, canopy	Provisions of Section 13.06.521.J shall apply.	Same as T.
Blade, under-canopy	Provisions of Section 13.06.521. I shall apply. Indirect illumination only.	Same as T.
Projecting	40 square feet with frontage of at least 25 feet and not allowed on alleys, provisions of Section 13.06.521.F shall apply.	Provisions of Section 13.06.521.G shall apply.
Roof signs	Prohibited.	Same as T.
Billboards	Prohibited.	Same as T.
Freestanding Signs		
Maximum number	1 per site, sign area shared with building sign allocation (not allowed on an alley).	1 per right-of-way frontage or 1 per access, regardless the number of major accesses on one right-of-way frontage.
Maximum area per sign	30 square feet.	Identification or directory signs at 50 square feet. Directional signs at 25 square feet.
When not allowed	When the building signage has utilized the allowed sign area for wall signage or when a projection sign exists on the site.	N/A.
Maximum height	6 feet.	Identification or directory signs at 15 feet.
Directionals	Shall be limited to 4 feet in height.	Shall be limited to 6 feet in height.
Setback	None, but signs shall be on private property.	Same as T.
Billboards	Prohibited.	Same as T.
Sign Features		
Lighting	Indirect, or internal illumination allowed. No bare bulb illumination allowed. All external lighting to be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as T.
Rotating, mechanized	Prohibited.	Same as T.
Flashing, animated	Prohibited.	Same as T.
Electronic changing message center	Prohibited.	Allowed, but prohibited on pedestrian streets and core pedestrian streets as defined in 13.06.300.C.
Temporary Signs		
A-boards	In the NCX and URX districts, 2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located. For all other districts, 1 per business, on private property, 12 square feet per side, 4 feet heights.	Prohibited.
Banners, pennants	Prohibited.	Banners allowed at 30 square feet.

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Feather Signs	Prohibited, unless associated with use not located on private property such as food carts or caring sharing service. In such instances, only one allowed per business, 12 square feet in area and ten feet in height.	Prohibited.
Flags	Prohibited, except for the national flag, state flag, flags of other political subdivisions.	Same as T.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as T.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as "no parking," "exit," "entrance," etc.	Same as T.
Searchlights, beacons	Prohibited.	Same as T.

Section 13.06.522.M	PDB	RCX
Signage Allocation		
Maximum total sign area	Single business (wall signs), ½ square foot per 1 linear foot of building frontage.	1 square foot per 1 linear foot of building frontage abutting a street frontage, applies to the first 50 feet, with 1/2 square foot per 1 linear foot of building frontage over 50 ft.
Signs Attached to Buildings		
Maximum number	Single business, 1 per elevation, 2 total. Multi-business, 1 per business.	2 per primary frontage (1 may be a ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.
Maximum area per sign	Single business, 75 square feet per elevation, total 150 square feet for all signs. Multi-business, 20 square feet.	30 square feet maximum on perpendicular frontage(s), but not to exceed size area allocation, 10 square feet on alley frontage, upper story and basement uses.
Minimum sign area	Single business, 30 square feet each business regardless of frontage. Multi-business, 20 square feet each business regardless of frontage.	20 square feet each business regardless of frontage.
Wall	Provisions of Section 13.06.521.E shall apply.	Same as PDB.
Awning, canopy, under-canopy	Provisions of Section 13.06.521. I and J shall apply.	Same as PDB.
Roof signs	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.
Freestanding Signs		
Maximum number	1 per site (single or multi-business) located in landscaped area.	1 per site (not allowed on an alley).
Maximum area per sign	30 square feet.	25 square feet.
Maximum height	6 feet.	4 feet.
Directionals	Shall be limited to 4 feet in height.	Same as PDB.
Setback	Minimum 5 feet from property lines.	None, but signs shall be on private property.
Billboards	Prohibited.	Prohibited.

Section 13.06.522.M	PDB	RCX
Sign Features		
Lighting	Indirect or internal illumination allowed. No bare bulb or neon illumination allowed. All external lighting shall be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as PDB.
Rotating, mechanized	Prohibited.	Same as PDB.
Flashing	Prohibited.	Same as PDB.
Electronic changing message center	Allowed. Refer to 13.06.521.H for additional requirements.	Prohibited.
Temporary Signs		
A-boards	Prohibited.	2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located.
Banners, pennants	Prohibited.	Prohibited.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as PDB.
Feather signs	Prohibited.	Prohibited.
Flags	Prohibited, except the national flag, state flag, flags of other political subdivisions.	Same as PDB.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as “no parking,” “exit,” “entrance,” etc.	Same as PDB.
Searchlights, beacons	Prohibited.	Prohibited.

Section 13.06.522.N	
1. Multiple-Family Residential	**All Shoreline Districts**
Signage Allocation	
Total sign allocation	1 building or 1 freestanding sign per development site
Signs Attached to Buildings	
Maximum number	1
Maximum sign area	20 square feet
Freestanding Signs	Subject to provisions of 13.06.521.G
Maximum number	1
Maximum sign area	15 square feet per face
Maximum height	6 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.

Section 13.06.522.N			
Lighting			
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed, except that neon signs shall be allowed in the "S-8" Shoreline District. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.		
2. Commercial	**S-7, S-9, and S-10 Districts**	**S-8 District**	**S-1a, S-1b, S-5, S-6, S-6/7, S-11, and S-15 Districts**
Signage Allocation			
Total sign allocation	1 building or 1 freestanding per development site Signs having both land and water access may have one sign facing landward and one facing waterward.	2 building signs on separate building elevations or 1 building and 1 freestanding sign Signs having both land and water access may have one sign facing landward and one facing waterward. Freestanding signs must be oriented landward.	1 building or 1 freestanding per development site Signs having both land and water access may have one sign facing landward and one facing waterward.
Maximum total sign area		Buildings containing one business are allowed .75 square-foot of sign area per lineal foot of building frontage. Buildings on development sites containing multiple buildings may calculate their sign area based on .75 square feet of sign area per lineal street frontage.	
Signs Attached to Buildings			
Maximum number	1 per development site	2 signs, on separate building faces Buildings containing multiple businesses are allowed one additional non-freestanding sign for a total of 3 signs.	1 per development site
Maximum sign area	60 square feet	The maximum area for any sign is 75 square feet.	60 square feet
Minimum sign area	One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.	One additional sign per tenant up to 10 square feet in area. This sign area is not included in the maximum sign area.	One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.

Section 13.06.522.N			
Freestanding Signs			
Maximum number	1 per development site	1 per development site, oriented landward	1 per development site
Maximum sign area	45 square feet per face.	The maximum area for any sign is 75 square feet.	30 square feet per face
Maximum height	15 feet	20 feet	8 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.		
A-board		One non-illuminated A-board sign up to 10 square feet in total area is allowed for each use; provided, that the sign does not obstruct designated public or vehicular access routes. This sign area is not included in the maximum sign area.	
Lighting			
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.	Neon signs are allowed. No other external bare bulb illumination of signs shall be allowed. Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.
3. Industrial	**S-1a, S-6/7, S-7, S-8, S-9, and S-10 Districts**		
Signage Allocation			
Total sign allocation	1 building or 1 freestanding sign per development site. Sites having both land and water access may have one sign facing landward and one facing waterward.		
Signs Attached to Buildings			
Maximum number	1 per development site		
Maximum sign area	100 square feet		
Minimum sign area	One additional sign per tenant up to 12 square feet in area. This sign area is not included in the maximum sign area.		

Section 13.06.522.N	
Freestanding Signs	
Maximum number	1 per development site
Maximum area per sign	75 square ft per face
Maximum height	20 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
Lighting	
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.
4. Park/Recreational	
Signage Allocation	
Total sign allocation	1 freestanding sign per development site
Freestanding Signs	
Maximum number	1 per development site
Maximum sign area	30 square feet per face
Maximum height	8 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
Lighting	
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.

(Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28194 Ex. A; passed Dec. 17, 2013: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013:Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27432 § 10; passed Nov. 15, 2005: Ord. 27296 § 23; passed Nov. 16, 2004: Ord. 27245 § 16; passed Jun. 22, 2004: Ord. 27079 § 40; passed Apr. 29, 2003: Ord. 26966 § 15; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.525 Adult uses.

A. Adult entertainment, activity, retail, or use shall mean all of the following:

1. Adult theater shall mean a building or enclosure, or any portion thereof, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified "sexual activities" or "specified anatomical areas," as defined in this section, for observation by patrons therein, which excludes minors by virtue of age.

2. Adult entertainment shall mean any commercial premises or club to which any patron is invited or admitted and where adult entertainment, as defined by Section 6.36.010.A[1], is provided on a regular basis or is provided as a substantial part in the premises activity.

3. Adult retail means a commercial establishment such as a bookstore, video store, or novelty shop which, as its principal business purpose, offers for sale or rent, for any form of consideration, any one or more of the following:

a. Books, magazines, periodicals, or other printed materials, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are distinguished or characterized by a predominant emphasis on matters depicting, describing, or simulating any specified sexual activities or any specified anatomical areas; or

b. Instruments, devices, or paraphernalia designed for use in connection with any specified sexual activities.

For the purpose of this definition, the term "principal business purpose" shall mean the business purpose that constitutes 50 percent or more of the stock in trade of a particular business establishment. The stock in trade of a particular business establishment shall be determined by examining either: (i) the retail dollar value of all sexually-oriented materials compared to the retail dollar value of all non-sexually-oriented materials readily available for purchase, rental, view, or use by patrons of the establishment, excluding inventory located in any portion of the premises not regularly open to patrons; or (ii) the total volume of shelf space and display area reserved for sexually-oriented materials compared to the total volume of shelf space and display area reserved for non-sexually-oriented materials.

4. Specified anatomical areas shall mean the following:

a. Less than completely and opaquely covered human genitals, anus, pubic region, buttock, or female breast below a point immediately above the top of the areola; or

b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

5. Specified sexual activities shall mean any of the following:

a. Human genitals in a state of sexual stimulation or arousal;

b. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, or bestiality;

c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed, of oneself, or of one person by another; or

d. Excretory functions as part of or in connection with any of the activities set forth in this section.

Activities and uses defined as adult entertainment, activity, retail, or use are only permitted in the zone where that term is specifically listed as an allowable use and only in conformance to the requirements as stated for that use.

B. Location and development standards.

1. Any new adult use may not locate or be conducted closer than the distance noted below to any of the following, whether in or out of the City:

a. Within 2,000 feet of any residential zone;

b. Within 1,000 feet of any single-family or multi-family residential use;

c. Within 1,000 feet of any park;

d. Within 1,000 feet of any library;

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[1]Note: Section 6.36.010A was recodified as section 6B.30.010 pursuant to Ord. 27297, passed Nov. 23, 2004.

e. Within 1,000 feet of any day care center for children, nursery, or preschool;

f. Within 1,000 feet of any church or other facility or institution used primarily for religious purposes;

g. Within 1,000 feet of any public or private elementary or secondary school;

h. Within 2,500 feet of any other adult uses; provided, adult retail uses may locate within 1,000 feet of each other;

2. Exterior portions or window displays of any adult use shall not consist of any display of graphic adult merchandise or sexually explicit materials, as defined in subsection A.3 above.

3. The separation required between an adult use and any sensitive use described above in sections B.1.a through B.1.g shall be measured from the nearest edge or corner of the property of each sensitive uses or zone. The separation required between adult uses shall be measured from the point of public access among the buildings housing such uses. The portions of any parcels or buildings not included within the above-referenced buffer areas may be used for adult uses.

4. No variance shall be permitted for any of the above distance or separation requirements.

C. Any adult entertainment, activity, use, or retail use in existence within the City limits as of November 19, 2000, shall be considered a nonconforming use.

(Ord. 27432 § 11; passed Nov. 15, 2005: Ord. 27245 § 17; passed Jun. 22, 2004: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.530 Juvenile community facilities.

A. Intent. It is found and declared that juvenile community facilities are essential public facilities which provide a needed community service. However, the public interest dictates that they shall be subject to special regulations. The intent of these regulations is to reduce incompatible uses within established neighborhoods, to encourage equitable regional and statewide distribution of such essential public facilities, and to promote the public health, safety, and general welfare.

B. Conditional use permit required. A conditional use permit shall be required for juvenile community facilities in the following instances: a juvenile community facility for no more than eight residents in the R-1, R-2, R-2SRD, HMR-SRD, NRX, R-3, R-4-L, and C-1 Districts. A juvenile community facility for greater than eight residents, but no more than 16 residents, in the R-4, R-5, URX and RCX Districts. The Director, in reviewing a request for a conditional use permit for juvenile community facilities, shall use the criteria found in subsection D below, as well as the conditional use permit criteria found in Section 13.06.640.

C. Standards.

1. Maximum number of residents. No juvenile community facility shall house more than eight residents in the R-1, R-2, R-2SRD, HMR-SRD, NRX, R-3, R-4-L, and C-1 Districts. No juvenile community facility shall house more than 16 residents in the R-4, R-5, URX, RCX, NCX, CCX, UCX, CIX, C-2, M-1, M-2, and PMI Districts.

2. Location requirements.

a. The lot line of any new or expanding juvenile community facility shall be located one-half mile or more from any other juvenile community facility.

b. The Director shall determine whether the proposed facility meets the dispersion criteria from maps which shall note the location of current juvenile community facilities. Any person who disputes the accuracy of the maps may furnish the Director with the information and, if determined by the Director to be accurate, this information shall be used in processing the application.

3. In addition to compliance with local siting and development requirements, the Department of Social and Health Services ("DSHS"), or a private or public entity under contract with DSHS, shall comply with the siting process found in RCW 72.05.400 and RCW 72.62.220, as incorporated below:

a. DSHS shall conduct public meetings in the local communities affected, as well as provide for written and oral comments in the following manner:

(1) If there are more than three sites initially selected as potential locations and the selection process by DSHS, or the service provider reduces the number of possible sites for a community facility to not fewer than three, DSHS, or

the chief operating officer of the service provider, shall notify the public of the possible siting and hold at least two public hearing in each community where a community facility may be sited.

(2) When DSHS, or the service provider, has determined the location of the community facility, DSHS, or the chief operating officer of the service provider, shall hold at least one additional public hearing in the community where the community facility will be sited.

(3) When DSHS has entered negotiations with a service provider and only one site is under consideration, then at least two public hearings shall be held.

(4) To provide adequate notice of, and opportunity for interested persons to comment on, a proposed location, DSHS, or the chief operating officer of the service provider shall provide, at least 14 days advance notice of the meeting to all newspapers of general circulation in the community, all radio stations, television stations, and cable networks available to persons in the community, any school district in which the community facility would be sited or whose boundary is within two miles of a proposed community facility, any private schools or kindergartens whose boundary is within two miles of a proposed community facility, any library district in which the community facility would be sited, local business or fraternal organizations, local chamber of commerce or local economic development agencies that request notification from the secretary or agency, and any government offices, person, or property owner within a one-half mile radius of the proposed community facility. Before initiating this process, the department shall contact local government planning agencies in the community containing the proposed community facility. The department shall coordinate with local government agencies to ensure that opportunities are provided for effective citizen input to reduce the duplication of notice and meetings.

b. Compliance with the siting process must be completed before local permits are issued. The applicant shall provide verifiable proof of compliance with the above siting requirements.

4. Persons convicted of serious violent offenses, as defined in RCW 9.94A.030(31), and/or sexually violent offenses, as defined in RCW 71.09.020(6), are not permitted in juvenile community facilities within the City.

D. Criteria. The Director's decision shall be based on the applicable goals and policies of the Comprehensive Plan and applicable ordinances of the City, the conditional use criteria, as found in Section 13.06.640, and the additional following criteria:

1. The extent to which the proposed location furthers the equitable distribution ("fair sharing") of essential public facilities within various areas of the City.

2. The extent to which the applicant has demonstrated that the facility will be made secure. The applicant shall submit a proposed security plan to the Director for review. The security plan shall address, but is not limited to, the following:

a. Plans to monitor and control the activities of residents, including methods to verify the presence of residents at jobs or training programs, policies on sign-outs for time periods consistent with the stated purpose of the absence for unescorted trips by residents away from the facility, methods of checking the records of persons sponsoring outings for juvenile community facility residents, and policies on penalties (i.e., placement back in the prison system for drug or alcohol use by residents); and

b. Qualified staff numbers, level of responsibilities, and scheduling.

3. The extent to which the applicant can demonstrate that the site size and building size is adequate for housing the requested number of residents. A copy of the American Corrections Association ("ACA") Residential Standards shall be supplied with the project application to demonstrate compliance with this criterion. The Hearing Examiner, Director, or other designated administrative body shall take into consideration, but not be limited to, the ACA Residential Standards and Title 2.

4. The extent to which proposed lighting is located so as to minimize spillover light on surrounding properties while maintaining appropriate intensity and hours of use to ensure that security is maintained.

5. The extent to which the landscape plan of the facility meets the requirements of the zone while allowing visual supervision of the residents of the facility.

6. The extent to which appropriate measures are taken to minimize noise impacts on surrounding properties. Measures to be used for this purpose may include landscaping, sound barriers or fences, berms, location of refuse storage areas, and limiting the hours of use of certain areas.

7. The extent to which the impacts of traffic and parking are mitigated by increasing on-site parking or loading spaces to reduce overflow vehicles or changing the access to and location of off-street parking.

8. The extent to which the facility is well-served by public transportation or to which the facility is committed to a program of encouraging the use of public or private mass transportation.

9. Verification from DSHS, or applicable federal authority, that the proposed juvenile community facility meets DSHS standards, or the standards of the applicable federal authority, for such facilities and that the facility will meet state and local laws and requirements.

E. Discontinuance of Use. Any authorized conditional use, which has been discontinued, shall not be reestablished or recommence, except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than 12 consecutive months.

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use.

(Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27432 § 12; passed Nov. 15, 2005: Ord. 27296 § 24; passed Nov. 16, 2004: Ord. 27079 § 41; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.535 Special needs housing.

A. Intent. It is found and declared that special needs housing facilities are essential public facilities which provide a needed community service. It is also recognized that these types of facilities often need to be located in residential neighborhoods. Thus, in order to protect the established character of existing residential neighborhoods, the public interest dictates that these facilities be subject to certain restrictions. The intent of these regulations is to minimize concentrations of certain types of facilities, mitigate incompatibilities between dissimilar uses, preserve the intended character and intensity of the City's residential neighborhoods, and to promote the public health, safety, and general welfare.

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

Special Needs Housing – Use Table
(P = Permitted Outright, CU = Conditional Use Permit Required, N = Not Permitted)
*Note: See Subsection C, below, for additional siting restrictions
**Note: The residency limitations indicated in this use table apply to the number of residents housed at a facility, exclusive of any support or care staff. Where specific residency limitations are provided in the definition of the use, the size information herein is provided for reference only.

	Size (number of residents)	R-1, R-2, R-2SRD, HMR-SRD, NRX	R-3	R-4-L, R-4, R-5, PRD, URX, RCX, NCX, T, C-1, HM, HMX, PDB	UCX, CCX, CIX, C-2, M-1, DCC, DMU, DR, WR	M-2, PMI
Emergency and Transitional Housing	Limit 6	N	N	CU	P	N
Emergency and Transitional Housing	7-15	N	N	CU	P	N
Emergency and Transitional Housing	16 or more	N	N	CU	P	N
Confidential Shelter, Adult Family Home, Staffed Residential Home	Limit 6	P	P	P	P	N
Confidential Shelter, Extended Care	7-15	N	P	P	P	N

Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth						
Confidential Shelter, Residential Chemical Dependency Treatment Facility, Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth	16 or more	N	N	P	P	N

C. Dispersion requirement.

1. Facilities lawfully in existence on the adoption date of this section, are exempt from the dispersion requirement. Such facility shall be permitted to expand from the site it lawfully occupied at the time of the passage of this section only onto contiguous property owned by or under lease to the use at the time of the adoption of this section.

2. This requirement shall apply only to development in the PRD, R-4-L, R-4, R-5, URX and RCX districts.

3. The lot line of any emergency and transitional housing shall be located 600 feet or more from the lot line of any other emergency and transitional housing. Where existing proximity to a limited access highway or freeway affords comparable protection, the 600 foot distance requirement may be waived.

4. The City shall determine whether a proposed facility meets the dispersion requirement criteria from maps which shall note the location of emergency and transitional housing. Such maps shall be generated and maintained by the City as a reference document. Any person who disputes the accuracy of the maps may furnish the staff with the information and, if determined by the staff to be accurate, this information shall be used in processing the application.

D. Should the state adopt siting requirements in excess of those required by this section, this section shall be considered amended to be in compliance with state law

E. Facilities allowed by conditional use permit. Applications for conditional use permits for special needs housing facilities shall be processed in accordance with the standard procedures and requirements for conditional use permits, as outlined in Chapter 13.05 and Section 13.06.640, with the following additional requirements.

1. Pre-application community meeting. Prior to submitting an application for a conditional use permit to the City, the applicant shall 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 facility. The meeting should acquaint the neighbors of the proposed facility with the operators and provide for an exchange of information about the proposal and the community, including the goals, mission, and operation and maintenance plans for the proposed facility; the background of the operator, including their capacity to own, operate, and manage the proposed facility; and the characteristics of the surrounding community and any particular issues or concerns of which the operator should be made aware. The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 400 feet of the project site.

2. Pre-application site inspection. Prior to submitting an application for a conditional use permit to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.

3. Required submittals. Applications for conditional use permits for special needs housing facilities shall include the following:

a. A Land Use Permit Application containing all of the required information and submissions set forth in Section 13.05.010 for conditional use permits.

b. Written confirmation from the applicant that a pre-application public meeting has been held, as required under subsection E.1 above.

c. Demonstration of inspection by the appropriate Fire Marshal and Building Inspector, as required under subsection E.2 above, to include a description of any necessary building modifications identified during the inspection.

d. An Operation Plan that provides information about the proposed facility and its programs, per the requirements of Planning and Development Services.

4. Review criteria. Applications for conditional use permit for special needs housing facilities shall be subject to the specific review criteria contained in Section 13.06.640.D.

5. Concomitant Agreement. Upon issuance of a conditional use permit for a special needs housing facility, the applicant shall sign and record with the Pierce County Auditor a notarized concomitant agreement. Such agreement shall be in a form specified by Planning and Development Services and subject to the approval of the City Attorney, and shall include as a minimum: (a) the legal description of the property which has been permitted for the special needs housing facility, and (b) the conditions of the permit and applicable standards and limitations. The property owner shall submit proof that the concomitant agreement has been recorded prior to issuance of a certificate of occupancy by Planning and Development Services. The concomitant agreement shall run with the land as long as the facility is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for termination of the concomitant agreement. Such termination shall be granted upon proof that the facility no longer exists on the property.

F. Registration of existing special needs housing. Facilities existing as of November 13, 2006, shall be required to register with Planning and Development Services by May 13, 2007. Such registration shall be in a form provided by Planning and Development Services and shall include the following information:

1. The type of facility;

2. The location of the facility;

3. The size of the facility, including the number of clients served and number of staff; and

4. Contact information for the facility and its operator.

G. Abandonment. Any existing special needs housing facility that is abandoned for a continuous period of one year or more shall not be permitted to be re-established, except as allowed in accordance with the standards and requirements for establishment of a new facility.

(Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28157 Ex. F; passed Jun. 25, 2013:Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27539 § 17; passed Oct. 31, 2006: Ord. 27432 § 13; passed Nov. 15, 2005: Ord. 27296 § 25; passed Nov. 16, 2004: Ord. 26966 § 16; passed Jul. 16, 2002)

13.06.540 Surface mining.

A. Intent. The Growth Management Act ("GMA"), under RCW 36.70A.170, requires the designation of mineral resource lands. Mineral resources of Tacoma consist of rock and gravel deposits. The legislature has found that the extraction of these minerals by surface mining is an essential activity making an important contribution to the economic well-being of the state and nation. This section allows for surface mining, in accordance with Section 13.06.700.S, where the applicant can show that such uses are:

1. Located in an area sufficiently removed from existing residential or commercial developments;

2. That a safe and reasonable re-use of the property shall be possible upon expiration of the operation;

3. That adjoining properties and residences shall be safeguarded against undue, hazardous, or prolonged nuisances occasioned either by noise, odor, smoke, dust, debris, or other unsightly or obnoxious conditions. Special requirements for construction in residential districts within 400 feet of a mineral resource lands area can be found in Section 13.06.603.B.

B. Process. A conditional use permit shall be required for all surface mining activities in all zoning districts and shall be processed in accordance with Section 13.05 and with the criteria in Section 13.06.640. In addition to the conditional use permit criteria found in Section 13.06.640, the applicant shall submit plans and other necessary information justifying the proposed use or uses as follows:

1. Plans for surface mining shall consist of a topographic map showing ten-foot contours, with cross-sections to show the topography of the property and its relation to streets, alleys, and surrounding property, and a map showing the extent of the proposed surface mining and the finished contours of the ground after the removal of the material and replacement of topsoil has been completed.

