

# TACOMA MALL NEIGHBORHOOD

## SUBAREA PLAN



## APPENDICES







# Tacoma Mall Neighborhood

## Subarea Plan & EIS

### APPENDICES

August 11, 2017

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# Tacoma Mall Neighborhood Subarea Plan & EIS

## Appendix LU-1: Code Change Recommendations

August 11, 2017

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# I. Introduction

Draft recommendations for amendments to Tacoma’s development regulations were prepared as part of the subarea planning process described in the Land Use chapter of the Tacoma Mall Neighborhood Subarea Plan. The development regulations contained in the Tacoma Municipal Code include land use and zoning designations that control the types of land uses that can be built in specific areas, as well as development standards that direct certain aspects of the design planning, site planning and environmental review for proposed development. This appendix is intended to provide a detailed description of the proposed regulatory changes outlined in the Subarea Plan. The Tacoma Mall Neighborhood Subarea Plan implements the policy direction of the One Tacoma Plan and regional planning frameworks including *Vision 2040* and the Pierce County County-wide Planning Policies.

**The following Subarea Plan Land Use Goals and Actions specifically direct these code updates:**

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<b>Goal LU-1</b>	<b><i>Ensure future development at a scale and intensity consistent with growth targets that contributes to coherent and consistent urban form, connectivity and land use patterns.</i></b>
Action LU-1	Adopt and continue to refine land use and zoning requirements to create transitions in scale among core, transition and residential areas, including the proposed package of near-term code updates.
Action LU-2	Update and continue to refine the list of permitted land uses to provide broad flexibility while ensuring that new land uses are consistent with urban form goals.
Action LU-3	Adopt and continue to refine a Large Parcel Connectivity Plan requirement to provide for new connections via private property when major development occurs.
<b>Goal LU-2</b>	<b><i>Ensure that site and building design of new development is consistent with the Tacoma Mall Neighborhood vision and urban form goals, with a particular emphasis on creating an inviting atmosphere for pedestrians.</i></b>
Action LU-5	Update and continue to refine commercial and residential site design, building design and landscaping standards, including the proposed near-term updates, to ensure that future development contributes to an attractive, pedestrian-oriented environment.
Action LU-6	Adopt and continue to refine Pedestrian Street designations to establish the corridors where pedestrian environment is a higher priority.
Action LU-7	Update and continue to refine the City code related to the environment and stormwater to promote innovation and to provide for a safe and healthy environment, including near-term updates.
<b>Goal LU-3</b>	<b><i>Provide height and development incentives to encourage the provision of public benefits and innovation with development proposals.</i></b>
Action LU-8	Update and continue to refine height bonus options in the Mall Neighborhood to reflect community priorities.
Action LU-9	Establish and continue to refine an optional Development Regulation Agreement process for larger parcels providing public benefits, with criteria tailored to the Mall Neighborhood.
<b>Goal LU-4</b>	<b><i>Clarify distinctions and strengthen transitions between the RGC and South Tacoma Way Manufacturing and Industrial Center boundaries.</i></b>
Action LU-10	Revise RGC boundary to transition between the mixed-use Tacoma Mall Neighborhood and the industrial character of the Manufacturing and Industrial Center.

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## II. Intent and Organization of the Regulatory Approach

The proposed land use regulations identified here are intended to implement the Subarea Plan vision, enable development of neighborhood structure elements and enact other Subarea Plan actions that require a legal basis in code. The Subarea Plan's Land Use chapter articulates the background, intent and policy direction further described in this Appendix.

The existing Mixed-Use Centers code (X Districts) contains requirements that apply to both existing business districts with mature urban forms, and shopping centers where markets still primarily support the current dispersed use auto-oriented pattern. Due to the specific conditions in the Mall Neighborhood, some updates and new regulatory tools are appropriate. These updates implement the Subarea Plan vision, goals and actions as well as the goals and policies of the One Tacoma Plan, Vision 2040, the Pierce County Countywide Policies and other adopted policy guidance.

The updates to be adopted with the Plan include high priority changes to City Code needed to ensure that immediate term development actions would be generally consistent with the Subarea Plan. In addition to recommended code changes to be adopted with the Subarea Plan adoption, the Land Use Chapter also calls for future updates and program enhancements to improve the City's capacity to guide growth consistent with the Subarea Plan vision. These actions will be for future consideration because implementing them would require additional review and public engagement, or call for a broader citywide policy discussion.

### Proposed Code Changes

Proposed code amendments would be adopted with the Subarea Plan to put in place enhancements to existing zoning intended to prevent development in the near term that would preclude longer-term connectivity, provide options for large site flexibility and address specific development standard issues. These high priority changes to existing zoning are intended to ensure that immediate term development actions would be generally consistent with the Subarea Plan and would not preclude future implementation actions. The proposed changes are summarized below. The development regulations that were in place for the Tacoma Mall Neighborhood prior to adoption of the Subarea Plan are described in the Environmental Impact Statement for this Subarea Plan.

### Changes Applicable Outside the Tacoma Mall Neighborhood RGC

While most code change proposals apply specifically and exclusively within the Tacoma Mall Neighborhood RGC, some proposals would apply in other zoning districts as well. These changes were deemed to be minor in scope, to be generally appropriate for similar neighborhoods, and/or would ensure that the application of the Tacoma Municipal Code is clear and consistent across zoning districts. Several non-substantive code clean-ups are also included (e.g., correcting outdated code citations). The specifics are included in the discussion of each item within this document.

Item #2: Apply the existing X District height bonus approach to the CCX District

Item #3: Apply the Pedestrian Streets designations more consistently across X Districts

Item #4: Add new Pedestrian and Bicycle standards applicable to development of large sites citywide

Item #8: Modify Townhouse and Multifamily design standards in all X Districts

Item #9: Modify Minimum Residential Density Flexibility in all X Districts

Item #10: Require street trees with townhouse, one and two-family development in all X Districts

Item #11: South Tacoma Groundwater Protection District code updates applicable throughout the STGPD

## Potential Future Regulatory Changes

- Citywide Urban Design Studio Process

City initiatives currently underway will build upon the Subarea Plan code changes and further enhance the City's capacity to guide development to be consistent with the Subarea Plan vision. The Planning and Development Services Department (PDS) has initiated discussion of an Urban Design Studio policy initiative that will consider options to develop the City's capacity to guide design as part of development review. An enhanced City design review process would likely be applicable more broadly, and would be an effective tool to implement the design and neighborhood structure direction of the Subarea Plan.

- A Consolidated Tacoma Mall Neighborhood Regional Growth Center Code Section

Though outside the current scope of work, the City may in the future consider a code reorganization to consolidate code sections pertinent to the Tacoma Mall Neighborhood Subarea. Currently, regulations pertaining to the Mall Neighborhood are contained within the Mixed-Use Center code (TMC 13.06.300), and various other sections governing design, infrastructure, parking, landscaping and other topics. Yet the Tacoma Mall Neighborhood is distinct from other Mixed-Use Centers since it, like Downtown, is a Regional Growth Center. With the adoption of these code updates, some regulations will apply differently to the Mall Neighborhood RGC than to other Mixed-Use Centers. It could, therefore, make the code easier to use and interpret if those regulations were consolidated in a stand-alone code section in a similar manner to the Downtown Tacoma code (TMC 13.06A).

- A Hybrid Form-Based Tacoma Mall Neighborhood RGC Code

In the future, the City may consider developing a separate zoning approach specifically tailored to the Tacoma Mall Neighborhood. The current Mixed-Use Centers (X District) Code is designed to apply to fifteen designated Mixed-Use Centers. The code is most successful in guiding infill to maintain and strengthen neighborhood form and consistency in centers with established traditional neighborhood business districts, such as Proctor, 6th Avenue or the Stadium District. In the Centers with shopping centers or a more auto-oriented form, the code provides for mixed-use infill development that will help transform the urban form to a more walkable, mixed-use area over time.

The Tacoma Mall Neighborhood Regional Growth Center is the largest center where the X District code applies, and the existing code approach is less applicable. First, the code is designed to affect individual site development and was not written to provide the level and scale of urban structure needed in the Tacoma Mall neighborhood. Second, the current code structure would distribute future extensive regulatory changes throughout separate sections that could make it more challenging to comprehensively understand how the elements are intended to work together.

A hybrid form-based code vehicle for a Tacoma Mall Neighborhood-specific code would enable more cohesive district-based development by illustrating and integrating the public and private realms through development standards into one code. Form-based codes typically place emphasis on form (how and where development occurs) to achieve more area-wide cohesion and less emphasis on land use. Form-based codes can better deliver desired results and are simpler to administer because they include all of the urban design elements (land use, street network, parks and public places, connectivity and frontage requirements and building design standards) in one place. A regulating plan typically is the overarching guide that illustrates how the code elements fit together. A hybrid form-based code approach would enable the City to facilitate a more cohesive urban form that integrates buildings, sites, streets and public places, and to support a more modern, contemporary Northwest architecture.



### III. Proposed Code Changes

Changes are proposed to multiple chapters and sections of the Tacoma Municipal Code (TMC). The following table provides a key to locate the proposed changes specifically by topic.

Code Changes by topic	TMC Code Sections
1. Zoning District Boundary & Height Changes	13.06.300.A Mixed-Use Districts 13.06.300.B Districts established
2. Height bonus options	13.06.300.E Building envelope standards
3. Land Use Table Modifications	13.06.300.D Land use requirements
4. Connectivity Requirement	13.04.080 Binding site plan approval 13.04.120 Conformity to the Comprehensive Plan and the Major Street Plan and applicable ordinances, manuals, design specifications, plans and guidelines 13.06.512 Pedestrian and bicycle standards <i>NEW</i> - 13.12.590 Tacoma Mall Neighborhood Connectivity Plans
5. Development Regulation Agreements	13.05.095 Development Regulation Agreements
6. Pedestrian Streets Designations	13.06.300.C Applicability and pedestrian streets designated
7. Drive-Through Standards	13.06.513 Drive-throughs
8. Townhouse & Multifamily Design Standards	13.04.200 Alleys 13.06.300.G X-district Residential Yard Space Standards 13.06.501 Building design standards
9. Minimum Residential Density Flexibility	13.06.300.E Building envelope standards
10. Landscaping Code updates	13.06.502 Landscaping and buffering standards
11. South Tacoma Groundwater Protection District Code Updates	13.09 South Tacoma Groundwater Protection District
12. Environmental Code Updates	13.12.570 Archaeological, Cultural, and Historic Resources 13.12.580 Traffic Impact Assessment

# 1. Zoning & Height Changes

## Overview:

The draft Subarea Plan includes a package of land use, zoning and height changes intended to catalyze high-density development consistent with the Regional Growth Center policies, support green stormwater, urban design, transportation, livability and other goals. During the planning process, several key concepts emerged that suggested that zoning changes could provide more direction to neighborhood development. These concepts have been integrated into zoning district boundary and height changes summarized below. The background and policy intent are in the Subarea Plan Land Use and Urban Form Chapters. Proposed changes are intended to accomplish the following:

- Manage transitions and focus growth by establishing gradations in permitted height
- Establish multifamily residential/green infrastructure areas in Madison and Lincoln Heights
- Incorporate an approximately 116-acre expansion area into the Regional Growth Center
- Limit residential development in close proximity to Interstate-5 due to air-quality concerns
- Allow for innovative proposals through the Development Regulation Agreements option

In developing these recommended zoning changes, the City has sought to support the goals of the Subarea Plan while providing continuity with the existing zoning. For the most part, the existing Mixed-Use Center (X District) zoning is already generally consistent with the Subarea Plan intent. The majority of the area will retain its current Urban Center Mixed-Use (UCX) zoning designation, with no major changes. In addition, the proposals are intended to make zoning consistent with planned complete streets retrofits, follow topography, to avoid splitting parcels when feasible and to avoid making existing uses non-conforming.

Four different zoning districts currently apply to sections of the proposed Subarea (see the Existing Zoning Map). Three Mixed-use zoning districts would apply within the Subarea under the proposed zoning (see the Proposed Zoning Map). For more information on Tacoma’s zoning districts, visit [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) and select *Zoning Reference Guide*.

<b>Existing Zoning Districts</b>	<b><i>Proposed Zoning Districts</i></b>	<b><i>General intent of proposed Zoning District</i></b>
<b>Urban Center Mixed-Use District (UCX)</b>	<b><i>UCX Core – 75/120 feet height</i></b> <b><i>UCX Transition – 65/85 feet height</i></b> <b><i>UCX Commercial (no residential uses)</i></b>	<i>Provides for dense residential, commercial and institutional development including regional destinations that supports walking and transit-usage.</i>
<b>Residential Mixed-Use District (RCX)</b>	<b>Urban Residential Mixed-Use (URX)</b>	<i>Provides for dense housing development in walkable proximity to commercial mixed-use zones.</i>
<b>Neighborhood Commercial Mixed-Use District (NCX)</b>	<b><i>UCX Transition – 65/85 feet height</i></b>	<i>Provides for dense mixed-use development at a mid-rise height, serves as a transition between higher and lower height areas.</i>
<b>Light Industrial District (M-1)</b>	<b>Commercial Industrial Mixed-Use (CIX)</b>	<i>Provides for a mix of commercial, residential and light manufacturing, assembly, distribution and goods storage.</i>

Recommendation:

Adopt a package of land use, height and design standards changes to support the goals of the Subarea Plan. The following table is keyed to the proposed Zoning District Changes Map, so that you can look at specific locations to understand what is being proposed there.

The table provides a high-level overview of the changes directly related to zoning. Additional proposed regulatory changes would be broadly applicable or apply in multiple locations. Such changes are not called out in the table but are fully addressed in their own sections of this appendix.

<b>KEY ZONING CHANGES SUMMARY</b>				
<b>Proposed Zoning District</b>	<b>Height</b>	<b>Land uses</b>	<b>Design standards</b>	<b>Reasons for change</b>
1. UCX Core area	<u>Current:</u> 75 by right/ 120 feet with bonuses <u>Proposed:</u> No change	<u>Current:</u> Broad range of uses permitted <u>Proposed:</u> No change	<u>Current:</u> X District design standards <u>Proposed:</u> No change	<i>No specific changes proposed.</i>
2. Proposed UCX Transition areas	<u>Current:</u> 60 feet (RCX); 75 by right/ 120 feet with bonuses (UCX) <u>Proposed:</u> 65 by right/ 85 feet with bonuses	<u>Current:</u> Broad range of uses permitted <u>Proposed:</u> No change	<u>Current:</u> X District design standards <u>Proposed:</u> No change	<i>Supports Urban Form and Land Use goals by focusing the highest density in the Core with a transition to areas with lower heights.</i>
3. Proposed UCX Commercial area (abutting I-5)	<u>Current:</u> 75 by right/ 120 feet with bonuses <u>Proposed:</u> No change	<u>Current:</u> Broad range of uses permitted. <u>Proposed:</u> Residential uses not permitted	<u>Current:</u> X District design standards <u>Proposed:</u> No change	<i>Supports economic development and public health goals by setting aside the area nearest to I-5 for commercial development and locating residents further away for air-quality reasons.</i>
4. RGC Expansion area: Proposed CIX Zoning (north and west of current RGC)	<u>Current:</u> 75 feet <u>Proposed:</u> 75 by right/ 100 feet with optional height bonuses.	<u>Current:</u> M-1 limits residential land uses <u>Proposed:</u> Allows both light industrial and residential uses	<u>Current:</u> M-1 design standards are minimal <u>Proposed:</u> X District design standards	<i>Supports multiple goals by increasing development capacity and land use flexibility, while strengthening building design standards for a smoother transition to the industrial Nalley Valley.</i>
5. RGC Expansion area: Proposed UCX Zoning (north of S. 35 <sup>th</sup> St)	<u>Current:</u> 75 feet <u>Proposed:</u> 75 by right/ 120 feet with optional height bonuses	<u>Current:</u> M-1 limits residential land uses <u>Proposed:</u> Allows a broad range of uses, limits light industrial uses	<u>Current:</u> M-1 design standards are minimal <u>Proposed:</u> X District design standards	<i>Supports multiple goals by increasing development capacity and providing for an urban mixed-use land use pattern, while strengthening building design standards.</i>
6. RGC Expansion area: Proposed UCX Zoning (west boundary of Madison District)	<u>Current:</u> 75 feet <u>Proposed:</u> 65 feet	<u>Current:</u> M-1 limits residential land uses <u>Proposed:</u> Allows a broad range of uses, limits light industrial uses	<u>Current:</u> M-1 design standards are minimal <u>Proposed:</u> X District design standards	<i>Supports multiple goals by and providing for an urban mixed-use land use pattern, while strengthening building design standards for a smoother transition to the industrial Nalley Valley.</i>

