City of Tacoma
Planning Commission

AGENDA

MEETING: Regular Meeting (Hybrid)

DATE/TIME: Wednesday, November 19, 2025, 5:00 p.m.

LOCATION: Council Chambers, 1st Floor of the Tacoma Municipal Building
747 Market Street, Tacoma, WA 98402

ZOOM INFO: Link: https://www.zoom.us/j/84416624153
Dial-in: +1 253 215 8782
ID: 844 1662 4153

A. Call to Order

- Quorum Call
- Land Acknowledgement

B. Approval of Agenda

C. Approval of Minutes

There are no meeting minutes to approve.

D. Public Comments

This is the time set aside for public comment on Discussion Items on this agenda.

- Written comments on Discussion Items must be submitted to Planning@tacoma.gov by 12:00 noon prior to the meeting. Comments will be compiled, distributed to the Commission, and posted on the Planning Commission's meeting webpage at https://tacoma.gov/planningcommission.
- To comment virtually, join the meeting using Zoom and raise your virtual hand. To comment in person, sign in at the back of the Council Chambers. Where necessary, the Chair may limit the allotted time for comment.

E. Disclosure of Contacts and Recusals

F. Discussion Items

1. 2026 Annual Amendment

- Description: Review initial recommendations for amendments associated with the following 2026 Amendment applications: (1) McKinley Annexation, (2) Special Needs Housing, and (3) Legislative Code Amendments.
- Action: Review and Direction.
- Contact: Stephen Atkinson (SAtkinson@tacoma.gov)

G. Upcoming Meetings (Tentative Agendas)

(1) December 3, 2025 – cancelled

(2) Agenda for the December 17, 2025, meeting includes:

- Critical Areas Code Update
- 2026 Amendment
- Parking Code Update – Intro

(3) January 7, 2026 – cancelled

(4) Agenda for the January 21, 2026

- Critical Areas Code Update – Recommendation
- 2026 Amendments – Set Public Hearing
- Tree Code and Landscaping – Scope and Schedule introduction

H. Communication Items

(1) Communications from Staff

(2) **Status Reports by Commissioners** – Picture Pac Ave Project Advisory Committee.

(3) **IPS Agenda** – The Infrastructure, Planning, and Sustainability Committee's next meeting on Wednesday, December 10, 2025, at 4:30 p.m. (tentatively) includes interviews for the Landmarks Preservation Commission and presentations on the Clean Energy Implementation Plan Update. (Held at 747 Market Street, Tacoma, WA 98402, Conference Room 248 or virtually at http://www.zoom.us/j/87829056704, passcode 614650)

I. Adjournment

Agenda Item F1

City of Tacoma
Planning and Development Services

To: Planning Commission

From: Stephen Atkinson, Planning Services Division

Subject: **2026 Amendment to the Comprehensive Plan and Land Use Regulatory Code**

Memo Date: November 12, 2025

Meeting Date: November 19, 2025

Action Requested:
Review and Direction

Discussion:
Staff will present initial recommendations for amendments associated with the following 2026 Amendment applications:

McKinley Annexation: Requesting Planning Commission concurrence with the proposed land use designations and zoning for the subject properties. Additional information is provided in response to prior Planning Commission questions.

Special Needs Housing: Requesting Planning Commission concurrence with the proposed use allowances for emergency shelters (see page 12), and other Special Needs Housing Types (see page 13). The recommendations include new definitions, use allowances per zoning district as well as initial proposals for scaling projects for compatibility with new Urban Residential Zoning Districts.

Legislative Code Amendments: Requesting Planning Commission concurrence with initial proposals for use allowances for child day care facilities, updated definitions, and use standards. Approach is to simplify zoning and development standards while including reasonable limits on scale and intensity within the new Urban Residential Zoning Districts. Staff will also provide a status and scope update pertaining to the Binding Site Plan Code Amendments.

Background:
The 2026 Amendment includes the following applications.