2. The plans shall be reviewed by the Department of Public Works, and the Department of Environmental Services which shall advise the Director regarding the effect of the intended surface mining upon streets and alleys, either existing or contemplated, and adjoining properties.

3. The Director, before issuing a conditional use permit, shall make a finding whether the proposed surface mining will interfere with logical future development of the tract for building or other purposes in accordance with the Comprehensive Plan.

C. Standards. The above conditional use permit shall be subject to the following standards:

1. The planned, finished slope of the material in such a surface mining operation shall not exceed a slope steeper than one and one-half horizontal feet to one vertical foot, unless the applicant submits a written statement from a civil engineer, licensed by the state of Washington, and experienced in erosion control, to the effect that the planned, finished slope of the material in such an surface mining shall be equal to the angle of repose of said material. The angle of repose for a face of a surface mining operation that is composed of more than one type of soil, each of which has its own individual angle of repose, shall be equal to the angle of repose of the material that required the flattest angle. The planned, finished slope shall also provide permanent, safe, and stable lateral support to all surrounding lands. Where the angle of repose and the slope necessary for permanent, safe, and stable lateral support differ, the flatter slope will be considered as the required maximum slope.

In no case, however, shall the planned, finished slope of the material in such a surface mining operation exceed a slope steeper than one horizontal foot to one vertical foot.

2. The streets which are adjacent to such surface mining shall be kept free from sand, gravel, and debris occasioned by the surface mining operation.

3. All open surface mining which results in impounding water, issued a permit under provisions of this section, shall have a substantial, properly maintained fence at least six feet in height, with suitable gates, completely enclosing that portion of the property in which the surface mining is located, and such fences shall be located at all points at safe distance from the face of the surface mining walls on ground under which lateral support is not to be disturbed; provided, however, this shall not include excavation necessary for the construction of a structure for which a building permit has been duly issued. Said fence, or any portion thereof, shall be sight obscuring where deemed necessary to promote the purpose and intent of this section.

4. A rock crusher, cement plant, or other crushing, grinding, polishing, or cutting machinery, or other physical or chemical processes for treating the product, may be permitted in surface mining operations where it is determined that no undue, hazardous, or prolonged nuisances, including noise, dust, smoke, odors, or other obnoxious or unsightly influences will be made on surrounding land inconsistent with the purpose and intent of the zoning district in which the area is located.

D. Cash deposit or surety bond. The applicant shall file or deposit with the Planning and Development Services Department a bond or cash amount equal to the cost, plus 10 percent, of restoring the premises to the condition required by the Director, prior to commencement of work. The amount of the bond or cash deposit shall be fixed by the Director at the time the conditional use permit is authorized to be issued, and the Director shall, upon advisement, determine the amount necessary to restore the premises to a healthy, safe, and lawful condition, as required by the Tacoma Municipal Code. The sureties on the bond filed shall be approved by the Director of Finance, and the form of the bond shall be approved by the City Attorney.

E. Review of bond or cash amount. The Planning and Development Services Department, or permittee, may initiate a review of the amount of the bond or cash deposit where the conditional use permit is for a period in excess of 12 months. Review shall not be made within the first year of the permit, and review shall not be made more than once

every six months after the first year; provided, where the permittee is in violation of the conditions of the permit or the provisions of this chapter, this limitation shall not apply. The Director may increase or decrease the amount of the bond or cash deposit where a change in circumstances justifying such action is warranted, and a statement of the change of circumstances upon which action is taken shall be set forth in a written order of the Director.

F. Release of sureties – payment on bond. The cash deposit shall not be returned, or the surety released, upon his bond until the Director, or his or her designee, has inspected and found that the conditions of the conditional use permit and the provisions of this chapter have been satisfied. In the event the Director, or his or her designee, finds that the conditions of the permit or the provisions of this chapter have not been satisfied, then a notice and order, by certified or registered mail, shall be sent to the permittee and his surety, if any, stating that the conditions of the permit or the provisions of this chapter that have not been satisfied and specifying a reasonable time within which such conditions must be satisfied. The notice and order shall be sent to the address shown on the application for the conditional use permit; provided, the permittee or surety may change the address of receiving notice by giving written notification to Planning and Development Services and the Director.

In the event the permittee or surety fails to comply with the conditions of the permit or the provisions of this chapter within the time specified by the Director, or appeal therefrom, as hereinafter provided, the surety shall pay to Planning and Development Services the face amount of the bond. The funds obtained from the surety, or the cash deposit of the permittee, shall be used to satisfy the conditions of the permit or the provisions of this chapter and the remainder, if any, after deduction of 10 percent of the amount expended for costs of supervision by the Director, shall be returned to the party furnishing said funds. The Director may, in addition, revoke the conditional use permit where the permittee has failed to comply with the conditions of the permit or the provisions of this chapter, after notification as hereinabove provided.

G. Inspection. Planning and Development Services may inspect the premises, or any part thereof, at all reasonable times.

(Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27245 § 18; passed Jun. 22, 2004: Ord. 27079 § 42; passed Apr. 29, 2003: Ord. 26966 § 17; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.545 Wireless communication facilities.

A. Purpose. These standards were developed to protect the public health, safety, and welfare, and minimize visual impacts on residential areas and Mixed-Use Center Districts, while furthering the development of wireless communication services in the City. These standards were designed to comply with the Telecommunication Act of 1996, as well as the relevant provisions of the Middle Class Tax Relief and Job Creation Act of 2012 and the associated Federal Communications Commission's Report and Order, FCC 14-153. The provisions of this section are not intended to and shall not be interpreted to prohibit or to have the effect of prohibiting wireless communication services. This section shall not be applied in such a manner as to unreasonably discriminate among providers of functionally equivalent wireless communication services. This section shall not be used to regulate uses and development activity located within street rights-of-way.

To the extent that any provision of this section is inconsistent or conflicts with any other City ordinance, this title shall control. Otherwise, this section shall be construed consistently with the other provisions and regulations of the City.

B. Exemptions. The following are exempt from the provisions of this section and shall be permitted in all zones:

1. Antennas and related equipment no more than three feet in height.

2. Wireless radio utilized for temporary emergency communications in the event of a disaster.

3. Licensed amateur (ham) radio stations not exceeding the permitted height requirements of the underlying zone. Amateur radio towers or antenna support structures exceeding the height limit shall be allowed only with approval of a Conditional Use Permit, in accordance with the provisions of Section 13.06.640. Modification or use of such towers for commercial use shall require full compliance with this section.

4. Satellite dish antennas less than seven feet in diameter, including direct to home satellite services, when used as an accessory use of the property.

5. Routine maintenance or repair of a wireless communication facility and related equipment (excluding structural work or changes in height or dimensions of antenna, tower, or buildings), provided that compliance with the standards of this regulation are maintained.

6. A COW or other temporary wireless communication facility shall be permitted for a maximum of 90 days during the construction of a permitted, permanent facility or during an emergency.

7. Residential television antennas as an accessory installation on a residential dwelling unit.

C. Permits required.

1. Where a transmission tower or antenna support structure is located in a zoning district, which allows such use as a permitted use activity, administrative review, and a building permit shall be required, subject to the project's consistency with the development standards set forth in Section 13.06.545.G. In instances where the antenna height exceeds the height limit of the zoning district or is not allowed as a permitted use activity, a conditional use permit and building permit shall be required in addition to a demonstration of consistency with all required development standards. The table in Section 13.06.545.E specifies the permits required for the various types of wireless service facilities that meet the standards of this ordinance.

D. Required submittals.

1. Administrative review-building permit. Application for administrative review and building permit shall include the following:

a. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, the type and location of plant materials used to screen the facility, including the related equipment facilities, and the proposed color(s) of the facility. The landscape plan shall address the required method of fencing, finished color, and, if applicable, the method of camouflage and illumination.

b. A signed statement indicating that:

(i) the applicant for a new tower has provided notice to all other area wireless service providers of its application to encourage the collocation of additional antennas on the structure. Notice shall be published in a newspaper of general circulation once per week, for a minimum period of 30 days, and an affidavit of publication shall be provided at the time of application as proof that the required notice has occurred. This requirement shall not apply to the development of concealed or camouflaged towers; and

(ii) the applicant and/or landlord agree to remove the facility within one year after abandonment.

c. Copies of any environmental documents required, pursuant to the State Environmental Policy Act ("SEPA") (WAC 197-11). Project actions which are categorically exempt from SEPA shall also be exempt from this requirement. Copies of any environmental documents required by a federal agency. These shall include the environmental assessment required by FCC Para. 1.1307, or, in the event that a FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.

d. An engineered and stamped site plan clearly indicating the location, type, and height of the proposed tower and antenna, the anticipated antenna capacity of the tower, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.

e. Legal description of the parcel and Pierce County Assessor's Parcel Number.

f. A letter signed by the applicant stating the tower will comply with all FAA regulations and applicable standards, and all other applicable federal, state, and local laws and regulations.

g. A signed statement indicating that such installation, repair, operation, upgrading, maintenance, and removal of antenna(s) by the wireless communication provider shall be lawful and in compliance with all applicable laws, orders, ordinances, and regulations of federal, state, and local authorities having jurisdiction.

h. Where applicable, proof that the applicant is an FCC-licensed wireless communication provider or that it has agreements with an FCC-licensed wireless communication provider for use or lease of the proposed facility.

2. Conditional use permit-building permit. Application for conditional use permit and building permit shall include the following:

a. All the required submittals set forth in Section 13.06.545.D.1 above.

b. Photo-simulations of the proposed facility. The required photo-simulations shall be taken from at least four line-of-site views. The photo-simulations shall be labeled as to the view depicted, the maximum height and elevation of the structure, including antennas, the elevation from which the photo-simulation was taken, proposed color scheme, and method of screening.

c. A current map showing the location of the proposed tower and associated wireless service facilities, the locations of other wireless service facilities operated by the applicant, and those proposed by the applicant that are within the City or outside of the City, but within one-half mile of the City boundary.

d. The approximate distance between the proposed tower or antenna and the nearest residentially-zoned property.

e. At the time of site selection, the applicant should demonstrate how the proposed site fits into its existing overall network within the City.

f. Confirmation from the applicant and/or the applicable Neighborhood Council Board ("NCB") that a pre-application public meeting has been held, or is scheduled to occur (unless the requirement for the meeting has been waived by the NCB), with the applicant to discuss the siting of the proposed wireless communication tower or antenna and any issues related to such siting.

E. Wireless communication towers and facilities use category.

1. Wireless communication towers or wireless communication facilities. Wireless communication towers or wireless communication facilities use type refers to facilities used in the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. These types of facilities also include central office switching units, remote switching units, telecommunications radio relay stations, and ground level equipment structures.

Level 1: Modification of an existing wireless tower. This may include the complete replacement of an existing wireless communication tower or antenna support structure to its existing height or modifications to accommodate collocation or the installation of a concealed antenna. Such modifications are limited to a cumulative increase in height and/or width from the originally permitted facility, as specified in the criteria pertaining to substantial changes as set forth in subsection 13.06.545.G.8. Level 1 also includes an antenna attached to the sides of a building, an existing tower, water tank, or a similar structure. This level is limited to the following types of antenna(s): an omni-directional or whip antenna no more than seven inches in diameter and extending no more than 16 feet above the structure to which it is attached; a panel antenna no more than 16 square feet in total area per panel and extending above the structure to which it is attached by no more than 16 feet; or a parabolic dish no greater than three feet in diameter per dish and extending no more than 16 feet above the structure to which it is attached.

Level 2: Wireless communication towers with associated antennas or dishes to a height of 60 feet, as well as building or structure-mounted antennae that exceed the associated limitations of Level 1 facilities outlined above.

Level 3: Wireless communication towers with associated antennas or dishes over 60 feet in height and not exceeding 140 feet in height.

Level 4: Wireless communication towers with associated antennas or dishes over 140 feet in height.

Wireless Facility Use Category	Zoning District Classifications			
	R-1; R-2; R-2SRD; R-3; R-4; R-4-L; R-5; T; HMX; DR; NRX	**PDB; C-1; C-2, NCX; CCX; RCX; URX; UCX; DCC; DMU; WR**	**CIX; M-1**	**M-2; PMI**
Level 1	A [1, 3]	A	A	A
Level 2	C[3]	C[2]	A	A
Level 3	C[3]	C	C	A
Level 4	C[3]	C	C	C

Symbols:
A - Allowed with administrative review
C - Allowed only with approval of a Conditional Use Permit
Footnotes:
1 - Permitted on public facility sites, subject to administrative review and building permit.
2 - Allowed 16 feet above underlying zoning district height limit, except in the C-1, C-2, and NCX Districts.
3 - New wireless communication towers and antennas prohibited in R-1, R-2, R-2SRD, and R-3 Districts, except on public or quasi-public property developed with existing public or quasi-public facilities and properties developed with existing wireless communication facilities.

F. Priority for siting and type of facility. The order of priority for the siting of new wireless communication towers and facilities is intended as guidance to applicants for the development of sites with wireless communication towers, antennas, and associated facilities. The priority for the type of facility shall be subject to the provisions set forth in Section 13.06.545.F.3.a(4).

1. Priority for siting.

a. Place antennas on appropriate rights-of-ways and existing public and private structures, such as buildings, towers, water towers, and smokestacks.

b. Place antennas and any necessary support structures, on public property developed with existing public facilities and properties developed with existing telecommunication facilities and, if practical, on non-residentially-zoned sites.

c. Place antennas and any necessary support structures, in M-2 and PMI Industrial Districts.

d. Place antennas and any necessary support structures in M-1 and CIX Mixed-Use Center Districts.

e. Place antennas and any necessary support structures in other non-residentially-zoned property.

f. Place antennas and any necessary support structures on public property developed with existing public facilities and, if practical, on multiple-family structures in residentially-zoned sites.

g. Place antennas and any necessary support structures in R-4-L, R-4, R-5, NCX, URX, RCX, CCX, T, and HMX Districts. Such placement shall be subject to the following criteria:

(1) An applicant that proposes to locate a new antenna support structure in a residential, mixed commercial, or transitional zone shall demonstrate that a diligent effort has been made to locate the proposed wireless communications facility on a public facility, a private institutional structure, or other appropriate existing structures within a non-residential zone, and that due to valid considerations including physical constraints, and economic, or technological feasibility, no appropriate location is available.

(2) Applicants are required to demonstrate:

(a) That in the R-4-L, R-4, R-5, NCX, URX, RCX, CCX, T, and HMX Districts, they have contacted the owners of structures that are at least the height of the proposed facility within a one-quarter mile radius of the site proposed and which, from a location and height standpoint, could provide part of a network for transmission of signals; and

(b) After proposing a lease agreement for the site consistent with the documented average market rate for similar properties, were denied permission to use such property or, due to other onerous lease-related terms, chose not to pursue the lease.

(3) The information submitted by the applicant shall include:

(a) a map of the area served by the tower or antenna;

(b) its relationship to other cell sites in the applicant's network; and

(c) an evaluation of existing buildings as addressed by Section 13.06.545.F.1.g(2)(a) within one-quarter mile of the proposed tower or antenna, which, from a location and height standpoint, could provide part of a network to provide transmission of signals.

h. Place antennas and any necessary support structures on public property developed with existing public facilities and properties developed with existing wireless communication facilities in R-1, R-2, R-2SRD, NRX, and R-3 Districts.

i. New antennas and necessary support structures shall be prohibited in R-1, R-2, R-2SRD, NRX, and R-3 Districts, except as noted above.

2. Siting priority on public property. Where public property is sought to be utilized by an applicant, priority for the use of City-owned land for wireless communication facilities shall be given to the following entities in descending order:

a. City of Tacoma, General Government and Public Utilities; and

b. Other governmental agencies.

3. Priority for type of facilities.

a. Facility preference. Proposed antennas, associated structures, and placement shall be evaluated, based on available technologies, for approval and use in the following order of preference:

(1) Collocation of facilities and the installation of concealed and/or flush mounted antennae;

(2) Concealed/camouflaged free-standing facilities, which extend no more than 16 feet above adjacent existing vegetation or structures, only when subsection (1) cannot be reasonably accomplished;

(3) Concealed/camouflaged free-standing facilities, which extend more than 16 feet above adjacent existing vegetation or structures, only when subsections (1) and (2) cannot be reasonably accomplished; or

(4) New building/structure-mounted facilities that are not concealed within a new or existing building feature or are not flush-mounted to the side of the building/structure; or

(5) If the applicant chooses to construct new free-standing facilities, the burden of proof shall be on the applicant to show a facility of a higher order of preference cannot reasonably be accommodated on the same or other properties. The City reserves the right to retain a qualified consultant, at the applicant's expense, to review the supporting documentation for accuracy.

4. For Conditional Use Permits, in addition to the criteria set forth in Section 13.06.640.C, any applicant proposing to construct an antenna support structure, or mount an antenna on an existing structure, shall demonstrate by engineering evidence that the antenna must be located at the site to satisfy its function in the applicant's grid system. Further, the applicant must demonstrate, by engineering evidence, that the height requested is the minimum height necessary to fulfill the site's function within the grid system, and that collocation on existing facilities is not feasible. If a technical dispute arises, the Director may require a third-party technical study to resolve the dispute. The cost of the technical study shall be borne by the applicant or wireless service provider.

G. Development standards. The following special requirements and performance standards shall apply to any wireless communication tower or wireless facility:

1. Visual impacts. Wireless communication towers or antenna support structures and related facilities shall be located and installed in such a manner so as to minimize the visual impact on the skyline and surrounding area. Facilities shall be placed in locations where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening. The use of attached antennas, concealed facilities, or the camouflaging of towers, antennas, and associated equipment shall be used, to the greatest degree technically feasible, in and adjacent to all residential districts, in and adjacent to the View Sensitive, Historic and Conservation Overlay Districts, and in

the URX, NRX, RCX, NCX, UCX, and CCX Mixed-Use Center Districts. Visual impacts shall be addressed in the following manner:

a. Site location and development shall preserve the pre-existing character of the surrounding buildings, land use, and the zoning district to the extent possible, while maintaining the function of the communications equipment. Wireless communication facilities shall be integrated through location, siting, and design to blend in with the existing characteristics of the site through application of as many of the following measures as possible (examples are also provided below):

(1) Provide required setbacks;

(2) Incorporate the antenna, associated support structure, and equipment shelter as a building element or architectural feature;

(3) Locate facilities toward the center of the site, and locate roof-mounted facilities toward the interior area of the roof;

(4) Flush mount the antenna to the side of an existing building or structure and paint to match;

(5) Use screening of building-mounted support structures and antennas in order to minimize view from adjacent properties and rights-of-way;

(6) Preserve and improve existing on-site vegetation insofar as possible, and minimize disturbance of the existing topography, unless such disturbance would result in less visual impact of the site to the surrounding area;

(7) Screen towers or mounts by placement of the structure among and adjacent to, within 20 feet, of three or more trees at least 50 percent of the height of the facility;

(8) Locate facilities close to structures of a similar height;

(9) Design freestanding towers to appear as another structure or object that would be common in the area, such as a flagpole or tree; and

(10) Alternative designs which meet the same intent may be considered.

The examples of methods used to minimize the visual impacts of wireless facilities shown above include the preservation and use of existing vegetation (examples A and C), flush mounting and color-matching wireless facilities (examples B, F and G), screening above-ground equipment (example C), disguising a wireless facility as another freestanding structure, (example D, as a flagpole; examples A and C, as a tree), and incorporation of wireless facilities into a building feature (example E, inside the cupola; example F, top left looking like a brick parapet; and example G).

b. Related equipment facilities used to house wireless communications equipment shall be located within buildings or placed underground when possible. When they cannot be located in existing buildings or placed underground, equipment shelters or cabinets shall be limited to a maximum floor area of 400 square feet and a maximum height of 12 feet, shall be screened, and shall be insulated to ensure noise levels do not exceed the ambient pre-development noise level at any residential receiving property abutting the site with a maximum sound pressure level of 40 dB, pursuant to the 1993 ASHRAE Handbook. Alternate methods for screening may include the use of building or parapet walls, sight-obscuring fencing and/or landscaping, screen walls, or equipment enclosures or camouflaging; and

c. Wireless communication facilities and related equipment facilities shall be of neutral colors such as white, gray, blue, black, or green, or other appropriate color designed to disguise, conceal, or camouflage the facility or equipment, or similar in building color in the case of facilities incorporated as part of the features of a building, unless specifically required to be painted another color by a federal or state authority. Other screening methods, such as the use of siding which is architecturally compatible with adjacent buildings, or site-obscuring fencing materials may also be utilized. For such screening, including the screening for structure-mounted facilities, the applicant should use recognized durable, low maintenance materials that are similar to those used on the adjacent buildings or on the structure on which the facilities are being mounted. Wooden poles are not required to be painted.

2. Setbacks.

a. Towers and other support structures up to 60 feet in height shall provide the setbacks required for the underlying zone. Where a conditional use permit is required, minimum setbacks of 20 feet from all property lines or the setbacks of the underlying zone, whichever are greater, shall be required. Towers over 60 feet shall provide one additional foot of setback for every foot over 60 feet of height.

b. Towers and other support structures located in M-1, M-2, and PMI Districts, which meet the height limit of the underlying zone and abut residential zones, shall provide the required setback of the underlying zone. Towers located in M-1, M-2, and PMI Districts, which exceed the height of the underlying zone, shall be setback from the abutting residential district one additional foot for each foot of height over the maximum height permitted by the zone.

c. All setbacks shall be measured from the property lines of the site to the base of a monopole, lattice tower, or equipment mount, or in the case of a guyed tower, from the property lines of the site to the base of the guy wires which support it.

d. Attached facilities located on existing structures, which are nonconforming as to setback requirements, shall be allowed no closer to a property line than the nonconforming structure.

e. Equipment structures shall comply with the setback requirements of the underlying zone, except in the R-1, R-2, R-2SRD, NRX, and R-3 Districts, in which case a minimum setback of 20 feet from all property lines shall be provided, or the minimum setback of the underlying zone, whichever is greater.

3. Tower separation. An applicant will be required to demonstrate why it is necessary, from a technical standpoint, to have a tower within one-half mile of a tower, whether it is owned or utilized by the applicant or another provider, as well as why collocation is not feasible. The distance shall be measured tower-to-tower regardless of property lines and rights-of-way. If a technical dispute arises, the Director may require a third-party technical study to resolve the dispute. The cost of the technical study shall be borne by the applicant or wireless service provider.

4. Security fencing. Security fencing a minimum of six feet in height shall be required around the perimeter of any tower site. The required fencing shall be colored or should be of a design which blends into the character of the existing environment. No razor or ribbon wire may be utilized in conjunction with the fence installation.

5. Signage. No signs shall be permitted on towers. One non-illuminated identification sign, with a maximum area of six square feet for all faces, shall be required per development site. The design of the sign and its location on the site shall be subject to the approval of the Director and shall include the name and telephone number of the provider(s).

6. Lights and signals. No lights or signals shall be permitted on towers unless required by the FCC or the FAA. Building-mounted lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projecting above the horizontal plane is prohibited. All lighting, unless required by the FAA, or other federal or state authority, shall be shielded so that the direct illumination is confined to the property boundaries of the sight source.

7. Noise. No equipment shall be operated so as to produce noise in violation of Section 13.06.545.G.1.b and the maximum noise levels set forth in WAC 173-60.

8. Minor modifications. Minor modifications to existing wireless communication facilities, including the installation of additional antenna and associated equipment, for which a valid conditional use permit exists, may be approved by Planning and Development Services, provided it is determined there is no substantial change in the visual appearance or the physical dimensions of the facilities and said modifications comply with the performance standards set forth in this section. A modification substantially changes the physical dimensions of a facility if it meets any of the following criteria, as set forth in the FCC's Report and Order, FCC 14-153:

a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

(1) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on building rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act;

b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

d. It entails any excavation or deployment outside the current site;

e. It would defeat the concealment elements of the eligible support structure; or

f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified above.

9. Variance to development standards. The Director may, in such cases as deemed appropriate, modify any of the aforementioned development standards upon a finding that: (a) reasonable alternatives are to be provided to said standards which are in the spirit and intent of this section; or (b) strict enforcement of the standards would cause undue or unnecessary hardship due to the unique character or use of the property. Applications for variances shall be processed in accordance with the provisions of Chapter 13.05..