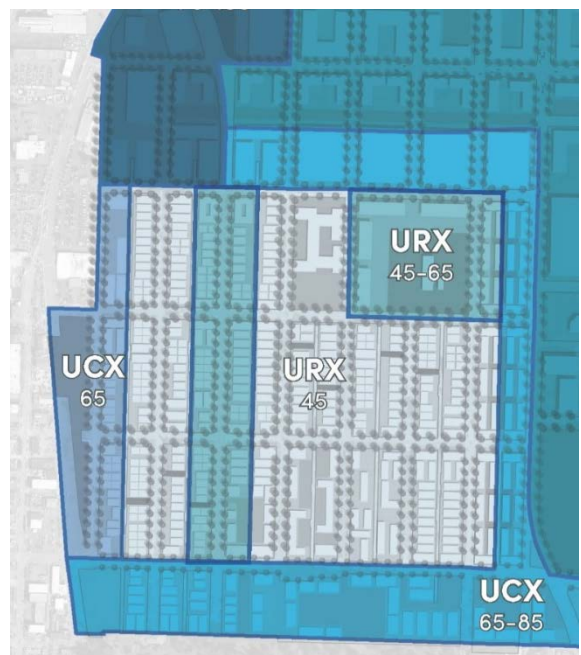
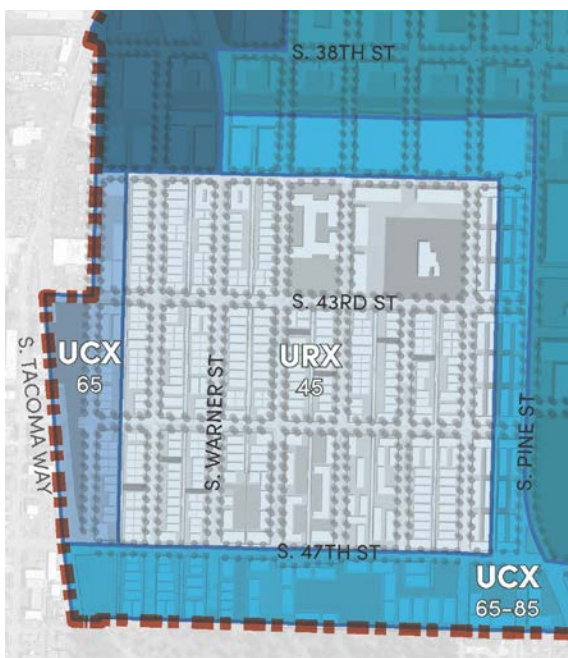
<b>7. RGC Expansion area: Proposed UCX Zoning (currently NCX)</b>	<u>Current:</u> 45 by right/85 feet with bonuses <u>Proposed:</u> 65 by right/85 feet with bonuses	<u>Current:</u> Allows a broad range of uses <u>Proposed:</u> Allows a broad range of uses	<u>Current:</u> X District design standards <u>Proposed:</u> X District design standards	<i>Supports multiple goals by making zoning for this small area consistent with the RGC to which it is adjacent.</i>
<b>8. Multifamily Residential: Proposed URX Zoning (Lincoln Heights)</b>	<u>Current:</u> 75 by right/120 feet with bonuses <u>Proposed:</u> 45 by right/65 feet with bonuses	<u>Current:</u> Broad range of uses permitted (min. 30 dwellings/ acre) <u>Proposed:</u> Residential land uses only (min. 25 dwellings/ acre)	<u>Current:</u> X District design standards <u>Proposed:</u> X District design standards	<i>Supports Urban Form and Environmental goals by building on the residential character of the area and enabling and focusing Green Stormwater Infrastructure techniques in this area where soils are conducive to stormwater infiltration.</i>
<b>9. Multifamily Residential: Proposed URX Zoning (Madison)</b>	<u>Current:</u> 60 feet <u>Proposed:</u> 45 feet	<u>Current:</u> RCX permits multifamily and up to 25% commercial uses (min. 30 dwellings/acre) <u>Proposed:</u> Residential land uses only (min. 25 dwellings/ acre)	<u>Current:</u> X District design standards <u>Proposed:</u> No change	<i>Supports Urban Form and Environmental goals by building on the residential character and scale of the area and enabling and focusing Green Stormwater Infrastructure techniques in this area where soils are conducive to stormwater infiltration.</i>

Madison District Zoning Options:

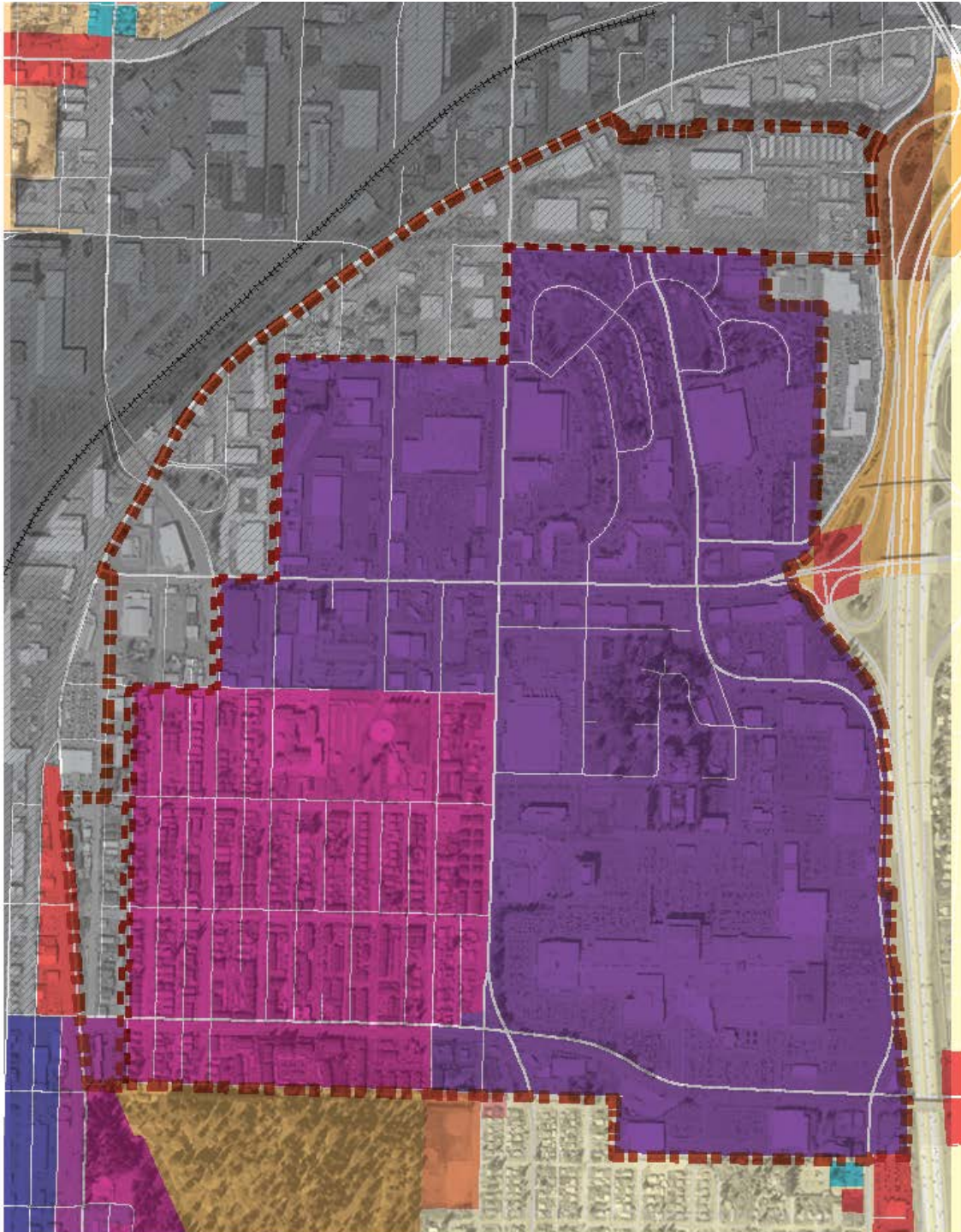
The Planning Commission is considering two slightly different zoning approaches for the Madison District. In the staff recommended option, the core of the District would be zoned URX with a 45-foot height limit. In the alternative zoning approach, the half blocks facing Warner Street and the Madison School vicinity would have a 45-foot by right height limit with a 65-foot optional bonus height. Only one of these options will be adopted by Council.

*Staff recommended zoning:*

*Alternate zoning proposal:*

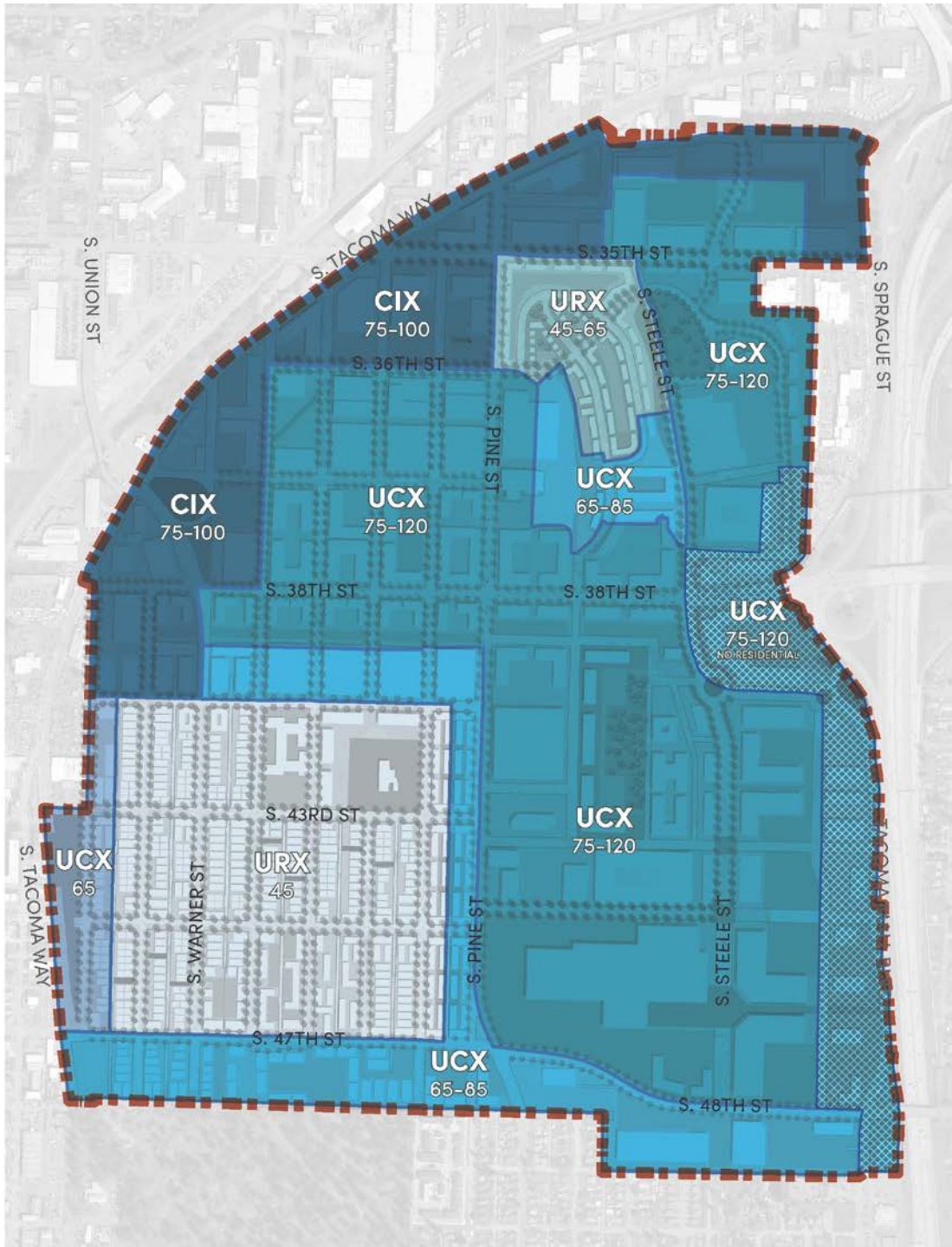


# Map A. Existing Zoning

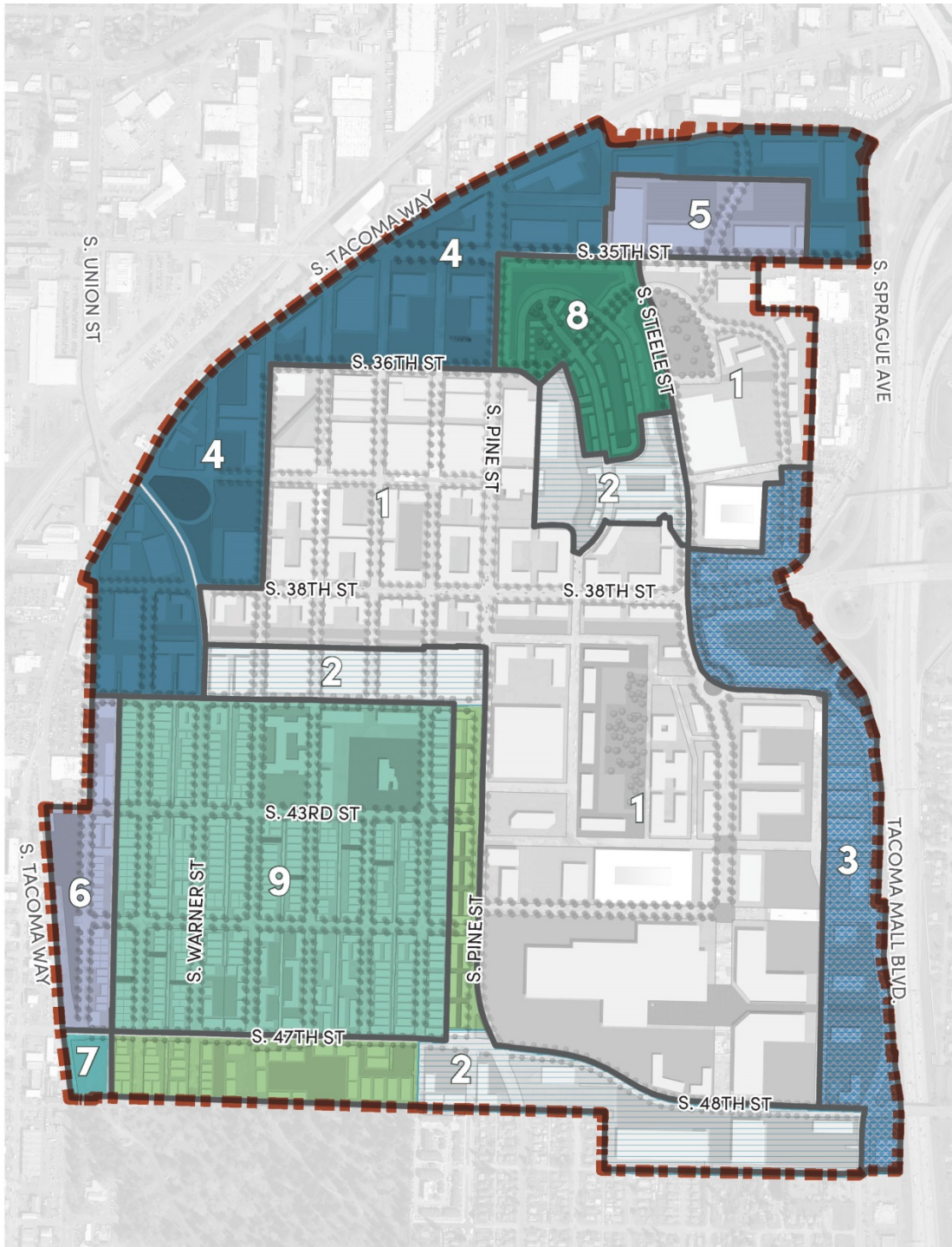


- |   |   |   |  |
|---|---|---|--|
|  Expanded Neighborhood Subarea |  R2 Single Family Dwelling                     |  T Transitional      |  RCX Residential Commercial Mixed-Use |
|  Existing RGC Boundary         |  R2-SRD Single Family Dwelling -Special Review |  CI Commercial       |  NCX Neighborhood Mixed-Use           |
|   |  R2 2-Family Dwelling                          |  CI Commercial       |  UCX Urban Center Mixed-Use           |
|   |  R4L Low Density Multiple Family Dwelling      |  M1 Light Industrial |  CIX Commercial Industrial Mixed-Use  |
|   |  R4 Multiple Family Dwelling                   |  M2 Heavy Industrial |  |

## Map B. Proposed Zoning



# Map C. Proposed Zoning Changes



## 2. Height Bonus Options

### Overview:

The Tacoma Mall Regional Growth Center currently offers height bonuses in the UCX District from the by-right height of 75 feet up to 120 feet. However, the UCX bonus options were not updated as part of the relatively recent updates to the NCX height bonus options. Therefore, the current height bonus options are limited to only two options – the use of Transfer of Development Rights (TDR) and construction of a mixed-use building. Through this code review process, staff noted that the CCX District offers only a limited palette of bonus options similar to that offered in the UCX District.

In contrast, other X Districts have a range of bonus options in four categories: Pedestrian-Oriented Environment, Transit-Oriented Development, Sustainability and Quality of Life. This creates more bonus options and provides an incentive for development to include features that have neighborhood-level benefits.

No height bonus option is currently available in the areas proposed for CIX zoning (M-1 does not offer height bonuses). This proposal would create incentives for additional height along with public benefits through offering the height bonus options in these areas as well. Finally, the area in the Lincoln Heights District proposed for URX zoning is intended to allow 45 feet by right and up to 65 feet with height bonuses.

### Recommendation:

Modify the X District height bonus options to integrate the UCX, CIX and URX (Lincoln Heights District) zones within the Tacoma Mall Neighborhood RGC into the existing X District Height Bonus approach. This will increase options for construction of taller buildings and create development incentives to include public benefit features.

In addition, integrate the CCX District into the existing X Districts height bonus approach so that all X District height bonuses will be handled consistently.



### 3. Land Use Table Modifications

#### Overview:

A review of current regulations for permitted land uses within the proposed zoning districts identified opportunities to better support the Subarea Plan goals or to remove restrictions that are not necessary to meet those goals. While the current land use regulations are generally appropriate, there are opportunities for minor refinements.

The proposal would change certain land uses that are currently either **Permitted** or **Not Allowed** to being **Conditional Uses**. In some cases, a particular land use could be compatible with the intent of the zoning district, but only if certain conditions are met. For example, a microbrewery could fit well within the UCX District with due consideration of noise, smells and other impacts. The proposal would also limit certain uses that are not consistent with the intent to promote pedestrian-oriented streets.

#### Recommendation:

Modify the permitted land uses table to better support the goals of the Subarea Plan, as summarized in the following table. For consistency, the proposal makes slight changes to how the designated pedestrian streets requirements apply in X Districts generally. Proposed changes are in shaded boxes in the table below.

Table 1. Proposed Land Use Changes. (13.06.300 - Table 3)

	UCX		CIX		URX		Notes
	Ext	Pro	Ext	Pro	Ext	Pro	
<b>Building materials and services</b>	P	CU	P	P	N	N	
<b>Commercial Parking Facility</b>	P	P* **	P	P*	N	N	* Apply the NCX and CCX prohibition at street level along the frontage of designated pedestrian streets to all X Districts.  ** Prohibit stand-alone surface commercial parking lots within the UCX District.
<b>Communication facility</b>	P	P*	P*	P	N	N	* Apply the NCX and CCX prohibition at street level along the frontage of designated pedestrian streets to all X Districts.
<b>Dwellings (all types)</b>	P	P* **	P	P* **	P	P	* Prohibit residential uses within the Commercial only area of the UCX (within proximity of Interstate 5).  * Make the designated pedestrian street approach more consistent across X Districts. Add UCX, CCX, CIX and HMX to the current NCX and CCX Districts prohibition at street level along frontage of designated Core Pedestrian Streets.
<b>Microbrewery / winery</b>	N	CU	P	P	N	N	
<b>Research and development industry</b>	N	CU	P	P	N	N	
<b>Self-Storage</b>	P	P*	P	P*	N	N	* Apply the NCX and CCX prohibition at street level along the frontage of designated Core Pedestrian Streets to all X Districts.
<b>Transportation/Freight Terminal</b>	P	CU*	P	P*	N	N	* Apply the NCX and CCX prohibition at street level along the frontage of designated Core Pedestrian Streets to all X Districts.
<b>Utilities</b>	CU	CU*	CU	CU*	CU	CU	* Apply the NCX and CCX prohibition at street level along the frontage of designated Core Pedestrian Streets to all X Districts.