Application	Amendment Type	Objective	Staff Contacts
2026-01 McKinley Annexation	Plan and Code; Land Use Designation and Zoning	Legislative Requirement	Wesley Rhodes

2026-02 Special Needs Housing	Code Amendment	Legislative requirement	Adam Nolan
2026-03 Minor Amendments	Plan and Code	Maintain effectiveness, consistency	Carl Metz
2026-05: Legislative Code Amendments • **Child Day Care Facilities** • **Binding Site Plans**	Code Amendment	Legislative requirements	Stephen Atkinson

Planning Commission Prior Review and Actions:

- October 1, 2025: Assessment of Applications and Finalized Docket

Staff Contact:

- Stephen Atkinson, satkinson@tacoma.gov

Attachment:

- Attachment 1 – McKinley Annexation Discussion Outline
- Attachment 2 – Special Needs Housing Discussion Outline
- Attachment 3 – Legislative Code Amendments Discussion Outline

c: Peter Huffman, Director

Application: 2026-01 McKinley Annexation

The "McKinley Potential Annexation" is one of the applications for the 2026 Annual Amendment to the One Tacoma Comprehensive Plan and Land Use Regulatory Code.

On February 21, 2025, the City Council received a "Notice of Intention to Commence Annexation" on behalf of property owners located at 8717, 8615, and 8801 McKinley Ave E. Previously, in 2018, the council denied a Notice of Intention to Commence Annexation by the property owner at 8717 McKinley Avenue with the understanding that annexing a single property would likely be rejected by the Boundary Review Board on the basis that it would contribute to an irregular boundary. On April 22, 2025, the Tacoma City Council passed a motion to accept the Notice of Intention to Commence Annexation Proceeding, filed by the property owners at 8717, 8615, and 8801 McKinley Ave E. The City of Tacoma, in collaboration with Pierce County, is conducting a collaborative planning effort for the proposed annexation, to be carried out through the 60% petition method (see RCW 35.13.125 and 35.13.130).

The pre-annexation planning entails two tracks of work:

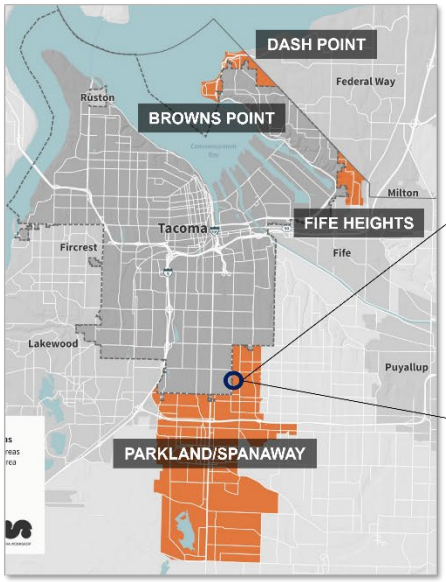
1. Annexation Ordinance with associated analysis, agreements, and engagement, to be adopted by City Council **(Planning Commission does not have jurisdiction**)
2. **Proposed zoning to be applicable to the subject area** if the annexation becomes effective (**Planning Commission has jurisdiction**)

Project Summary	
Applicant:	Property owners located at 8717, 8615, and 8801 McKinley Ave E.
Location and Size of Area:	**8615 McKinley Ave E** 1 Parcel: ~2.25 Acres **8717 McKinley Ave E** 2 Parcels: ~2.2 and ~2.2 Acres (~4.4 Total) **8801 McKinley Ave E** 1 Parcel: ~0.36 Acres
Current Land Use and Zoning:	Regulated under Pierce County's "Compact Urban" Land Use Designation with "Middle Housing" Zoning, currently the properties have "Single-Family Dwelling" Use.
Neighborhood Council Area:	The subject area is adjacent to the South End Neighborhood Council area.
Staff Recommendation:	**Staff is recommending a pre-annexation Land Use designation for the properties of "Low-Scale Residential" with "Urban Residential 1" Zoning.**

Project Proposal:	Through pre-annexation planning, develop potential amendments to the Comprehensive Plan, including changes to the Future Land Use Designations and Map, changes to other maps that include delineations of City boundaries.