H. Non-Use/Abandonment. Not less than 30 days prior to the date that a wireless communication provider plans to abandon the operation of a facility, the provider must notify the City, by certified mail, of the proposed date of abandonment. In the event that such notice is not provided, the records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of abandonment. Upon such abandonment, the provider shall have one year to reactive the use of the facility or dismantle and remove it. If the tower, antenna, foundation, and/or associated facility are not removed within one year, the City may remove them at the expense of the wireless communication providers.

Nothing in this subsection shall be construed to require the removal of architectural elements, including, but not limited to, false church steeples or flag poles that have been installed, pursuant to a valid building or conditional use permit, to conceal wireless communication facilities.

I. Enforcement. Enforcement of the provisions set forth in this section shall be in accordance with the provisions set forth in Section 13.05.100.

(Ord. 28376 Ex. C; passed Aug. 16, 2016: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27432 § 14; passed Nov. 15, 2005: Ord. 27296 § 26; passed Nov. 16, 2004: Ord. 27245 § 19; passed Jun. 22, 2004: Ord. 27079 § 43; passed Apr. 29, 2003: Ord. 26966 § 18; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.550 Work release centers.

A. Intent. It is found and declared that work release centers are essential public facilities which provide a needed community service. However, the public interest dictates that work release centers shall be subject to special regulations. The intent of these regulations is to reduce incompatible uses within established neighborhoods, to

encourage equitable regional and statewide distribution of such essential public facilities, and to promote the public health, safety, and general welfare.

B. Conditional use permit required. A conditional use permit is required for new or expanding work release centers in the UCX, CIX, M-1, and M-2 Districts. In reviewing a request for a conditional use permit for work release centers, the Director shall use the criteria found in subsection D below, as well as the conditional use permit criteria found in Section 13.06.640.

C. Standards.

1. Maximum number of residents. No work release center shall house more than 30 persons, excluding resident staff, in the UCX District; no more than 25 persons, excluding resident staff, in the CIX District; 25 persons, excluding resident staff, in the M-1, and M-2 Districts; and 75 persons, excluding resident staff, in the PMI District.

2. Location requirements.

a. Buffers. The lot line of any new or expanding work release center shall be located 600 feet or more from any residential zone, RCX zone, the lot line of a day care center or church with a day care center, the lot line of any state-licensed family day care, the lot line of any crisis care facility, the lot line of any special needs housing, the lot line of any public or private school, or any lot line of a public park.

The City shall determine whether a proposed facility meets the buffer requirement from maps which shall note the location of existing day care centers, churches with day care centers, state-licensed family day care, crisis care facilities, special needs housing, public or private schools, or any public park. Such maps shall be generated and maintained by the City as a reference document.

b. Dispersion. The lot line of any new or expanding work release center shall be located at least one-half mile from any other work release facility in the UCX, CIX, M-1, and M-2 Districts. No dispersion shall be required for work release centers located in the M-3 District. The City shall determine whether a proposed facility meets the dispersion requirement from maps which shall note the location of existing work release centers. Such maps shall be generated and maintained by the City as a reference document.

3. Siting. In addition to compliance with local siting and development requirements, the Department of Corrections ("DOC"), or a private or public entity under contract with the DOC, shall comply with a facility siting process found in RCW 72.65.220, or as later amended. Compliance with the siting process found in RCW 72.65.220 must be completed before local permits are issued. The applicant shall provide verifiable proof of compliance with the siting requirements found in RCW 72.65.220.

D. Criteria. The Director's decision shall be based on the applicable goals and policies of the Comprehensive Plan and applicable ordinances of the City, the conditional use criteria, as found in Section 13.06.640, and the additional following criteria:

1. The extent to which the proposed location furthers the equitable distribution ("fair sharing") of essential public facilities within various areas of the City, unless otherwise provided by state law.

2. The extent to which the applicant can demonstrate that the site size and building size is adequate for housing the requested number of residents. A copy of the ACA Residential Standards shall be supplied with the project application to demonstrate compliance with this criteria. The Hearing Examiner, Director, or other designated administrative body shall take into consideration, but not be limited to, the ACA Residential Standards and Title 2.

3. The extent to which proposed lighting is located so as to minimize spillover light on surrounding properties while maintaining appropriate intensity and hours of use to ensure that security is maintained.

4. The extent to which the facility's landscape plan meets the requirements of the zone while allowing visual supervision of the residents of the facility.

5. The extent to which appropriate measures are taken to minimize noise impacts on surrounding properties. Measures to be used for this purpose may include landscaping, sound barriers or fences, berms, location of refuse storage areas, and limiting the hours of use of certain areas.

6. The extent to which the impacts of traffic and parking are mitigated by increasing on-site parking or loading spaces to reduce overflow vehicles or changing the access to and location of off-street parking.

7. The extent to which the facility is well-served by public transportation or to which the facility is committed to a program of encouraging the use of public or private mass transportation.

8. Verification from the DOC, or applicable federal authority, that the proposed work release center meets DOC standards, or the standards of the applicable federal authority, for such facilities and that the facility will meet state and local laws and requirements.

E. Discontinuance of use. Any authorized conditional use which has been discontinued shall not be reestablished or recommence except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than 12 consecutive months.

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use.

(Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27079 § 44; passed Apr. 29, 2003: Ord. 26991 § 1; passed Oct. 8, 2002: Ord. 26966 § 19; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.555 View-Sensitive Overlay District.

A building, structure, or portion thereof, hereafter erected, shall not exceed a height of 25 feet, except as provided in Sections 13.06.602, 13.06.640 and 13.06.645.B.3. This section shall not apply to any building, structure, or portion thereof within any development or subdivision which is greater than 30 acres in size and which has an approved site plan or residential plat; provided, such site plans must have established the height or elevation of buildings, and such residential plats must have active architectural control committees, of which a resident or property owner of the plat shall be a member, and recorded covenants which give consideration to protection of views, and the architectural control committee must have reviewed and approved the plans of the building or structures before submittal to the City.

(Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27562 § 10; passed Dec. 12, 2006: Ord. 27432 § 15; passed Nov. 15, 2005: Ord. 27245 § 20; passed Jun. 22, 2004: Ord. 26966 § 20; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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.

B. Scope and Applicability: The review process provisions of this section apply to all parks, recreation and open space uses in residential zones; the development standards are applicable as specified in subsection D, below.

C. Review Process in Residential Zoning Districts: The following definitions of Conditional park and recreational features are intentionally descriptive, rather than proscriptive. The intent is to provide clarity, while retaining adequate flexibility to accommodate future trends in park and recreational activities.

1. Parks, recreation and open space uses are permitted outright in residential zones. The following park and recreation features and facilities require a Conditional Use Permit in residential zones, unless exempt per TMC 13.06.560.C.3:

a. Destination facilities: Zoos, stadiums, community centers, recreation centers, indoor or outdoor swimming pools, indoor recreational facilities, and similar large-scale buildings or facilities providing a site or forum for sports, events, major gatherings, exhibitions or similar activities. Destination facilities are likely to attract a substantial proportion of users from beyond the immediate neighborhood.

b. High-intensity recreation facilities: Outdoor sports fields, athletic facilities, specialized recreation facilities (e.g., spray parks, dog parks, skateboard parks), and other facilities accommodating high-intensity outdoor recreational activities. High-intensity recreation facilities are likely to attract a substantial proportion of users from beyond the

immediate neighborhood. In some cases, high-intensity recreation facilities are defined by the presence of multiple sports fields, courts or other features which, when taken together, are likely to become attractions beyond the immediate neighborhood.

The following features, or combinations of features, constitute high-intensity outdoor recreation facilities. These thresholds could be exceeded either through a single development action, or cumulatively (for example, a second sports field added to a site already developed with one, would constitute a high-intensity recreational facility).

(1) Two or more baseball, softball, football, soccer, rugby or similar sports fields improved with permanent sports and/or spectator features;

(2) Two or more basketball courts or four or more half basketball courts;

(3) Four or more tennis, handball or similar sports courts;

(4) Specialized high-intensity recreation facilities with a site footprint greater than 1,500 square feet;

Small-scale neighborhood-serving recreation facilities, play structures or equipment, picnic tables and shelters, street furniture, pervious fields without permanent sports, recreation or spectator facilities, and small-scale sports or recreation features dispersed within a substantially larger site do not constitute high-intensity recreation facilities.

c. High-intensity lighting: Flood lighting associated with, and bright enough to enable, organized team and/or spectator-oriented night-time sports, recreational or other outdoor events.

Parking lot lighting, pedestrian-scale lighting and security lighting do not constitute high-intensity lighting per this definition.

d. Parking: Development of more than 20 off-street parking spaces associated with a parks, recreation or open space use.

2. Expansions or modifications of existing Conditional park and recreation facilities shall require review as follows:

a. Expansions or modifications to Destination facilities, High-intensity lighting and Parking are subject to the Major Modification thresholds of Section 13.05.080.

b. High-intensity recreation facilities: Expansions or modifications exceeding one or more of the following thresholds shall require a Major Modification:

(1) Exceeds one or more of the numerical thresholds for specific types of high-intensity recreation facilities listed in Section 13.06.560.C.1.b. For example, development of two or more sports fields, or expansion of a specialized recreation facility by 1,500 square feet or more, requires a Major Modification.

(2) Exceeds any of the Major Modification thresholds of Section 13.05.080, with the exception that high-intensity recreation facilities are not subject to Section 13.05.080.B.2 pertaining to total site structures, or to Section 13.05.080.B.4 pertaining to total site impervious surface.

3. Distance-based Conditional Use Permit exemption. This provision modifies the review process for certain park and recreation features and facilities which would otherwise be conditional, when they are located far enough away that impacts to residential neighborhoods would be limited. Most potential impacts decrease with distance. However, substantial traffic, noise and light generation can cause impacts over longer distances.

a. Except for destination facilities and high-intensity lighting, park and recreation uses and facilities listed as conditional features in 13.06.560.C.1 are exempt from the Conditional Use Permit requirement if located more than 1,000 feet from any other residentially zoned property.

4. Pre-existing parks, recreation, open space and school uses which were not required to obtain a Conditional Use Permit at the time they were developed, but which have subsequently become Conditional Uses, shall be viewed for zoning purposes in the same manner as if they had an approved Conditional Use Permit authorizing the extent of development as of August 1, 2011. If proposed modifications or expansions to such uses exceed the Major Modification thresholds of Section 13.05.080 or the expansion/modification thresholds of Section 13.06.560.C.2, a Conditional Use Permit will be required for the new development activities proposed.

5. Development Regulation Agreements. Per the provisions of TMC 13.05.095, Development Regulation Agreements are an optional application procedure for major projects in key locations. In the case of park, recreation

and open space uses, DRAs may facilitate application review by encompassing one or more features defined as Conditional in this section; and, DRAs can authorize alternative development standards and additional land uses to those authorized by the zoning district, that support and complement the plan and functions of a major park, recreation or open space location.

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.

(Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 27995 Ex. D; passed Jun. 14, 2011)

13.06.565 Marijuana Uses.

A. Intent. In November 2012, Washington voters passed Initiative 502, which establishes precedent for the production, processing and retail sale of marijuana for recreational purposes. In April 2015, the state Legislature enacted two laws, 2SSB 5052 and 2E2SHB 2136. The new laws establish regulations for the formerly unregulated aspects of the marijuana system, establish a "medical marijuana endorsement" that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers, and attempt to align these changes with the existing recreational system.

Pursuant to RCW 69.50, the State has adopted rules establishing a state-wide regulatory and licensing program for marijuana uses (WAC 314-55). It is therefore necessary for the City to establish local regulations to address such uses.

It is the intent of these regulations to ensure that such state-licensed uses are located and developed in a manner that is consistent with the desired character and standards of this community and its neighborhoods, minimizes potential incompatibilities and impacts, and protects the public health, safety and general welfare of the citizens of Tacoma. Recognizing the voter-approved right to establish certain types of marijuana businesses, it is also the intent of these regulations to provide reasonable access to mitigate the illicit marijuana market and the legal and personal risks and community impacts associated with it.

B. Applicability. The provisions of this Section shall apply city-wide. The specific development standards provided in this Section shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district. All licensed marijuana uses are required to fully comply with the provisions of this Section.

1. No Marijuana use as regulated herein and in WAC 314-55, that existed prior to the enactment of Ordinance No. 28182 on November 5, 2013, shall be deemed to have been a legally established use or entitled to claim legal non-conforming status.

2. As of July 1, 2016, in accordance with state law, collective gardens are prohibited.

3. For purposes of this Section and the standards applicable to state-licensed marijuana uses, the terms and definitions provided in WAC 314-55 shall generally apply unless the context clearly indicates otherwise.

C. Standards.

1. Marijuana uses (marijuana producer, marijuana processor, marijuana researcher, and marijuana retailer) shall only be permitted as allowed under RCW 69.50 and WAC 314-55.

2. Marijuana uses shall only be allowed within the City of Tacoma if licensed by the State of Washington and the City of Tacoma, and operated consistent with the requirements of the State and all applicable City ordinances, rules, requirements and standards.

3. Marijuana uses shall only be allowed in those zoning districts where it is specifically identified as an allowed use (see the zoning district use tables, Sections 13.06.100, -.200, -.300, and -.400 and Chapter 13.06A).

4. Marijuana uses shall be designed to include controls and features to prevent odors from travelling off-site and being detected from a public place, the public right-of-way, or properties owned or leased by another person or entity.

5. Marijuana retail uses shall not include drive-throughs, exterior, or off-site sales.

6. In accordance with WAC 314-55-147, marijuana retail uses shall not be open to the public between the hours of 12 a.m. and 8 a.m.

7. Signage and advertising shall be allowed only in accordance with the standards set forth in TMC Sections 13.06.520 - .522, the additional standards set forth in WAC 314-55, and any other applicable standards or requirements.

8. Displays against or adjacent to exterior windows shall not include marijuana or marijuana paraphernalia.

9. Marijuana cooperatives, as defined in RCW 69.51A.250 and WAC 314-55-410, are allowed in accordance with State law requirements and the following additional standards:

a. Marijuana cooperatives must be conducted in a manner that is clearly secondary and incidental to the primary use of the property as a residence and do not significantly alter the exterior of the property or affect the residential character of the neighborhood.

b. No outdoor display or storage of marijuana growing, processing or producing materials, goods, supplies, or equipment is allowed.

c. No change in the outside appearance of the building or premises, or other visible evidence that the residence is being used for a cooperative is permitted.

d. The cooperative shall not generate nuisances such as traffic, on-street parking, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.

10. All marijuana retail uses must have a State license and medical endorsement in accordance with RCW 69.50 and WAC 314-55 in order to obtain a City business license.

11. Location requirements.

a. As provided in RCW 69.50.331 and WAC 314-55-050, marijuana uses shall not be allowed to locate within 1,000 feet of elementary schools, secondary schools, or playgrounds. For purposes of this standard these uses are as defined in WAC 314-55.

b. Marijuana retail uses shall not be allowed to locate within 500 feet of public parks, recreation centers or facilities, libraries, child care centers, and game arcades within all downtown districts; shall not be allowed to locate within 1,000 feet of public parks, recreation centers or facilities, libraries, child care centers, and game arcades outside of downtown districts; and shall not be allowed to locate within 100 feet of public transit centers. For purposes of this standard, these uses are as defined in WAC 314-55.

c. Marijuana retail uses shall not be allowed to locate within 500 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, and detoxification centers within all downtown districts; and shall not be allowed to locate within 1,000 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, and detoxification centers outside of downtown districts.

d. Marijuana producer, processor and researcher uses shall not be allowed to locate within 1,000 feet of public parks, recreation centers or facilities, libraries, child care centers, game arcades, and public transit centers. For purposes of this standard, these uses are as defined in WAC 314-55.

e. Marijuana cooperatives shall not be allowed to locate within one mile of a marijuana retailer; and shall not be allowed to locate within 1,000 feet of primary and secondary schools, playgrounds, public parks, recreation centers or facilities, libraries, child care centers, game arcades, and public transit centers. For purposes of this standard, these uses are as defined in WAC 314-55.

f. Marijuana cooperatives shall not be allowed to locate within 1,000 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, and detoxification centers.

g. The methodology for measuring the distances outlined above in subsections 11.a through f shall be the shortest straight line from the closest parcel line in which the state licensed marijuana retailer, processer, producer, researcher or cooperative is located to the closest parcel line of any of the uses in these subsections.

h. It shall be the responsibility of the owner or operator of the proposed state-licensed marijuana use or cooperative to demonstrate and ensure that a proposed location is not within one of the buffers outlined above in subsections 11.a through f.

i. An existing nonconforming use located within a zoning district that would otherwise not permit marijuana uses, such as an old convenience store in a residential district, shall not be allowed to convert to a marijuana use.

j. A maximum of sixteen (16) retail marijuana stores are allowed to operate in the City of Tacoma.

(Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28281 Ex. A; passed Feb. 17, 2015: Ord. 28182 Ex. A; passed Nov. 5, 2013)

13.06.570 Live/Work and Work/Live.

A. Purpose and Intent: Live/work and work/live units are types of mixed-use development that can eliminate the need to commute to work, provide affordable work and housing space, and support the creation of new businesses by expanding entrepreneurial opportunities. The purpose of this section is to recognize live/work and work/live as uses that promote these community goals by facilitating economic activity in conjunction with residential uses, which is particularly appropriate within Downtown Tacoma and the City's other Mixed-Use Centers. Furthermore, this section provides certain flexibilities to development standards in order to incentivize the development of these mixed-use units in the context of adaptive reuse of older, economically distressed, or historically significant buildings. These provisions are intended to operate in conjunction with companion flexibilities provided in the Building Code with the overall goal of promoting live/work and work/live development as a means to conserve and reuse older, smaller, and historically significant buildings to their highest and best use.

B. Live/Work.

1. Applicability. Live/work units shall be permitted in accordance with Section 13.06A.050 as well as the district use tables in Sections 13.06.100, 13.06.200, 13.06.300, and 13.06.400, provided that the work component of the unit is a permitted use in the underlying zoning district and subject to other limitations and standards applicable to that use. Uses that are permitted conditionally in the associated underlying zoning district may be allowed in live/work units, provided that a Conditional Use Permit is authorized.

2. Requirements. The following requirements shall apply to live/work units:

a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;

b. The residential portion of the unit shall be inhabited by the business owner of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;

c. The residential portion of the unit shall be limited in occupancy to one family;

d. The Director may attach additional conditions to permits that are required for live/work units to ensure that the intent and standards are met as outlined above.

e. The live/work use shall be subject to any additional requirements within the Building Code.

3. Exemptions from development standards.

a. No additional parking shall be required for live/work units within buildings lawfully in existence prior to December 5, 1989.

b. For historic buildings, up to 10 % of new floor area may be added in which external additions and alterations are exempt from all prescriptive design standards contained within TMC 13.06.500 and TMC 13.06A, but external additions and alterations shall be in conformance with the character of the existing building and shall not negatively impact or remove important character-defining features as determined by the Historic Preservation Officer. For the purposes of this section, a historic building is defined as follows: Any building or structure that is listed in the State or National Register of Historic Places; or designated as a City Landmark under Chapter 13.07 of the Tacoma Municipal Code; or certified as a contributing resource within a National Register or Tacoma Register historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer, or with an opinion from the Tacoma Historic Preservation Officer that the property appears to meet the criteria for designation as a local landmark listed in Chapter 13.07 of the Tacoma Municipal Code. However, such review by the Historic Preservation Officer shall in no case replace the review by the Landmarks Preservation Commission when otherwise required.

C. Work/Live.

1. Applicability. Work/live units shall be permitted in accordance with Section 13.06A.050 as well as the district use tables in Sections 13.06.100, 13.06.200, 13.06.300, and 13.06.400, provided that the work component of the unit is a permitted use in the underlying zoning district and subject to other limitations and standards applicable to that use. Uses that are permitted conditionally in the associated underlying zoning district may be allowed in work/live units, provided that a Conditional Use Permit is authorized.

2. Requirements. The following requirements shall apply to work/live units:

a. The commercial or manufacturing activity taking place is subject to a valid business license associated with the premises;

b. The residential portion of the unit shall be inhabited by the business owner of the commercial or manufacturing activities performed in the unit. The work space shall not be leased separately from the living space; conversely, the living space shall not be leased separately from the work space;

c. The residential portion of the unit shall be limited in occupancy to one family.

d. The Director may attach additional conditions to permits that are required for work/live units to ensure that the intent and standards are met as outlined above.

e. The work/live use shall be subject to any additional requirements within the Building Code.

3. Exemptions from development standards.

a. No additional parking shall be required for work/live units within buildings lawfully in existence prior to December 5, 1989.

b. For historic buildings, up to 10 % of new floor area may be added in which external additions and alterations are exempt from all prescriptive design standards contained within TMC 13.06.500 and TMC 13.06A, but external additions and alterations shall be in conformance with the character of the existing building and shall not negatively impact or remove important character-defining features as determined by the Historic Preservation Officer. For the purposes of this section, a historic building is defined as follows: Any building or structure that is listed in the State or National Register of Historic Places; or designated as a City Landmark under Chapter 13.07 of the Tacoma Municipal Code; or certified as a contributing resource within a National Register or Tacoma Register historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer, or with an opinion from the Tacoma Historic Preservation Officer that the property appears to meet the criteria for designation as a local landmark listed in Chapter 13.07 of the Tacoma Municipal Code. However, such review by the Historic Preservation Officer shall in no case replace the review by the Landmarks Preservation Commission when otherwise required.

(Ord. 28327 Ex. C; passed Nov. 3, 2015)

13.06.575 Short-term rental.

A. Purpose. The purpose of this section is to support entrepreneurship by providing residents with an opportunity to use their homes to engage in small-scale business activities; to support tourism; to make efficient use of structures; to provide safe alternative forms of lodging; and to protect neighborhood character. This is accomplished by establishing standards to ensure that short-term rentals are operated in a safe manner, and do not significantly affect the residential character of the neighborhood.

B. Standards.

1. Owner occupancy. For short-term rentals that involve rental of individual guest rooms within a dwelling, the dwelling must be occupied by an owner of record during the rental term.

2. Safety sign. There must be a clearly printed sign inside the door of each rental guest room with the locations of fire extinguishers, gas shut-off valves, fire exits, and/or pull fire alarm.

3. The home shall be equipped with functioning smoke detectors and carbon monoxide detectors.

4. Occupancy. Maximum occupancy shall be dictated by the Minimum Building and Structures Code.

(Ord. 28376 Ex. D; passed Aug. 16, 2016)

13.06.600 Zoning code administration – General purposes.

The broad purposes of the zoning provisions of the Tacoma Municipal Code are to protect and promote the public health, safety, and general welfare, and to implement the policies of the Comprehensive Plan of the City of Tacoma. More specifically, the zoning code is intended to:

A. Provide a guide for the physical development of the City in order to:

1. Preserve the character and quality of residential neighborhoods;

2. Foster convenient, harmonious, and workable relationships among land uses; and

3. Achieve the arrangement of land uses described in the Comprehensive Plan.

B. Promote the economic stability of existing land uses that are consistent with the Comprehensive Plan and protect them from intrusions by inharmonious or harmful land uses.

C. Promote intensification of land use at appropriate locations, consistent with the Comprehensive Plan, and ensure the provision of adequate open space for light, air, and fire safety.

D. Foster development patterns that offer alternatives to automobile use by establishing densities and intensities that help make frequent transit service feasible, and encourage walking and bicycling. This emphasis on alternative transportation will also have air quality benefits and will conserve energy.

E. Establish review procedures to ensure that new development is consistent with the provisions of this chapter and all other requirements of this code.

(Ord. 27079 § 45; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.601 Public Facility Sites – Development Regulation Agreements Authorized.

For a Public Facility Site, as defined in subsection 13.06.700.P TMC, that is at least five acres in size, the regulations set forth in Chapter 13.06 TMC shall not apply if a Development Regulation Agreement, pursuant to the provisions of Section 13.05.095 TMC, has been approved for the site and is complied with.

(Ord. 27877 Ex. A; passed Mar. 2, 2010)

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:

1. No new subdivision, parcel or lot shall be created that prevents compliance with the standards of this or any other applicable Code, Title or standard of the City of Tacoma.

2. Use. Any building, structure, premises, or part thereof, shall be erected, raised, moved, reconstructed, extended, enlarged, or altered; or any land shall be used or occupied; only for the uses or purpose of accommodating the uses permitted in the district in which such building, structure, premises, or land is located, and then only after applying for and securing all permits and licenses required by law and city ordinances. While listed uses may not be varied, dimensional and/or design requirements contained in the additional regulations listed in the use tables may be varied; however, this does not allow uses to be varied.