	UCX		CIX		URX		Notes
	Ext	Pro	Ext	Pro	Ext	Pro	
<i>P = Permitted N = Not Allowed</i> <i>CU = Conditional Use</i>							
<b>Vehicle Service and Repair, Industrial</b>	P	CU*	P	P*	N	N	* Apply the CCX prohibition at street level along the frontage of designated Core Pedestrian Streets to all X Districts.
<b>Vehicle storage</b>	N	N	P	P*	N	N	* Prohibit at street level along frontage of designated Pedestrian Streets.
<b>Warehouse, Storage</b>	N	CU*	P	P*	N	N	* Add UCX and CIX to the current NCX and CCX Districts prohibition at street level along frontage of designated core pedestrian streets.
<b>Wholesale or Distribution</b>	N	CU*	P	P*	N	N	* Add UCX and CIX to the current NCX and CCX Districts prohibition at street level along frontage of designated core pedestrian streets.

#### **4. Connectivity and Pedestrian Access requirements**

##### Overview:

The Subarea Plan calls for additional street and pedestrian connections to be established across existing large blocks to achieve multiple transportation, urban form and economic development goals.

This proposal would strengthen the City's authority to require new street and pedestrian connections across large development sites without existing street or pedestrian connections. The proposal has two main code change components; one would apply citywide while the other would only apply in the Tacoma Mall Neighborhood Subarea.

The first is an update to the existing Pedestrian and bicycle standards (TMC 13.06.512) to better address very large sites. The existing standards are adequate for small sites but do not address the circumstances of larger development sites. Larger development sites call for consideration of more robust pedestrian and bicycle connections as well as of how to facilitate travel through the site to adjacent public streets. In addition, the current code sets a high threshold for site alterations before pedestrian access improvements would be required. Since this threshold is rarely exceeded, the City does not currently have the ability to require incremental pedestrian improvements along with alterations and additions to existing development. The circumstances of very large parcel connectivity are similar citywide. Therefore, the proposed changes would apply citywide, when applicable.

The second is to create a Large Block Connectivity Plan requirement specific to the Tacoma Mall Neighborhood Subarea. The Subarea planning process has identified the lack of streets and pedestrian connections as a major barrier to achieving the community's vision, warranting actions specific to the neighborhood. This proposal establishes a process that requires planning for the creation of new connections along with new construction and major additions. The intent is to avoid negative impacts on existing businesses by allowing interior improvements and major exterior alterations and additions without triggering any new requirements. Therefore, only when a property owner wishes to pursue major changes would this requirement apply.

In combination, these proposals will make significant progress toward enhancing the City's capacity to improve connectivity when major development occurs. However, it is important to note that gaps would remain in the City's toolkit. First, the proposals rely on large-scale redevelopment, which means that the City does not control the timing. Implementation of new connections could take a long time and could be incremental. Second, the proposals do little to address the circumstance of large blocks comprising multiple small parcels. It is challenging to address this scenario through regulatory mechanisms because new connections are by their nature a significant requirement that often may be out of proportion with the impacts of development of smaller sites. Third, other areas of the City also lack adequate connectivity and may warrant a connectivity plan requirement. Further review and consideration is recommended on how to address these issues.

##### Recommendation:

1. Updates to TMC 13.06.512 Pedestrian and bicycle standards

- Update the applicability thresholds to be consistent with building design requirement thresholds. This section applies citywide.

TMC 13.06.512 currently requires site access and connectivity from the right-of-way to businesses as well as internal site connectivity. These requirements are applicable to new development and to alterations within a two-year period exceeding 50 percent of the value of existing development or structures. In practice, the 50 percent threshold is rarely met meaning that few connectivity improvements are achieved with incremental development.

Under the proposal, in the case of alterations valued at 15 to 50 percent of improvement value, the area being altered or directly affected by the improvements would now be required to meet the standards. This change is consistent with the city's current thresholds for building alterations—that new work should generally meet City requirements without requiring the entire site/development to come into compliance. The proposal still allows a significant level of minor alterations without any pedestrian requirements. Above the 15 percent threshold, the proposal links any new requirements (if any are applicable) directly to the area/buildings being altered.

- Update the pedestrian walkway standards to address very large sites.

TMC 13.06.512 currently requires pedestrian walkways every 150 feet connecting from the right-of-way to each building or use, as well as an internal pedestrian network. However, when a large site is developed, the current code does not increase the scale of improvements and does not recognize that large sites may have more than one street frontage.

The proposal would require that through-connections be provided with development of large sites. When sites with 450 feet or more of frontage are developed, the current code requires three or more walkways (one per 150 feet of frontage). The change would require that the middle walkway be designed to a higher width and standard. The through-connection would be required to be designed either as sidewalks along either side of a drive aisle (essentially as a complete street), or as a multi-use pathway wide enough to accommodate bikes and pedestrians. These pedestrian connections would be required to connect through the site to adjacent public rights-of-way.

## 2. Large Parcel Connectivity Plan requirement for the Tacoma Mall Neighborhood Subarea

This proposal would create a new section of the Environmental Code - TMC 13.12 that would establish thresholds, process and standards for consideration of connectivity requirements for major development activities on large parcels located within blocks lacking in streets and pedestrian connections within the Tacoma Mall Neighborhood Subarea. The proposed code language has been crafted in order to achieve the Subarea Plan goals, to enact the following Connectivity Principles and to reflect the substantial community input and Planning Commission discussion of this topic. The proposal also integrates the connectivity tiers analysis that establishes priorities for the creation of new connections. In addition to creating the new section in TMC 13.12, references would be added for consistency to several other TMC chapters.

## **Connectivity Principles**

City actions to establish new street network connectivity shall be governed by the following Connectivity Principles:

- Accommodate growth, support transportation, urban form and land use goals
- Build on and integrate with existing street and pedestrian patterns
- Seek to achieve multiple benefits
- Plan proactively for projects of citywide significance
- Support existing businesses by avoiding requirements that make it overly costly to operate, improve and expand to a reasonable extent
- Balance predictability and flexibility in determining future street connections
- Share costs proportionally with the benefits at the Subarea, quadrant and site levels
- Avoid or compensate for disproportional impacts
- Design new connections per complete streets principles to support the planned future uses, travel modes and traffic volumes
- Allow design flexibility for local access (Tier 3) connections
- Reflect nexus and proportionality land use legal principles

## **Priority New Connections Tiers**

The Priority New Connections Tiers, identified in the Transportation Choices Chapter of the Subarea Plan, establish the priority of new connections in the Subarea. The following overview summarizes the intent and requirements for each tier (see attached map).

- Tier 1 Connections – Neighborhood-wide significance
  - Necessary to accommodate 2040 growth
  - Public ownership
  - City leadership on funding
  - Designed per Subarea Plan guidance
- Tier 2 Connections – Establish the urban framework
  - Necessary to promote mode shift and land use goals
  - Provides quadrant level transportation benefits
  - Generally 600-by-600 scale (within a 200 foot corridor)
  - Public ownership
  - Costs shared between the City and project proponent
  - Designed per Subarea Plan guidance
- Tier 3 Connections – Pedestrian site access and through-block connections
  - Not mapped in advance, planned with development
  - Implemented through the proposed new TMC 13.06.512 Pedestrian and bicycle standards (discussed above)

- Private funding and ownership
- Priority is pedestrian access

### **Large Block Connectivity Plan Requirement**

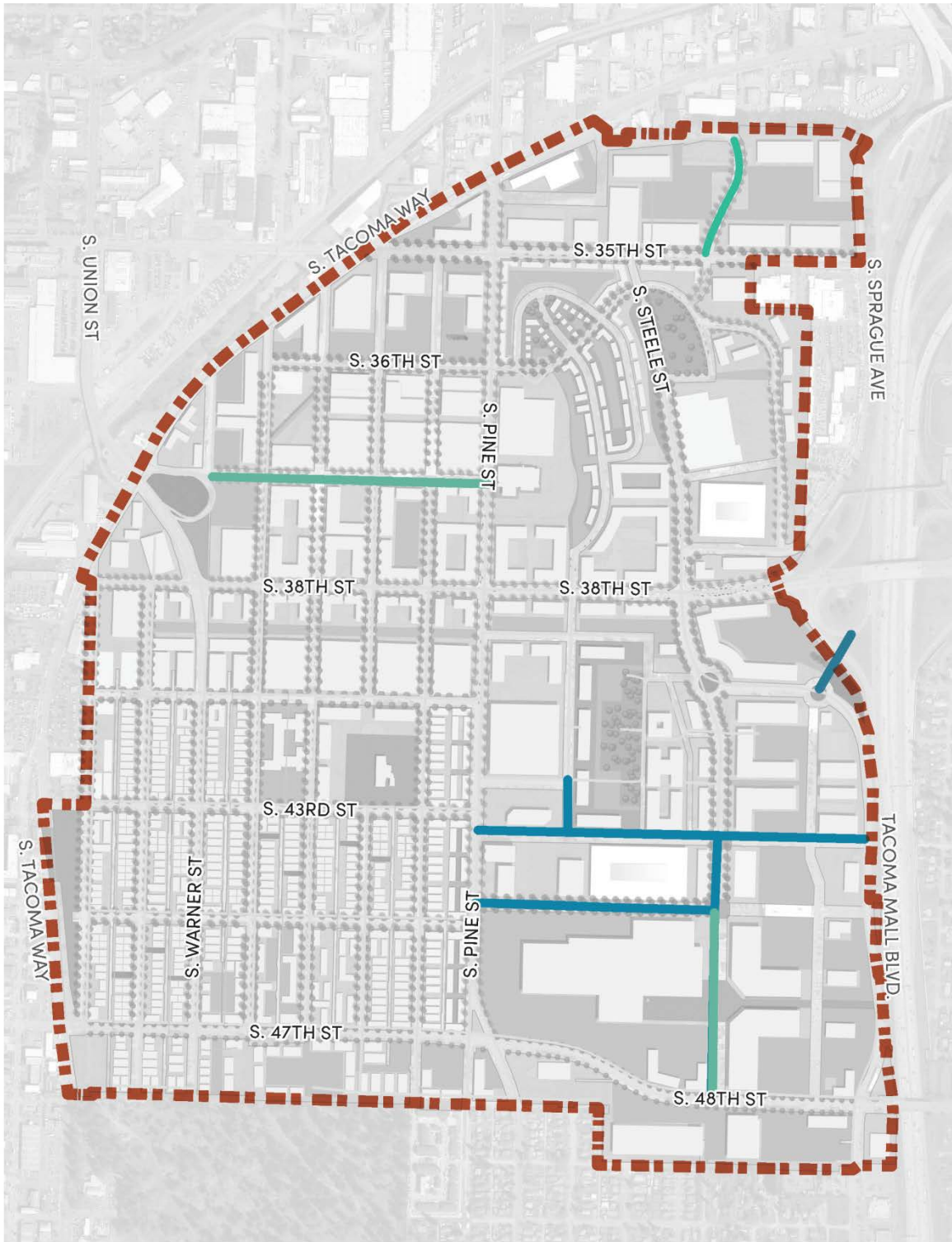
The proposed requirement integrates the following specifics regarding applicability, thresholds, process and requirements. Again, these specifics have been calibrated to achieve the intent articulated in the Subarea Plan.

- Applicability: Sites at least 1 acre in size, located on blocks without street connectivity that are at least 8 acres in size
- Connectivity Plan thresholds—a plan is required with:
  - Construction of new buildings with over 1,000 sf footprint
  - Building additions greater than 50% of building footprint or greater than 15% of footprint for a site with multiple buildings
  - Building additions greater than 1,500 square feet within a (200 foot wide) Tier 2 alignment
- Connectivity Plan requirements—the plan is required to:
  - Designate Tier 1 and 2 street alignments (consistent with the Subarea Plan street network and City standards)
  - Demonstrate a conceptual approach or alternatives to providing pedestrian and vehicular access consistent with City standards
- Connectivity Plan process:
  - Notification to property owners within 400 feet
  - Consultation with affected property owners
  - Adoption through a legally binding commitment (such as a development agreement, property dedication or easements, subdivision, binding site plan, or Development Regulation Agreement) to implement the plan phased with development
  - Flexibility: The Connectivity Plan will establish parameters for flexibility that meets the intent while accommodating changes in development proposals
- Implementation:
  - No new construction or building additions larger than 500 square feet allowed within designated alignments
  - Property dedication/easements and construction with full redevelopment of the site adjacent to a segment of the planned network
    - Adjacent: Within 100 feet of one or more specific segments of the planned connectivity network
    - Full redevelopment: New construction, major additions, remodels within a ten-year period whose cumulative value exceeds 200 percent of the value of the existing development
  - City funding initiatives
    - The City will proactively pursue funding for Tier 1 and 2 connections

- Pursue collaborative funding strategies including impact fees, catalytic street improvement funds, grants, late-comers agreements, and others



# Map D. Proposed Priority New Connection Tiers



-  Tier One
-  Tier Two

## 5. Development Regulation Agreements

### Overview:

The Subarea Plan emphasizes the importance of ensuring that the neighborhood benefits from large-scale development. As such, the code includes design, access, height and other requirements intended to ensure positive development outcomes. At the same time, large sites often have unique characteristics and opportunities, particularly when internal street connections are absent. There may be design and development opportunities, such as larger campus-style government or master planned retail developments, that can meet Subarea Plan goals in a manner not specifically foreseen. Large-scale development can also catalyze growth and change in the neighborhood.

Tacoma's Development Regulation Agreement's (DRA), currently available primarily within the Downtown Regional Growth Center, provides an optional regulatory process crafted to allow design and site flexibility while achieving significant public benefits.

### Recommendation:

Allow DRAs in the Tacoma Mall Neighborhood RGC to provide an optional review process for larger site development incorporating alternative approaches that meet and exceed the Subarea Plan and code intent regarding connectivity, land use and design. Modify the existing DRA criteria to address the Tacoma Mall Neighborhood Subarea Plan vision and goals.

Specifically, the changes would modify TMC 13.05.095 Development Regulation Agreements as follows:

- Allow DRAs within the Tacoma Mall Neighborhood Subarea for sites at least two acres in size with an overall project Floor Area Ratio of at least 1.00. These thresholds are intended to ensure that density consistent with the RGC intent will be achieved.
- Tailor the DRA review criteria to fit the circumstances within the Mall Neighborhood.
  - The existing criteria award points for public benefits including:
    - Balanced economy
    - Achieving vitality downtown
    - Sustainability
    - Quality urban design
  - The proposal would add a fifth category titled, "Achieving vitality in the Tacoma Mall Neighborhood" allotting points for a list of public benefits tailored to address the needs of the Tacoma Mall Neighborhood Subarea, including:
    - Enhanced site connectivity above and beyond requirements
    - Landscaping, pedestrian paving, site features and amenities that demonstrably exceed requirements
    - Provision of public gathering spaces (e.g., for markets, events, festivals)
    - Provision of publicly accessible recreational amenities
    - Provision of neighborhood-serving amenities or services (such as a grocery store, medical clinic, or community center)
    - Distinctive modern, contemporary signage that contributes to the identity of the Subarea

- Street edge activation and building ground orientation that demonstrably exceeds requirements
- Green stormwater infrastructure and tree canopy coverage that demonstrably exceeds requirements

## 6. Pedestrian Streets Designations

### Overview:

Walkability and the quality of the pedestrian environment are priorities in the Subarea Plan. Street design and building design work together to shape the pedestrian environment. Building design, façade details and orientation to the public right-of-way play a major role. Current conditions reflect auto-oriented streets and site development patterns.

The City of Tacoma’s Mixed-Use Centers code includes a hierarchy of pedestrian streets (TMC 13.06.300.C) that includes Pedestrian Streets, Core Pedestrian Streets, and Primary Pedestrian Streets. The purpose is to set priorities for streets where a higher-quality pedestrian environment is intended.

- Pedestrian Streets: Key streets in the development and utilization of Tacoma’s mixed-use centers due to pedestrian use, traffic volumes, transit connections and/or visibility. Development on Pedestrian Streets must meet additional building and site design features that enhance the pedestrian environment. Some land uses are restricted to prevent development that detracts from the pedestrian environment.
- Core Pedestrian Streets: A subset of the “pedestrian streets” for use with certain additional design provisions. Core pedestrian streets have additional land use restrictions to prevent development that detracts from the pedestrian environment.
- Primary Pedestrian Streets: This designation is used to clarify certain requirements when a site abuts more than one designated pedestrian street.

### Recommendation:

Designate the following streets as Pedestrian, Core Pedestrian and Primary Pedestrian Streets. These streets play a central role in the urban form and transportation goals of the Subarea Plan and are slated for public capital investments to retrofit them to complete streets standards. Development patterns along these streets play a critical role in achieving the Subarea Plan goals.

This recommendation would enable more cohesive street level pedestrian development on the main east/west and north/south thoroughfares, which are strong retail destinations and on the mixed-use segments of the Loop Road. The Core Pedestrian Streets designation would apply to the primary gateways into the neighborhood – S. 38th Street and the Steele Street segment of the Loop Road.