1. Area of Applicability

The McKinley Potential Annexation area is located to the east of McKinley Ave E., south of E. 86th Street and north of E. 90th Street. This approximately 7-acre area is within both an Urban Growth Area (UGA) and the Parkland/Spanaway Potential Annexation Area (PAA), as designated in both the City of Tacoma's and Pierce County's comprehensive plans.



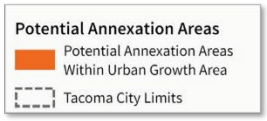
Potential Annexation Areas (PAAs)

**Manitou (Annexed April 1, 2024)*

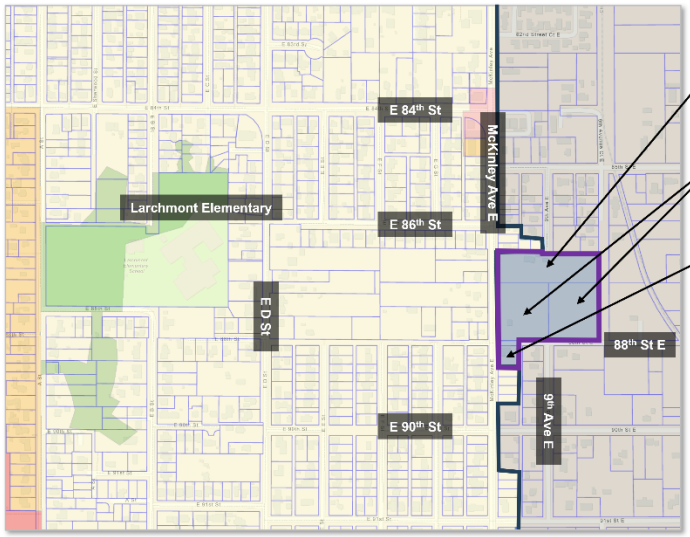
Applicants: Property Owners

- 8615 McKinley Ave E
- 8717 McKinley Ave E
- 8801 McKinley Ave E

Parkland/Spanaway PAA, Council District No. 5 (CM Bushnell), South End Neighborhood Council