3. Height. Any building, structure, or portion thereof, hereafter erected, shall not exceed the height limits established for the district wherein such building or structure is located except:

a. As provided in Section 13.06.640 relating to conditional uses.

b. As provided in Section 13.06.645 relating to height variances for residential structures located in the View-Sensitive Districts.

c. Schools, libraries, structures for religious assembly, colleges. In districts with a height limit of 35 feet, these facilities, when permitted as a use, are allowed at a maximum 45 feet in height.

d. Structures, above height limits. Chimneys, tanks, towers, cupolas, steeples, flagpoles, smokestacks, silos, elevators, fire or parapet walls, open railings, and/or similar necessary building appurtenances may exceed the district height limit provided all structural or other requirements of the City of Tacoma are met and no usable floor space above the district height limit is added.

e. Shipping cranes or other freight moving equipment are exempt from height limits.

f. Solar panels/collectors are allowed to exceed the maximum height limit provided they do not extend more than 12-inches above the surface of the roof, as measured to the upper side of the solar panel, and on pitched roofs do not extend above the ridgeline (see examples below).

g. For the purpose of adding insulation to the exterior of the existing building structural frame, the maximum allowable roof height may be increased by 8 inches, only. Existing buildings not conforming to development standards shall not exceed the maximum allowable height limit by more than 8 inches. This exception is not applicable within view-sensitive districts.

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.

a. No lot area, now existing or hereafter established, shall be so reduced or diminished such that the yards, setbacks, open spaces, or total lot area be made smaller than required by the chapter, except in conformity with the regulations of this chapter.

b. Primary access easements and lot extensions on pipestem lots shall not be included in the calculation of lot area. As used herein, a primary access easement is the easement that provides the primary vehicular and pedestrian access to a property that does not have frontage on a public right-of-way or to a property that does have frontage on a public right-of-way when such right-of-way is not practicable for use as vehicular or pedestrian access to the property, for reasons such as significant topography.

c. No required yard, setback or other open space, now provided for any building or structure or hereafter provided in compliance with the regulations of this chapter, shall be considered as any part of a yard, setback or open space for any other building or structure, nor shall any yard, setback or open space of abutting property be considered as providing a yard, setback or open space for a building or structure on a lot it abuts, except as specifically allowed, such as for shared yards or common open space.

d. No permit for the construction, alteration, enlarging, or moving of any building or structure shall be granted where it shall appear from the records of the Building Official that the plat, as required by Chapter 13.04, contains any lot or tract of land, or a part of any lot or tract of land previously designated as the plat, or part of the plat, for any building or structure, for the construction, alteration, enlarging, or moving of which a permit has been granted, if the original plat will thereby be reduced to an area which will not comply with the lot area, setback and yard requirements of this chapter.

e. No required setback, yard or other open space shall include any land dedicated, reserved, or set aside for street purposes, or land contained in any primary access easement, except as provided in this chapter.

f. No required setback, yard or other open space shall include any land condemned for or upon which notice of condemnation has been given for public purposes.

g. Side yard setbacks for schools, religious assemblies, and institutions. Public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in an R-1, R-2, R-3, HMR-SRD, or R-4-L District, shall provide side yard setbacks of not less than 20 feet (see Section 13.06.602.A.4.p, below, for parks, recreation and open space setbacks).

h. Side yard setbacks, institutions in Multiple-Family Dwelling Districts. Side yard setbacks for public schools, public libraries, religious assemblies, colleges, universities, fraternities, sororities, private clubs, lodges, hospitals, sanitariums, educational institutions, philanthropic institutions, and other institutions, hereafter built in an R-4 Multiple-Family Dwelling District, shall be not less than 25 feet in width and, in an R-5 Multiple-Family Dwelling District, not less than 30 feet in width (see Section 13.06.602.A.4.p, below, for parks, recreation and open space setbacks).

i. Side yard setback regulations. For the purpose of side yard setback regulations, townhouse dwellings having common-party walls, shall be considered as one building occupying one lot.

j. Setbacks for group buildings.

(1) In the case of group buildings on one site, including institutions and dwellings, the setbacks on the perimeter of the site or lot shall not be less than required for one building on one lot in the district in which the property is located.

(2) The distance separating buildings, exclusive of accessory buildings, shall not be less than twice the standard side yard setback for the applicable zoning district.

(3) For a building exceeding six stories in height, separation from other buildings on the site shall be increased by one foot in width for each additional story or part thereof that such building exceeds six stories. Where two adjacent buildings on one site both exceed six stories in height, the building separations between them shall be increased by two feet in width for each additional story or part thereof that such buildings exceed six stories.

(4) No multiple-family dwelling court shall be less than 25 feet in width.

(5) In the case of row houses or dwellings rearing on one side yard and fronting upon another, in districts where multiple-family dwellings are permitted, the side yard setback on which dwellings rear shall be increased one foot for each dwelling unit abutting on such side yard, and the side yard setback on which dwellings front shall be not less than 20 feet in width.

k. Rear yard setback includes one-half of alley. In computing the depth of a required rear yard setback, where such setback abuts on an alley, one-half of the width of such alley right-of-way may be assumed to be a portion of such rear yard setback.

l. Through lots. Through lots having a frontage on two streets shall provide the required front yard setback on each street.

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:

(1) Accessory building in the required rear yard setback.

(2) Ordinary building projections such as cornices, eaves, belt courses, sills, or similar architectural features, may project into any required yard or setback not more than 24 inches.

(3) Chimneys may project into any required setback not more than 24 inches.

(4) Uncovered balconies, decks, or fire escapes whose surface is greater than 8 feet above the surrounding grade may project over a required front or rear yard setback four feet or over a required yard two feet.

(5) Uncovered terraces, platforms, and decks whose surface is greater than 30-inches but not more than 8 feet above the surrounding grade may project or extend into a required front or rear yard setback not more than eight feet or into a court not more than six feet.

(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 and may also extend into required side yard setbacks to within 3-feet of the property line.

(7) An uncovered landing which does not extend above the level of the first floor of the building may project or extend into a required side yard setback not more than three feet.

(8) Mechanical equipment may encroach 8-feet into the required rear yard setback and may encroach 8-feet into the functional rear yard setback on double-frontage lots (see Section 13.06.100.F.5 regarding “functional rear/front

yards"). Mechanical equipment may not be located within a required side yard setback or yard space. The location of mechanical equipment shall not be used in the calculation of average setbacks.

(9) Covered porches which are open on three sides and do not extend above the level of the first floor may project 8-feet into the required front yard setback.

(10) Bay windows, garden windows and fireboxes may extend up to 24-inches into required side yard setbacks, as long as the total of such features does not exceed 25% of the side wall area.

(11) For the purpose of adding insulation to the exterior of an existing building structural frame required, the setback distance from adjacent property lines may be decreased by a maximum of 4 inches, where allowed by building code and where a minimum 3' clearance from the lot line is maintained for fire and emergency access. Existing buildings not conforming to development standards shall not extend into a required setback more than 4 inches.

(12) Rainfall catchment systems, which may include rain barrels, tanks or cisterns as well as associated piping, may extend into a required yard setback according to the following:

- Rainfall catchment tanks no greater than 600 gallons shall be allowed to encroach into a required setback if each tank is less than 4' wide (as measured perpendicular from the side of the house or principal structure), a minimum 3' clearance from the lot line is maintained, and provided that the cumulative coverage of the tanks does not exceed 10% of each yard area.
- Rainfall catchment tanks larger than 600 gallons may be permitted in a required setback provided that they do not exceed 10% coverage of any required yard, and they are not located closer than 3' from a side or rear lot line, or 15' from the front lot line. If located in the front, the rainfall catchment tank must be screened.
- Rainfall catchment tanks may not impede requirements for lighting, open space, minimum usable yard space, and fire protection or egress.
- The rainfall catchment system shall not obstruct any escape window and shall not create a surcharge on an existing retaining wall.

n. Lot area modifications for mobile home parks, multiple-family dwellings, retirement homes, apartment hotels, and residential hotels. In the case of a lot which abuts more than one street, computation of lot area may include one-half the area of the second and additional streets so abutting for the purpose of determining the number of mobile home lots or dwelling units, guest rooms, and guest suites that may be permitted on such lot; provided, said streets exceed 50 feet in width; and provided, said total street area so computed shall not exceed 33-1/3 percent of the actual net area of the lot contained within its lot lines.

o. Lot coverage modifications for mobile home parks and multiple-family dwellings, retirement homes, apartment hotels, and residential hotels. In the case of a lot which abuts more than one street, computation of lot area may include one-half the area of the second and additional streets so abutting for the purpose of determining lot coverage for main buildings; provided, such streets exceed 50 feet in width; and provided, such total street area so computed shall not exceed 25 percent of the actual net area of the lot contained within its lot lines.

p. The following setbacks apply to parks, recreation and open space uses:

(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).

B. Annexed land. All territory, which may hereafter be annexed to the City of Tacoma and for which no zoning classification has been previously established, shall automatically become an R-1 Single-Family Dwelling District until the Planning Commission shall make a thorough study of the new City area and report its recommendation to

the City Council regarding the appropriate changes to the Comprehensive Plan and zoning regulations of the City, to incorporate the newly annexed area into said program and establish the final zoning classification(s) for the annexed area.

C. Split zoning. Whenever a zone boundary line passes through a single unified parcel of land as indicated by record of the Pierce County Auditor as of May 18, 1953, and such parcel is of an area equal to the minimum requirements of either zone, the entire parcel may be used in accordance with the provisions of the least restrictive of the two zones; provided, more than 50 percent of the parcel is located within the least restrictive of the two zones.

D. Shoreline zoning. The following is applicable only to those portions of Shoreline Districts S-1a, S-6, S-8 and S-15 that are located outside of shoreline jurisdiction, as described in Chapter 9 of the Shoreline Master Program:

1. Permit processing, including discretionary land use permits such as conditional use permits and variances, shall be in accordance with this chapter and the applicable sections of Chapter 13.05 – Land Use Permit Procedures.

2. In cases where a proposal is located entirely outside the jurisdiction of the Shoreline Management Act but wholly within the shoreline zoning district, any land use permits required for the use and development shall be processed in accordance with this chapter, however the applicable use and development standards of the Shoreline Master Program shall apply.

3. Policies and development regulations that directly pertain to the goals and objectives of the Shoreline Management Act, including water-orientation, no net loss standards, and public access requirements, shall not apply to uses and development occurring under this chapter and outside the jurisdiction of the Shoreline Management Act.

(Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27432 § 16; passed Nov. 15, 2005: Ord. 27296 § 27; passed Nov. 16, 2004: Ord. 27079 § 46; passed Apr. 29, 2003: Ord. 26966 § 21; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.603 Mineral resource lands.

A. Classification. Mineral resource lands shall be classified based on geologic, environmental, and economic factors. The City shall use maps and information on location and extent of mineral deposits provided by the Washington State Department of Natural Resources. Sand, gravel, and valuable metallic substances must be classified.

B. Standards. An applicant who builds, alters, enlarges, or moves any buildings or structure on a lot in a residential zoning district adjacent to or within 400 feet of a mineral resource lands area shall provide a notice on title to alert all future owners of the proximity of a mineral resource lands area. An applicant who plats or short plats any property adjacent to or within 400 feet of a mineral resource lands area shall provide a notice on such plat or short plant and notice on title on all the lots of the plat or short plat to alert all future owners of the proximity of a mineral resource lands area. Such notice shall explain that the mineral resource lands area is a legally existing use which may continue in the future. Such notice shall be recorded prior to the issuance of any necessary building permits.

(Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.605 Interpretation and application.

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public safety, health, morals, or general welfare. It is not intended by this chapter to interfere with or abrogate or annul any easements, covenants, or agreements between parties. Where this chapter imposes a greater restriction upon the use and/or development of any buildings, land, or premises than are required in other ordinances, codes, regulations, easements, covenants, or agreements, the provisions of this chapter shall govern.

(Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.610 Enforcement of land use regulatory code. *Repealed by Ord. 27912.*

(Ord. 27912 Ex. A; passed Aug. 10, 2010: Ord. 27017 § 9; passed Dec. 3, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.620 Severability.

Should any section, clause, or provision of this chapter be declared by the court to be invalid, the same shall not affect the validity of the chapter as a whole or any part thereof, other than the part so declared to be invalid.

(Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.625 Violations – Penalties. *Repealed by Ord. 27912.*

(Ord. 27912 Ex. A; passed Aug. 10, 2010: Ord. 26933 § 1; passed Mar. 5, 2002)

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 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.

C. Nonconforming use.

1. Continuation of nonconforming use. Except as otherwise required by law, a legal nonconforming use, within a building or on unimproved land, may continue unchanged. In the event that a building, which contains a nonconforming use, is damaged by fire, earthquake, or other natural calamity, such use may be resumed at the time the building is restored; provided that the restoration is commenced in accordance with applicable codes and regulations and that any degree of nonconformity to the land use regulations is not increased. Further, such restoration shall be undertaken only under a valid building permit for which a complete application was submitted within 18 months following said damage, which permit must be actively pursued to completion.

The use of unimproved land which does not conform to the provisions of this chapter shall be discontinued one year from the adoption date of the change to this chapter that creates the nonconformity; provided, however, exception may be made for the nonconforming use of unimproved land abutting a lot occupied by a building containing a nonconforming use and which nonconforming use is continuous and entire in the building and over said abutting land, all being in one ownership, and such use shall have been legally established prior to the adoption date of the change to the chapter that creates the nonconformity.

2. Allowed changes to and expansions of nonconforming use. Changes to a nonconforming use shall be allowed only under the following circumstances:

a. A nonconforming use, or a portion of a nonconforming use, may be changed to a use that is allowed in the zoning district in which it is located.

b. A nonconforming use, or a portion of a nonconforming use, may be expanded or changed to another nonconforming use when nonconforming rights for the subject use have been verified by the City of Tacoma. The applicant must provide evidence to show that the subject use was lawfully permitted prior to May 18, 1953, or if such legal use became nonconforming by reason of subsequent changes in this Chapter, prior to the date of the code change that made the use nonconforming. An application for a review of nonconforming rights shall include the following:

(1) The name, address and phone number of the applicant(s) or applicant's representative.

(2) The name address and phone number of the property owner, if other than the applicant.

(3) Location of the property. This shall, at a minimum, include the property address and/or parcel number(s).

(4) A general description of any proposed change of use and/or proposed expansion.

(5) A general description of the property as it now exists including its physical characteristics and improvements and structures.

(6) A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to clearly depict all required information.

(7) Documenting evidence to prove that the nonconforming use was allowed when established and maintained over time, which may include: photographs, permit documentation, zoning codes or maps, tax/license/utility records, insurance maps, directories, inventories or data prepared by a government agency.

c. If a determination of nonconforming rights concludes that a use is lawfully in existence, then it may be expanded or changed to another nonconforming use, subject to the limitations and standards provided herein.

(1) Changes in use shall be limited to those uses allowed in the lowest intensity zoning district where the existing nonconforming use is currently permitted outright.

(2) The proposed change or expansion will not increase the cumulative generation of vehicle trips by more than 10 percent, as estimated by the City Traffic Engineer; nor will the change or expansion result in an increase in the number of parking spaces that would be required by this chapter by more than 10 percent. In no event shall multiple changes or expansions be approved that would, in the aggregate, exceed the 10 percent requirement as calculated for the initial request for a change or expansion in use;

(3) The proposed change or expansion will not result in an increase in noise such that it exceeds maximum noise levels identified in TMC 8.122;

(4) The proposed change or expansion will not result in substantial additional light or glare perceptible at the boundary lines of the subject property;

(5) The proposed change or expansion will not result in an increase in the outdoor storage of goods or materials; and

(6) The proposed change or expansion will not result in an increase in the hours of operation.

d. Any change from one nonconforming use to another nonconforming use, as allowed herein, shall not be considered converting such nonconforming use to a permitted use.

e. Changes in use that would exceed the standards herein may be approved through the issuance of a conditional use permit subject to the criteria in 13.06.640.P.

3. Abandonment or vacation of nonconforming use. When a nonconforming use is vacated or abandoned for 12 consecutive months or for 18 months during any three-year period, the nonconforming use rights shall be deemed extinguished and the use shall, thereafter, be required to be in accordance with the regulations of the zoning district in which it is located.

D. Continued occupancy of nonconforming structure. Except as otherwise required by law and consistent with all other requirements of this chapter, a legal nonconforming structure may continue unchanged.

E. Nonconforming structure and nonconforming commercial, industrial, and institutional uses. A legal nonconforming structure, that is also nonconforming as to use, may only be expanded and/or modified in the following cases:

1. Ordinary repairs and maintenance, including painting, repair, or replacement of wall surfacing materials and the repair or 1. Ordinary repairs and maintenance, including painting, repair, or replacement of wall surfacing materials and the repair or replacement of fixtures, wiring, and plumbing are permitted; provided, such repair or maintenance will not result in noise exceeding levels identified in TMC 8.122, light, or glare at the boundary lines of the subject property.

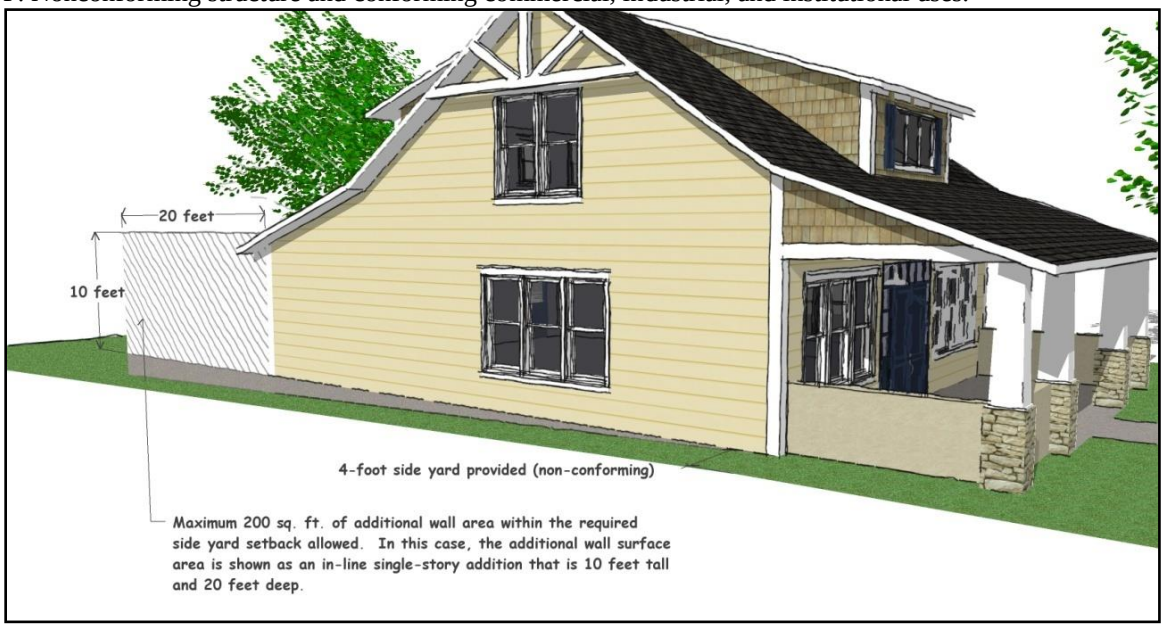
2. The enlargement or modification is required for safety upon order of the City, or otherwise required by law to make the structure conform to any applicable provisions of law.

3. Such enlargement and/or modification does not result in an intensification of the use as addressed by Section 13.06.630.C.2.b.

4. Such enlargement and/or modification complies with the requirements of TMC Chapter 13.11.

5. Changes in use or expansion that would exceed the limitations of 13.06.630.C.2.b.may be approved through the issuance of a conditional use permit subject to the criteria in 13.06.640.P.

F. Nonconforming structure and conforming commercial, industrial, and institutional uses.



A legal conforming use located in a structure that is nonconforming as to setback, location, maximum height, lot coverage, or other development regulations may be replaced, enlarged, moved, or modified in volume, area, or space; provided, such replacement, enlargement, movement, or modification does not increase the degree of nonconformity. Any structure's replacement, enlargement, movement, or modification of volume, area, or space must comply with all other current applicable regulations as provided by this chapter, and with the requirements of TMC Chapter 13.11.

G. Nonconforming structure and nonconforming residential use. Nothing in this chapter shall prohibit the enlargement of a residential structure, which is nonconforming as to use and development regulations, if such expansion does not increase the number of dwelling units or reduce existing lot area or off-street parking. Such expansion, including the construction of accessory buildings, shall be limited to compliance with the setback, height, and location requirements of the zoning district in which the subject site is located, and with the requirements of TMC Chapter 13.11.

H. Nonconforming residential structures and conforming residential uses.

1. A legal nonconforming structure which is nonconforming as to setback, location, maximum height, lot area, lot coverage, or other development regulation may be replaced, enlarged, moved, or modified in volume, area, or space; provided, such replacement, enlargement, movement, or modification complies with the setback, height, and location requirements of the zoning district in which the subject site is located, and with the requirements of TMC Chapter 13.11.

2. Certain additions to existing, nonconforming single-, two-, three-, or multi-family or townhouse dwellings may extend into a required front, side, or rear yard setback when the existing dwelling is already legally nonconforming with respect to that setback. The nonconforming portion shall be at least 60 percent of the total width of the respective wall of the structure prior to the addition and any other additions added since May 18, 1953. Additions may extend up to the height limit of the zoning district and extend into the required front, side and/or rear yard setback as follows:

a. Front and rear yard setbacks: The addition may extend five feet into the required front or rear yard setback or to the extent of the setback line formed by the nonconforming portion, whichever is less.

b. Side yard setbacks: The addition may extend into the required side yard setback up to the setback line formed by the nonconforming wall, except in no case shall the addition be closer than 3 feet from the side property line. Furthermore, the size of the addition shall be limited to an additional wall surface area within the required side setback area of no more than 200 square feet. (See example on following page.) For purposes of this provision, "wall surface area" is defined as the length (measured parallel to the side property line) multiplied by the height of the vertical wall surface of any building addition within the required side yard setback area. Any windows, doors or architectural features present are counted toward the total permissible wall surface area. Additions below the current ground level finished floor will not be counted toward the maximum permissible wall surface area.

I. Restoration of damaged or destroyed nonconforming commercial, industrial, institutional, and residential structures. Restoration of a legal nonconforming building or structure which has been damaged by fire, earthquake, or other natural calamity is permitted; provided that the restoration is commenced in accordance with applicable codes and regulations and that any degree of nonconformity to the land use regulations is not increased. Such restoration shall be undertaken only under a valid building permit for which a complete application is submitted within 18 months following said damage, which permit must be actively pursued to completion.

J. Nonconforming signs. Nonconforming signs shall be subject to the regulations found in Section 13.06.521.N. Signs for nonconforming commercial and/or industrial uses in a residential district shall be limited to the signage which existed at the time it became nonconforming or, in the event the sign is destroyed or removed, it may be replaced by a sign not to exceed 32 square feet.

(Ord. 28376 Ex. E; passed Aug. 16, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27539 § 18; passed Oct. 31, 2006: Ord. 27431 § 11; passed Nov. 15, 2005: Ord. 27079 § 47; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.635 Temporary use.

A. Purpose. The purpose of this section is to allow listed temporary uses which:

1. Are not contrary to the various purposes of this chapter;

2. Will not impede the orderly development of the immediate surrounding area, as provided for in the Comprehensive Plan and the zoning district in which the area is located; and

3. Will not endanger the health, safety, or general welfare of adjacent residences or the general public.

B. Temporary uses.

1. General. A temporary use shall be subject to the standards of development specified in this section.

2. Duration and/or frequency. Where permitted as a temporary use, the following uses may be authorized for the time specified in Table 1, and subject to Section 13.06.635.B.

Table #1: TEMPORARY USES ALLOWED – NUMBER OF DAYS ALLOWED	
Temporary Use Type	**Days Allowed Per Year**
Seasonal sales	45
Carnival	14
Temporary housing	See Section 13.06.635.B.3.a
Temporary office space	See Section 13.06.635.B.3.b
Temporary storage	See Section 13.06.635.B.3.d
Temporary homeless camps	See Section 13.06.635.B.4

a. The duration of the temporary use shall include the days the use is being set up and established, when the event actually takes place, and when the use is being removed.

b. A parcel may be used for no more than three temporary uses within a calendar year; provided, the time periods specified in Table 1 are not exceeded. Multiple temporary uses may occur on a parcel concurrently; provided, the time periods in Table 1 are not exceeded.

3. Temporary structure standards.

a. Temporary housing.

(1) Such use shall be placed on a lot, tract, or parcel of land upon which a main building is being in fact constructed. The applicant shall have a valid building permit approved by Planning and Development Services;

(2) Such uses are of a temporary nature not involving permanent installations, including structures and utilities;

(3) That such a house trailer or mobile home shall be located at least 25 feet away from any existing residences;

(4) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said house trailer or mobile home shall be observed.