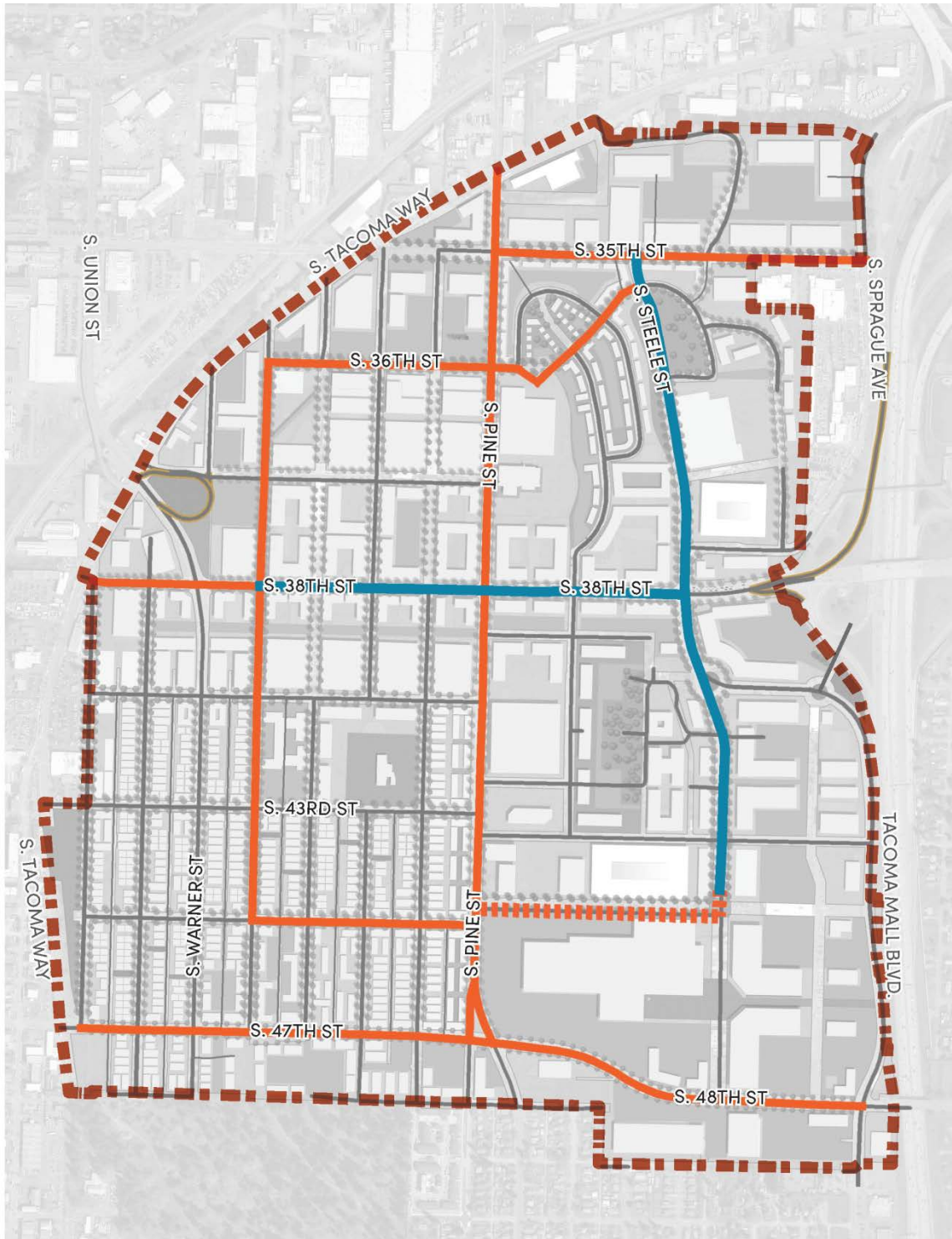
See the Proposed Pedestrian Streets Map.

- Current designations:
  - Pedestrian Streets:
    - S. 47th/48th Transition Street
    - S. Steele Street\*

- Core Pedestrian Streets: none
- Proposed designations:
  - Pedestrian Streets:
    - S. 35<sup>th</sup> Street between Pine Street and Sprague Avenue
    - S. 36<sup>th</sup>/S. California Streets between Lawrence and Steele Streets
    - S. 38<sup>th</sup> Street between South Tacoma Way and S. Lawrence Street
    - S. 45<sup>th</sup> Street/future Loop Road between S. Lawrence and S. Steele Streets
    - S. 47<sup>th</sup>/48<sup>th</sup> Street
    - S. Lawrence Street between S. 36<sup>th</sup> and S. 45<sup>th</sup> Streets
    - S. Pine Street between South Tacoma Way and S. 47<sup>th</sup>/48<sup>th</sup> Street
  - Core Pedestrian Streets:
    - S. 38<sup>th</sup> Street between S. Lawrence and S. Steele Streets\*
    - S. Steele Street\*

\* Also designated as "Primary Pedestrian Streets"

# Map D. Proposed Pedestrian Streets



- Pedestrian Street
- Core Pedestrian Street

## 7. Drive-Through Design Standards

### Overview:

The Subarea Plan calls for more-intensive land use, reduction of the emphasis on cars and enhancements to the pedestrian realm. In contrast, drive-throughs are typically developed at low intensity levels with most of the site devoted to drive aisles and surface parking, to emphasize auto usage, and to increase the frequency of vehicles crossing sidewalks. Design standards can help to integrate drive-throughs into more intensive site plans that better fit the Subarea Plan vision and to screen the auto-oriented elements from public view.

### Recommendation:

- The City's existing Drive-Through code requirements (TMC 13.06.513) require three additional site design requirements for drive-throughs located on designated Pedestrian Streets: 1. Direct drive-through connections to Pedestrian Streets are prohibited; 2. Driveways must be 150 feet from transit stops; 3. Exterior drive-through windows may not face Pedestrian Streets. Therefore, designation of additional Pedestrian Streets (discussed above) will increase drive-through design requirements.
- In addition, the Drive-through Code creates a hierarchy of design standards, with the most stringent requirements applicable in Downtown Tacoma RGC where drive-throughs and stacking lanes must be located entirely within buildings. A less stringent requirement would be applied to the Tacoma Mall Neighborhood RGC requiring that drive through stacking lanes adjacent to the building be partially enclosed within a decorative or vegetated building or trellis structure.

## 8. Townhouse & Multifamily Design Standards

### Overview:

Since the Tacoma Mall area was designated a Growth Center in 1995, the majority of development has been residential including townhouse, lower-scale multifamily and more recently mid-rise multi-family. Community concerns about some of the design outcomes have been a constant during that period. The City has made several code changes to address specific design issues. This package of proposed code changes is intended to address newly identified design issues primarily for townhouses.

### Recommendation:

Modify the City's existing townhouse design standards to promote consolidated locations for garbage collection and to enhance requirements for pedestrian entrances and design features oriented toward the street, and require higher standards when front doors are proposed facing alleys. These changes are intended to better integrate townhouses into the Tacoma Mall Neighborhood and to reduce visual clutter. Since these design considerations are similar in other mixed-use neighborhoods, the proposal is to apply them to all X Districts. Proposed changes include the following:

#### TOWNHOUSES:

- Clarify intent: Add intent language calling for design that implements the urban form, aesthetic and housing goals of the Comprehensive Plan.

- Street orientation and relationship: Strengthen requirements for townhouses to be oriented toward the street, to incorporate street-facing architectural features, and to make an attractive transition to the public right-of-way.
- Garbage and utilities: Require that applicants demonstrate that garbage and recycling will be managed in an unobtrusive manner and grant Solid Waste the authority to require changes; require that utilities be located in less visible areas.
- Front doors facing alleys: Applications for townhouses with front doors facing alleys would not be approved without demonstration that the alley will provide an attractive living environment, including pavement in good condition, pedestrian access and landscaping. This may require alleys to be widened to accommodate required features.
- On-site open space: Clarify intent that yard space must be functional and attractive.
- Site access: Require that shared vehicular and pedestrian access areas be attractive and safe through distinct paving material for pedestrian pathways or paving that makes it clear that these spaces are for shared access.

**MULTIFAMILY:**

- Apply the Residential Districts multifamily Transition Areas standard (TMC 13.06.501.D.2.b) to multifamily development in X Districts. This standard requires that the space between the building and the public sidewalk be attractive and prohibits parking in that area.

## **9. Minimum Residential Density Flexibility**

Overview:

Residents in the neighborhood as well as developers have expressed the desire to be allowed to further develop sites where the existing house is to be retained, without being required to meet the minimum density requirement.

The current minimum density in the Madison District is the RCX District minimum of 30 dwelling units per acre. If the rezone to URX is adopted, the minimum density in the Madison District would be reduced to 25 units per acre. However, current code would not allow the conversion of a single-family house to two or more units, the addition of a second house or an ADU on the site unless those actions met the minimum density requirement.

Recommendation:

Allow conversion of single-family houses to multiple units and construction of an ADU or a second single-family house on sites without requiring that the minimum density be met. Since the circumstances are similar, this change would apply in all X Districts.

## **10. Landscaping**

Overview:

Two distinct issues come together to support consideration of additional landscaping requirements particularly in the proposed residential areas of the Subarea. First, the Plan calls for tree canopy and

increase pervious surface to support environmental goals. Second, the proposal to create residential enclaves suggests that additional green features should be considered to ensure that these areas are livable. In addition, the City has adopted complete streets policies that call for street trees to be a standard feature throughout the City and in particular within mixed-use districts.

Landscaping requirements within the UCX and RCX Districts currently include the following:

- Parking Lot landscaping
- Street trees for developments excepting one-, two- and three-family
- Buffering for lower intensity zoning districts
- Foundation planting

Current landscaping requirements do not require significant planting when townhouses are developed.

Recommendation:

- Extend the street tree requirement to include one-, two- and three-family developments. This change would apply generally within all X Districts.
- Require 15 percent onsite canopy coverage in the proposed URX District to promote livability and green stormwater goals

## **11. South Tacoma Groundwater Protection District Code Updates**

Overview:

The Subarea Plan includes an area-wide stormwater management strategy based largely on stormwater infiltration within the Subarea, when soil and other conditions are appropriate. This approach is becoming standard for the City of Tacoma and is a cornerstone of the current Stormwater Management Manual.

The South Tacoma Groundwater Protection District incorporates a large area of Central, South and East Tacoma and provides regulatory review for certain development proposals intended to protect the South Tacoma Aquifer. The code section governing the South Tacoma Groundwater Protection District (TMC 13.09) was last updated substantively about ten years ago. Since that time, there have been significant advances in the review processes that public agencies utilize for development within the STGPD, as well as advances in Green Stormwater Infrastructure approaches. While the code does allow for stormwater infiltration in the STGPD when appropriate design criteria are met, the wording and terminology are out of date.

City staff has coordinated with the Tacoma Pierce County Health Department to draft minor revisions to clarify current regulations pertaining to stormwater infiltration within the STGPD. Special attention was paid to ensuring that the intent of the STGPD of protecting the South Tacoma Aquifer will fully be met.



Recommendation:

- Adopt updates to TMC 13.09 to clarify regulations, terminology and review processes for stormwater infiltration in the STGPD.

## **12. Updates to the City's Environmental Code**

Overview:

The Subarea Plan up front Environmental Impact Statement (EIS) approach shifts environmental review under the State Environmental Policy Act (SEPA) from the project level to the Plan level. As part of that process, updates are called for to the City's Environmental Code (TMC 13.12) to ensure that project level review for traffic and archaeological resources can be required at the project level without an Environmental Checklist. This approach was taken as part of the Downtown Subarea Plan/EIS adoptions and allows the City to assess and address project impacts as part of permit review.

Recommendation:

- Update the City's Environmental Code to authorize the City to require assessment of potential impacts at the project level within the Tacoma Mall Neighborhood Subarea, including the following sections:
  - TMC 13.12.570 Archaeological, Cultural, and Historic Resources
  - TMC 13.12.580 Traffic Impact Assessment

END OF DOCUMENT



# Tacoma Mall Neighborhood Subarea Plan & EIS

## Appendix LU-2: Proposed Code Changes



## TITLE 13 LAND USE REGULATORY CODE

### Chapters:

- 13.02 Planning Commission
- 13.03 *Repealed*
- 13.04 **Platting and Subdivisions**
- 13.05 **Land Use Permit Procedures**
- 13.06 **Zoning**
- 13.06A Downtown Tacoma
- 13.07 Landmarks and Historic Special Review Districts
- 13.08 Current Use Assessment
- 13.09 **South Tacoma Groundwater Protection District**
- 13.10 Shoreline Management
- 13.11 Critical Areas Preservation
- 13.12 **Environmental Code**
- 13.13 *Repealed*
- 13.14 *Repealed*
- 13.15 Commute Trip Reduction
- 13.16 Concurrency Management System
- 13.17 Mixed-Use Center Development

### NOTE:

As part of the Tacoma Mall Neighborhood Subarea Plan and EIS project, changes are recommended to five chapters of the Tacoma Municipal Code (TMC), as **highlighted** above.

The code changes and their rationale are detailed in Appendix LU-1: Code Change Recommendations of the Subarea Plan.

The sections included are only those portions of the code associated with these amendments. Proposed new text is underlined in red and text proposed to be deleted is show in **red strikethrough**.

**Chapter 13.04**  
**PLATTING AND SUBDIVISIONS**

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**13.04.075 Vacation.**

The vacation of any binding site plan, plat, short plat, or portion thereof, is subject to the procedures set forth in RCW 58.17, ~~and~~ applicable sections of the Tacoma Municipal Code, including Chapter 13.05 Land Use Permit Procedures and shall be reviewed for consistency with the Comprehensive Plan.

\*\*\*

**13.04.088 Binding site plan approval.**

A. Divisions of commercial, mixed-use or industrial zoned land for sale or lease may be permitted by approval of a binding site plan by the Director or designee; provided, that the property to be divided has had land use actions specifying use and building, parking and driveway layouts. An adopted Subarea Plan and SEPA Planned Action EIS, per the provisions of TMC 13.12.550, is an appropriate precedent action.

B. Applications for binding site plans shall be submitted in a manner consistent with applications for short plats.

C. When considering requests for binding site plan approval, the Director shall utilize the criteria for approving short subdivisions. In addition, the binding site plan shall be consistent with the land use action or Subarea Plan precedent to the request for binding site plan approval.

D. After approval of a general binding site plan, subsequent amendments shall be considered by the Director as a modification to the original approval.

E. The approved binding site plan and any modification approved subsequently shall be recorded with the Pierce County Auditor's office.

\*\*\*

**13.04.090 Short plat/short subdivision procedures.**

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E. Approval. The Director or designee shall review the proposed preliminary short subdivision application. The preliminary short plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare; and for open spaces; stormwater management; streets or roads; alleys; bike routes; other public ways; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school and for transit patrons who walk to bus stops or commuter rail stations.

2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other adopted City ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

\*\*\*

**13.04.110 General requirements and minimum standards for subdivisions and short subdivisions.**

The general requirements and minimum standards of design and development set forth in Sections 13.04.120 to 13.04.230, inclusive, of these regulations, and the City’s Comprehensive Plan, Subarea Plans and applicable ordinances, manuals, design specifications, plans and guidelines in Section 13.04.120, are hereby adopted as the minimum requirements and standards to which a subdivision plat, including short subdivision, must conform for approval. However, the minimum standards found in Sections 13.04.120 to 13.04.230 may be waived as part of a subdivision/short subdivision decision upon a finding by the Hearing Examiner or Director that unique circumstances exist that make the strict application of the standards unreasonable.

**13.04.120 Conformity to the Comprehensive Plan and the Major Street Plan and applicable ordinances, manuals, design specifications, plans and guidelines.**

The subdivision/short subdivision shall conform to and be in harmony with the Comprehensive Plan, Subarea Plans, Public Works Design Manual, Stormwater Management Manual, Mobility Master Plan Pedestrian and Bicycle Design Guidelines, Complete Streets Design Guidelines, Americans with Disabilities Act Self-Evaluation and Transition Plan, and other adopted guidelines, manuals, and design specifications as currently enacted or as may be hereafter amended.

\*\*\*

**13.04.200 Alleys.**

A minimum width of an alley in a residential block, when platted, shall be 20 feet. Alleys may be required in the rear of commercial and industrial districts and, where required, shall be at least 20 feet wide. If an alley is utilized for pedestrian access, additional width may be required, per City standards.

\*\*\*

Chapter 13.05

LAND USE PERMIT PROCEDURES

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13.05.095 Development Regulation Agreements.

A. Purpose. Pursuant to RCW 36.70B.170-210, the purpose of this section is to create an optional application procedure that could authorize certain major projects in key locations to be reviewed, rated, approved, and conditioned according to the extent to which they advance the Comprehensive Plan’s goals and policies. In addition to demonstrating precisely how it significantly advances the goals and policies of the Comprehensive Plan by achieving the threshold set forth in subsection 13.05.095(D) TMC, a threshold established based on the Comprehensive Plan goals and policies, a project located within the areas described in B(1) or B(2) must document specific compliance with the policies and standards set forth in the Downtown Element of the Comprehensive Plan, the Tacoma Mall Neighborhood Subarea Plan, and other pertinent Comprehensive Plan goals and policies.

It is anticipated that there will be a degree of flexibility in the application of the City’s development regulations so that any conditions are tailored to the specifics of the proposed project and community vision in such a manner as to ensure that significant public benefits are secured. Project approval is embodied in a contract designed to assure that anticipated public benefits are realized according to agreed upon terms and conditions that may include, but are not limited to, project vesting, timing, and funding of on- and off-site improvements.

The City is authorized, but not required, to accept, review, and/or approve the proposed Development Regulation Agreements. This process is voluntary on the part of both the applicant and the City.

B. Applicability. Development Regulation Agreements shall only be allowed for one of the following project types:

1. Proposed projects located within the International Financial Services Area (IFSA), as defined in the City’s Amended Ordinance No. 27825 and illustrated in Figure 1, with a building footprint of at least 15,000 square feet and a proposed height of at least 75 feet;

Figure 1: International Financial Services Area (IFSA)



2. Proposed projects located within the Downtown Regional Growth Center, as set forth in the Growth Strategy and Development Concept Element Urban Form Chapter of the City Comprehensive Plan, provided that the real property involved is subject to a significant measure of public ownership or control, and provided that the project includes a building footprint of at least 15,000 square feet and a proposed height of at least 75 feet;

3. Proposed projects located within the Downtown Regional Growth Center where the City Landmarks Commission formally certifies that the proposed project is either a historic structure or is directly associated with and supports the preservation of an adjacent historic structure;

4. Proposed projects located on a public facility site, as defined in subsection 13.06.700.P TMC, that are at least five acres in size and are not a public utility site;

5. Proposed projects located within the Tacoma Mall Neighborhood Regional Growth Center, that are located on a development site at least two acres in size and that include an overall project Floor Area Ratio of at least 1.00.

C. Application process. An application for a Development Regulation Agreement may only be made by a person or entity having ownership or control of real property within one of the qualifying areas identified in subsection B above. Applications for a Development Regulation Agreement shall be made with the Planning and Development Services Department, solely and exclusively on the current form approved by said Department, together with the filing fee set forth in the current edition of the City's Fee Schedule, as adopted by resolution of the City Council. The City Council shall be notified once a complete application has been received. The City shall give notice under Sections 13.02.057 and 13.02.045.H TMC as if the application were for a land use designation change.