Map Showing Parcels and Nearby City of Tacoma Land Use Designations



8615 McKinley Ave E

1 Parcel: ~2.25 Acres

8717 McKinley Ave E

2 Parcels: ~2.2 and ~2.2 Acres (~4.4 Total)

8801 McKinley Ave E

1 Parcel: ~0.36 Acres

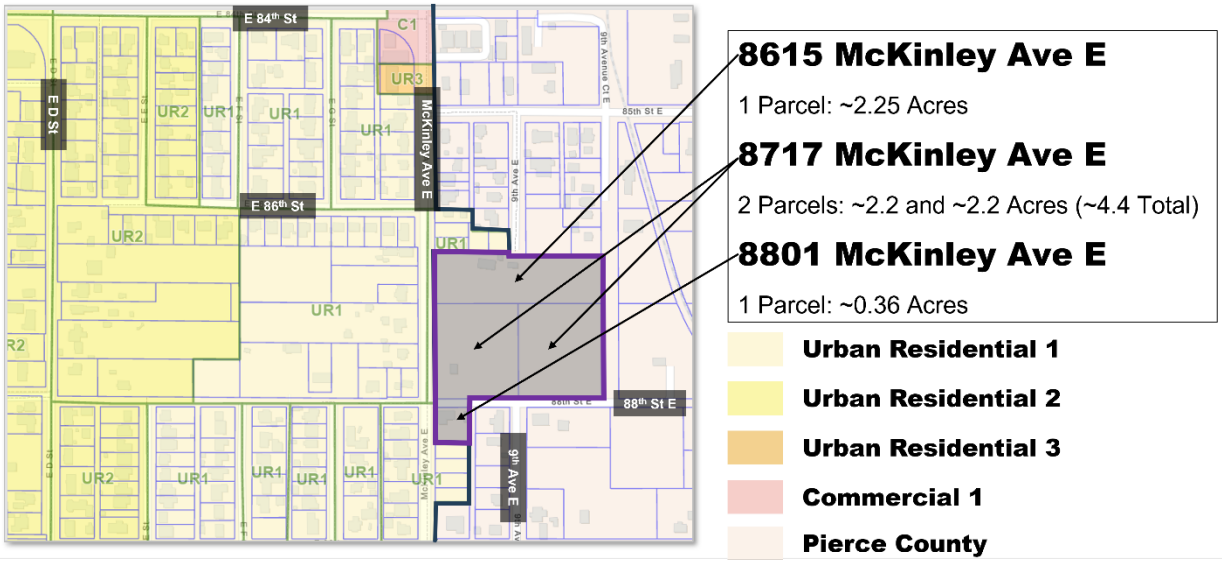
Low-Scale Urban Residential

Mid-Scale Urban Residential

Neighborhood Commercial

Pierce County

Map Showing Nearby City of Tacoma Zoning Designations



The maps show that the nearby City of Tacoma land use is Low-Scale Residential with nearby Urban Residential District 1 zoning.

STAFF RECOMMENDATION FOR PRE-ANNEXATION LAND USE AND ZONING	
Land Use Designation	Low-Scale Residential
Zoning Designation	Urban Residential District 1

2. Land Use and Zoning Analysis

The McKinley Potential Annexation Area is currently regulated by Title 18A of the Piece County Development Regulations as recently amended by Exhibit D to Ordinance No. O2025-516s.

Below are the designations, zoning, and uses on each site. Additionally, staff is providing page numbers to the relevant code sections in Title 18A (as emended by Exhibit D to Ordinance No. 02025-516s), for your convenience.

(Page 6) - 18A.10.080(D)(2)(b) – Urban Zone Classifications – Urban Residential – Description – Middle Housing
(Page 165-173) – 18A.28.010 – Parkland-Spanaway-Midland Use Table – Middle Housing
(Page 210-211) – 18A.33.210(G) – Residential Use Category Description – Single-Family Housing

8615 McKinley Ave E

- LU Designation - Compact Urban
- Zoning - Middle Housing
- Use - Single Family Dwelling

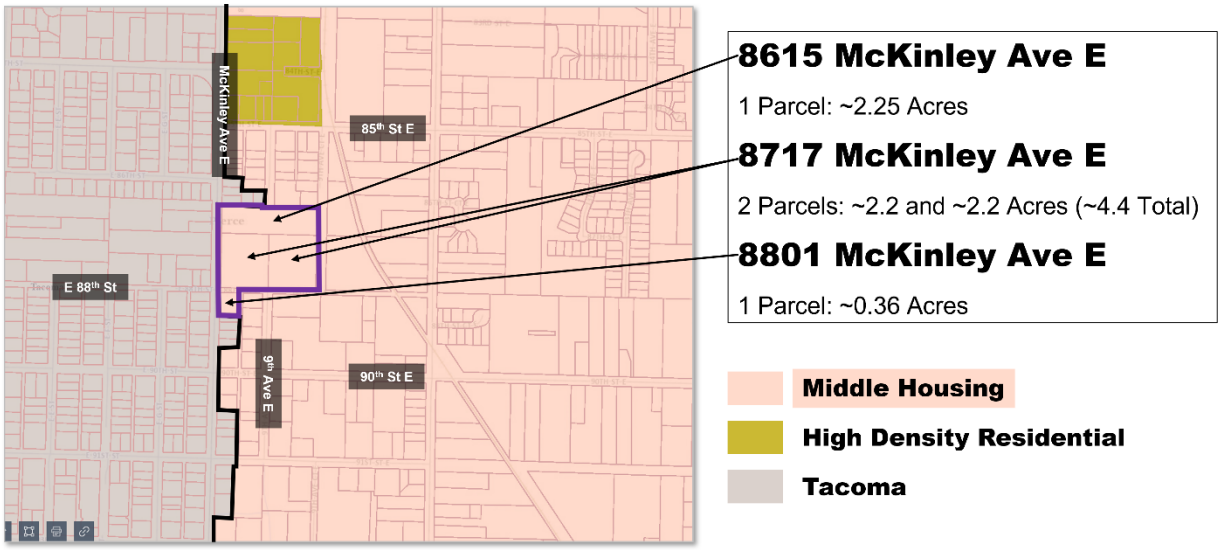
8717 McKinley Ave E

- LU Designation - Compact Urban
- Zoning - Middle Housing
- Use - Vacant Land Undeveloped

8801 McKinley Ave E

- LU Designation - Compact Urban
- Zoning - Middle Housing
- Use -Single Family Dwelling

Map Showing Current Pierce County Zoning



Zoning Density Comparison - Middle Housing and Urban Residential District 1

- (Page 14) – Table 18A.15.020-1 lists the Middle Housing density allowance in dwelling units per acre (du/acre).
- The City of Tacoma provides an Urban Residential District 1 (UR-1) Tip Sheet with a table providing density information on page 2.