(5) The temporary housing shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

b. Temporary office space.

(1) Such use shall be in accordance with the use regulations of the zoning district within which the temporary office is located.

(2) Such use is appropriate due to the construction or reconstruction of a main building or the temporary nature of the use.

(3) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(4) Such a temporary building shall be located at least 25 feet away from any existing structure or structures under construction unless it can be demonstrated that a lesser distance will be adequate to safeguard adjacent properties and provide a safe distance from any construction occurring on the site.

(5) Such temporary building shall not be required to comply with the design standards found in Section 13.06.501.

(6) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said temporary building shall be observed.

(7) The temporary office shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

c. Carnival.

(1) Such uses are of a temporary nature not involving permanent installations, including both structures and utility services, except those already existing on the premises.

(2) Proper regard shall be given to the controlling of traffic generated by the use with respect to ingress and egress to the given site and the off-street parking of automobiles attracted by the use.

(3) That any structures, buildings, tents, or incidental equipment shall be located at least 200 feet from existing residences;

(4) That off-street parking for the primary use on the site shall not be reduced below the required parking for that use.

d. Temporary storage. Temporary storage units are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis, Temporary storage units, where allowed, shall be subject to the following standards:

(1) Temporary storage units shall be allowed as part of an active construction project or active moving process.

(2) In residential zoning districts, the maximum duration of temporary storage shall be 180-days in any two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services.

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be removed within 30 days after final inspection of the project.

(4) Temporary storage units shall be placed in the least conspicuous location available to minimize disturbance to any adjoining properties and shall be located in accordance with all applicable building, health and fire safety ordinances and regulations. Units shall provide a minimum 5-foot setback from all exterior property lines and shall not be located within required buffer areas. Units shall not block, impair, or otherwise unduly inconvenience pedestrian or vehicular traffic patterns, emergency access, access points to the site, parking lots, or adjacent uses.

(5) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.500-.522.

(7) Planning and Development Services shall have full discretion to stipulate additional limitations or conditions on such temporary use to ensure that it does not unduly affect the health, safety, or general welfare of adjacent properties or residences or the general public.

4. Temporary Homeless Camps.

a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious organizations to use property owned or controlled by them for temporary homeless camps, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.

b. Application. In order to allow sponsoring religious organizations to establish a temporary homeless camp on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC 13.05, Land Use Permit Procedures, and the following:

(1) The Director of Planning and Development Services is authorized to issue permits for temporary homeless camps only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements.

(2) An application for a temporary homeless camp shall include the following:

(a) The dates of the start and termination of the temporary homeless camp;

(b) The maximum number of residents proposed;

(c) The location, including parcel number(s) and address(es);

(d) The names of the managing agency or manager and sponsor;

(e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design ("CPTED") principles:

(i) Property lines;

(ii) Property dimensions;

(iii) Location and type of fencing/screening (must be a minimum of ten feet from property lines);

(iv) Location of all support tents/structures (administrative, security, kitchen, and dining areas);

(v) Method of providing and location of potable water;

(vi) Method of providing and location of waste receptacles;

(vii) Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);

(viii) Location of vehicular access and parking;

(ix) Location of tents and dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);

(x) Entry/exit control points;

(xi) Internal pathways, and access routes for emergency services.

(f) A statement from the sponsoring religious organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary homeless camp;

c. Safety and health requirements. A temporary homeless camp shall be established in accordance with the following standards:

(1) No more than 100 residents shall be allowed per camp location. The City may further limit the number of residents as site conditions dictate.

(2) A minimum of 7,500 square feet of site area shall be required for camps of up to 50 people. The minimum site area may be proportionally reduced if adjacent existing buildings are used for support facilities such as kitchen, dining hall, showers, and latrines.

(3) For a camp of more than 50 residents, the minimum 7,500 square-foot camp area shall be increased by 150 square feet for each additional resident, up to a total of 100 residents.

(4) The maximum duration of a homeless camp shall be 93 consecutive days. Gravel or paved camp sites and sites not zoned for residential use may extend the maximum duration of the camp to 123 consecutive days.

(a) A one-time extension of up to 40 days may be granted by the Director if unforeseen problems arise regarding camp relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the camp permit has occurred.

(5) A camp may only return to the same church-owned site after two years has lapsed since the start date of the previous camp. Gravel or paved camp sites and sites not zoned for residential use may decrease the relocation time to 18 months from the start date of the previous camp.

(6) In no event shall more than two homeless camp sites be permitted within the City at any given time.

(7) The encampment shall be enclosed on all sides with a minimum six-foot tall, site-obscuring fence.

(8) Permanent structures are prohibited from being constructed within the camp.

(9) Temporary homeless camps are prohibited in Shoreline Districts, critical areas, and their buffers.

(10) The sponsoring religious organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the camp during its operation.

(11) One security/office/operations tent or structure shall be provided for the camp manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the camp and be ready and able to alert police and/or other emergency responders if the need arises.

(12) The minimum age for camp inhabitants is 18 years of age.

(13) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious organization. No sex offenders will be permitted as camp residents.

(14) The temporary homeless camp must be located within one-quarter mile of a bus route that is in service seven days per week.

(15) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

(a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.

(b) Provide sanitary portable toilets as provided in the following table:

Number of camp residents	1-20	21-40	41-60	61-80	81-100
Number of toilets required	1	2	3	4	5

(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:

(i) Hand washing stations next to portable toilets provided in the following manner:

Number of camp residents	1-15	16-30	31-45	46-60	61-75	76-90	91-100
Number of stations required	1	2	3	4	5	6	7

(ii) One at the entrance to the dining area; and

(iii) One at the food preparation area.

(d) Showering facilities are required as provided in the following table:

Number of camp residents	1-33	34-66	67-100
Number of showers required	1	2	3

(e) At least one food preparation area/tent with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.

(f) Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.

(g) An adequate water source must be made available to the camp.

(h) Sleeping shelters must meet the following standards:

(i) Minimum two-foot separation is required on sides and rear of tents from other tents, and a clear area of four feet is required at the entrance to all tents. All tents will be flame retardant.

(ii) Minimum of 30 square-feet per resident in group tents.

(iii) Minimum 40-50 cubic feet of air space per resident in group tents.

(iv) Beds arranged at least three feet apart in group tents.

(i) Waste water disposal, including mop sink, which drains to sanitary sewer.

(j) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Estimate 30-gallon capacity per 10 residents. Infectious waste/sharps disposal shall be made available.

(k) Premises must be maintained to control insects, rodents, and other pests.

(16) Premises must be maintained as approved by the Tacoma Fire Department ("TFD"), including:

(a) Approval letter from the TFD, should the camp contain structures in excess of 200 square feet or canopies in excess of 400 square feet.

(b) Provide at least one fire extinguisher, as specified by TFD, within 75 feet from every tent, and at least one fire extinguisher in the kitchen facility and security office/tent.

(c) Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.

(d) No smoking or open flames shall be allowed in tents. Smoking within the camp will be within designated smoking areas only.

(e) Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, to support tents and facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and individual living tents.

(f) Security Plan. The security plan shall:

(i) List the contact name and phone number of the on-site manager;

(ii) Contain an evacuation plan for the camp;

(iii) Contain a controlled access plan for residents; and

(iv) Contain a fire suppression and emergency access plan.

(17) Parking standards.

(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.

(b) A minimum of two off-street parking spaces per 25 residents are required for all temporary homeless camps.

(c) Any required parking for the principal/existing use on-site shall not be displaced as a result of the temporary homeless camp.

(18) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

(Ord. 28216 Ex. C; passed Apr. 22, 2014: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27079 § 48; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

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.

B. Conditional uses and height. Since certain conditional uses have intrinsic characteristics related to the function or operation of such uses, which may necessitate buildings or other structures associated with such uses to exceed the height limits of the zoning districts in which the conditional uses may be located, the Director or Hearing Examiner may authorize the height of buildings or other structures associated with the following conditional uses to exceed the height limit set forth in the zoning district in which such uses are located; provided, such height is consistent with the criteria contained in subsection C of this section:

1. Airports.

2. Religious assembly.

3. Schools, public or private.

4. Public safety and public services facilities.

5. Hospitals.

6. Wireless communication towers or wireless facilities, subject to the requirements set forth in Section 13.06.545, and the time limitations set forth in Chapter 13.05, Table G.

7. Utilities.

8. Park and recreation.

9. Surface Mining, and subject to the requirements of Section 13.06.540.

In order to ensure that the location and character of these uses will be compatible with the Comprehensive Plan, a review and decision by the Director or Hearing Examiner are required prior to the issuance of any conditional use permit.

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.

E. Special needs housing. A conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:

1. There is a demonstrated need for the use due to changing demographics, local demand for services which exceeds existing facility capacity, gaps in the continuum of service, or an increasing generation of need from within the community.

2. The proposed use is consistent with the goals and policies of the City of Tacoma Comprehensive Plan, any adopted neighborhood or community plan, and the City of Tacoma Consolidated Plan for Housing and Community Development.

3. The proposed location is or will be sufficiently served by public services which may be necessary or desirable for the support and operation of the use. These may include, but shall not be limited to, availability of utilities, access, transportation systems, education, police and fire facilities, and social and health services.

4. The use shall be located, planned, and developed such that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing in the facility or residing or working in the surrounding community. The following shall be considered in making a decision:

a. The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety and the ability of the proponent to mitigate any potential impacts.

b. The provision of adequate off-street parking, on-site circulation, and site access.

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, to include the following development criteria:

(1) All program activities must take place within the facility or in an appropriately designed private yard space.

(2) Adequate outdoor/recreation space must be provided for resident use.

d. Compatibility of the proposed structure and improvements with surrounding properties, including the size, height, location, setback, and arrangements of all proposed buildings, facilities, and signage, especially as they relate to less intensive, residential land uses.

e. 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.

f. Demonstration of the owner's capacity to own, operate, and manage the proposed facility, to include the following:

(1) Provision of an operation plan which will provide for sufficient staffing, training, and program design to meet the program's mission and goals.

(2) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control and solid waste disposal.

(3) Demonstration of knowledge of the City's Public Nuisance Code, TMC 8.30, and plans to educate the facility staff in the provisions of the nuisance code.

(4) Participation in the City's Multi-Family Crime-Free Housing program by both the property owner and by on-site staff.

(5) Provision of a point of contact for the facility to both the Neighborhood Council and the City.

(6) Written procedures for addressing grievances from the neighborhood, City, and facility residents.

An application for a conditional use permit for a special needs housing facility shall be processed in accordance with the provisions of Chapter 13.05 and Section 13.06.535. The Director may, when appropriate, utilize other staff or outside parties in the review of such applications.

F. Two- and three-family and townhouse dwellings, where allowed by conditional use permit in Special Review Districts (R-2SRD and HMR-SRD). A conditional use permit for a two- or three- family or townhouse dwelling unit in a Special Review District shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The use is consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.

2. The use is consistent with the intent and regulations of the R-2SRD and HMR-SRD Districts.

3. Special circumstances exist on the site which present an opportunity to evaluate the potential integration of two or three-family or townhouse development into the predominately single-family neighborhood. Special circumstances may include, but shall not be limited to, the following:

a. Location on an arterial street;

b. Location in close proximity to a more intensive zoning district or to transit service;

c. Unusually large lot for a single-family dwelling which, because of its shape, topography, lack of suitable access or other factors affecting the lot, could not be subdivided and developed in conformance with the regulations of the district; and

d. The existence on the site of a single-family dwelling with an above-grade floor area of more than 2,400 square feet, exclusive of garage area, in the case of an application for conversion to a two-family dwelling, or 3,200 square feet in the case of a conversion to a three-family dwelling.

4. The proposed use and development shall be compatible with the quality and character of surrounding residential development and shall not be materially detrimental to the overall single-family dwelling environment and character of the general area, and in the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the extent practicable.

5. Within designated Historic Districts, new two or three-family development shall be consistent with the district's historic design guidelines. Conversions of single-family dwellings to two or three-family dwellings shall be limited to buildings listed as "noncontributing" on the historic district inventory adopted by the Landmarks Preservation Commission.

6. The proposed two-family, three-family or townhouse development shall be designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance. In the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

7. The proposed structure is designed to resemble a detached single-family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the zoning district on one side of the structure. Each unit shall provide no more than one off-street parking space.

8. Applications for two- and three-family and townhouse dwelling units in special review districts shall be processed in accordance with the provisions of Chapter 13.05. In addition to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, a landscape plan, and complete information indicating why the property is inappropriate for single-family development. The purpose of these plans and information shall be to show consistency with the required criteria.

G. Two-family development on corner lots may be allowed by conditional use permit in R-2 Districts. A conditional use permit for a two-family or townhouse 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 corner lot with a minimum lot size of 6,000 square feet in size. Corner lots provide an opportunity for two-family or townhouse development to be integrated in the neighborhood in a context-responsive manner that is consistent with the single-family detached character of the district.

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

3. The proposed two-family or townhouse development is designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches: Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.

4. The proposed structure is designed to resemble a detached single-family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off-street parking space. In the case of conversion of an existing single-family dwelling to a two-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

5. Applications for two-family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the 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.

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.

I. Uses in Historic Structures. A conditional use permit for the reuse of a historic structure and/or site for one of the below listed uses (where not otherwise allowed by the underlying zoning) shall be authorized only if it can be found to be consistent with all of the following criteria. This provision shall be limited to only those structures and sites that are individually-listed on the Tacoma Register of Historic Places. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the existing, historic attributes of the building and site and surrounding uses.

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

2. 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 use permit:

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.

3. The proposed re-use shall promote the preservation and/or restoration of the designated historic structure(s) on the site.

4. The proposed reuse and design of any modifications to the historic structure(s) and site shall be approved by the Landmarks Preservation Commission.

5. The proposed use shall be limited to one of the following:

Art/craft production	Assembly facilities	Continuing care retirement community
Cultural institutions	Extended care facility	Group housing
Intermediate care facility	Short-term rental	Multi-family dwellings
Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement home	Retail, only as an incidental use to one or more of the other listed uses	

J. Uses in the South Tacoma M/IC Overlay District. When required, a conditional use permit for a use within the ST-M/IC South Tacoma Manufacturing/Industrial Overlay Zoning District, shall be authorized only if it can be found to be consistent with all of 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. 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.

4. Freight movement will not be negatively impacted by the proposed use and related traffic generation.

5. The proposed use is not located adjacent to or within 500 feet of a primary rail or truck access for an industrial or manufacturing use.

6. The proposed use is not likely to negatively impact adjacent industrial and manufacturing uses or displace an existing industrial or manufacturing user.

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

K. Duplex, Triplex and Townhouse Development in NRX Districts. In addition to the standard decision criteria for conditional use permits, as outlined above under subsection C, a conditional use permit for a duplex, triplex or townhouse in the NRX District shall only be approved upon a finding that such development is consistent with all of the following additional criteria:

1. The intent and regulations of the NRX district.

2. The proposed use and development shall be compatible with the quality and character of surrounding residential development, shall be designed in a manner consistent with existing neighboring structures, and shall not be materially detrimental to the overall residential environment and character of the general area. In the case of conversion of an existing single-family dwelling to a two- or three-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

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

L. Pre-existing uses which were not required to obtain a Conditional Use Permit at the time they were developed, but which have subsequently become Conditional Uses, shall be viewed for zoning purposes in the same manner as if they had an approved Conditional Use Permit authorizing the extent of development as of August 1, 2011. If proposed modifications or expansions to such uses exceed the Major Modification thresholds of Section 13.05.080, or for park and recreation facilities the expansion/modification thresholds of Section 13.06.560.C.2, a Conditional Use Permit will be required for the new development activities proposed.

M. 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, 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 pursuant to TMC 1.45 and neighborhood business district pursuant to TMC 1.47, 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.

N. 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.

O. 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.

P. Change of Use or Expansion of Nonconforming Uses and Structures. A conditional use permit for a change of use or expansion of a nonconforming use or structure that exceeds the standards of 13.06.630.C or E 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 D, and all of the following additional decision criteria at subsections 1. through 3. below:

1. A rezone of the site would be inappropriate;

2. The change or expansion of the nonconforming use will have a positive impact on the surrounding uses and the area overall;

3. To the extent practicable, the nonconforming use or structure comes into compliance with the following development standards that apply to the site per the least intensive zoning district in which the use is allowed:

a. Landscaping and buffering;

b. Pedestrian and bicycle support standards;

c. Off-street parking and storage areas.

(Ord. 28376 Exs. D, E; passed Aug. 16, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27539 § 19; passed Oct. 31, 2006: Ord. 27432 § 17; passed Nov. 15, 2005: Ord. 27296 § 28; passed Nov. 16, 2004: Ord. 27245 § 21; passed Jun. 22, 2004: Ord. 27079 § 49; passed Apr. 29, 2003: Ord. 26966 § 22; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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 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, 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.

(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.

2. Accessory buildings – height.

a. Applicability. The construction of an accessory building which exceeds the height limit may be authorized upon a lot in the following instances; provided, in no instance shall the height of an accessory building be allowed to exceed 25 feet, as defined in Section 13.06.700.H:

(1) Additional height is necessary to accommodate building door clearance to allow for the storage of a recreational vehicle or trailered boat.

(2) The subject property is affected by steep topography, which precludes development of detached garages for personal vehicles.

(3) The subject property is affected by a hardship situation where the rear yard area of a site abuts an alley and the topography of such area is affected by a slope of such severity as to preclude development under this subsection. In this instance, the height of the structure shall be measured from the grade of the abutting alley right-of-way to the highest point of the roofline.

(4) The additional height is necessary to provide architectural compatibility between the accessory building and the main building, for features such as roof pitch and style.

b. Criteria. The Director may, in specific cases, authorize a variance to the height of accessory buildings, subject to the criteria set forth below. All of the following facts and circumstances must exist:

(1) Additional height shall be the minimum necessary to afford relief.

(2) The variance is in the interest of the general public.

(3) The variance is in the general interest of the particular neighborhood.

(4) For purposes of this variance, the interest of the general public and the general interest of the particular neighborhood are indicated, in part, by the Comprehensive Plan.

3. View-Sensitive Overlay District – height.

a. Applicability. In the View-Sensitive Overlay District, the construction of a building above the 25-foot height limit will be allowed if approved by the Director; provided, however, the height of a building cannot exceed the height of the underlying zoning district from existing grade or, when applicable, the grade approved by the Director.

b. It is intended that the Director balance the interests of the applicant who wishes to build or remodel and the interests of the surrounding property owners who wish to preserve their view. There should be an awareness by all parties involved that every property owner does have the right to build on their property and that the proposed construction will have an impact on neighboring parties. Any negative view impact should be minimized.

c. For purposes of this variance, the interest of the general public and the general interest of the particular neighborhood are indicated, in part, by the Comprehensive Plan.

d. Criteria. In reviewing requests for this variance, the Director shall consider, but shall not be limited to, the following:

(1) the extent of the view;

(2) the impact of the proposed construction on the view from adjacent properties;

(3) the effect of any possible restrictions on the proposed construction, the character of the area;

(4) the topography of the site and surrounding properties;

(5) the variance is in the interest of the general public; and

(6) the variance is in the general interest of the particular neighborhood.

e. Mitigation. The following factors shall be considered as mitigating circumstances which may make approval of this variance more appropriate:

(1) orientation of the ridgeline to minimize view impairment;

(2) style of roof;

(3) increased setback from the street and/or the side lot line; and

(4) the placement of the structure(s) on the site.

4. Design.

a. Applicability. These shall include variances to design standards, including those set forth in Sections 13.06.100.G, 13.06.501, 13.06.502, 13.06.503, 13.06.510.B, and 13.06.512.

b. Criteria. The Director or Hearing Examiner may, in specific cases, authorize variances to design standards upon the finding that the variance request meets one of the criteria listed below. Standardized corporate design and/or increased development costs are not cause for variance. Failure to meet an appropriate test shall result in denial of

the variance request. The Director or Hearing Examiner may issue such conditions as necessary to maximize possible compliance with the intent of the regulation from which relief is sought. The applicant carries the burden of proof to demonstrate applicability of the appropriate test(s):

(1) Unusual shape of a parcel established prior to 2002 creates practical difficulties in achieving compliance with the design standard sought to be varied.

(2) Preservation of a critical area, unique natural feature, or historic building and/or feature creates practical difficulties in achieving compliance with the design standard sought to be varied.

(3) Widely varied topography of the building site creates practical difficulties in achieving compliance with the design standard sought to be varied.

(4) Documentation of a pending public action, such as a street widening, creates practical difficulties in achieving compliance with the design standard sought to be varied.

(5) A proposed alternative design that departs from a requirement that can be demonstrated to provide equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.

5. Variance to sign regulations.

a. Applicability. Variances to sign regulations found in Section 13.06.520, 13.06.521, and 13.06.522 shall be categorized as one of the following:

(1) Level 1 Sign Variances: Any sign variance request for up to a 25 percent increase in the permitted sign area or height or to allow an increase in the permitted number of signs. Such variance requests shall be reviewed against the criteria outlined in Section 13.06.645.B.5.b. In no instance, shall a Level 1 Sign Variance allow the height of a sign to exceed 35 feet or exceed the height of the building it identifies, whichever is lower, if located on a site with freeway frontage.

(2) Level 2 Sign Variances: Any sign variance request beyond 25 percent of the permitted sign size or height and any request for relief from sign setback, separation, location, or other sign standard not identified above. Such requests shall be reviewed against the criteria outlined in Sections 13.06.645.B.1.b and 13.06.645.B.5.b.

b. Criteria. The Director may approve a sign variance for one or more of the following reasons:

(1) The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.

(2) The proposed signage will preserve a desirable existing design or siting pattern for signs in an area, including, but not limited to, size, materials, color, lettering, and location.

(3) The proposed signage will minimize view obstruction or preserve views of historically or architecturally significant structures.

(4) In a shopping center or mixed-use center, the proposed sign plan provides an integrated sign program consistent with the overall plan for the center.

(5) In a shopping center or mixed-use center, the variance is warranted because of the physical characteristics of the center or site, such as size, shape, or topography, or because of the location of signs in existence on the date of passage of this section.

6. Variance to parking lot development standards.

a. Applicability. These shall include variances to the parking lot development standards contained in Sections 13.06.510.B, C, D, and E and the additional Mixed-Use Centers parking development standards in Section 13.06.510.A.

b. Criteria. The Director may authorize a variance for one or more of the following reasons:

(1) Reasonable alternatives are to be provided to said standards which are in the spirit and intent of this chapter; or

(2) Strict enforcement of the standards would cause undue or unnecessary hardship due to the unique character or use of the property.

7. Variance to off-street parking quantity standards.

a. Applicability. These shall include variances to the required off-street parking quantity standards contained in Section 13.06.510.A.1

b. Criteria. The Director may, in specific cases, authorize a variance to the off-street parking quantity standards. Except under extraordinary circumstances, the standard shall not be reduced by more than 50 percent. The Director or Hearing Examiner may issue such conditions as necessary to maximize possible compliance with the intent of the regulations. The applicant carries the burden of proof to demonstrate applicability of the appropriate criteria. The Director may authorize a variance upon finding that the application is consistent with each of criteria 1 through 3 and at least one of criteria 4 through 7.

(1) The grant of the variance would allow a reasonable use of the property;

(2) 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; and

(3) The grant of the variance will not cause a substantial detrimental effect to the public interest.

(4) Approval of the variance would not constitute a grant of special privilege not enjoyed by other properties in the vicinity and/or would allow for a more environmentally sensitive site and structure design to be achieved than would otherwise be permitted by strict application of the standard; or

(5) The restrictive effect of the specific zoning regulation as it applies to the specific property is unreasonable due to unique conditions relating to the specific property, such as: parcel size; parcel shape; topography; location; proximity to a critical area; location of an easement; or character of surrounding uses; or

(6) Reasonable alternatives are to be provided to said standards which are in the spirit and intent of this chapter; or

(7) The likelihood of a decreased need for off-street parking for the use at that location due to site-specific circumstances, such as:

(a) A parking study demonstrating that the individual characteristics of the use at that location require less parking than is generally required for a use of this type and intensity;

(b) An approved carpooling/vanpooling or commute trip reduction program consistent with TMC Chapter 13.15;

(c) Availability of private, convenient transportation services to meet the needs of the use;

(d) Accessibility to and frequency of public transportation; or

(e) For residential uses, availability of pedestrian access due to proximity to health and medical facilities, shopping facilities and other services providing for everyday needs and amenities.

(Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28157 Ex. F; passed Jun. 25, 2013:Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27079 § 50; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

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.