D. Review criteria. The City Manager, and such designee or designees as may be appointed for the purpose, shall negotiate acceptable terms and conditions of the proposed Development Regulation Agreement based on the following criteria:

1. The Development Regulation Agreement conforms to the existing Comprehensive Plan. Except for projects on a public facility site of at least five acres in size, conformance must be demonstrated by the project, as described in the Development Regulation Agreement, scoring 800 points out of a possible 1,050 points, according to the following scoring system (based either on the Downtown Element of the City Comprehensive Plan or on the Tacoma Mall Neighborhood Subarea Plan, as applicable):

a. Balanced healthy economy. In any project where more than 30 percent of the floorspace is office, commercial, or retail, one point shall be awarded for every 200 square feet of gross floorspace (excluding parking) up to a maximum of 290 points.

b. Achieving vitality downtown (applicable within the Downtown Regional Growth Center). Up to 40 points shall be awarded for each of the following categories: (i) CPTED design ("Crime Prevention Through Environmental Design"), (ii) sunlight access to priority public use areas, (iii) view maximization, (iv) connectivity, (v) quality materials and design, (vi) remarkable features, (vii) access to open space, and (viii) street edge activation and building ground orientation.

c. Sustainability. Up to 50 points shall be awarded for each of the following categories: (i) complete streets, (ii) transit connections, (iii) energy conservation design to a L.E.E.D. (Leadership in Energy and Environmental Design) certification to a platinum level or certified under another well-recognized rating system to a level equivalent to certification to a platinum level, and (iv) Low Impact Development Best Management Practices and Principles.

d. Quality Urban Design. Up to 60 points shall be awarded for each of the following categories: (i) walkability, (ii) public environment, (iii) neighborliness, and (iv) support for public art.

e. Achieving vitality in the Tacoma Mall Neighborhood (applicable within the Tacoma Mall Neighborhood Regional Growth Center). Up to 40 points shall be awarded for each of the following categories: (i) enhanced site connectivity above and beyond requirements (ii) landscaping, pedestrian paving, site features and amenities that demonstrably exceed requirements (iii) provision of public gathering spaces (e.g., for markets, events, festivals) (iv) provision of publicly accessible recreational amenities (v) provision of neighborhood-serving amenities or services (such as a grocery store, medical clinic, or community center) (vi) distinctive modern, contemporary signage that contributes to the identity of the subarea (vii) street edge activation and building ground orientation that demonstrably exceeds requirements (viii) green stormwater infrastructure and tree canopy coverage that demonstrably exceeds requirements.

\*\*\*

6. If applicable, targets and requirements regarding affordable housing are addressed.

7. Provisions are sufficient to assure requirements of parks and open space preservation.

## Tacoma Municipal Code

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19. The building(s) shall be L.E.E.D. certified to a gold level or certified under another well-recognized rating system to be comparable to a building that is L.E.E.D. certified to a gold level.

\*\*\*

### F. Public hearing and approval process.

1. If the City Manager deems that an acceptable Development Regulation Agreement has been negotiated and recommends the same for consideration, the City Council shall hold a public hearing and then may take final action, by resolution, to authorize entry into the Development Regulation Agreement. In addition, the City Council may continue the hearing for the purpose of clarifying issues or obtaining additional information, facts, or documentary evidence; advice may be sought from the Planning Commission.

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## Chapter 13.06 ZONING

### 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~~2040, 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.
11. To implement the Tacoma Mall Neighborhood Regional Growth Center vision of a thriving center of regional significance and a distinctive, connected, livable and healthy place offering a wide range of opportunities for all people to live, work, invest and fulfill their potential.

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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\*.

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

Tacoma Mall <u>Neighborhood</u> Regional Growth Center	<u>South 47<sup>th</sup>/48<sup>th</sup> -Transition Street; Steele Street* S. 35<sup>th</sup> Street between Pine Street and Sprague Avenue; S. 36<sup>th</sup>/S. California Streets between Lawrence and Steele Streets; S. 38<sup>th</sup> Street between South Tacoma Way and S. Lawrence Street; S. 45<sup>th</sup> Street/future Loop Road between S. Lawrence and S. Steele Streets; S. 47<sup>th</sup>/48<sup>th</sup> Street; S. Lawrence Street between S. 36<sup>th</sup> and S. 45<sup>th</sup> Streets; S. Pine Street between South Tacoma Way and S. 47<sup>th</sup>/48<sup>th</sup> Street</u>	<u>N/A S. 38<sup>th</sup> Street between S. Lawrence and S. Steele Streets*; S. Steele Street*</u>
James Center Crossroads Center	Mildred Street*; South 19 <sup>th</sup> Street	Mildred Street south of South 12 <sup>th</sup> Street; South 19 <sup>th</sup> Street
Westgate Crossroads Center	Pearl Street*; North 26 <sup>th</sup> Street	Pearl Street

2. Tacoma Mall Neighborhood Regional Growth Center.

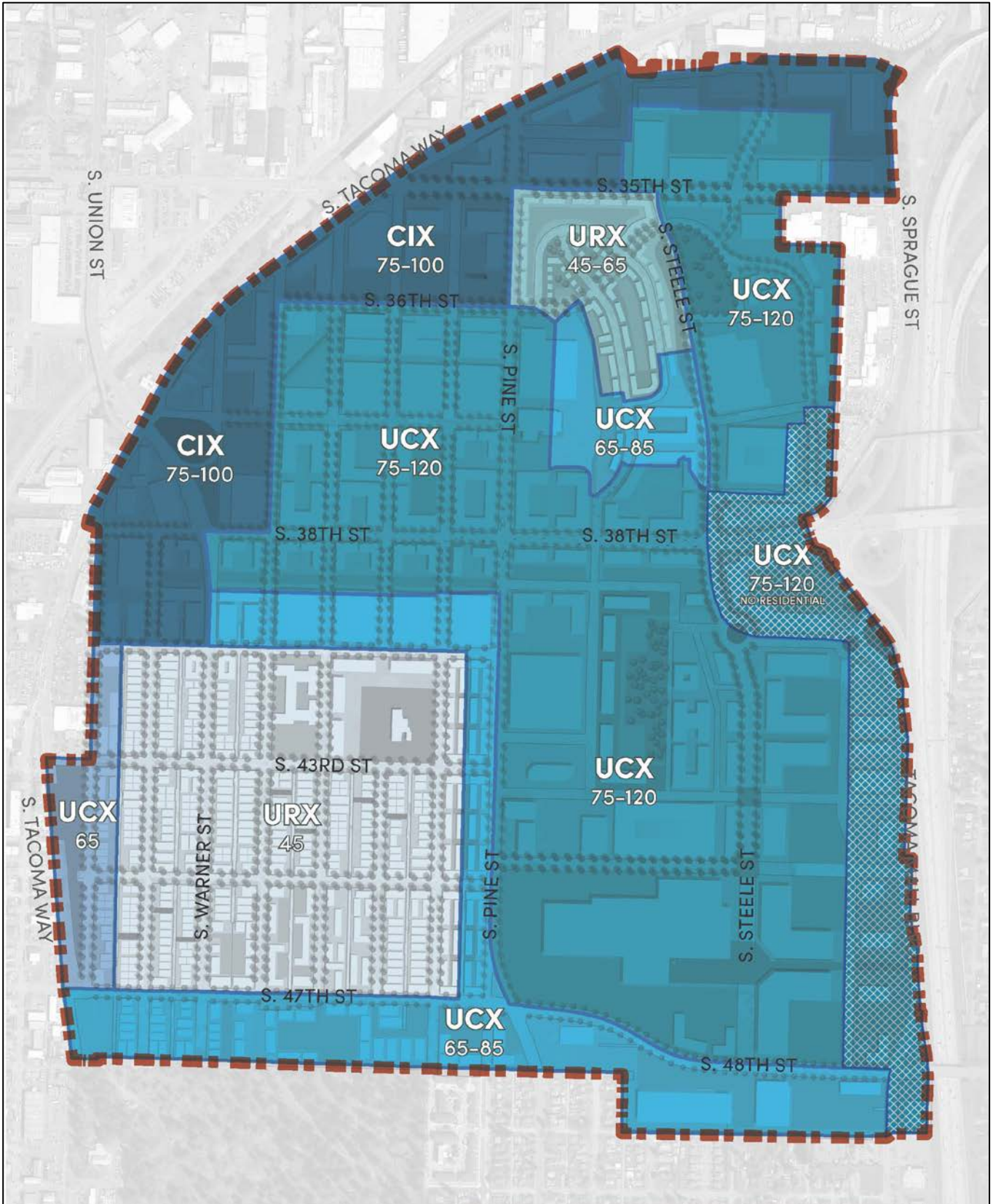
Zoning in the Tacoma Mall Neighborhood Regional Growth Center (RGC) incorporates specific provisions intended to implement the Tacoma Mall Neighborhood Subarea Plan. Refer to TMC 13.12.590 for connectivity requirements pertaining to large parcels in the RGC. Other code provisions have been incorporated into various sections of the TMC.

The Center incorporates the Urban Center Mixed-Use, Urban Residential Mixed-Use and Commercial Industrial Mixed-Use Districts with the following land use and height specifications:

- a. Urban Center Mixed-Use – Core: 75 feet maximum height; 120 feet maximum with height bonus.
- b. Urban Center Mixed-Use – Commercial: 75 feet maximum height; 120 feet with height bonus; no residential land uses permitted.
- c. Urban Center Mixed-Use – Transition: 65 feet maximum height; 85 feet maximum with height bonus.
- d. Urban Center Mixed-Use – no height bonus: 65 feet maximum height.
- e. Urban Residential Mixed-Use – Lincoln Heights District: 45 feet maximum height; 65 feet with height bonus.
- f. Urban Residential Mixed-Use – Madison District: 45 feet maximum height.
- g. Commercial Industrial Mixed-Use: 75 feet maximum height; 100 feet with height bonus.

The district boundaries and by right and bonus height limits are illustrated in Figure 1.

FIGURE 1. Tacoma Mall Neighborhood RGC Zoning Districts



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.

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3. District use table.

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (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. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E. <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Building materials and services	N	P	<del>P</del> CU	N	P	N	N	N	Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
***									
Commercial parking facility	P	P	P	N	P	P	N	N	Prohibited at street level along frontage of designated pedestrian streets <del>in NCX and CCX Districts.</del> <sup>2</sup> <u>Stand-alone surface commercial parking lots are prohibited in the UCX District.</u>
Commercial recreation and entertainment	P	P	P	N	P	N	N	N	
Communication facility	CU	CU	P	N	P	N	N	N	Prohibited at street level along frontage of designated pedestrian streets <del>in NCX and CCX Districts.</del> <sup>2</sup>
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 <u>UCX, CIX, CCX, HMX and NCX.</u> <sup>2</sup> Not subject to minimum densities founding Section 13.06.300.E. <u>Prohibited in Commercial-only area of the UCX District.</u>
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 <u>UCX, CIX, CCX, HMX and NCX.</u> <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Dwelling, single-family detached	P	P	P	P	P	P	P	P	<del>In NCX and CCX Districts,</del> <del>p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities. <u>Prohibited in Commercial-only area of the UCX District.</u>
Dwelling, two-family	P	P	P	P	P	P	P	CU	<del>In NCX and CCX Districts,</del> <del>p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities. <u>Prohibited in Commercial-only area of the UCX District.</u>

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Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
Dwelling, three-family	P	P	P	P	P	P	P	CU	<del>In NCX and CCX Districts, p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities. <u>Prohibited in Commercial-only area of the UCX District.</u>
Dwelling, multiple-family	P	P	P	P	P	P	P	N	In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> 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. <u>Prohibited in Commercial-only area of the UCX District.</u>
Dwelling, townhouse	P	P	P	P	P	P	P	CU	In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.300.E for minimum densities. <u>Prohibited in Commercial-only area of the UCX District.</u>
Dwelling, accessory (ADU)	P	P	P	P	P	P	P	P	<del>In NCX and CCX Districts, p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.150 for specific Accessory Dwelling Unit (ADU) Standards. <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Emergency and transitional housing	CU	P	P	CU	N	CU	CU	CU	See Section 13.06.535. In NCX <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
Extended care facility	P	P	P	P	P	P	P	P	See Section 13.06.535. <del>In NCX and CCX Districts, p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>

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Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
Foster home	P	P	P	P	P	P	P	P	In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Group housing	P	P	P	P	P	P	P	P	In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Intermediate care facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
Juvenile community facility	P	P	P	P/CU	P	N	P/CU	CU	In NCX, <del>and</del> CCX, UCX, CIX and HMX Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> See Section 13.06.530 for additional information about size limitations and permitting requirements. <u>Prohibited in Commercial-only area of the UCX District.</u>
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. <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Microbrewery/ winery	N	N	<del>N</del> CU	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.
***									
Research and development industry	N	N	<del>N</del> CU	N	P	N	N	N	



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Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
Residential care facility for youth	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. In <del>NCX, and CCX, UCX, CIX and HMX</del> Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E. <u>Prohibited in Commercial-only area of the UCX District.</u>
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	See Section 13.06.535. In <del>CCX, and NCX, UCX, CIX and HMX</del> Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
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 <del>NCX, and CCX, UCX, CIX and HMX</del> Districts, prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Self-storage	N	P	P	N	P	N	N	N	See specific requirements in Section 13.06.503.B. <del>In NCX and CCX Districts, p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup>
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 <del>NCX, and CCX, UCX, CIX and HMX</del> Districts. <sup>2</sup> Subject to additional requirements contained in Section 13.06.575 and 13.06.150. <u>Prohibited in Commercial-only area of the UCX District.</u>
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 <del>NCX, and CCX, UCX, CIX and HMX</del> Districts. <sup>2</sup> Subject to additional requirements contained in Section 13.06.575 and 13.06.150. <u>Prohibited in Commercial-only area of the UCX District.</u>

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Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
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 <del>NCX, and CCX, UCX, CIX and HMX</del> Districts. <sup>2</sup> Subject to additional requirements contained in Section 13.06.575 and 13.06.150. <u>Prohibited in Commercial-only area of the UCX District.</u>
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 <del>NCX, and CCX, UCX, CIX and HMX</del> Districts. <sup>2</sup> Not subject to minimum densities found in Section 13.06.300.E. <u>Prohibited in Commercial-only area of the UCX District.</u>
Student housing	P	P	P	P	P	P	P	N	Prohibited at street level along frontage of designated core pedestrian streets in <del>NCX, and CCX, UCX, CIX and HMX</del> Districts. <sup>2</sup> <u>Prohibited in Commercial-only area of the UCX District.</u>
***									
Transportation/ freight terminal	P	P	<del>P</del> CU	N	P	P	N	N	<u>Prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
Urban Horticulture	N	N	N	N	P	N	N	N	
Utilities	CU	CU	CU	CU	CU	CU	CU	CU	<del>In NCX and CCX Districts, p</del> Prohibited at street level along frontage of designated core pedestrian streets. <sup>2</sup> Not subject to RCX residential requirement. <sup>1</sup>
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. <sup>2</sup> *Use permitted in the South Tacoma Way Neighborhood Center NCX only, if all activities occur within buildings; outdoor storage repair, and sales are prohibited.
Vehicle service and repair	N*	P	<del>P</del> CU	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. <del>In CCX Districts, p</del> Prohibited along frontage of designated core pedestrian streets. <sup>2</sup> *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.

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Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3, 4, 5</sup> (also see footnotes at bottom of table)
Vehicle service and repair, industrial	N	N	<del>P</del> <u>CU</u>	N	P	N	N	N	Subject to additional development standards contained in Section 13.06.510.E. <u>Prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
Vehicle storage	N	N	N	N	P	N	N	N	Subject to development standards contained in Section 13.06.510.D. <u>Prohibited at street level along frontage of designated pedestrian streets.<sup>2</sup></u>
Warehouse, storage	N	N	<del>N</del> <u>CU</u>	N	P	N	N	N	<u>In the UCX, prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
Wholesale or distribution	N	N	<del>N</del> <u>CU</u>	N	P	N	N	N	<u>In the UCX, prohibited at street level along frontage of designated core pedestrian streets.<sup>2</sup></u>
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. <u>Prohibited in Commercial-only area of the UCX District.</u>
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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
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	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Requirements
Maximum height of structures (feet)	45 feet <sup>1</sup> ; 65 feet in the Stadium District of the DRGC. <sup>1</sup>	60 feet <sup>1</sup> ; <del>75 feet, if at least 25 percent of floor area is residential or through use of TDRs from an identified TDR sending area<sup>4</sup>.</del>	75 feet <sup>1,3</sup> ; <del>120 feet, if at least 25 percent of floor area is residential or through use of TDRs from an identified TDR sending area<sup>4</sup>.</del>	60 feet <sup>1</sup>	75 feet <sup>1,3</sup>	150 feet	45 feet <sup>1,2,3</sup>	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.
	<sup>1</sup> In <del>designated NCX, RCX, and CIX X</del> Districts, additional height above these standard height limits may be allowed <del>is-in</del> certain areas through the X-District Height Bonus Program – see Section 13.06.300.E.2.								
	<sup>2</sup> 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.								
	<sup>3</sup> <del>In the Tacoma Mall Neighborhood Regional Growth Center, height bonuses are available in designated UCX, CIX and URX Districts as shown on the Tacoma Mall Neighborhood Subarea Plan Zoning Map.</del>								
***									
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, <del>and</del> mixed-use projects (such as residential & commercial, residential & industrial, or residential & institutional), <del>ADU's, conversion of existing single-family to more than one unit, and one infill single-family house on sites currently developed with one,</del> are exempt from minimum-density requirements.