Density Comparison Table

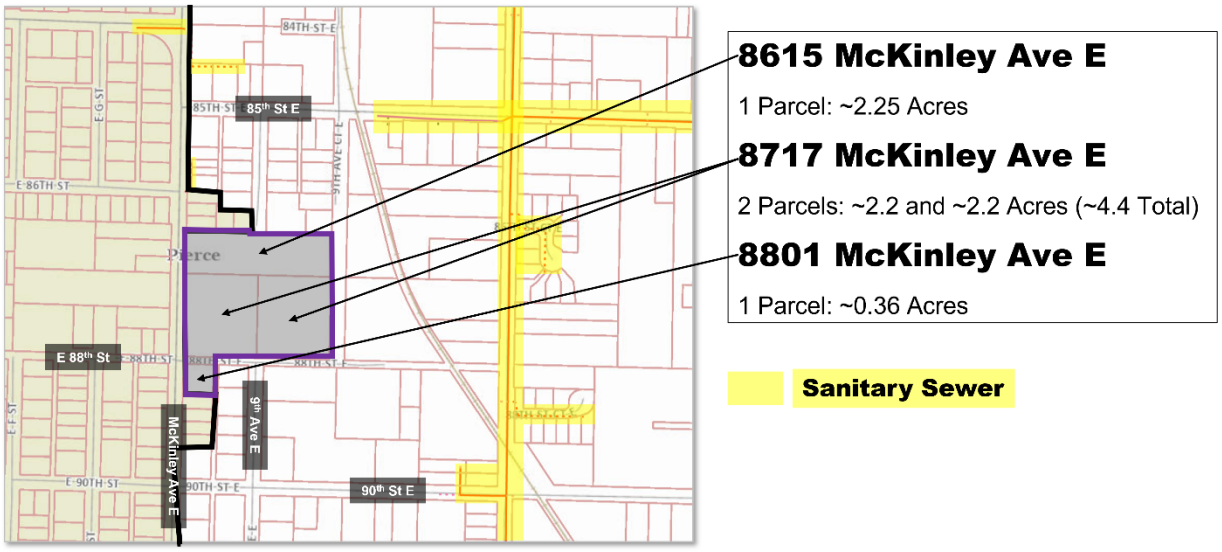
	Middle Housing (Pierce County)	**Urban Residential 1** (Proposed Tacoma Zoning)
Base Density*	10 du/acre	29 du/acre
Maximum Density**	16 du/acre (N/A)	58 du/acre

*Density estimates are based on dwelling units per net-acre of developable land exclusive of Critical Areas, private roads, and/or right-of-way areas, expressed as dwelling units per acre.
**Title 18A clarifies that in Pierce County's Middle Housing zones, "sanitary sewers are required to achieve a density greater than base density up to maximum density." Therefore, the maximum density for the sites, unless connected to sanitary sewer, in the Middle Housing zone is 10 du/acre.