H. Affordable housing – privately initiated upzones. Privately initiated residential upzones shall be conditioned to provide for inclusion of affordable housing. For development proposals meeting the thresholds and criteria of TMC 1.39, a certain number of the dwelling units shall be entered by the project proponent into the City's Affordable Housing Incentives Program. That number may be designated at the time of the upzone, or alternatively the upzone shall be conditioned to provide that designated percentage of affordable units at such time as a specific residential development proposal is submitted to the City.

I. Affordable housing – City-initiated upzones. In order to ensure consistency with the housing policies of the Comprehensive Plan which promote mixed-income neighborhoods citywide, the City shall analyze the supply of affordable housing in the vicinity of the proposed upzone, and assess whether the upzone would substantially exacerbate affordability challenges. If there are affordability issues associated with the proposed upzone, the City shall consider actions to address them, potentially including placing special conditions on the upzone, targeting City programs or funding to increase the affordable housing supply, or other methods.

(Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27079 § 51; passed Apr. 29, 2003: Ord. 26947 § 54; passed Apr. 23, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

13.06.655 Amendments to the zoning regulations.

The Planning Commission may, from time to time, recommend to the City Council amendments or supplements to the zoning regulations in order to implement the goals and policies of the Comprehensive Plan. Procedures for amendments or supplements to the zoning regulations shall be the same as those specified for development

regulations in Chapter 13.02, and, more specifically, in Section 13.02.045, for Plan adoption, amendment, and implementation.

(Ord. 27079 § 52; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

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, 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.

Accessory use. A use that occupies less than 50 percent of the building or site square footage, is incidental to the main building or principal use, and is located on the same lot as the principal use. In no case shall such accessory use dominate in area, extent, or purpose the principal lawful use or building.

Adult family home. Family abode, licensed by the state of a person or persons who are providing assistance with Activities of Daily Living such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, as well as room and board to more than one but not more than six adults, 18 years or older, with functional disabilities who are not related by blood or marriage to the person or persons providing the service.

Adult retail and entertainment. See Section 13.06.525.

Agricultural use. The use of land for tree farming or growing or producing field crops, livestock, or livestock products for the production of income, together with incidental retail sales by the producer of products raised on the farm. Field crops include, among others, barley, soy beans, corn, hay, oats, and potatoes. Livestock includes, among others, dairy and beef cattle, goats, sheep, hogs, poultry and game birds. Livestock products include, among others, milk, butter, cheese, eggs and meat.

Airport. Facilities for the takeoff and landing of aircraft, including runways, aircraft storage, hangers, air traffic control facilities, terminal buildings, and customary accessory facilities and uses, such as cargo and freight transfer, aircraft maintenance, aviation fueling, aviation instruction, and eating and drinking.

Alley. A public or private accessway which provides a secondary means of vehicular access to abutting property, unless determined by the Director or Hearing Examiner to be an Officially Approved Accessway as provided under Section 13.04.140.B.

Alter. To make any change, addition, or modification in construction or occupancy of a building structure.

Alteration. A physical change to a structure or a site. Alterations do not include normal maintenance and repair or any of the following:

1. Changes to the façade of a building;

2. Changes to the interior of a building;

3. Increases or decreases in floor area of a building;

4. Changes to other structures, including parking garages, on the site or the development of new structures;

5. Changes to landscaping, off-street parking spaces, and other improvements to a site; and/or

6. Demolition

Alteration, substantial. As used in Chapter 13.06A – Downtown Tacoma, alterations within a two-year period:

1. The total cost of which, excluding purchase costs of the property and/or building, exceeds 50 percent of the replacement value of a building or structure;

2. The total cost of which, excluding purchase costs of the property, exceeds 50 percent of the replacement value of site improvements;

3. Which increase the gross square footage by more than 50 percent of buildings and structures; or

4. Which increase the gross square footage by more than 50 percent of a surface parking lot.

Ambulance services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

Anchor tenant. Tenant or owner occupying not less than 100,000 square feet of building area.

Animal boarding. Provision of shelter and care for small animals on a commercial basis and large animals on a noncommercial basis. Such boarding shall include daytime and overnight stays. This classification includes activities such as feeding, exercising, grooming, and incidental medical care. This classification includes animal daycare.

Animal clinics. Facilities which provide grooming, training, or other services to animals, including medical and surgical treatment on an inpatient and/or outpatient basis.

Animal grooming. Provision of bathing and trimming services for small animals on a commercial basis.

Animal husbandry. A branch of agriculture concerned with the production and care of domestic animals.

Animal sales and service. Animal care or sales conducted primarily within an enclosed building, including animal clinics, kennels, animal grooming, animal boarding (including daycare), and retail sales. Does not include activities such as animal husbandry or stables.

Antenna. Any system of poles, panels, rods, reflecting discs, or similar devices used for the transmission or reception of radio or electromagnetic frequency signals.

1. Directional antenna (also known as “panel” antenna). An antenna which transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.

2. Omni-directional antenna (also known as a “whip” antenna). An antenna that transmits and receives radio frequency signals in a 360 degree radial pattern.

3. Parabolic antenna (also known as a dish antenna). An antenna that is a bowl-shaped device for the reception and/or transmission of radio frequency communication signals in a specific directional pattern.

4. Concealed antenna. An antenna and associated equipment enclosure, installed inside a non-antenna structure or camouflaged to appear as a non-antenna structure.

Antenna height. The vertical distance measured from the base of the antenna support structure at a grade to the highest point of the structure, even if said highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances, and shall be measured from the finished grade of the parcel. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Antenna support structure. Any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

Arborist: An individual engaged in the profession of arboriculture who, through experience, education and related training, possesses the competence to provide for or supervise the management of trees and other woody plants and is certified and in good standing with the International Society of Arboriculture (ISA), or equivalent agency.

Arcade. A continuous unoccupied covered area, having direct access from abutting streets or open areas, unobstructed to a height of not less than 12 feet except for supporting beams and columns, and accessible to the general public at all times.

Art gallery. A space with public access from the sidewalk in the space and which is located within a building for the interior exhibition or display of artworks which may or may not be offered for sale to the public.

Assembly facilities. Privately operated facilities for the principle purpose of public meetings and social gatherings (including incidental recreation), including community halls, union halls, exhibition halls, social clubs, and youth centers. This use shall not include stadiums or public or quasi-public parks, recreation or open space uses.

Assisted living facility. See "intermediate care facility."

Automobile house trailers. Any structure used for human habitation constructed on wheels and capable of being moved from place to place, either under its own power or under tow.

13.06.700.B

Basement. A story partly underground. A basement shall be counted as a story in building height measurement where more than one-half of its height is above the average level of the adjoining ground.

Bicycle parking. Stationary rack that accommodates a lock securing the frame and wheels, or a lockable enclosure with the quantity accommodated determined by manufacturer's specifications.

Bicycle parking, short-term: parking meant to accommodate visitors, customers, messengers and others expected to depart within two hours; requires approved standard rack and appropriate location and placement.

Bicycle parking, long-term: parking meant to accommodate employees, students, residents, commuters, and others expected to park more than two hours. This parking is to be provided in a secure, weather-protected manner and location.

Billboard, standard. An off-premises sign greater than 72 square feet in size. This type of sign is generally composed of materials (panels or modules) mounted on a building wall or freestanding structure, or painted directly on the wall or freestanding structure.

Billboard, digital. An off-premises sign greater than 72 square feet in size, utilizing digital message technology capable of changing the message or copy on the sign electronically. Digital billboards are not considered under the definitions of animated sign, changing message centers, electrical signs, illuminated signs, or flashing signs.

Brewpub. An eating and drinking establishment having a small brewery on the premises which produces beer, ale, or other malt beverage, or wine, and where the majority of the beer/wine produced is consumed on the premises. This classification allows a brewpub to sell beer/wine at retail and/or act as wholesaler for beer of its own production for off-site consumption, with appropriate state licenses.

Building. Any structure having a roof supported by columns or walls for the housing, shelter, or enclosure of persons, animals, or chattels; when separated by dividing walls without openings, each portion of such building so separated shall be deemed a separate building. For the purpose of this section, the term "building" shall not include "vehicle" as hereinafter defined.

Building, face or wall. All window and wall area of a building in one plane or elevation.

Building footprint. The outline of the total area that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof, excluding any roof overhangs.

Building, height of. In all districts except those containing a View-Sensitive Overlay District, per Section 13.06.555, building height shall be measured consistent with the applicable Building Code, Height of Building. For buildings located within a View-Sensitive Overlay District, the method provided below shall be used:

1. The height limit shall be the vertical distance between existing grade and a plane essentially parallel to the existing grade. The corners of such plane shall be located above the base points.

2. The base points shall be located at the four corners of the foundation or, if the foundation of the structure does not form a rectangle, at the four corners of the smallest rectangle which surrounds the foundation.

3. The base points shall be located on existing grade, unless determined otherwise by the Director in accordance with the provisions of Section 13.06.645.B.3.a.

4. Additional height at the rate of one foot for each 6 percent of the slope shall be allowed. This additional height shall not be allowed on the uphill portion of the structure. For the purpose of this provision, the slope shall be the difference between the elevation of the highest base point and the elevation of the lowest base point divided by the distance between those two base points.

5. No portion of a structure, including the highest gable, unless specifically excepted, shall extend above the height limit; provided, however, that a legal structure that existed before June 18, 1989, that was destroyed by fire, natural disaster, explosion, or other calamity or act of God or the public enemy may be rebuilt to its previous height within the building's prior actual dimensions, including, but not limited to, height, roof pitch, depth, and width. Such a structure cannot be enlarged, expanded, or otherwise increased in size without the enlargement or expansion meeting the zoning regulations in effect at the time of the expansion.

The height of a stepped or terraced building is the maximum height of any segment of the building.

Building materials and services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes indoor lumber sales with limited outdoor storage, tool and equipment sales or rental establishments, and building contractors' yards, but excludes lumber yards, establishments devoted exclusively to retail sales of paint and hardware, and activities classified under vehicle rental and sales.

Building orientation. The location or position of a building on a site, particularly the relationship of the principal entry to the adjacent street. A building oriented to the street has an entry facing the street.

Building, temporary. A building without a permanent foundation or footing and without permanent utilities which is removed when the designated time period, activity, or use for which the temporary building was erected, has ceased.

Building, unit group. Two or more buildings of one ownership grouped on a lot, including institutions, hospitals, colleges, and industries.

Business support services. A provision of recurrently needed services of a business nature, including parcel and package delivery services for individual and/or commercial customers; preparation of parcels for delivery, shipping, or mailing; printing; copying; and computer support services.

13.06.700.C

Caliper: Diameter of a tree's trunk or stem measured at a point 6 inches above finish grade if the resulting measurement is up to and including 4 inches. If the resulting measurement is more than 4 inches the point of measurement shall be relocated to 12 inches above finish grade.

Camouflaged (wireless communication facility). A wireless communication facility that is integrated with a building or the landscape in terms of design, colors, materials and height, so as to be disguised, hidden, concealed, masked, or screened from view.

Canopy (or marquee). An ornamental roof-like structure unenclosed on one or more sides and normally used for pedestrian protection and convenience and/or signage.

Car washing facility. A building or portion thereof containing facilities for washing automobiles, either manually or using a fully automatic washing process, requiring no personnel for the conduct of the operation except as is necessary for the collection of money and the maintenance of the facility.

Carnival. A temporary and often traveling establishment at which a combination of attractions or exhibitions, such as rides, shows, displays, eating concessions, and gaming booths, are provided for the purpose of amusement and entertainment.

Catering services. Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.

Cell site. A tract or parcel or land that contains wireless communication facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless communication facilities.

Cemetery and internment services. Property used for the interring of the dead. This property may include support facilities, such as funeral homes and/or chapels.

Clean construction/demolition/land-clearing (CDL) wastes. CDL wastes are solid wastes produced from construction, remodeling, demolition, or land-clearing operations that have been source separated so that the material is principally composed of asphalt, concrete, brick, or other forms of masonry; non-chemically treated wood (i.e., creosote, paint, preservatives); land-clearing wastes; or other materials approved by the Tacoma-Pierce County Health Department. Yard wastes (i.e., leaves, grass, prunings, and sod), plaster (sheet rock or plasterboard), or any materials other than wood that are likely to produce gases or a leachate during the decomposition process and asbestos wastes are specifically excluded from this definition of clean CDL wastes, unless otherwise approved by the Tacoma-Pierce County Health Department.

Climate-adapted Plant Species. Climate adapted plants include both native and non-native plant species which are able to thrive in the local climate and soil conditions of the City of Tacoma. The two most authoritative references on climate adaptation for plants are the USDA Plant Hardiness Zones and the Sunset Climate Zones.

Collocation. The use of a wireless communication facility or cell site by more than one wireless communication provider.

Commercial parking facility. Lots offering parking to the public, which are not designed for or directly associated with another use. This is distinguished from parking that is provided as part of and accessory to another use, which shall be considered part of the use it serves. This classification includes commuter parking facilities (park & rides), general public parking lots, and similar facilities.

Commercial recreation and entertainment. Private provision of participant or spectator recreation or entertainment. This classification includes uses such as privately operated sports stadiums and arenas, amusement parks, bingo parlors, bowling alleys, billiard parlors, poolrooms, dance halls, ice/roller skating rinks, miniature golf courses, golf driving ranges, archery ranges, scale-model courses, shooting galleries, tennis/racquetball courts, croquet courts, swim clubs, health/fitness clubs, and pinball arcades or electronic gaming centers having more than five coin-operated game machines. This use does not include public or quasi-public parks, recreation or open space, theaters or golf courses.

Communication facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding major utilities. This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices. This classification does not include wireless communication facilities.

Comprehensive Plan. The official statement of the Tacoma City Council which sets forth its major policies concerning desirable future physical development.

Condominium. A multiple-family dwelling, and its accessory uses and grounds, in which each dwelling unit is individually owned, and all or any part of the dwelling structure, accessory uses, and grounds are owned cooperatively by the owners of said dwelling units, and maintenance functions are performed by required subscriptions from said owners.

Confidential shelter. Shelters for victims of domestic violence, as defined and regulated in RCW 70.123 and WAC 388-61A. Such facilities are characterized by a need for confidentiality.

Construction/demolition/land-clearing (CDL) waste recycling. CDL waste recycling is the storage, processing and/or sale of clean CDL wastes to recover usable products or to regenerate the material where the following activities are further defined:

1. Storage includes the holding of CDL wastes prior to processing and stockpiling of the recycled product and by-products.

2. Processing includes the sorting of clean CDL wastes and the mechanical reduction of these materials by means of an initial mechanical processing operation which results in a raw product to be shipped to secondary processors, but does not include composting.

3. Product sales, including retail and wholesale sales of recycled materials.

Container, shipping/storage. A large, prefabricated box or container made of metal, wood, or similar material utilized for the shipping/storage and distribution of various products or commodities.

Continuing care retirement community. An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state-licensing programs.

Convalescent home. See "extended care facility."

Cornice. Projection at the top of a wall; a term applied to construction where the roof and side walls meet.

Correctional facility. A public facility for the incarceration of persons under warrant, awaiting trial on felony or misdemeanor charges, convicted but not yet sentenced, or serving a sentence upon conviction. This definition includes prerelease facilities, but does not include work release centers or juvenile community facilities.

Cottage housing. Cottage housing is defined as a grouping of small dwelling units clustered around a common area and developed with a coherent plan for the entire site, per the provisions of TMC 13.06.155.

Court, multiple-family dwelling. An open, unoccupied space other than a yard, on the same lot with a multiple-family building and which is bounded on two or more sides by such building.

Coverage, lot or site. The percentage of a site covered by a roof, soffit, trellis, eave, or overhang extending more than 2.5 feet from a wall, and by a deck more than 30 inches in height.

COW: acronym for "cell on wheels." A temporary wireless communication facility.

Craft Production. A commercial use that involves the production of arts, crafts, foods, beverages or other product with on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, they are compatible, and are often co-located with, retail sales and service uses. This use category includes but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, bakeries, confectionaries, butchers, coffee roasting establishments, food production and beverage production.

Establishments engaged in the craft production of alcoholic beverages including craft wineries, craft breweries, and craft distilleries shall be limited to no more than 5,000 gallons of product per year. The following regulations also apply to the craft production of alcoholic beverage:

1. An occupancy that is below an "H" Hazard as defined by the current version of the adopted International Building Code (IBC) shall be maintained and not exceeded. Accessory "H" uses may be allowed provided the accessory use does not exceed 10 percent of the site's floor area.

2. Retail sale and onsite tasting of beverages and/or the ability for producers to act as wholesaler of its own production for off-site consumption are subject to the appropriate state and local licenses.

3. Individual tenant spaces or units within a building may constitute the site.

Cultural institutions. Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums.

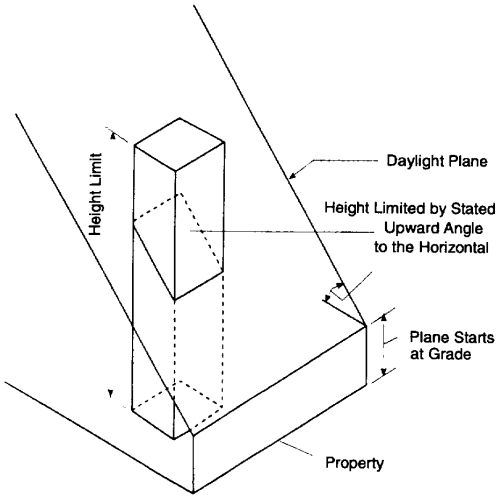
13.06.700.D

Day care center. Any facility which receives 13 or more children or adults for day care.

Day care, family. An occupied dwelling in which a person provides day care for children or adults other than his/her own family and those of close relatives. Such care in a family day care home is limited to 12 or fewer children or adults, including children or adults living in the dwelling and those of close relatives cared for in the dwelling.

Daylight plane. An inclined plane, beginning at a stated height above grade, generally at a property line or setback line or buffer, and extending into the site at a stated upward angle to the horizontal, which may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum setbacks applicable at such point on the site (see diagram below).

Daylight Plane



Deciduous: A plant that loses its leaves and remains leafless for some months of the year, usually in winter (temperate zones) or the dry season (tropical zones).

Decorative grille. An open framework of metal, wood, or other material arranged in a pattern that effectively obscures the views of parked cars located in an off-street parking structure from the public right-of-way.

Design (wireless communication facility). The appearance of wireless communication facilities, including such features as materials, colors, and shapes.

Detoxification center. A facility providing detoxification and/or treatment for persons suffering from the effects of alcohol or drugs.

Development. All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. Development includes improved, open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

Diameter at breast height (DBH): A tree's trunk or stem diameter measured at four and one-half feet above the ground.

Director. For purposes of this Chapter (13.06 of the Tacoma Municipal Code) "Director" means the Director of Planning and Development Services unless otherwise specified.

Drive-through. A business or a portion of a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to receive services or partake in business while seated in a motor vehicle. This definition does not include uses where the service is not provided while the customer is in the vehicle, such as fueling stations, passenger drop-off/pick-up zones for schools, hospitals, hotels or similar uses.

Drive-through within a building. A drive-through in which the window and all driving and stacking lanes are contained within a building.

Drug rehabilitation facility, or substance abuse facility. Any facility licensed by the Washington State Department of Social and Health Services whose primary focus is treatment for a person with a chemical or drug dependency, whether on an outpatient or inpatient basis.

Dwelling. A building or portion thereof designed and used entirely as the residence of one or more families, except hotels.

Dwelling, group. Two or more dwelling structures located upon a single lot.

Dwelling, multiple-family. A building or portion thereof designed for or used as the residence of four or more families living independently of each other.

Dwelling, single-family detached. A building designed for or used as the residence of one family that is not attached to any other dwelling unit, except for an accessory dwelling unit as allowed.

Dwelling, three-family. A building designed for or used as the residence of three families living independently of each other.

Dwelling, townhouse. A building on its own separate parcel of land containing one single-family dwelling unit that occupies space from the foundation to the roof and is attached to one or more other townhouse dwelling units by at least one common wall.

Dwelling, two-family. A building designed for or used as the residence of two families living independently of each other.

Dwelling unit. Two or more rooms and kitchen designed for or used as the living quarters of one family.

13.06.700.E

Eating and drinking. Establishments in which food and/or beverages are prepared and sold at retail for immediate consumption. Eating and drinking establishments include restaurants and drinking establishments as defined below:

1. “Drinking establishment” means an establishment other than a restaurant, licensed to sell alcoholic beverages for consumption on premises; that limits patronage to adults of legal age for the consumption of alcohol; and in which limited food service may be accessory to the service of alcoholic beverages. Drinking establishments may include but are not limited to taverns, saloons, bars, pubs, or cocktail lounges associated with restaurants. This use does not include brewpubs, catering services, or industrial-scale food production facilities.

2. “Restaurant” means a use in which food and/or beverage preparation and service is provided for individual consumption either on- or off-premises, and in which any service of alcoholic beverages is accessory to the service of food. This classification includes, but is not limited to, cafés, eateries, bistros, diners, restaurants, sandwich shops, and coffee shops.

Eave. That part of a roof which projects over the side wall.

Electric vehicle charging stations. A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

1. “Accessible electric vehicle charging station” means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of an access aisle for a designated accessible parking space (minimum 44-inch width) and the electric vehicle.

2. “Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

3. “Charging level” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. Levels 1, 2, and 3 are defined by the speed of charging and typically have the following specifications:

a. Level 1 – slow charging. Typically 15- or 20-amp breaker on a 120-volt alternating current.

b. Level 2 – medium charging. Typically 40-amp to 100-amp breaker on 208- or 240-volt alternating current.

c. Level 3 - fast or rapid charging [station]. Typically 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

4. “Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; (4) a medium-speed electric vehicle, (5) electric scooters and motorcycles.

5. “Electric vehicle infrastructure (EVI)” means the site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future electric vehicle charging stations pursuant to National Electrical Code (2008) Article 625.

6. “Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

7. “Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

Emergency and transitional housing. Establishments offering daily meal service and housing to persons who are in need of shelter. This classification does not include confidential shelters, or facilities licensed for residential care by the state of Washington.

Emergency medical care. Facilities providing emergency medical service on a 24-hour basis with no provision for continuing care on an inpatient basis.

Emergency medical care. Facilities providing emergency medical service on a 24-hour basis with no provision for continuing care on an inpatient basis.

Equipment enclosure. A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

Establishment period: A minimum of a three year time period following the transplanting/installation of vegetation where maintenance is crucial to the survival of the vegetation.

Evergreen: A plant that bears leaves throughout the year.

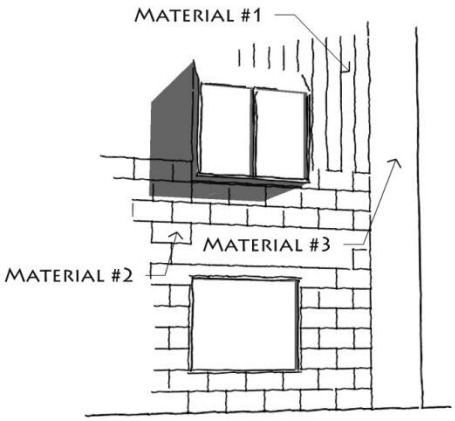
Existing grade. The elevation of the natural ground surface, excluding vegetation, before any site preparation work has been done. Existing grade shall not be artificially increased for building height measurement purposes by placement of fill on the site; provided, however, that existing grade for any lot which is within a development which is required to receive final plat approval shall be the ground surface at the time of final plat approval. If existing grade surrounding the entire foundation is lowered by more than five feet in preparing the site for construction, except excavation for a foundation, a basement, or daylight basement, then the height measurement will be taken from the lowered grade. Soil investigations, elevation markers, grade stakes, or other verification may be required to verify existing grade.

Extended care facility. Establishments providing 24-hour supervised nursing care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. Such facilities are licensed by the state as nursing homes.

13.06.700.F

FAA. Federal Aviation Administration.

Façade variety. Illustrated as required in certain districts of this chapter:



FACADE VARIETY EXAMPLE

Facility location (wireless communication facility). Location may include placement of facilities in one or more of the following manners:

1. Attached Facility is a facility that is affixed to an existing structure, such as a building or water tower, and is not considered a component of the attached wireless communication facility.

2. Collocation Facility is a support structure, such as a monopole, or lattice tower to which more than one wireless communications provider mounts equipment.

3. Free-standing Facility is a facility that includes a separate support structure including, but not limited to, monopoles, lattice towers, wood poles, or guyed towers.

Family. One or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students, or a group of not more than six unrelated persons, living together as a single nonprofit housekeeping unit; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the City from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. 3604(f)(3)(b).

FCC. Federal Communications Commission.