	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional 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).								
<u>Tree Canopy, percentage of lot area</u>	=	=	=	=	=	=	<u>15<sup>1</sup></u>	=	
	<sup>1</sup> applicable only within the URX Districts located within the Tacoma Mall Neighborhood Regional Growth Center.								
<u>Calculating Tree Canopy</u>	<p><u>Tree Canopy is measured as a percentage of the overall lot area. Example: 6,000 square foot lot in the URX District would require a tree canopy of 900 square feet (6000 x .15 = 900). 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:</u></p> <ul style="list-style-type: none"> <li>• <u>Small Trees: 300 sq. ft.</u></li> <li>• <u>Medium Trees: 500 sq. ft.</u></li> <li>• <u>Large Trees: 1000 sq. ft.</u></li> </ul> <p><u>900 square feet of tree canopy could be met as one large tree, a combination of one medium and two small trees, or any other combination that meets or exceeds the overall canopy requirement.</u></p> <p><u>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.</u></p>								
	<u>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.</u>								
	<u>Enforcement: Violations of the provisions of this section are subject to Code Enforcement, per TMC 13.05.100.</u>								

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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 public 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:

<b>Zoning District &amp; Center</b>	<b>Base Height Limit</b> (allowed without any bonus items)	<b>Maximum Height Allowed Through Level 1<sup>3</sup></b>	<b>Maximum Height Allowed Through Level 2<sup>3</sup></b>
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Proctor, Lincoln, 6 <sup>th</sup> Ave, McKinley, and Narrows)	45 feet	65 feet	Not Available
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Stadium District, DRGC)	65 feet	75 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (South Tacoma Way)	45 feet	65 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Hilltop Neighborhood, DRGC – property within 200 ft of Core Pedestrian Street) <sup>1</sup>	45 feet	65 feet	85 feet
<b>NCX – Neighborhood Commercial Mixed-Use District</b> (Hilltop Neighborhood, DRGC – property not within 200 ft of core pedestrian street) <sup>1</sup>	45 feet	65 feet	Not Available
<b>RCX – Residential Commercial Mixed-Use District</b> (Hilltop Neighborhood, DRGC – east of MLK Jr. Way and between 9th and 13th Streets)	60 feet	70 feet <sup>2</sup>	80 feet
<b>CIX – Commercial-Industrial Mixed-Use District</b> (South Tacoma Way, <a href="#">Tacoma Mall Neighborhood RGC</a> )	75 feet	90 feet	100 feet
<b><u>CCX – Commercial Core Mixed-Use District</u></b>	<u>60 feet</u>	<u>75 feet</u>	<u>Not Available</u>
<b><u>UCX – Urban Center Mixed-Use District: Core and Commercial</u></b>	<u>75 feet</u>	<u>100 feet</u>	<u>120 feet</u>
<b><u>UCX – Urban Center Mixed-Use District: Transition</u></b>	<u>65 feet</u>	<u>85 feet</u>	<u>Not Available</u>

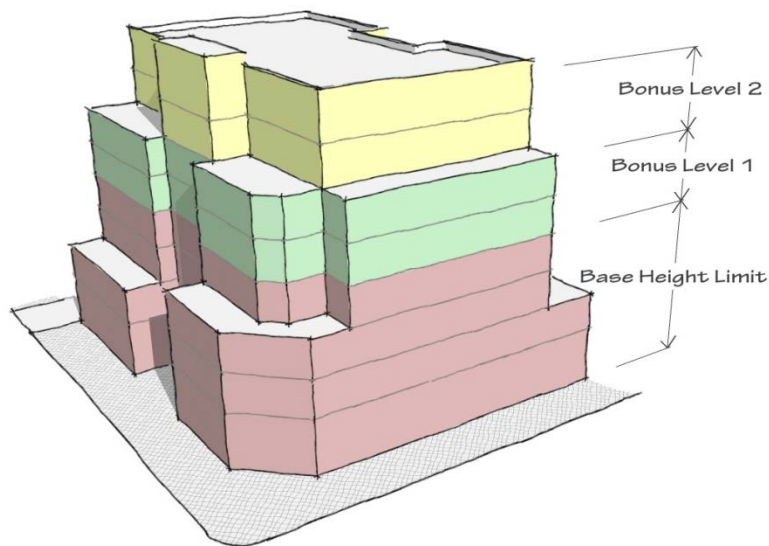
<b><u>URX – Urban Residential Mixed-Use District (Tacoma Mall Neighborhood RGC: Lincoln Heights)</u></b>	<u>45 feet</u>	<u>65 feet</u>	<u>Not Available</u>
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**Footnotes:**

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:

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X-District Height Bonus Program

**Tacoma Municipal Code**

(7) Height Bonus Palette – Level 1:

<b>Height Bonus Palette – Level 1</b>		
<b>BONUS FEATURE</b>	<b>DEFINITION</b>	<b>BONUS HEIGHT</b>
<b>Pedestrian-Oriented Environment</b>		
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
<b>Transit-Oriented Development</b>		
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



<b>Height Bonus Palette – Level 1</b>		
<b>BONUS FEATURE</b>	<b>DEFINITION</b>	<b>BONUS HEIGHT</b>
<b>Sustainability</b>		
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

**Tacoma Municipal Code**

<b>Height Bonus Palette – Level 1</b>		
<b>BONUS FEATURE</b>	<b>DEFINITION</b>	<b>BONUS HEIGHT</b>
<b>Quality of Life</b>		
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:

<b>Height Bonus Palette – Level 2</b>		
<b>BONUS FEATURE</b>	<b>DEFINITION</b>	<b>BONUS HEIGHT</b>
<b>Quality of Life</b>		
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); <u>20 feet (Tacoma Mall Neighborhood Regional Growth Center)</u>

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<b>TABLE 13.06.300.G: X-District Residential Yard Space Standards</b> <u>Required yard space is intended to provide access to fresh air, light and green features and to be functional and attractive as an outdoor extension of the dwelling or a shared space for living, relaxation and social interaction.</u>	
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: <ul style="list-style-type: none"> <li>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:                             <ul style="list-style-type: none"> <li>(1) No dimension shall be less than fifteen feet in width (except for front porches).</li> <li>(2) Spaces shall be visible from multiple dwelling units and positioned near pedestrian activity.</li> <li>(3) Spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.</li> <li>(4) Individual entries shall be provided onto common yard space from adjacent ground floor residential units, where applicable.</li> <li>(5) Space should be oriented to receive direct sunlight for part of the day, facing east, west, or (preferably) south, when possible.</li> <li>(6) Common yard space shall be open to the sky, except for clear atrium roofs and shared porches.</li> <li>(7) Shared porches qualify as common yard space provided no dimension is less than eight feet.</li> </ul> </li> <li>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.</li> <li>c. Rooftop decks, To qualify, rooftop decks must meet the following standards:                             <ul style="list-style-type: none"> <li>(1) Must be accessible to all dwelling units.</li> <li>(2) Must include amenities such as seating areas and landscaping.</li> <li>(3) Must feature hard surfacing appropriate to encourage residential use.</li> <li>(4) Must include lighting for residents’ safety.</li> <li>(5) No dimension shall be less than 15 feet in width.</li> </ul> </li> <li>d. Exceptions:                             <ul style="list-style-type: none"> <li>(1) Projects located within a quarter mile of a public park or public school that includes <u>accessible and well-maintained</u> outdoor recreational facilities.</li> <li>(2) Projects with a minimum floor area ratio (FAR) of 3.</li> <li>(3) Projects that meet the ground floor retail/restaurant height bonus requirements.</li> </ul> </li> </ul>

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.

## Tacoma Municipal Code

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)

I. Tacoma Mall Neighborhood Regional Growth Center requirements. The Tacoma Mall Neighborhood Subarea Plan and EIS established connectivity requirements applicable to development of large parcels. TMC 13.12.590 lays out requirements applicable to large parcels proposed for substantial development activities, and applies to Section 13.06.300 by reference.

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**13.06.501 Building design standards.**

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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.

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<b>8. Pedestrian Standards.</b>	
Purpose: The following standards are intended to enhance pedestrian mobility and safety <del>in commercial areas</del> 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	<ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> </ul>
b. Street level weather protection	<ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(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.</li> </ul>

**Tacoma Municipal Code**

<p><u>b. Transition areas</u></p>	<p>(1) <u>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.</u></p> <p>(a) <u>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.</u></p> <p>(b) <u>Fences, walls, and gateways may be used to provide some visual separation of private residences, but not to hide the transition area.</u></p> <p>(c) <u>Fences over 3’ in height must be transparent and cannot exceed 5’ in height.</u></p> <p>(d) <u>The transition area may be used to meet usable yard space requirements.</u></p> <p>(e) <u>Parking may not be used as a feature of the transition area.</u></p> <div style="display: flex; justify-content: space-around;">  </div> <p><u>Examples: The above examples use trees and landscaping, elevation changes, transparent fencing, and arbors to create an effective transition between public and private spaces.</u></p>
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**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.

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<p>b. Fencing type limitation</p>	<p>(1) Chain link fencing, with or without slats, is prohibited for required screening.</p> <p>(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.</p> <p>(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.</p> <p>(4) Electrified. The use of electrified fencing is prohibited in all zoning districts.</p> <p>(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 <b>Type C or D</b> landscaping, <u>per the standards of TMC 13.06.502</u>, 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.</p> <p>(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.</p>
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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 <del>Type C or D</del> landscaping, <u>per the standards of TMC 13.06.502</u> , to soften the view of the wall and contribute to the pedestrian environment.
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## Tacoma Municipal Code

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

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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 per the requirements of TMC 13.05.502 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 implement the urban form, housing and aesthetic goals of the Comprehensive Plan by providing façade articulation that emphasizes individual units and reduces the apparent mass of structures, minimizing impacts of vehicular access and service elements, and emphasizing 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 if vehicular access is available from an alley.

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 maintain primary orientation to the adjacent street or right-of-way and 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) In the case of townhouse buildings that include units without street frontage, such as a mid-block site with a building that is perpendicular to the street, the townhouse unit abutting the street must include an individual entry facing the street, a porch or covered entryway, and other architectural features associated with the front elevation appearance.

(3) Building elevations facing the street or right-of-way shall not contain elements commonly associated with a rear elevation appearance. Any area between the front façade and the sidewalk/right-of-way shall be improved with landscaping, seating or yard space, a front porch or similar features.

(4) Townhouse units with access exclusively from a drive aisle/court shall provide architectural features typically associated with the front elevation along the elevation facing the drive aisle/court. At least 10 percent of the façade (all vertical surfaces facing the drive aisle/court) shall be comprised of transparent windows and/or doors. Rough openings are used to calculate this requirement.

(5) Townhouses with front doors facing alleys shall not be permitted without a demonstration that alley conditions are appropriate to provide an attractive living environment. The alley must be paved and in reasonable condition from the townhouse out to an intersecting street; a minimum of one tree or 50 square feet of vegetated wall adjacent to the alley must be planted per 50 feet of alley frontage; garbage collection shall be partially enclosed or screened by landscaping; and, if the alley is intended for use as a required pedestrian pathway an additional 5 feet of alley width shall be required and improved per City pedestrian access standards from the frontage of the townhouse to an intersecting public sidewalk.

(26) 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. In the case of corner lots, at least one walkway shall connect to both sidewalks/rights-of-way unless infeasible due to topography. 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. Pedestrian access may be combined with vehicular travel if designed for safe and comfortable pedestrian access as a shared pedestrian/vehicular space, per City standards. Walkways providing access to two or more townhouse units shall be constructed per ADA standards to increase visitability to the site, unless infeasible due to topography.

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. The site shall be designed to ensure that the solid waste utility can provide efficient waste collection service potentially including a consolidated location for storage of solid waste containers, direct street access pickup, and if needed facilities for a shared waste collection service.

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## Tacoma Municipal Code

### **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.

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**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 and townhouse developments, ~~unless in association with a full plat or a short plat with 5-9 lots,~~ are exempt from all landscaping requirements, with the exceptions that street trees are required in X Districts, and in all districts in association with a full plat or short plat with 5-9 lots.
- (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.

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Tacoma Municipal Code

13.06.512 Pedestrian and bicycle support standards.

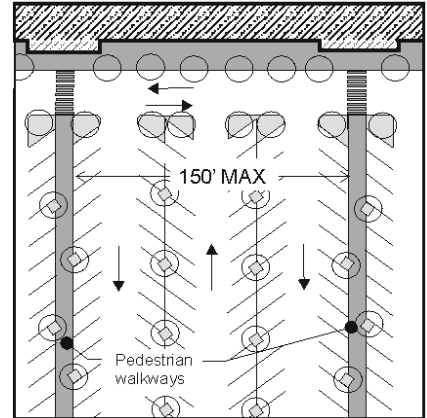
<b>A. General Applicability.</b>	
1.	Application. The pedestrian and bicycle support standards <u>fully</u> apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein. The standards do not apply to remodels that do not change the exterior form of the building <u>or change site improvements such as parking areas and plazas</u> . However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements. <u>Building and site improvements that, within a two year period, exceed 15 percent of the value of existing development or structures, as determined by the Building Code, shall comply with these standards to the extent that features in the vicinity of the improvements shall be provided if required by the standards of this section. For example, a building addition valued at more than 15 percent of existing development that is adjacent to a street frontage longer than 150 feet without a pedestrian walkway shall provide that walkway.</u> 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 <u>and changes to parking areas</u> shall meet the requirements of this <u>section to the extent that features in the vicinity of the improvements shall be provided if required by the standards of this section. For example, a building addition adjacent to a street frontage that is longer than 150 feet without a pedestrian walkway shall provide that walkway.</u> <del>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 a</del> 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. For sites with street frontages of 450 feet in length or greater, the middle of the three required walkways shall meet the through-connection standards described below.

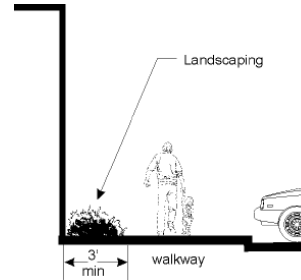


This standard does not apply to residential uses containing 4 or fewer dwelling units. Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street 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 abutting public sidewalks, 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. On sites with two or more street frontages each having 150 feet or more in length, the internal pedestrian system shall connect to each of the abutting street frontages to provide a through-connection to and from each street. On larger sites with one frontage 450 feet or more in length, and one or more additional frontage(s) 300 feet or more in length, the more centrally located walkway shall function as an enhanced through-connection. Facility design standards for through-connections are described below. On very large sites, one enhanced through-connection shall be provided every 300 feet of street frontage, on average.

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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.
- d. Through-connections.
  - (1) In the case of sites with two frontages each more than 150 feet in length, the required pathway shall be a through-connection. The through-connection shall connect to all abutting street frontages that are 150 feet or more in length, and shall be a minimum of 10 feet in width. Through-connections shall otherwise meet the lighting and landscaping, size and materials standards above. Through-connections shall provide street furniture, outside of the required pathway, at a frequency of one fixed bench or equivalent seating area for every 250 feet of through-connection length.
  - (2) In the case of larger sites with one frontage at least 450 feet in length and one or more additional frontages at least 300 feet in length, the most central of the required walkways shall meet enhanced through-connection standards. The enhanced through-connection shall be designed as sidewalks on either side of a roadway. The sidewalks and drive aisles shall meet City complete streets standards. Alternatively, the enhanced through-connection may be designed as a multi-use pathway a minimum of 20 feet in width and designed to facilitate pedestrian, bicycle and emergency access. Enhanced through-connections shall otherwise meet the lighting and landscaping, size and materials standards above. Enhanced through-connections shall provide street furniture, outside of the required pathway, at a frequency of one fixed bench or equivalent seating area for every 150 feet of through-connection length.

### 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.

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**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.

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*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.

d. Within UCX Districts, drive-through stacking lanes and service windows shall either be located entirely within buildings, or fully screened from the view of adjacent properties and the public right-of-way with a partially enclosed vegetative wall, decorative grilles, architectural features, artworks, or similar visually attractive features.



*Example of partially enclosed vegetative wall*

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## Chapter 13.09

## SOUTH TACOMA GROUNDWATER PROTECTION DISTRICT

**13.09.010 Background, purpose, and intent.**

The South Tacoma groundwater aquifer system serves as a significant source of drinking water for the City of Tacoma. It may supply as much as 40 percent of the City's total water demand during periods of peak summer usage. For future growth, supplemental supply, and emergency response, this resource will continue to be extremely important to the City of Tacoma.

It has been found and determined that a major cause of historical groundwater contamination in the South Tacoma aquifer system is from accidental or improper release of hazardous substances from spillage, leaks, or discharges from local industry. Due to the large number of potential sources of toxic and hazardous substances within the area which recharges the aquifer system and the possibility of further contamination, the City of Tacoma found that it was necessary and in the public interest to establish the South Tacoma Groundwater Protection District in 1988.

The South Tacoma Groundwater Protection District is an overlay zoning and land use control district specifically designed to prevent the degradation of groundwater in the South Tacoma aquifer system by controlling the handling, storage and disposal of hazardous substances by businesses. The overlay zoning district imposes additional restrictions on high impact land use development in order to protect public health and safety by preserving and maintaining the existing groundwater supply for current and potential users and to protect the City of Tacoma from costs which might be incurred if unsuitable high impact land uses were to reduce either the quality or quantity of this important public water supply source.

It is the intent of this chapter to establish orderly procedures that reduce the risks to public health and safety and to the existing groundwater supply. These procedures shall ensure that within the South Tacoma Groundwater Protection District, ~~facilities with on-site properties that have~~ stormwater infiltration ~~units-facilities~~ and ~~facilities with properties that store~~ hazardous substances meet appropriate performance standards, and ~~that existing storage facilities-those properties~~ are properly maintained, inspected, and tested when necessary.

**13.09.020 Declaration of policy.**

In order ~~that for~~ the City of Tacoma ~~to~~ maintain its groundwater resources within the South Tacoma Groundwater Protection District as near as reasonably possible to their natural condition of purity, it is the policy of the City of Tacoma to establish strict performance standards which will reduce or eliminate threats to this resource from improper handling, storage, and disposal of hazardous substances by businesses. The City of Tacoma shall require use of all practical methods and procedures for protecting groundwater, while encouraging appropriate commercial and industrial uses to locate and conduct business within the South Tacoma Groundwater Protection District. ~~The~~ Tacoma-Pierce County Health Department ("Department TPCHD") will be responsible for implementing the South Tacoma Groundwater Protection District ~~Ch-regulations established in TMC~~ 13.09. The Tacoma-Pierce County Board of Health may adopt regulations consistent with this section. It is recommended that ~~the Department TPCHD~~ work cooperatively through education with owners and operators of regulated facilities to voluntarily reach compliance before initiating penalties or other enforcement action.

**13.09.030 Scope and applicability.**

A. The mandates of this chapter shall apply to new and existing developments and facilities as defined herein.

B. All property within the South Tacoma Groundwater Protection District, as defined in Section 13.09.050, shall comply with the requirements of this chapter, ~~in addition to~~ the zoning requirements of the South Tacoma Groundwater Protection District, ~~in addition to the zoning- and any additional~~ requirements of the zoning district ~~in which where the~~ such property is presently located or may ~~later be~~ located in the future. In the event of conflict with ~~the other~~ regulations ~~of the underlying zoning requirements and the mandates of this chapter~~, the provisions of this chapter shall control.

**13.09.040 Definitions.**

For the purpose of this chapter, certain words and terms are defined as follows:

A. "Abandoned ed tank" means an aboveground storage tank, underground storage tank, or other container used for storage of hazardous substances left unused for more than one year, without being substantially emptied or permanently altered structurally to prevent reuse.

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F. "Contamination" means the degradation of any component of the environment by a release of hazardous substance in sufficient quantity to impair its usefulness as a resource or to be a hazard.

G. "Closure" means to cease a facility's operations related to hazardous substances by complying with the closure requirements in this Chapter and the General Guidance and Performance Standards or to take an underground storage tank out of operation permanently, in accordance with ~~Department of Ecology's 173-360-385~~ Washington Administrative Code (WAC) 173-360-385, the Washington State Department of Ecology's as may be amended from time to time and the Department's Underground Storage Tank regulations, and TPCHD's Board of Health ~~(BOH)~~ Resolution 88-1056, all as may be amended from time to time.