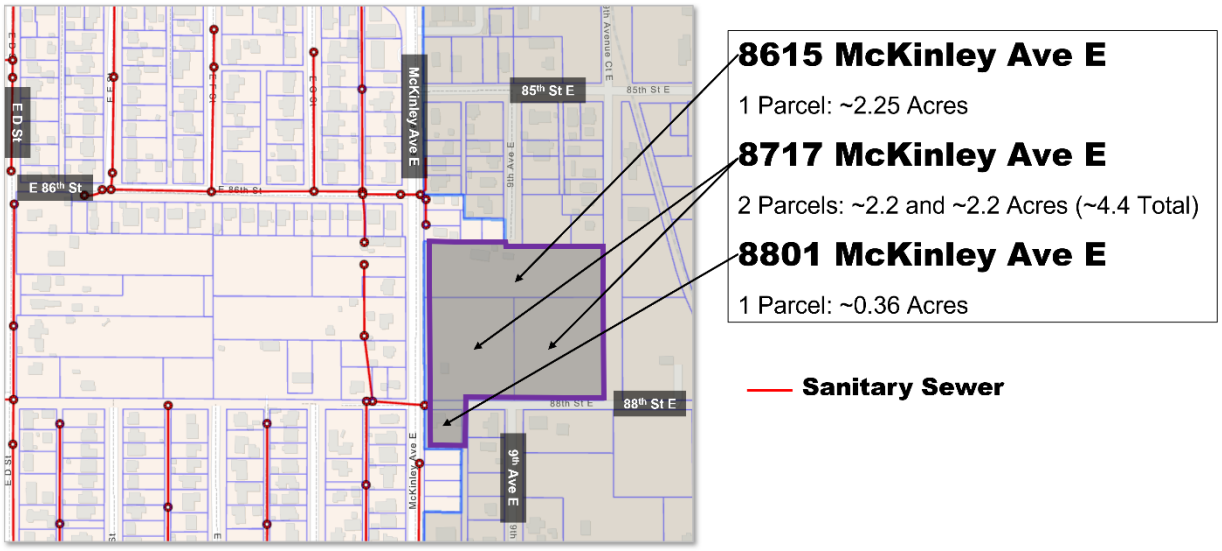
Sanitary Sewer Analysis

One of the stated reasons for annexation is access to city utilities, including sanitary sewer. The following reference maps show the location of nearby County wastewater lines and Tacoma wastewater lines. In the absence of connection to sanitary sewer the maximum density allowed in Pierce County's Middle Housing zone is 10 du/acre. In the absence of sanitary sewer connection, the cost burden to build the necessary on-site systems and facilities may make it prohibitive to build housing on these sites. In Tacoma, new development would likely be required to connect to sanitary sewer, where main lines appear to be located nearby.

Map Highlighting Nearby Pierce County Sewer Lines



Map Showing Nearby Tacoma Sewer Main Lines



3. Background Information

Annexation Process

Pursuant to RCW 35.13.125 and 35.13.130, the proposed annexation of the McKinley area is to be processed with the 60% petition method, through the following general steps:

- Notice of Intention to Commence Annexation Proceedings (Filed February 21, 2025)
- City Council public meeting (April 15, 2025)
- City Council Motion to accept, modify, or deny the application (accepted April 22, 2025)
- Pierce County Assessor evaluation of legal sufficiency
- Staff analysis, agreements, and public engagements:
    - Fiscal impacts, access and agreements for utilities and services, zoning and land use, traffic, critical areas, etc.
- City Council Public Hearing
- Boundary Review Board review
- City Council Ordinance to set the conditions for acceptance (or rejection/modification)
- Notifications and engagement with utility and service providers as well as the public
- City Council Ordinance to set the effective date

The pre-annexation planning for the McKinley area entails the following two tracks of work:

1. Annexation Ordinance to be adopted by City Council (Planning Commission does not have jurisdiction)
2. **Proposed zoning to be applicable to the subject area** if the annexation becomes effective (**Planning Commission has jurisdiction**)

Applicable Policy

- Growth Management Act (GMA) and Puget Sound Regional Council (PSRC) support annexation of PAAs
- The Pierce County Countywide Planning Policies state that PAAs should be prioritized for annexation
- The City of Tacoma's Comprehensive Plan includes:
    - **Goal GS-14** stating that the City should annex areas withing Tacoma's UGA, when conditions are appropriate
    - **Policy GS-14.7** of the City's Comprehensive Plan encourages the expansion of the City's boundaries within established UGAs in a manner that will benefit both the citizens of Tacoma and the citizens of the area to be annexed

Supplemental Information

Resolution No. 41652

A resolution acknowledging receipt of a Notice of Intention to Commence Annexation Proceedings received from parcel property owners located at 8717 McKinley Avenue East, 8615 McKinley Avenue East, and 8801 McKinley Avenue East, in unincorporated Pierce County; and setting Tuesday, April 15, 2025, no earlier than 5:15 p.m., as the date for a public meeting by the City Council on said annexation.