Floor area. The sum of the square footage of all of the floors of a structure or building. Unless specified otherwise, “floor area” shall be calculated in the same manner outlined in the current building code definition for “floor area, gross.”

Floor Area Ratio (FAR). The amount of floor area within a building as a multiple of the lot area. Right-of-way that has had its air rights vacated shall be considered as lot area for calculating FAR. For the purposes of calculating allowable FAR within the downtown area, floor area shall exclude the following areas when calculating the maximum FAR:

1. Spaces below grade;

2. Space used for retail uses or restaurants that front the sidewalk; and

3. Space devoted to special features.

4. Area used for parking.

5. Mechanical equipment, elevators, and stair shafts.

6. Exterior decks, balconies, and corridors open to the air.

Floor Area Ratio – Single-family Small Lots. The ratio of the total floor area of a single-family house to the lot area upon which it is built, not including spaces below grade and accessory structures.

Food and beverage sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, groceries, liquor stores, bakeries, and delicatessens.

Foster home. A dwelling that is licensed by the state for foster care, which is used as living quarters for a family that includes one or more children or adults who are placed by a licensed child or adult placement agency and who are not related to the owner or occupant thereof by blood, marriage, or legal adoption, but are under their supervision and care.

Foundation. The supporting part of a wall or structure, usually below ground level and including footings, used as a means of transferring building loads to the soil below. For the purpose of calculating height, the foundation shall only be that portion supporting the walls of the main building.

Frontage. All property fronting on one side of a street and measured along the street line, between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or City boundary.

Frontage, building. The frontage of a building is the maximum horizontal dimension of that side of a building abutting on or generally parallel to the front lot line or, in the case of a corner building, the combined maximum horizontal dimensions of the sides of the building abutting or generally parallel to the front lot line and the corner side line.

Frontage (for the purposes of the sign regulations).

1. Freestanding sign. For the purpose of computing the size of a freestanding sign, frontage shall be the length of the property line parallel to and abutting each public right-of-way bordered.

2. Building mounted sign. For the purpose of computing the size of building mounted signs, frontage shall be the length of that portion of the building containing the business oriented onto a right-of-way or parking lot. For a business with more than one frontage, the largest frontage with a public entrance shall be used.

Frontage road. A roadway contiguous to and generally paralleling a state of Washington limited access highway, so designed as to intercept, collect, and distribute traffic desiring to cross, enter, or leave such facility and to furnish access to abutting property.

Frontage, street. The street frontage is the length of the front lot line, or in the case of a corner lot, the front lot line plus the corner side lot line.

Funeral home. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead, except that crematories are prohibited.

Fueling station. Establishments engaged in the retail sale of gas or diesel fuel, lubricants, parts, and accessories, and/or rapid charging of electric vehicles. This classification includes customary incidental activities when performed in conjunction with the sale of fuel, such as vehicle maintenance and repair, vehicle washing, and electric vehicle battery swap-out, but excludes body and fender work or repair of heavy trucks or vehicles.

13.06.700.G

Gable. The triangular end of an exterior wall above the eaves.

Garage, private. An accessory building, detached or part of the main building, for the parking or storage of automobiles belonging to the occupants of the premises.

Genus (pl. genera): A group of plants within a family that is morphologically similar and contains one or more species.

Glare. Unwanted light that causes eyestrain, discomfort, nuisance, or adversely affects a visual task.

Golf course. A facility providing a private or public golf recreation area that is designed for executive or regulation play, generally consisting of tees, greens, fairways, and hazards, along with customary golf support facilities, such as a clubhouse, restrooms, locker rooms, related retail sales, and eating and drinking. This use does not include standalone miniature golf courses or driving ranges (see “Commercial recreation and entertainment”), but may include those as accessory components of the overall golf course facility.

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.

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.

Groundcover. Low and dense growing plants that cover the ground in place of turf, planted for ornamental purposes or to prevent soil erosion. Turf lawn and mulch do not count as groundcover.

Group housing. A residential facility designed to serve as the primary residence for individuals, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit. This classification includes uses such as convents and monasteries but does not include uses that are otherwise classified as special needs housing or student housing.

13.06.700.H

Hazard Tree. As defined by the Pacific Northwest Chapter of the International Society of Arboriculture, a hazard tree, or a hazardous component, exists when the sum of the risk factors assessed equals or exceeds a predetermined threshold of risk. Below that threshold, the tree (or component parts) is not considered to be a hazard.

Hazardous substance. Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, which exhibits any of the characteristics or criteria of hazardous waste.

Hazardous waste. All dangerous and extremely hazardous waste as defined in RCW 70.105.010.

Hazardous waste storage. The holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

Hazardous waste treatment. The physical, chemical, and biological processing of dangerous waste to make such waste not dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

Hazardous waste treatment and storage (off-site). Facilities which treat and store hazardous wastes from generators on properties other than those on which the off-site facilities are located.

Hazardous waste treatment and storage (on-site). Facilities which treat and store hazardous wastes generated on the same, geographically contiguous, or bordering property.

Hearing Examiner. The Hearing Examiner as established by Chapter 1.23 of the Tacoma Municipal Code.

Heliport. An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

Home occupation. A business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

Hospitals. Medical facilities, licensed by the Department of Health Services, the Committee on Accreditation of Rehabilitation Facilities, the Department of Aging, or other similar organizations, for the provision of surgery, rehabilitation and physical care, acute psychiatric care, chemical dependency, and substance abuse on an out-patient basis, including ancillary nursing, training, and administrative facilities. Such facilities are generally licensed by the state under the provisions of RCW 70.41.

Hotel or Motel. A building or group of buildings in which lodging or lodging and meals are provided for transient or semi-permanent guests, or both, for compensation, and in which there are ten or more guest rooms.

13.06.700.I

Illumination, direct. Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, indirect. Illumination by means only of light cast upon an opaque surface from a concealed source.

Industry, heavy. Manufacturing of any and all parts or products, provision of industrial services, and commercial production and sale of goods and services. This classification includes, but is not limited to, basic industrial processing from raw materials, food processing, industrial boatyards, industrial recycling facilities, scrap metal yards, CDL waste recycling facilities, port/terminal uses, log yards, sawmills, chemical plants, hulk hauling yards, wrecking yards, and bulk or raw materials storage.

Industry, light. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services, both within an enclosed building. This classification includes commercial bakeries, dry cleaning plants, lumber yards, retail storage, and businesses engaged in processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, food processing, log yards, bulk storage, and raw materials storage.

Intermediate care facility. A facility that provides, on a regular basis, assistance with one or more Activities of Daily Living ("ADL") such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, including persons with functional disabilities, needing health-related care and services, but who do not require the degree of

care and treatment that a hospital or extended care facility provides. Such facility requires a state boarding home license. This use includes assisted living facilities, but does not include adult family homes, staffed residential homes, or residential care facilities for youth.

Invasive species. A plant species that has a negative environmental, economical, recreational, and/or public health impacts that overcome native plants or ornamental landscaping for resources. For a current listing of Pierce County Invasive/Noxious weeds consult the Pierce County Noxious Weed Control Board.

13.06.700.J

Juvenile community facility. A group care facility for the care of juveniles committed to the physical custody of the Washington State Department of Social and Health Services under the Juvenile Justice Act of 1977. A county detention facility that houses juveniles is not a juvenile community facility. Nothing in this section precludes placement in a juvenile community facility of children who would otherwise be eligible for placement in a community care facility for youth, a residential care facility for youth, or a staffed residential home as defined herein.

13.06.700.K

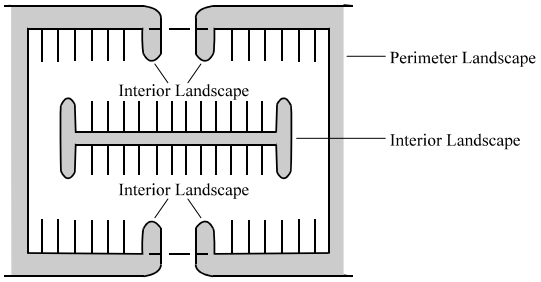
Kennel. A building, enclosure, or portion of any premises in or at which dogs or cats are kept or maintained by any person other than the owner thereof, as defined in Title 17 of the Tacoma Municipal Code.

13.06.700.L

Laboratories. Establishments providing medical or dental laboratory services, scientific research, pharmaceutical research laboratories (including limited product testing) or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. This classification excludes manufacturing, except of prototypes. (Other laboratories are classified as limited industry.)

Landscape. To plant and maintain some combination of trees, ground cover, shrubs, vines, flowers, or lawn. Required landscaping may include natural features such as existing or imported rock and structural features including fountains, pools, art work, screens, walls, fences, or benches. A landscaped area may also include a walkway or concrete plaza if it is an integral part of the elements of landscaping described above. Plants on rooftops, porches, or in boxes attached to buildings are not considered landscaping.

Landscaping, interior. A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).



LANDSCAPING: INTERIOR/EXTERIOR

Landscaping, perimeter. A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Light rail street. A street either containing public light rail transportation or planned for such transportation as evidenced by a public transportation agency.

Live/work. A dwelling or sleeping unit in which up to 50 percent of the space includes a commercial business use. The business owner lives in the residential space.

Loading space. An off-street space, having a paved surface, within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials and which has direct access to a street or alley.

Lot. A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise created by legal action.

Lot, corner. A lot abutting upon two or more streets at their intersection.

Lot frontage. That portion of a lot abutting upon a public or private street or way or permanent access easement including an officially approved accessway.

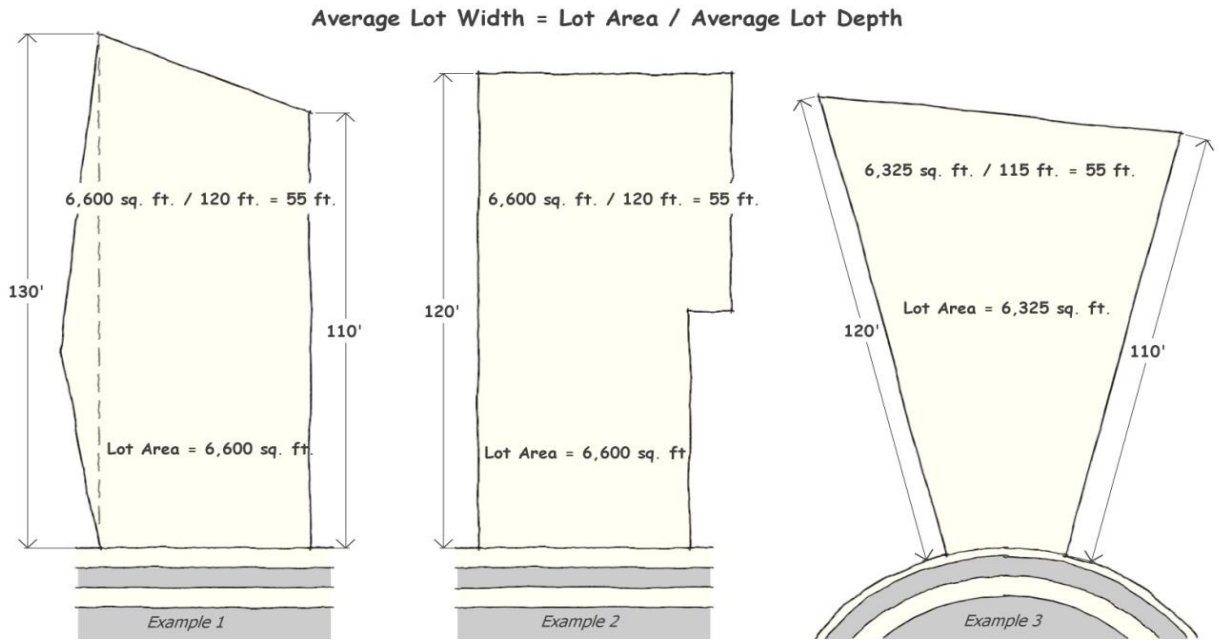
Lot, interior. A lot other than a corner lot.

Lot line. A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

Lot of record. A single platted lot which is a part of a plat which has been recorded as required by the laws of the state of Washington, in the office of the Pierce County Auditor.

Lot, through. A lot having frontage on two parallel or nearly parallel streets.

Lot width, average. The average width of a lot shall be considered to be the average horizontal distance between the side lot lines. It shall be calculated by dividing the lot area by the average lot depth. (See examples, below.) For properties where the front and rear lot lines are not parallel, the average lot depth shall be calculated as the average of the length of the two straight lines drawn between the foremost points of the side lot lines in front (where they intersect with the front lot line) and the rearmost points of the side lot lines in the rear (where they intersect with the rear lot line). (See examples 1 and 3, below)



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.M

Main building and principal use.

1. Building. The primary building or other structure on a lot designed or used to accommodate the principal use to which the premises are devoted. Where a principal use involves more than one building or structure designed or used for the principal use, as in the case of group dwellings, each such permitted building or structure on a lot defined by this chapter shall be construed as comprising a main building or structure.

2. Use. The main or primary purpose for which a building, other structure, and/or lot is designed, arranged, or intended, or for which they may be lawfully used, occupied, or maintained under this chapter.

Mansard roof. A roof with two slopes or pitches on each of the four sides, the lower slopes steeper than the upper.

Marijuana. As defined in RCW 69.50.101 and provided herein for reference. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable or germination.

Marijuana Cooperative (or Cooperative). As regulated by RCW 69.51A.250 and provided herein by reference, qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative.

Marijuana processor. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Marijuana producer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

Marijuana researcher. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

Marijuana-infused products. As defined in RCW 69.50.101 and provided here for reference. Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana.

Marijuana retailer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

Massing study. A massing study is an architectural method to visualize the way that the shape and size of buildings will impact the neighborhood and site character. Massing refers to the general shape and size of buildings. A massing study shall detail the building bulk, height and articulation on the site as well as the site setbacks, yards and open spaces.

Mature or maturity, tree. A tree that has achieved at least 75 percent of its anticipated crown growth or a tree that is over 15 years of age.

Microbrewery/winery. An establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, or wine, and which may include accessory uses such as tours of the microbrewery/winery, retail

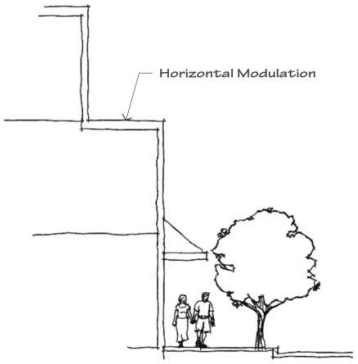
sales, and/or on-site consumption, e.g., “taproom.” This classification allows a microbrewery to sell beer/wine at retail and/or act as wholesaler for beer/wine of its own production for off-site consumption with appropriate state licenses.

Mixed-rate housing. Includes both affordable and market-rate housing units in the same housing or mixed-use development.

Mobile home/trailer court or mobile home park. Any real property which is rented or held out for rent to others for the placement of two or more mobile homes/trailers for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

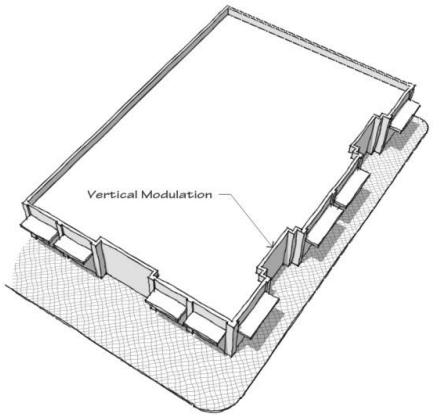
Modification (wireless communication facility). The changing of any portion of a wireless communication facility from its description in a previously approved permit. Examples include, but are not limited to, changes in design and the addition of an antenna to the site.

Modulation, horizontal. The horizontal stepping back of one or more upper levels of a building from the façade (see diagram below).



Horizontal Modulation

Modulation, vertical. A stepping back or projecting forward of vertical walls of the building face as a means of breaking up the apparent bulk of a structure's continuous exterior walls (see diagram below).



Vertical Modulation

Mount (wireless communication facility). The structure or surface upon which the wireless communication facilities are mounted. There are three types of mounts:

1. Building mounted. A wireless communication facility mount fixed to the roof or side of a building.

2. Ground mounted. A wireless communication facility mount fixed to the ground, such as a tower.

3. Structure mounted. A wireless communication facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.

Mural. A decorative design or scene intended to provide visual enjoyment this is painted or placed on an exterior building wall. A mural contains no commercial messages, logo or corporate symbol.

13.06.700.N

Neutral surface (for purposes of the sign regulations). The building surface, cabinetry, and opaque surfaces which are not an integral part of the sign message.

Normal maintenance and repair. “Normal maintenance” includes those usual acts designed to keep a building, structure, or site, or portion thereof, in a sound condition and operation. “Normal repair” includes those usual acts designed to restore a building, structure, or site, or portion thereof, to a state comparable to its original condition within a reasonable period after decay or partial destruction. Maintenance or repair does not include acts that would noticeably change the size, shape, location, external appearance, potential impacts, or character of existing development.

Nonconforming building or structure. A lawfully established building or structure which, on the effective date of this title or the effective date of any amendment to this title, was not in conformance with the height, area, or parking requirements of the zone classification upon which said building or structure is located.

Nonconforming use. A use which lawfully occupied a building or land at the time this chapter became effective and which does not conform with the use regulations of the district in which it is located, as provided by this chapter and any amendment hereto.

Noxious weed. A plant that, once established, is highly destructive, competitive, and difficult to control using cultural or chemical practices. For a current listing of Pierce County Invasive/Noxious weeds consult the Pierce County Noxious Weed Control Board.

Nurseries. Establishments primarily engaged in the retail sale of plants grown elsewhere. Merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and compost, mulch, soil additives, and fertilizer of any type are stored and sold in package form only.

Nursing home. See “extended care facility.”

13.06.700.O

Occupancy. Means the purpose for which a building, or part thereof, is used or intended to be used.

Office. Offices of firms or organizations providing medical, professional, executive, management, or administrative services. This classification includes offices for a physician, dentist, chiropractor, massage therapy, and acupuncture; laboratories; emergency medical care; architectural; computer software consulting; data management; engineering; interior design; graphic design; real estate; insurance; investment; banks and savings and loan associations; government offices; and law offices.

Officially approved accessway. A public or private street or way or permanent access easement, which does not conform to the minimum requirements of the Major Street Plan and the specifications of the City of Tacoma, and, which has been officially approved, as identified in Section 13.04.140, by the City as providing a proper and adequate principal access to the property it is intended to serve.

Open space. Land undeveloped with structures which may be managed or utilized for a variety of purposes. The term open space is employed differently in different code sections, generally either to refer to public or quasi-public land maintained for its natural features (see Parks, recreation and open space definition), or to an area within subdivisions or developments which provides a separation between structures, a buffer between different uses, recreation opportunities or similar functions.

Outdoor storage. Exterior display of materials or storage outside of a building of material not intended for immediate sale or exhibition, including retail storage, log and lumber yards, bulk storage, contractor’s equipment yards, raw materials storage, etc.

13.06.700.P

Parapet. A protective railing, false front, or low wall along the edge of a roof, balcony or terrace and extending above the roof line, generally provided for decorative, drainage control, and/or fire separation purposes.

Parcel. A single platted or unplatted lot, or contiguous lots, or tract of land having the same Pierce County Assessor's tax identification number. A parcel is usually considered a unit for the purposes of development.

Parcel and mail services. A use which provides for the preparation of parcels and packages for shipping, delivery, and mailing for walk-in clientele.

Parks, recreation and open space. Metropolitan Park District, City of Tacoma, or other public/quasi-public parks, playgrounds, community gardens, and active-use open spaces, including commonly associated uses and features such as recreation facilities and community centers; and, undeveloped, passive use public or quasi-public open space lands maintained primarily in a natural state for their conservation, aesthetic and other open space benefits. Open space may be enhanced with low-impact public access features such as trails and viewpoints, on-site parking, small buildings such as storage structures, bathrooms or picnic shelters, or interpretive signage and other limited improvements, and in some cases may serve additional public purposes. See Section 13.06.560.

Parking aisles. A maneuvering area for ingress and egress to a parking space in a parking area.

Parking area. An open, off-street area used for the parking of five or more motorized vehicles, trailers, or a combination of motorized vehicles and trailers. The term parking lot may be used as well. Differs from vehicle storage in that a majority of vehicles enter and exit daily under unassisted operation of individual drivers not necessarily in the employment of the site or an affiliated operation.

Parking space. An off-street area for the parking or storage of one automobile that is unobstructed and readily accessible to an alley or a street.

Passenger terminal. Public or publicly regulated facility for passenger transportation services and operations. This classification includes railroad passenger terminals, rapid rail or street railway passenger terminals, bus passenger terminals, multi-modal transportation passenger terminals, or any combination of the above. Typical activities include ticketing, waiting, boarding, baggage and parcel handling, transport, and temporary storage of transit vehicles and equipment. Passenger terminals may include park-and-ride facilities, bicycle facilities, and pedestrian linkages at, above, or below grade (including sky-bridges and/or tunnels within City rights-of-way). Accessory uses may include indoor and/or outdoor retail sales, food and drink sales or other service operations within or adjacent to the terminal.

Pawn shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property. (See "retail sales.")

Peak. The uppermost point of a gable or the uppermost point of a parapet designed to mimic the shape of a gable.

Permanent Roadway. Roadway constructed with a designed full depth subgrade and road surface section with an established curb and gutter alignment.

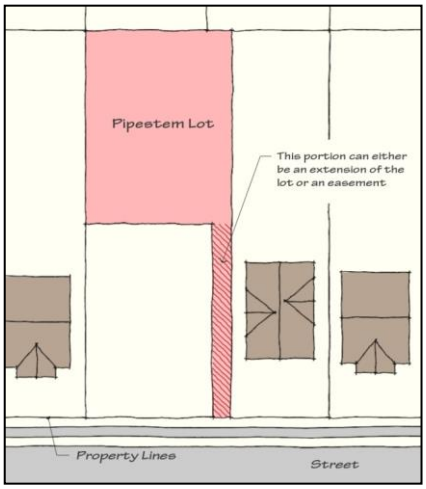
Permeable pavement. Pervious concrete, permeable pavers, or other forms of pervious or porous paving material effectively allowing the passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

Person. Person shall mean and include a person, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.

Person with functional disabilities. A person who, because of recognized chronic physical or mental condition or disease, is functionally disabled to the extent of: (a) needing care, supervision, or monitoring to perform activities of daily living or instrumental activities of daily living; (b) needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; (c) having physical or mental impairment which substantially limits one or more of such person's major life activities; or (d) having a record of having such an impairment or being regarded as having such an impairment. Such term does not include persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, being a sex offender pursuant to RCW 9A.44.130, being a person currently using illegal drugs, or being a person who has been convicted of the manufacture or sale of illegal drugs.

Personal services. Provision of recurrently needed services of a personal nature. This classification includes services such as barber and beauty shops, tanning, seamstresses, tailors, shoe repair, dry cleaning agencies (excluding plants), photocopying, and self-service laundries; provision of instructional services or facilities such as photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, and fitness studios.

Pipestem lot. An interior lot in which the buildable area is not bound laterally by a public or private road, and which gains access by means of a lot extension, a driveway easement, or the terminus of a private or public road. Also commonly referred to as flag lots or panhandle lots (see diagram below).



Plants; Plant; Plant Material. These terms refer to vegetation in general, including trees, shrubs, vines, groundcovers, ornamental grasses, bulbs, corms, tubers, or herbaceous vegetation.

Provider (wireless communication facility). Every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity, and individual that provides wireless communication services over wireless communication facilities.

Public benefit use. As used in Chapter 13.06A – Downtown Tacoma, public benefit uses shall include any of the following uses:

1. Day care available to the general public

2. Human services, such as employment counseling and walk-in clinics

3. Recreation, such as health clubs

4. Community meeting rooms

5. Art gallery or museum

6. Drop-in centers for youth or seniors

Public facility. Any facility funded in whole or part with public funds, which provides service to the general public, including, but not limited to, public schools, public libraries, community centers, public parks, government facilities, or similar uses.

Public facility site. An existing public or quasi-public site developed with an existing public or quasi-public facility, including, but not limited to, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility facilities; other governmental facilities, parks, or open space areas; hospitals; public or private schools; and churches.

Public safety facilities. Facilities for public safety and emergency services, including facilities that provide police and fire protection and ambulance services.

Public service facilities. Facilities owned, operated, or occupied by a government agency that provide a governmental service to the public, such as public libraries, courthouses, post offices, community centers, and

government offices. This general classification does not include other government facilities that are more specifically defined and regulated, such as correctional facilities, parks, schools, public safety facilities, and utilities.