H. "~~Department~~TPCHD" means ~~the~~ Tacoma-Pierce County Health Department.

I. "Development" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or structure; any use or change in use of any building or land; any extension of any use of land, or any clearing, grading, or other movement of land for which permission may be required pursuant to this chapter.

J. "Director" means the Director of Health of ~~the Tacoma-Pierce County Health Department~~ TPCHD or his or her designee(s).

K. "Disposal" means the discharging, discarding, or abandoning of hazardous wastes or the treatment, decontamination, or recycling of such wastes once they have been discarded or abandoned. This includes the discharge of any hazardous wastes into or on any land, air, or water.

L. "Ecology" means the Washington State Department of Ecology.

M. "Environment" means any air, land, water, or groundwater.

N. "Facility" means all structures, contiguous land, appurtenances, and other improvements on or under the land within the South Tacoma Groundwater Protection District used as a stormwater infiltration ~~unit~~facility, or for recycling, reusing, reclaiming, transferring, storing, treating, disposing, or otherwise handling a hazardous substance which is not specifically excluded by the exemptions contained in Section 13.09.090.

O. "Final Closure" means the proper permanent removal of an underground storage tank that is no longer in service.

P. "General Guidance and Performance Standards" means TPCHD's ~~the Department's~~ most recent publication of the technical standards document "General Guidance and Performance Standards for the South Tacoma Groundwater Protection District."

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U. "Impervious surface" means ~~natural or man-made material on the ground that does not allow surface water or contaminants to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc. a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.~~

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AA. "~~Permeable surfaces~~" means ~~sand, gravel, and other penetrable deposits or materials on the ground which permit movement of materials, such as groundwater or contaminants, through the pore spaces, or active or abandoned wells which permit the movement of fluid to the groundwater. "Pervious surface" means any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.~~

BB. "Person" means any individual, trust, joint stock company, corporation (including government corporation), partnership, association, consortium, joint venture, commercial entity, state, municipality, commission, political subdivision of a state, interstate body, the federal government, or any department or agency of the federal government.

CC. "Person responsible for the violation" means any person that commits any act or omission which is a violation or causes or permits a violation to occur or remain on the property or regulated facility, and includes but is not limited to owners(s),

lessor(s), tenant(s), or other person(s) entitled to control, use, and/or occupy property or the regulated facility where a violation occurs, and any person who aids and abets in a violation.

DD. “Pollution-generating hard surface (PGHS)” means those hard surfaces considered to be a significant source of pollutants in stormwater runoff. PGHS includes permeable pavement subject to vehicular use. See the listing of surfaces under pollution-generating impervious surface.

EE. “Pollution-generating impervious surface (PGIS)” means those impervious surfaces considered to be a significant source of pollutants in stormwater runoff. Such surfaces include those that are subject to: regular vehicular use; industrial activities (involving material handling, transportation, storage, manufacturing, maintenance, treatment or disposal); or storage of erodible or leachable materials, waste or chemicals, and which receive direct rainfall or the run-on or blow-in of rainfall. Metal roofs are also considered to be PGIS unless they are coated with an inert, non-leachable material. Roofs that are subject to venting significant amounts of dusts, mists, or fumes from manufacturing, commercial, or other indoor activities are considered PGIS.

FF. “Pollution-generating pervious surfaces (PGPS)” means any non-impervious surface subject to vehicular use, industrial activities (as further defined in the glossary of the Stormwater Management Manual for Western Washington (SWMWW) involving material handling, transportation, storage, manufacturing, maintenance, treatment, or disposal); or storage of erodible or leachable materials, wastes, or chemicals, and ~~which that~~ receive direct rainfall or run-on or blow-in of rainfall, use of pesticides and fertilizers, or loss of soil. Typical PGPS include ~~permeable pavement subject to vehicular use,~~ lawns, and landscaped areas including: golf courses, parks, cemeteries, and sports fields (natural and artificial turf).

GG. “Recharge areas” means areas of permeable deposits exposed at the surface which transmit precipitation and surface water to the aquifer.

HH. “Regulated facility” means any facility with one or more of the following: underground storage tank(s), aboveground storage tank(s), hazardous substances at regulated quantities, or stormwater infiltration ~~unit(s)~~facility subject to regulation under section 13.09.080 of this chapter.

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MM. “Stormwater” means ~~water derived from a storm event or conveyed through a storm system that portion of precipitation, including snowmelt, that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a receiving water or stormwater facility.~~

NN. “Stormwater infiltration ~~unit~~facility” means ~~an impoundment, typically a pond, trench, or bio-infiltration swale which collects stormwater and allows it to percolate into surrounding soil, a component of the stormwater system designed to fully or partially infiltrate stormwater runoff into the native underlying soils.~~

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**13.09.050 General provisions.**

A. District Designated (Location). For the purposes of this chapter and to carry out these regulations, the boundaries of the South Tacoma Groundwater Protection District are delineated on a map, and accompanying legal description as now or hereafter updated and supplemented, which are made part hereof by this reference. Planning and Development Services shall maintain this map. Note: Copies of the map are available from Planning and Development Services. The boundaries of ~~the South Tacoma Groundwater Protection District~~TPCHD will be reviewed by the Department and the City of Tacoma not less frequently than every ten years to account for best available science, development, and zoning changes. The physical boundaries of the South Tacoma Groundwater Protection District are more particularly described in the General Guidance and Performance Standards.

B. District Designated (Environmentally Sensitive Area). Pursuant to Ecology’s Chapter 197-11-908 WAC and TMC Section 13.12.908 of this title as may be amended from time to time, the area described above is hereby designated as an environmentally (geohydrologically) sensitive area.

C. Development and Adoption of Technical Standards. ~~TPCHD~~The Department shall hereafter maintain a document entitled “General Guidance and Performance Standards for the South Tacoma Groundwater Protection District” (hereinafter referred to as the “General Guidance and Performance Standards”). These standards shall prescribe the minimum acceptable best

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management practices and design solutions which are consistent with the requirements of this chapter. This document, to the extent that it assists in meeting the purposes and intent of this chapter and the Critical Areas Preservation Ordinance, is incorporated herein as though fully set forth. This document is available from ~~the Department~~ TPCHD. Periodically, ~~TPCHD~~ the Department shall review these standards to assure that improvements in technology are considered and that the standards are consistent with this chapter.

D. Permits. Applications for permits as required in Section 13.09.080 shall be filed with ~~the Health Department~~ TPCHD. Application forms shall contain information prescribed by ~~the Department~~ TPCHD.

E. Fees. At the time of filing such application, the applicant shall pay a fee in an amount sufficient to pay the costs of issuing the permits and conducting an initial and one follow-up inspection under this chapter. Fees for permits, permit renewals, and other services rendered under this program shall be included in the Department's fee schedule, as approved annually by the Tacoma-Pierce County Board of Health. The approved fee schedule is available from the Department.

F. Cost Recovery. In the event that violations of this chapter require the Director to spend more time (Including but not limited to repeat inspections, spill response, remedial action plan review, or other enforcement actions) at a regulated facility than anticipated in the permit fee, permit renewal fee, or other properly established fee, ~~the Department~~ TPCHD may bill such additional time to the regulated facility at an hourly rate approved annually by the Tacoma-Pierce County Board of Health. Such a bill shall be accompanied by a detailed description of the time and activities for which the regulated facility is being billed. Failure to pay cost-recovery bills shall be considered a violation of this chapter.

### 13.09.060 Prohibited uses.

A. The following "high-impact" uses of land shall hereafter be prohibited from locating within the boundaries of the South Tacoma Groundwater Protection District. Exceptions will be considered by Planning and Development Services, in consultation with ~~the Department~~ TPCHD, only upon conclusive demonstration that the ~~application of new or improved technology~~ high impact use will result in no greater threat to the groundwater resource than that posed by a compliant nonprohibited use.

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The above high impact uses should be periodically revised, updated, and amended, as appropriate, by Planning and Development Services or its successor agency in consultation with ~~the Department~~ TPCHD in order to take into account other potential high impact uses or improvements in technology, pollution control, and management.

B. Permanent or temporary storage of hazardous substances on sites with ~~permeable-pervious~~ surfaces, the disposal of hazardous substances, and the disposal of solid waste is prohibited, unless such discharge or disposal is specifically in accordance with a valid discharge permit, is approved for discharge into the City's municipal wastewater system pursuant to Chapter 12.08 of the Tacoma Municipal Code as may be amended from time to time or is conducted in compliance with the requirements of a solid waste handling permit issued by ~~the Department~~ TPCHD.

### 13.09.070 Stormwater infiltration.

~~A. Stormwater infiltration units used to receive storm water from any street, paved parking area or other pollution-generating impervious surface are prohibited; however, if a business requests to infiltrate under the Exceptions Process outlined in the City of Tacoma Surface Water Management Manual Volume I, Chapter 3.1 as may be amended from time to time and in the opinion of the City of Tacoma Environmental Services Department, or its successor agency, no other reasonable alternative exists to manage stormwater runoff from the site, then the Environmental Services Department, with concurrence of the Department, may approve such private stormwater management system subject to building permit review and approval of a design by a licensed professional engineer.~~

Stormwater from pollution-generating surfaces may be allowed to infiltrate under specific circumstances and may be subject to additional treatment and monitoring requirements as described in City Policy ESD17-1, "South Tacoma Groundwater Protection District Infiltration Policy", dated January 9, 2017 or as hereafter amended from time to time. If a property owner proposes to infiltrate and in the opinion of the City of Tacoma Environmental Services, or its successor agency, infiltration would be an appropriate and reasonable stormwater management technique for the site, then Environmental Services, with concurrence of TPCHD, may approve the stormwater management system subject to construction permit review and approval of a design by a licensed professional engineer.

~~B. If approved, stormwater infiltration unit design standards shall include sampling ports and assurance that the regulated facility shall allow periodic sampling by the Environmental Services Department and/or Tacoma Public Utilities or their successor agencies.~~

If approved, additional and/or more restrictive design criteria, treatment, monitoring and permitting requirements may be imposed upon the facilities. A Covenant and Easement Agreement to allow for periodic inspection and/or sampling of a regulated facility will be required for private facilities. Sampling may be performed by Environmental Services, Tacoma Public Utilities or TPCHD. The Covenant and Easement Agreement shall be recorded to the property title.

C. Facilities with onsite stormwater infiltration ~~units on site facilities~~ will be regulated facilities within the South Tacoma Groundwater Protection District. Such regulated facilities will be permitted and receive ~~biennial~~ inspections by ~~the Department~~ TPCHD, Environmental Services or Tacoma Public Utilities to verify maintenance of the ~~unit~~ facility, business practices, ~~and/or~~ other requirements outlined in the General Guidance and Performance Standards.

D. Existing stormwater infiltration ~~units~~ facilities installed before December 31, 2006, shall be exempt from the requirements of this section, except that a change of use or change of ownership shall trigger review ~~pursuant to TMC 13.09.070(F) and additional requirements as appropriate.~~

~~E. Facilities with stormwater infiltration units shall have formal notification on their business license of the on-site stormwater infiltration unit.~~

~~FE.~~ If ownership or site operations change at a facility with a stormwater infiltration ~~unit~~ facility, the new operations shall be reviewed by ~~the~~ Environmental Services ~~Department~~ and ~~the Department~~ TPCHD or their successor agencies to ensure continued use of the stormwater infiltration ~~unit~~ facility does not present a risk to groundwater quality ~~prior to the Tax & License Division of the Finance Department issuing a new business license.~~ If continued use of the stormwater infiltration ~~unit~~ facility is not acceptable under the new operations, a new private stormwater management system and/or public storm system extension and connection may be required to be designed and constructed per ~~city development standards~~ the City of Tacoma Stormwater Management Manual to permit new operations on the site.

**13.09.080 Permits – Construction, modification, operation, change in use**

A. It is a violation of this chapter for any person to construct, install, substantially modify, or change the use of a facility or regulated facility as defined herein, or part thereof, without a valid permit or authorization issued by or acceptable to ~~the Department~~ TPCHD. A permit issued for a facility will include appropriate conditions and limitations as may be deemed necessary to implement the requirements of this chapter.

B. It is a violation of this chapter for any person to use, cause to be used, maintain, fill, or cause to be filled any facility with a hazardous substance without having registered the facility on forms provided by ~~the Department~~ TPCHD and without having obtained or maintaining a valid permit issued by ~~the Department~~ TPCHD to operate such facility or part thereof.

C. No permit or authorization to operate a regulated facility as required herein shall be issued by ~~the Department~~ TPCHD or shall be satisfactory to ~~the Department~~ TPCHD unless and until the prospective permittee, at a minimum:

1. Provides a listing to ~~the Department~~ TPCHD of all of the hazardous substances and amounts to be stored, used, or handled at the facility; and
2. Demonstrates that the facility complies with all the provisions of this chapter and the standards set forth in the General Guidance and Performance Standards.

D. It is a violation of this chapter for any person in possession of or acting pursuant to a permit or authorization issued to allow or cause another person to act, in any matter contrary to any provision of said permit or authorization.

**13.09.090 Exemptions.**

The following facilities shall be exempt from all provisions of this chapter:

A. Any handling, storing, disposing, or generating of 220 pounds (100 kilograms) or less of a hazardous substance per month or batch, unless specifically ruled otherwise by ~~the Department~~ TPCHD on a case-by-case basis. ~~Note: (Refer to 13.09.040.R for definition of hazardous substances.)~~

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K. Any small quantity of hazardous substance intended solely for personal use, unless specifically ruled otherwise by ~~the Department~~ TPCHD on a case-by-case basis, in accordance with the General Guidance and Performance Standards.

(Ord. 27568 Ex. A; passed Dec 19, 2006; Ord. 24083 § 1; passed May 10, 1988)

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### 13.09.100 Hazardous substance storage and management.

Owners and operators of regulated facilities shall as applicable:

- A. Store hazardous substances in a container that is in good condition.
- B. Label containers in a manner that adequately identifies the major risk(s) associated with the contents of the containers. Labels shall not be obscured, removed, or otherwise unreadable.
- C. Remove or destroy labels from empty containers that will no longer be used for hazardous substance storage and label containers as "Empty" or otherwise provide clear indication acceptable to ~~the Department~~TPCHD that the containers are not useable.

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I. At closure of the facility, all hazardous substances and residues must be removed from the containment system. Remaining containers, liners, bases, and soil containing or contaminated with hazardous substances or residues must be decontaminated or removed to the satisfaction of ~~the Department~~TPCHD.

J. Ensure that business practices and stormwater infiltration ~~unit-facility~~ maintenance minimizes potential releases of hazardous substances to the environment.

~~The Department~~TPCHD may require additional storage and management requirements on a case-by-case basis as deemed necessary to reduce risks to public health and safety and to the existing groundwater supply.

### 13.09.110 Underground storage tanks.

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#### C. Underground Storage Tank Closures.

1. No person shall abandon or close an underground storage tank, temporarily or otherwise, except as provided in this subsection and in compliance with the General Guidance and Performance Standards and ~~the Department's~~TPCHD's UST regulation (BOH Resolution 88-1056, as may be amended from time to time).

2. An underground storage tank that is temporarily closed, but that the operator intends to return to use within one year, shall continue to be subject to all the permit, corrosion protection, and release detection requirements of this chapter and those established pursuant to the General Guidance and Performance Standards. If the underground storage tank is out of service for more than one year ~~the Department~~TPCHD, in consultation with the regulated facility owner or operator, will determine whether to implement final closure of the tank or grant an additional one-year period of temporary closure. ~~The Department~~TPCHD will not allow an underground storage tank at a regulated facility to exist in a temporary closure state for a period greater than two years.

3. No person shall close an underground storage tank unless the person undertakes all of the following actions:

- a. Notifies ~~the Department~~TPCHD and other appropriate agencies at least 60 days in advance of any closing and obtains the proper authorization or permit according to the Board of Health Resolution 88-1056, as may be amended from time to time.
- b. Demonstrates to ~~the Department~~TPCHD that all residual amounts of the hazardous substance which were stored in the tank prior to its closure have been removed and properly disposed.
- c. Permanently removes the tank unless the tank is located under a permanent building and cannot be removed without removing the building.

### 13.09.120 Aboveground storage tanks.

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#### B. Existing Aboveground Storage Tanks.

1. It shall be a violation of this chapter to substantially modify or cause the substantial modification of any existing aboveground storage facility or part thereof without obtaining a permit or authorization from ~~the Department~~TPCHD and the Fire Department and without complying with the provisions of this section and the General Guidance and Performance Standards.

2. Inspections, release detection, and corrective action requirements for aboveground storage tanks shall be followed as set forth in this chapter and the General Guidance and Performance Standards.

#### C. Aboveground Storage Tank Closures.

1. No person shall abandon or close an aboveground storage tank, temporarily or otherwise, except as provided in this section and in compliance with the General Guidance and Performance Standards.

2. No person shall close an aboveground storage tank unless the person demonstrates to ~~the Department~~TPCHD that all residual amounts of the hazardous substance that were stored in the tank prior to its closure have been removed and properly disposed.

### 13.09.130 Inspections and testing.

A. Any owner or operator of a regulated facility shall, upon request of any representative of ~~the Department~~TPCHD, the Environmental Services Department, or the Tax and License Division of the Finance Department, or their successor agencies whose duties entail enforcing the provisions of this chapter, furnish information relating to the regulated facility, conduct monitoring or testing, and permit such representative to have access to and to copy all records relating to the hazardous substances or stormwater infiltration ~~unit-facility~~ at all reasonable times. For the purpose of implementing this chapter including determining whether a facility is a regulated facility, representatives of the above-referenced departments are hereby authorized to:

1. Enter at reasonable times any ~~facility~~property, regulated facility, establishment or other place where tank(s) or hazardous substances in regulated quantities, or stormwater infiltration ~~units-facilities~~ are located;

2. Inspect and obtain samples of any known or suspected hazardous substances at the facility; and

3. Conduct monitoring or testing of the tanks and/or hazardous substances containers, associated equipment, contents, or surrounding soils, air, surface water, stormwater or groundwater.

B. During inspections ~~the Department~~TPCHD will, to the degree practical, provide education and technical assistance and work cooperatively to help the regulated facility's owner or operator achieve voluntary compliance before initiating enforcement action, imposing penalties, or seeking other remedies.

C. Each inspection shall be commenced and completed with reasonable promptness. If the above-referenced department representative obtains any samples prior to leaving the premises, he or she shall give to the owner or operator a receipt describing the sample(s) obtained and, if requested, a portion of each sample equal in volume or weight to the portion retained. If any analysis is made of the sample(s), a copy of the results of the analysis shall be furnished promptly to the owner or operator. Copies of ~~Department-TPCHD~~ inspection forms and reports will be provided to the regulated facility owner or operator upon request.