Attachment 2: Special Needs Housing

Application: 2026-02 Special Needs Housing

Project Summary	
Application ID:	Zoning and Development Standards for Special Needs Housing
Applicant:	Planning and Development Services
Staff Contact:	Adam Nolan, Senior Planner, anolan@tacoma.gov
Area of Applicability:	Citywide
Current Land Use and Zoning:	Various
Neighborhood Council Area:	Citywide
Project Proposal:	This staff-initiated amendment is in response to City Council Resolution No. 41311 (adopted in 2023) that directed the Planning Commission to identify appropriate zoning and development standards for siting Enhanced Service Facilities (ESFs), especially in response to updated State laws regarding ESFs. Additional changes will be made for Special Needs Housing to correct inconsistencies with Home in Tacoma and to align TMC definitions with state definitions.

Background

What background information or legislative history supports the application?

In December 2023, Tacoma City Council adopted Resolution Number 41311 that directed the Planning Commission to identify appropriate zoning and development standards for siting Enhanced Services Facilities (ESFs), especially in response to updated State laws regarding ESFs. RCW 90.97 provides State law regarding ESFs and defines an ESF as "a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary." The Council Resolution notes that a review of zoning and development standards is warranted in response to the 2019 state law updates. Additionally, the Growth Management Act requires the comprehensive plan of each planning county and city to include a process for identifying and siting Essential Public Facilities, which include some kinds of Special Needs Housing (including substance use and mental health facilities like community-based behavioral health facilities, per RCW 36.70A.200).

This amendment application seeks to address the issues identified in the City Council resolution while also identifying opportunities to:

- Address changes from Home In Tacoma that have led to inconsistencies in how Special Needs Housing is addressed in the Tacoma Municipal Code, and
- Align definitions around Special Needs Housing with State definitions to avoid confusion with licensing and siting

Discussion Topic 1: Emergency Shelters

Issue to be Addressed

In 2021, the State Legislature adopted RCW 35.21.683 that states a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.

Staff Recommended Approach

- Allow Emergency Shelters to be permitted outright (P) where Hotels are a permitted use (P).

Alternative Approach:

- Allow Emergency Shelters, at minimum, as a Conditional Use (CU) in zoning districts that allow Hotels

Residential Districts							**Commercial Districts**			
Uses	**UR1**	**UR2**	**UR3**	**R4**	**R5**		**T**	**C1**	**C2**[1]	**PDB**
Emergency Shelters	N	N	CU	CU	CU		CU	CU	P	~~CU~~ P
Hotels	N	N	N	N	N		N	N	P	P
Mixed-Use Districts										
Uses	**NCX**	**CCX**	**UCX**	**RCX**	**CIX**	**HMX**	**URX**			**NRX**
Emergency Shelters	~~CU~~ P	P	P	CU	~~N~~ P	~~CU~~ P	CU			CU
Hotels	P	P	P	N	P	P	N			N
Industrial Districts										
Uses	**M-1**	**M-2**	**PMI**	**Additional Regulations**						
Emergency Shelters	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District						
Hotels	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District						

Discussion Topic 2: Special Needs Housing

"Special needs housing." A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.

Issues to be Addressed

1. Review of definitions for uses that fall under Special Needs Housing to ensure clarity and consistency with State definitions.
    a. Key question: Can the special needs housing definitions be simplified to a single use category that refers to state licensing for individual facility types?
    b. Staff Preliminary Recommendation: Consider a new use category that includes and references the appropriate state facility license types. Staff believes that this is feasible if the range of facility types are permitted more uniformly. If different facility types are proposed to be permitted in divergent ways then they would need to be classified separately. Staff proposes to develop an umbrella use category for vetting with providers.
2. Address bed capacity standards for compatibility with Urban Residential Zoning Districts (removed with HIT).
    a. Key questions: Should there be limits on bed capacity within UR zones?
    b. Staff Preliminary Recommendation: Incorporate bed capacity limitations within UR-1 and UR-2 to address compatibility with residential housing types. These limits are proposed to manage overall intensity of the uses, which include staffing and visitation as well as residents.
3. City Council Resolution Number 41311 (December 2023) directed the Planning Commission to identify appropriate zoning and development standards for Enhanced Services Facilities (ESF). An ESF is a residential long-term care facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
    a. Key question: Should enhanced service facilities be considered within the Special Needs Housing category or as a medical facility? Where should they be permitted?
    b. Staff preliminary recommendation: First, staff would recommend that these facilities be classified as a residential use, given the characteristics and type of care that are provided at these facilities. Second, given these