13.06.700.R

Regional Public Convention & Entertainment Facility. Any facility, funded in whole or part with public funds, which provides convention and/or entertainment services for the greater region. These facilities are typically located on 10 acre or larger sites and are comprised of convention centers, stadiums, or similar facilities.

Religious assembly. Facilities where persons regularly assemble for religious worship, such as churches, temples, and synagogues, that are maintained and controlled by a religious body, together with their customary accessory buildings and uses, such as incidental religious education, but not including private schools.

Repair services. Establishments providing repair services for personal items and small equipment, such as appliance and office machine repair or building maintenance services. This classification excludes maintenance and repair of vehicles, including lawnmowers (see "vehicle service and repair"). Repair and storage (including display and sales) shall be located entirely within the building.

Replacement value. The value of a building as calculated using the latest "Evaluation Table" printed in the Building Standards magazine, published by the International Conference of Building Officials, based on the existing occupancy and the most closely appropriate type of construction.

Research and development industry. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial, or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

Residential care facility for youth. A facility, licensed by the state, that provides 24-hour care for persons who are 18 years of age or younger, with or without functional disabilities, that has not been licensed by the state as a staffed residential home. Such facilities may, in addition to providing food and shelter, provide some combination of assistance with Activities of Daily Living ("ADL"), such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, and additional services such as social counseling and transportation. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.530, Juvenile Community Facilities.

Residential chemical dependency treatment facility. A residential facility, licensed by the state, that provides chemical dependency treatment and includes room and board in a twenty-four-hour-a-day supervised facility.

Retail. Establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, bank branches, furniture stores, pawn shop, pharmacies, and businesses retailing the following goods as examples: toys, hobby materials, food and beverages sales (including catering), hand-crafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, baseball cards, coins, comics, paint and wallpaper, carpeting and floor covering, medical supplies, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

Retirement home. A multiple-family dwelling, a complex of dwellings, an apartment hotel or a complex of apartment hotels and/or boarding houses operated primarily as a residence for retired persons. Depending on the level of care provided, such facilities may or may not require state licensing. Such an establishment may include the following accessory facilities for the exclusive use of its residents and their guests:

1. Food preparation, service, and storage on a group basis;

2. Indoor and outdoor recreation facilities;

3. Religious assembly facilities;

4. Medical and nursing facilities for the care of temporary and permanent illness;

5. Administrative offices and staff quarters;

6. Commissary facilities;

7. Common lobby and lounge areas.

Roof line or ridge line. The top edge of the roof or top of a parapet, whichever forms the top line of the building silhouette, excluding any cupola, pylon, chimney, mechanical equipment, or other minor projection.

13.06.700.S

School, public or private. Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

Screening. A continuous fence, wall, or evergreen hedge supplemented with landscape planting of grass, shrubs, or evergreen ground cover, or a combination thereof, that effectively screens visually the property which it encloses, and which is at least four feet high and is broken only for accessways.

Searchlight. An apparatus for projecting a beam or beams of light.

Seasonal sales. Temporary sales, usually outdoors and independent of another use, of merchandise for the celebration of certain seasons. These include items such as Christmas trees and pumpkins.

Security barrier (wireless communication facility). A wall, fence, or berm that has the purpose of sealing a wireless communication facility from unauthorized entry or trespass.

Self-storage. Any real property designated and used for the purpose of renting or leasing separate storage spaces to individuals or businesses.

Setback line. A line within a lot parallel to a corresponding lot property line, which is established to govern the location of buildings, structures, or uses. Where no minimum front, side, corner side, or rear yard setbacks are specified, the setback line shall be coterminous with the corresponding lot line.

Shopping center. A unified grouping of two or more commercial establishments, such as retail, eating and drinking, office, and personal service uses, which are located on a single site with common/shared parking facilities. Shopping centers may occupy a single structure or separate structures that are physically or functionally related, but establishments with accessory uses, such as a grocery store with an accessory coffee shop, are not, by themselves, considered a shopping center. A shopping center may include pads for future buildings.

Short-term rental. The rental of not more than nine guest rooms within an owner occupied dwelling, or the rental of an entire dwelling to a family, as defined in TMC 13.06.700, for less than thirty days at a time. This use includes bed and breakfast, but does not include home exchange ("home swapping") or units in a multifamily development reserved for guest(s) of the residents.

Shrub. Any woody perennial plant that is generally less than fifteen feet in height at maturity.

Sign. Any materials placed or constructed, or light projected, that (a) convey a message or image, and (b) are used to inform or attract the attention of the public, but not including any lawful display of merchandise. Some examples of "signs" include placards, A-boards, posters, murals, diagrams, banners, flags, billboards, or projected slides, images or holograms. The applicability of the term "sign" does not depend on the content of the message or image conveyed.

Sign, abandoned. A sign that no longer correctly directs any person or advertises a bona fide business, lessor, owner, product, or activity conducted or available on the premises where such sign is located.

Sign, A-Board. A sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground. Also commonly known as sandwich board signs.

Sign, animated. A sign that uses movement by electronic means to depict action or create a special effect or scene, as with video or a series of moving lights.

Sign, architectural blade. A sign structure which is designed to look as though it could have been part of the building structure, rather than something suspended from or standing on the building.

Sign area. The total area of a sign, as measured by the perimeter of the smallest rectangle enclosing the extreme limits of the letter, module, or advertising message visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, decorative features, or framework which contains no written or advertising copy. (Includes only one side of a double-faced sign, unless noted otherwise.)

1. Individual letter signs, using a wall as the background without added decoration or change in wall color, shall be calculated by measuring the smallest rectangle enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.

2. For a multiple face sign, the sign area shall be computed for the largest face only. If the sign consists of more than one section or module, all areas will be totaled.

3. Neutral surfaces (i.e., graphic design, wall murals and colored bands), shall not be included in the calculation. (See definition of "Neutral Surface.")

4. The area of all regulated signs on a business premises shall be counted in determining the permitted sign area.

Sign, banner. A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

1. Commercial banner. A banner used for commercial purposes, which includes "For Lease," "Grand Opening," "Sale," etc.

2. Cultural, civil, and educational banner. A banner used for cultural, civic, or educational events, displays, or exhibits.

Sign, billboard. See 13.06.700.B, above.

1. Poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of posted paper.

2. Painted bulletins, where the message of the advertiser is painted directly on the background of a wall-mounted or freestanding display area.

Sign, blade. A double-faced sign intended for pedestrian viewing installed no higher than the top of the first floor of a building and generally perpendicular to the building façade for which it identifies.

Sign, canopy (or awning). A sign affixed to the surface of a canopy, awning, marquee, or similar feature and which does not extend vertically or horizontally beyond the limits of such feature, but does not include a projecting roof.

Sign, center identification. Any sign which identifies a shopping center, industrial center, or office center by name, address, or symbol. Center identification signs may also identify individual businesses and activities located within the center.

Sign, changing message center. An electronically controlled sign, message center, or readerboard where copy changes are shown on the same lamp bank or screen.

Sign, changeable copy (manual). Any sign that is designed so that characters, letters, or illustrations can be changed or rearranged by hand, without altering the face or the surface of the sign (i.e., readerboards with changeable pictorial panels).

Sign, construction. A temporary sign giving the name or names of principal contractors, architects, lending institutions, or other persons or firms responsible for construction on the site where the sign is located, together with other information included thereon.

Sign, corporate logo. A logo sign consists of a symbol or identifying mark(s) used as part of a corporation identification scheme that is meant to identify a corporation, company, or individual business or organization. Internally illuminated cabinet signs shall not be allowed for use as a logo sign above 35 feet in any of the downtown districts.

Sign, directional. Any sign which serves solely to designate the location of any place, area, or business within the City limits of Tacoma, whether on-premises or off-premises.

Sign, directory. A sign on which the names and locations of occupants or the use of a building is given.

Sign, electrical. A sign or sign structure in which electrical wiring, connections, and/or fixtures are used as any part of the sign.

Sign, feather. A portable freestanding type sign, affixed to a light weight pole, intended to advertise temporary promotions, services, and events.

Sign, flashing. An electrical sign or portion which changes light intensity in sudden transitory bursts, but not including signs which appear to chase or flicker and not including signs where the change in light intensity occurs at intervals of more than one second.

Sign, freestanding. A permanently installed, self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.

Sign graphics. An aggregate of designs, shapes, forms, colors, and/or materials located on an exterior wall and relating to or representing a symbol, word, meaning, or message.

Sign, ground. A sign that is six feet or less in height above ground level and is supported by one or more poles, columns, or supports anchored in the ground.

Sign height. The vertical distance measured from the adjacent grade at the base of the sign to the highest point of the sign structure; provided, however, the grade of the ground may not be built up in order to allow the sign to be higher.

Sign, identification or directory. A combination sign used to identify numerous buildings, persons, or activities which relate to one another, which is used as an external way-finding for both vehicular and pedestrians traffic.

Sign, illuminated. A sign designed to give forth any artificial or reflected light, either directly from a source of light incorporated into or connected with such sign or indirectly from a source intentionally directed upon it, so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.

Sign, incidental. A small sign intended primarily for the convenience and direction of the public on the premises, which does not advertise but is informational only, and includes information which denotes the hours of operation,

telephone number, credit cards accepted, sales information, entrances and exits, and information required by law. Incidental information may appear on a sign having other copy as well, such as an advertising sign.

Sign, interpretive. A sign designed to impart educational, instructive, or historic information, or to identify parks or other public recreational facilities.

Sign landscaping. Any material used as a decorative feature, such as planter boxes, pole covers, decorative framing, and shrubbery or planting materials, used in conjunction with a sign, which expresses the theme of the sign but does not contain advertising copy.

Sign, mechanized. A sign which uses natural or mechanical means to physically move all or part of the sign structure.

Sign, nonconforming. A nonconforming sign shall mean any sign which does not conform to the requirements of this Chapter.

Sign, off-premises open house or directional sign. A sign advertising a transaction involving:

1. A product sold in a residential zone;

2. A product that cannot be moved without a permit; and/or

3. A product with a size of at least 3,200 cubic feet.

Sign, off-premises. A permanent sign not located on the premises of the use or activity to which the sign pertains.

Sign, on-premises. A permanent sign located on the premises of the use or activity to which the sign pertains.

Sign, political. A temporary sign which supports the candidacy of any candidate for public office or urges action on any other matter on the ballot in a primary, general, or special election.

Sign, portable. Any sign not permanently attached to the ground or a building. (Includes A-frame, sandwich boards, and portable readerboards.)

Sign, projecting. A sign, other than a wall sign, which is attached to and projects from a structure or building face.

Sign, public information. A sign erected and maintained by any governmental entity for traffic direction or for designation of, or direction to, any school, hospital, historical site, or public service, property, or facility. Public signs include those of such public agencies as the Port of Tacoma, Pierce Transit, the Tacoma School District, and the MetroParks Tacoma.

Sign, real estate. Any sign which is only used for advertising the sale or lease of ground upon which it is located or of a building located on the same parcel of ground.

Sign repair. To paint, clean, or replace damaged parts of a sign, or to improve its structural strength, but not in a manner that would change the size, shape, location, or character.

Sign, roof sign. Any sign erected upon, against, or directly above a roof or parapet of a building or structure.

Sign, rotating. Any sign or portion thereof which physically revolves about an axis.

Sign structure. Any structure which supports, has supported, is designed to support, or is capable of supporting a sign, including a decorative cover.

Sign, swinging. A sign installed on an arm or spar that is fastened to an adjacent wall or upright pole, which sign is allowed to move or swing to a perceptible degree.

Sign, temporary off-premises. An off-premises advertising sign attached to temporary fencing during the time of construction.

Sign, temporary. An on-premises sign, banner, balloon, feather sign, pennant, valance, A-board, or advertising display constructed of cloth, canvas, fabric, paper, cardboard, plywood, wood, wallboard, plastic, sheet metal, or other similar light material, with or without a frame, which is not permanently affixed to any sign structure and which is intended to be displayed for a limited time only.

Sign, under-canopy. Signs or other information-conveying devices that are affixed to the underside of a canopy, awning, marquee, or similar feature and project down from the bottom of the feature.

Sign, unlawful. Any sign which was erected in violation of any applicable ordinance or code governing such erection or construction at the time of its erection, which sign has never been in conformance with all applicable ordinances or codes.

Sign, wall. A sign painted on or attached to or erected against the wall of a building with the face in a parallel plane of the building wall. Also known as a fascia sign.

Sign, warning. Any sign which is intended to warn persons of prohibited activities such as “no hunting” and “no dumping.”

Sign, window. A sign painted on, affixed to, or installed inside a window for purposes of viewing from outside the premises.

Special needs housing. A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.

Stable, private. A detached accessory building for the keeping of horses owned by the occupants of the premises and which are not kept for remuneration, hire, or sale.

Stacking lane. A driving lane, associated with a drive-thru, in which cars line up while waiting for service.

Staffed residential home. A home, licensed by the state, providing 24-hour care for six or fewer children or expectant mothers, 17 years or younger, with or without functional disabilities. The home employs staff to care for children and may or may not be a family residence. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.530, Juvenile Community Facilities.

Storage, general. Any real property designed and used for the purpose of renting or leasing storage space to individuals or businesses, for the purpose of indoor dead storage of personal items or business inventory and supplies. This may include self-storage or businesses where storage is provided as a service.

Street. A thoroughfare which provides the principal means of access to abutting property.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, half. A story which, by reason of a sloping roof, has not more than one-half of the habitable space of the floor next below it.

Structure. That which is built or constructed and located on the ground.

Structural alterations. Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Student housing. A residential facility occupied by and maintained exclusively for students that is affiliated with a professional college or university, or other recognized academic institution. These facilities are generally owned and operated by the associated institution and located on the institution’s campus. This classification includes uses such as dormitories, fraternity houses, and sorority houses.

Substance abuse facility. (See “Drug rehabilitation facility”).

Substantial connection. A substantial connection is a common covered structure whose roof extends between two structures, the width of which is at a minimum 50% of the width of one of the structures, and which utilizes a roof style, structure, and finishing materials that tie into the existing roof of at least one of the two structures.

Super regional mall. Combination of stores in single ownership or under unified control through a reciprocal easement agreement with at least four anchor tenants and a total of not less than 750,000 square feet of leasable building area.

Surface mining. Any premises from which the removal of any rocks, sand, gravel, stone, earth, topsoil, peat, minerals, or other natural resources results in the following:

1. More than three acres of disturbed area;

2. Surface mined slopes greater than 30 feet high and steeper than 1.0 foot horizontal to 1.0 foot vertical; or

3. More than one acre of disturbed area within an eight acre area, when the disturbed area results from mineral prospecting or exploration activities.

Surface mining shall exclude excavations or grading necessary for the construction of a structure for which a building permit has been duly issued.

13.06.700.T

Telecommunications exchange facility. A structure where the majority of its floor area is used for equipment for the purposes of automatically receiving, decoding, routing, recoding, and sending of voice and data communications.

Temporary housing. A structure, usually an automobile house trailer or mobile home, of a temporary nature not involving permanent installations.

Temporary use. A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period. Temporary uses include seasonal sales, temporary office space, carnivals, and temporary housing.

Theater. A building or part of a building devoted primarily to the showing of motion pictures or for dramatic, dance, musical, or other live performances.

Total cost. All costs associated with an alteration incurred from project initiation to project completion, excluding the purchase costs for the building and site.

Transit street. A street on which regularly scheduled bus service operates at frequencies of 15 minutes or less during peak travel periods. Transit streets are designated by the Director of Public Works in consultation with Pierce Transit and include streets designated in Section 11.05.492.

Transparency. Glazing through which it is possible to see clearly into and out of a building or into a window display.

Transportation/freight terminals. A place where transfer of goods and/or people takes place between modes of transportation. This classification includes marine terminals, freight terminals and transfer yards, container marshalling yards, intermodal rail yards, general rail yards, train and bus stations, and ferry terminals.

Travel services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.

Tree. Any woody perennial that generally matures over fifteen feet in height, generally has a minimum mature canopy width of ten feet and greater, and is capable of being shaped and pruned to develop a branch-free trunk to at least eight feet in height at maturity.

Tree Size: Categorized as Large, Medium or Small as determined by the Canopy Factor, which takes into account the trees mature height, mature crown spread and growth rate. The Canopy Factor 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.

(A) Large Trees = Canopy Factor greater than 90

(B) Medium Trees = Canopy Factor from 40 to 90

(C) Small Trees = Canopy Factor less than 40

13.06.700.U

Unlicensed wireless services. Commercial mobile services that operate on public frequencies and do not need an FCC license.

Upper story setback. See “modulation, horizontal.”

Urban Forest Manual. A compilation of City urban forestry practices and standards.

Urban Horticulture. A use in which plants are grown or produced indoors for the sale of the plants or their products or for use in any business, including such things as fruits, vegetables, and other crops, flowers, ornamental plants or trees.

Use. The purpose land, building, or structure now serves or for which it is occupied, maintained, arranged, designed, or intended.

Utilities. Generating plants, electrical substations with outdoor equipment, refuse collection and transfer stations, processing, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, and similar facilities.

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.

Vehicle. The term “vehicle” as used herein means all instrumentalities capable of movement by means of circular wheels, skids, or runners of any kind, specifically including, but not limited to, all forms of automotive vehicles, buses, trucks, cars, and vans; all forms of trailers or mobile homes of any size, whether capable of supplying their own motive power or not, without regard to whether the primary purpose of which instrumentality is or is not the conveyance of persons or objects, and specifically including all such automobiles, buses, trucks, cars, vans, trailers, and mobile homes even though they may be at any time immobilized in any way and for any period of time.

Vehicle rental and sales. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, including storage and incidental maintenance.

Vehicle sales area. An open, off-street area used for the display, sale or rental of new or used automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, and where no repair work is done.

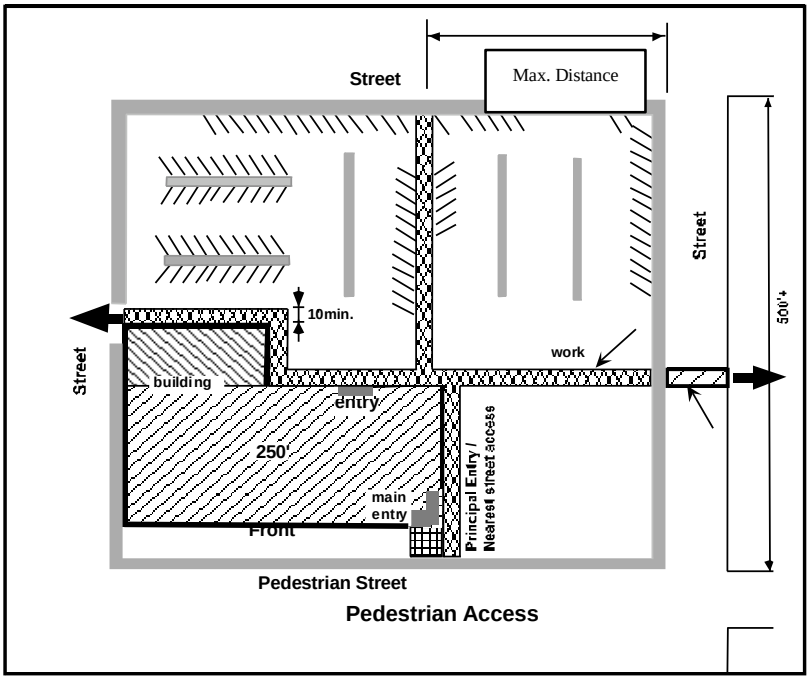
Vehicle service and repair. Repair and/or service of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes car washing facilities, auto repair shops, electric vehicle rapid charging and/or battery swap-out facilities, body and fender shops, car painting, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

Vehicle service and repair, industrial. Facilities, either indoors or outdoors, for the layover, maintenance, and temporary storage of buses, trains, transit, semi trucks, heavy equipment, and associated support vehicles. Equipment, materials, and vehicles used in the maintenance of bus transit facilities are also included.

Vehicle storage. Lots for storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles. Not to be construed as a parking lot or area.

13.06.700.W

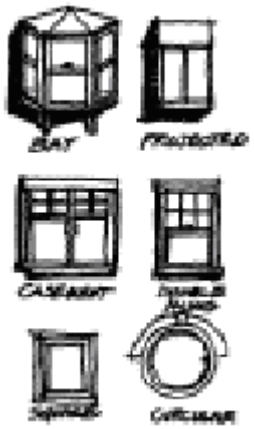
Walkways. Illustrated as required in certain districts of this chapter:

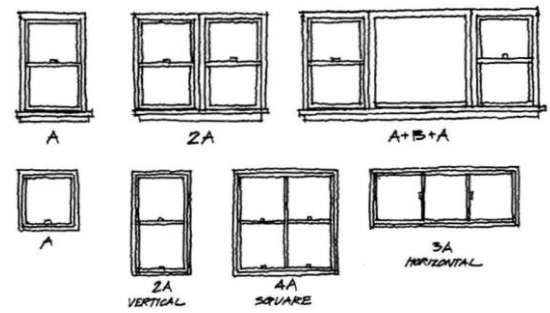


Warehouse, storage. A building or portion of a building, or open storage or outdoor yard area, used for long-term storage of items where incoming and outgoing traffic is intermittent and which requires minimal employee activity.

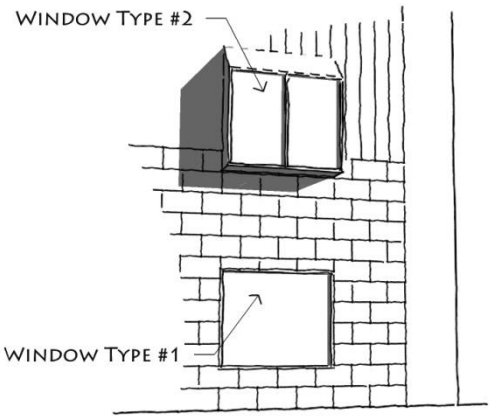
Wholesale or distribution. A building or portion of a building used for short-term storage in preparation for rerouting or reshipment, or used in connection with an industrial activity where incoming and outgoing shipments are a continuing operation.

Window type. A window type is an individual grouping of windows, a window size, or a window shape. Individual panes within the same frame are not considered a separate type. Illustrated as required in certain districts of this chapter:





WINDOW VARIETY AND COMBINATIONS



UPPER LEVEL WINDOW REQUIREMENT

Wireless communication and wireless communication facilities. Facilities used in the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for communication, cellular phone, personal communication services, enhanced specialized mobile radio, and any other services licensed by the FCC and unlicensed wireless services. These types of facilities also include central office switching units, remote switching units, telecommunications radio relay stations, and ground level equipment structures. This classification does not include communication facilities.

Wireless communication tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term encompasses wireless communication facilities, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, wireless communication towers, building-mounted structural supports and/or the building where equipment is mounted directly to the building's structure, and alternative tower structures, and the like.

Work release center. An alternative to imprisonment, including work and/or training release programs which are under the supervision of a court or a federal, state, or local agency. This definition excludes at-home electronic surveillance.

Work/live. A commercial business use which includes a dwelling unit in up to 50 percent of the unit's space. The business owner lives in the residential space.

Works of art. Artist-produced creations of visual art, including, but not limited to, sculptures, murals, paintings, inlays, earthworks, mosaics, etc. Works of art can be both self-standing and/or integrated into the structure or its grounds. The reproduction of original works of art, mass-produced artwork, or architect-designed elements are not included. Also not included are directional signage or super graphics, maps, etc., except where an artist is employed.

13.06.700.X

(For future use if needed.)

13.06.700.Y

Yard. An open space other than a court, on the same lot with a building unoccupied or unobstructed from the ground upward, except as otherwise provided in this chapter.

Yard, front. A yard extending the full width of the lot, the depth of which is the minimum distance from the front lot line to the building.

Yard, rear. A yard extending the full width of the lot, the depth of which is the minimum distance from the rear lot line to the main building.

Yard, side. A yard extending from the front yard to the rear yard along the side of the main building, the width of which yard is the minimum distance from the side lot line to the main building.

13.06.700.Z

(For future use if needed.)

(Ord. 28376 Exs. C, D, E; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Exs. B,C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28051 Ex. B; passed Feb. 21, 2012: Ord. 28009 Ex. A; passed Aug. 9, 2011: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27665 Ex. A; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27563 Ex. A; passed Dec. 12, 2006: Ord. 27539 § 20; passed Oct. 31, 2006: Ord. 27296 § 29; passed Nov. 16, 2004: Ord. 27278 § 3; passed Oct. 26, 2004: Ord. 27245 § 22; passed Jun. 22, 2004: Ord. 27079 § 53; passed Apr. 29, 2003: Ord. 27054 § 1, 2, 3, 4; passed Mar. 18, 2003: Ord. 26966 § 23; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

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