D. In addition to, or instead of, the inspections specified in subsection A above, ~~the Department~~TPCHD may require the owner or operator of an underground storage tank or aboveground storage tank to employ, periodically, a service provider certified by the International Code Council to conduct an audit or assessment of the tank(s) to determine whether the facility complies with the design and construction standards of subsection 13.09.110 (Underground Storage Tanks) and 13.09.120 (Aboveground Storage Tanks), whether the owner or operator has monitored and tested the tank required by his permit, and whether the tank is in a safe operating condition. The inspector shall prepare an inspection report with recommendations concerning the safe storage of hazardous substances at the regulated facility. The report shall contain recommendations consistent with the provisions of this chapter where appropriate. A copy of the report shall be filed with ~~the Department~~TPCHD at the same time the inspector submits the report to the owner or operator of the regulated facility. The owner or operator shall file with ~~the Department-TPCHD~~ a plan to implement all recommendations contained in the report, along with any additional requirements imposed by ~~the Department~~TPCHD within 30 days after receiving the report or within 30 days of receiving additional requirements imposed by ~~the Department~~TPCHD, whichever is later. Alternatively, the owner or operator may demonstrate within the same period, to the satisfaction of ~~the Department~~TPCHD, why one or more of these recommendations should not be implemented.

### 13.09.140 Spill prevention and management.

A. Owners and operators of regulated facilities including businesses, wholesale distributors, processors, and manufacturers must adopt and comply with appropriate spill or leak prevention and management practices in accordance with the General Guidance and Performance Standards. Regulated facilities will be evaluated by ~~the Department~~TPCHD during initial and

## Tacoma Municipal Code

subsequent inspections (not less frequently than biennially) in response to spills or releases to the environment, or as a result of substantial modification or changes in operation to determine if additional requirements are necessary to comply with appropriate spill prevention and management standards.

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### 13.09.150 Release reporting, investigation, corrective actions.

A. Release Reporting. The owners and operators of a regulated facility shall report within 24 hours, unless otherwise indicated:

1. All belowground releases of a hazardous substance in any quantity, including:

a. Testing, sampling, or monitoring results from a release detection method that indicates a release may have occurred.

b. Unusual operating conditions, such as the erratic behavior of product-dispensing equipment, the sudden loss of product from the underground storage tank, an unexplained presence of water in the tank, or the physical presence of the hazardous substance or an unusual level of vapors on the site that are of unknown origin.

c. Impacts in the surrounding area, such as evidence of hazardous substances or resulting vapors in soils, basements, sewer and utility lines, and nearby surface water.

d. Other conditions as may be established by ~~the Department~~TPCHD and incorporated into the General Guidance and Performance Standards.

~~The Department~~TPCHD, in administering and enforcing this section, may, if appropriate, take into account types, classes, and ages of underground storage tank(s). In making such distinctions, ~~the Department~~TPCHD may take into consideration factors including, but not limited to: location of the tank(s), soil conditions, use of the tank(s), history of maintenance, age of the tank(s), current industry-recommended practices, hydrogeology, water table, size of the tank(s), quantity of hazardous substance periodically deposited in or dispensed from the regulated facility, the technical capability of the owners and operators, the compatibility of the hazardous substance, and the materials of which the tank(s) is fabricated.

2. All above-ground releases of petroleum to land in excess of 25 gallons, or less than 25 gallons if the release reaches a pervious surface or drain or the owners and operators are unable to contain or clean up the release within 24 hours.

3. All above-ground releases which result in a sheen on the surface water or stormwater.

4. All above-ground releases to land or surface waters of hazardous substances other than petroleum in excess of the reportable quantity established under 40 CFR 302 as may be amended from time to time for the released substance shall be reported immediately.

5. Any known or suspected discharge of hazardous substance to a stormwater infiltration ~~unit~~facility.

6 The owners or operators shall provide, within 30 days, any additional information on corrective action as may be required by ~~the Department~~TPCHD and referenced in the General Guidance and Performance Standards.

B. Investigation and Confirmation.

Unless corrective action is initiated by the owner or operator or is otherwise directed by ~~the Department~~TPCHD, all suspected releases requiring reporting, as set forth above, must be immediately investigated by the owner or operator using an appropriate procedure as set forth by ~~the Department~~TPCHD in accordance with the General Guidance and Performance Standards. Such procedures may include, but shall not be limited to, the following:

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C. Corrective Action.

All owners or operators of a regulated facility shall, in response to a suspected or confirmed release, comply with the directives and requirements of ~~the Department~~TPCHD in accordance with the General Guidance and Performance Standards.

D. A report to ~~the Department~~TPCHD shall not be deemed compliance with any reporting requirements of any federal or state law.



**13.09.160 Recordkeeping.**

A. A regulated facility must maintain written records of the following:

1. Hazardous Waste Disposal Records. Hazardous waste disposal records documenting proper disposal must be retained for at least five years from the date the waste was accepted by the transporter. Records may include but are not limited to manifests, bills of lading, and receipts. (Note: ~~The Department~~TPCHD encourages businesses to retain hazardous waste disposal or recycling records indefinitely.)

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6. Stormwater Infiltration ~~Unit(s)~~Facility Records. Operation and maintenance inspections by owner or stormwater management professionals.

B. Any other recordkeeping requirement that may be required by a permit issued pursuant to this chapter or as established in the General Guidance and Performance Standards.

1. All records required by this subsection must be maintained:

- a. On-site and be immediately available for inspection; or
- b. At a readily available alternative site and be provided for inspection by ~~the Department~~TPCHD within 24 hours; and
- c. Retained for no less than five years, unless otherwise specified.

C. All records and information are subject to public disclosure unless protected from disclosure by RCW 42.17.310 as may be amended from time to time, RCW 19.108 et seq., or other state or federal law.

Excavation operations within the boundaries of this district shall be subject to the permit requirements and standards contained in Section 3.06.040 or 2.02.480 of the City Code as considered appropriate.

**13.09.170 Waivers.**

Any person may apply to ~~the Department~~TPCHD for a waiver of any requirement imposed by this chapter or any regulation, standard, or ruling generated hereunder; provided, that the waiver request does not conflict with any other local, State, or Federal requirement. In determining whether a waiver is appropriate, ~~the Department~~TPCHD shall require an applicant to demonstrate by clear and convincing evidence that, because of special circumstances, not generally applicable to other property or facilities, including size, shape, design, topography, location, or surroundings, the application of the standards of this chapter would be unnecessary to adequately protect the soil and groundwaters of the South Tacoma Groundwater Protection District from an unauthorized release, or that strict application would create practical difficulties not generally applicable to other facilities or properties, and that the proposed alternative method or process will still adequately protect the soil and groundwaters of the South Tacoma Groundwater Protection District.

**13.09.180 Deferral.**

~~The Department~~TPCHD may, at its discretion, elect to defer enforcement of specific South Tacoma Groundwater Protection District requirements if other state, local, or federal regulations or permits provide an equivalent or superior level of environmental protection. Such deferrals shall be subject to periodic review by ~~the Department~~TPCHD and may be revoked or modified upon a finding that an equivalent or superior level of environmental protection is no longer provided.

**13.09.190 Enforcement Responsibility.**

It shall be the duty of the ~~TPCHD~~ Director to enforce and administer the provisions of this chapter, except that:

- a. It shall be the duty of the Director of the Environmental Services Department or his/her designee to enforce the specific provisions of Section 13.09.~~060-070~~ of this chapter.
- b. It shall be the duty of the Tax and License Division of the Finance Department of the City or any successor department to suspend or revoke a business license when deemed necessary by ~~the Department~~TPCHD and the Tax and License Division pursuant to Section 13.09.260(b) of this chapter.
- c. It shall be the duty of the Legal Department of the City or any successor department to enforce the criminal penalties as set forth in section 13.09.250 of this chapter.

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### 13.09.210 Administrative Review.

A. Any person to whom a Notice of Violation or civil penalty has been issued may request an administrative review of the Notice of Violation or civil penalty.

B. A request for an Administrative Review shall be filed with ~~the Department~~TPCHD no later than 14 days following the date of the Notice of Violation or the first assessed civil penalty. The request shall be in writing and shall state the reasons the Director should review the Notice of Violation or issuance of the civil penalty. Failure to state a basis for the review shall be cause for dismissal of the review.

C. Following review of the information provided the Director shall determine whether a violation occurred. The Director may affirm, vacate, suspend, or modify the Notice of Violation or the amount of any monetary penalty assessed. The Director's written decision shall be delivered to the appellant by first-class mail and by certified mail, return-receipt requested.

### 13.09.220 Appeals.

A. Procedures for appeals to the Tacoma-Pierce County Board of Health's Hearing Examiner from any ruling or decision of ~~the Department~~TPCHD pursuant to this Chapter shall be taken in accordance with Tacoma-Pierce County Board of Health Resolution No. 2002-3411 as may be amended from time to time.

B. Procedures for appeals to the City of Tacoma Hearing Examiner from any ruling or decision by the Director of Planning and Development Services or the Tax and License Division shall be taken in accordance with Chapter 1.23 TMC as may be amended from time to time.

C. Criminal appeals may be taken in accordance with the law.

### 13.09.230 Penalties.

Any person responsible for a violation shall be subject to civil and/or criminal (misdemeanor) penalties or additional enforcement procedures on each offense. Each day that a violation continues, or that a person responsible for a violation fails to comply with any of the provisions of this Chapter or refuses or neglects to obey any of the orders, rules or regulations issued by ~~the Department~~TPCHD or the Tacoma-Pierce County Health Department Board of Health may be considered a separate violation. Imposition of penalties or other enforcement action under this Chapter does not preclude other violations or penalties of law that may be available pursuant to various Federal and State statutes or other laws.

### 13.09.240 Civil Penalty.

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C. Collection of monetary penalties

1. The monetary penalty constitutes a personal obligation of the person to whom a Notice of Violation is directed. Any monetary penalty assessed must be paid within 10 calendar days from the date of notice from ~~the Department~~TPCHD that penalties are due.

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### 13.09.260 Other Remedies.

~~The Department~~TPCHD reserves the right to pursue other remedies in order to reduce or eliminate threats to the groundwater resource from improper handling, storage, and disposal of hazardous substances by regulated businesses. Pursuit of other remedies shall generally be reserved for instances in which civil penalties have not been or are deemed unlikely to be effective.

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## Chapter 13.12

## ENVIRONMENTAL CODE

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**13.12.570 Archaeological, Cultural, and Historic Resources.**

A. This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located within the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (EIS) have been completed. The Planning and Development Services Department will use this process and any required assessments to evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.

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**13.12.580 Traffic Impact Assessment.**

A. Purpose and Applicability.

1. This section sets forth provisions for Traffic Impact Assessments for projects located within the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed. Transportation impacts generally relate to the size of the development, the number of trips generated, and their effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.

The Department of Public Works will use the Traffic Impact Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable sub-area plans. In those cases where the Department of Public Works identifies potential impacts to State Highways, they will consult with the Washington State Department of Transportation (“WSDOT”) in identifying mitigation measures.

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**13.12.090 Tacoma Mall Neighborhood Large Parcel Connectivity Plans****A. Purpose.**

1. This section sets forth provisions for evaluating the need for new street and pedestrian connections within the Tacoma Mall Neighborhood Regional Growth Center, where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed. The Subarea Plan and accompanying analysis established that additional street and pedestrian connections are essential to accommodating future growth consistent with the community vision and goals for the neighborhood.

Large scale development activities create transportation impacts at the site level as well as to the neighborhood transportation system. The Subarea Plan and EIS establish coordinated mitigation measures to address those impacts in a manner that achieves the vision and goals. Establishing new connections when major development occurs is an essential mitigation action identified by the EIS. Other steps include City improvements to existing streets and rights-of-way, enhancements to the active transportation and transit networks in the area, and the establishment of new funding sources and mechanisms for transportation improvements.

**B. Applicability.**

1. The connectivity plan requirement applies to development sites at least one acre in size which are located within a block that is 8 acres or larger in size, within the Tacoma Mall Neighborhood Regional Growth Center. Blocks for this purpose are defined as assemblages of land circumnavigated by the shortest possible complete loop via the public street network.

**C. Thresholds.**

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1. A connectivity plan is required when major development activities are proposed on an applicable site, as follows:

a. Construction of new buildings with over 1,000 square feet of building footprint.

b. Building additions that increase the footprint of an existing building by 50 percent or more, or that increase the combined footprint of a site with multiple buildings by 15 percent or more, within a 10 year period.

c. Building additions greater than 1,500 square feet within a 200 foot-wide Tier 2 alignment as depicted in the Tacoma Mall Neighborhood Subarea Plan Transportation Choices Chapter, within a 10 year period.

### D. Connectivity Plan requirements.

1. A connectivity plan shall be submitted by the project proponent for City review and approval prior to City issuance of associated permits for the development proposal that triggered the connectivity plan requirement.

2. Connectivity plans shall demonstrate consistency with the Tacoma Mall Neighborhood Subarea Plan transportation goals and actions, and shall meet the following specific requirements:

a. Designate the alignments of required Tier 1 and 2 street alignments consistent with the Subarea Plan street network and City standards.

b. Designate additional streets and (Tier 3) pedestrian site access and through-block connection alignments that are associated with the current development proposal, consistent with the requirements of TMC 13.06.512 Pedestrian and Bicycle Access.

c. Demonstrate a conceptual approach or alternatives to providing pedestrian and vehicular access with future phases of development, consistent with City standards including TMC 13.06.512 Pedestrian and Bicycle Access.

### 3. Connectivity Plan process.

a. The connectivity plan process shall be conducted in combination with any associated subdivision or land use permit applications, or if no other applications are applicable shall be subject to an interpretation from the Planning and Development Services Department Director as defined in TMC 13.05 Land Use Permit Procedures. In the circumstance of different notification or process requirements, the greater shall apply.

b. The project proponent shall provide notification to the owners of property that will be directly affected by any aspect of the subject action and property within 400 feet of the applicable site, and shall endeavor to reach concurrence with the owners of affected property.

c. The proposed connectivity plan shall include parameters for future modifications that will achieve the intent while accommodating a range of development proposals, and that will be permitted without an official modification to the approved connectivity plan.

d. Upon approval by the PDS Director, the conditions of the connectivity plan shall be recorded through a development agreement, property dedication or easements, subdivisions, binding site plans, or Development Regulation Agreements, per the applicable substantive and process requirements.

e. The approved connectivity plan may be modified according to the same process and substantive review required for initial approval.

### 4. Connectivity Plan implementation.

a. No new construction, and no building additions larger than 500 square feet, shall be permitted within Tier 1 or 2 alignments designated by an approved connectivity plan. Proposals for new construction or additions within designated Tier 3 alignments must demonstrate overall consistency with the connectivity plan and indicate how the intent will be met.

b. In reviewing future development proposals located in the vicinity of approved Tier 1 and 2 alignments, the City shall consider those alignments as public streets in terms of determining applicable site, design and land use requirements.

c. Project proponents shall dedicate or otherwise convey segments of approved Tier 1 and 2 alignments to the City when new construction or Level III alterations, as defined in TMC 13.06.501.2.c, is proposed in areas adjacent to the approved alignments.

d. Project proponents shall be required to construct segments of Tier 1 and 2 alignments when there is a clear nexus between the transportation impacts of proposed development and the construction of the facility, and when the cost of such action is proportional to the those impacts.

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# Tacoma Mall Neighborhood

## Subarea Plan & EIS

### Appendix T-1: Streetscape Corridor Concepts

August 11, 2017

The implementation strategies for this plan place strong emphasis on infrastructure improvements. Public investment in streets and infrastructure projects have been selected for their potential to achieve multiple benefits including transportation, place-making, safety, environmental, long term cost-effectiveness and their function as strategic economic catalysts. One strategy has been to develop concepts for 3 priority corridors selected through the stakeholder engagement and technical analysis process. These projects will be among the first that the City will pursue once the Plan is adopted.

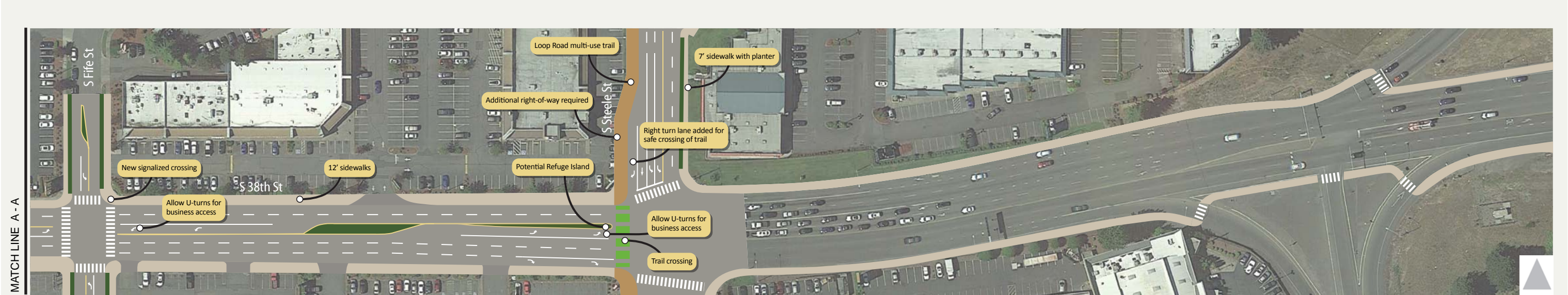
The following section provides conceptual plan and profile views of several key corridors in the Tacoma Priority Corridor. The streetscape concepts highlight several important design recommendations for key streets in the Tacoma Mall Neighborhood and are an extension of the City's Complete Street Design Guidelines. Specifically, the streetscape concepts focus on the following outcomes:

- Improve the pedestrian environment by providing wider sidewalks, increased landscaping opportunities, and filling in key gaps in the pedestrian network
- Improve the bicycle environment by implementing a mixed-use path along the Loop Road, providing bike lanes on other corridors to connect to nearby neighborhoods, and reducing conflicts between cyclists and vehicles
- Incorporate green stormwater infrastructure
- Provide an improved transit route through the neighborhood
- Improve safety by consolidating driveway access as redevelopment occurs
- Provide additional streets to support higher density development while spreading out traffic to manage congestion

It is important to recognize the conceptual nature of the streetscapes presented in this section. These are intended to serve as a starting point for discussions between the City, property owners, and other agencies. Some of the improvements will require right-of-way and are not likely to be implemented until redevelopment occurs. Additional studies will be prepared to refine the specific designs and the City will closely coordinate with property owners before any access management (medians or curbs) solutions are installed. Key features for each of the corridors are identified on the following maps.









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