characteristics, staff recommends that ESFs be permitted comparably to other special needs housing types.

4. State model ordinances recommend a new use category for "community based behavioral health facilities" that are intended to be more comparable to residential uses in their characteristics and scale and which provide for short or longer term stays.
    a. Key questions: Should these use categories be considered on their own or as part of the Special Needs Housing category?
    b. Staff preliminary recommendation: Incorporate the broad "community based behavioral health facility" use classification into the code and permit comparable to special needs housing. Second, the Commission can consider incorporating this use type within an umbrella definition for special needs housing or consider it as a use classification on its own. Staff would recommend seeking input from providers to ensure that the umbrella use classification is clear and easy for providers to identify how and where they are permitted.

Staff Recommendation – Use Allowances

- Permit outright Special Needs Housing types and Community Based Behavioral Health Facilities in all zoning districts, except M-2 and PMI Districts, with limits on bed capacity in UR-1 and UR-2 Districts. Provide a conditional use option for a facility that proposed to exceed the bed capacity in UR-1 and UR-2.

	UR-1 and UR-2 and NRX	M-2, PMI	All other Zones	Additional Regulations
Special Needs Housing: Staffed Residential Home, Extended Care Facility, Intermediate Care Facility, Continuing Care Retirement Community, Retirement Home, Residential Care Facility for Youth **Community Based Behavioral Health Facilities,** including:	P*/CU~	N	P	*Bed limitations: UR-1: 8 beds UR-2 and NRX: 16 beds ~ If proposing to exceed permitted bed capacity would be subject to CUP. Meet baseline FAR standards for UR Districts. Must meet state licensing requirements,

Dementia Care Facility, Enhanced Service Facility, Intensive Behavioral Health Treatment Facility, Residential Substance Use Disorder Treatment				including Operational Plan.

Current Definitions

The below definitions are currently listed in 13.06.080.N. Special Needs Housing.

Staff proposes to replace these multiple use categories with a common use classification that includes all of the pertinent state licensed facility types with a uniform process for permitting and standards. In staff's review, these use categories fit most appropriately within the established special needs housing category rather than as medical facilities that may be permitted differently in the municipal code.

Special Needs Housing "Special needs housing." A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.	
Uses	**Definition**
Staffed residential home	A home, licensed by the state, providing 24-hour care for six or fewer children or expectant mothers, 17 years or younger, with or without functional disabilities. The home employs staff to care for children and may or may not be a family residence. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities
Extended care facility	Establishments providing 24-hour supervised nursing care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. Such facilities are licensed by the state as nursing homes.
Intermediate care facility	A facility that provides, on a regular basis, assistance with one or more Activities of Daily Living ("ADL") such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, including persons with functional disabilities, needing health-related care and services, but who do not require the degree of care

	and treatment that a hospital or extended care facility provides. Such facility requires a state boarding home license. This use includes assisted living facilities, but does not include adult family homes, staffed residential homes, or residential care facilities for youth.
Continuing care retirement community	An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state-licensing programs.
Retirement Home	A multi-unit dwelling, a complex of dwellings, an apartment hotel or a complex of apartment hotels and/or boarding houses operated primarily as a residence for retired persons. Depending on the level of care provided, such facilities may or may not require state licensing. Such an establishment may include the following accessory facilities for the exclusive use of its residents and their guests: 1. Food preparation, service, and storage on a group basis; 2. Indoor and outdoor recreation facilities; 3. Religious assembly facilities; 4. Medical and nursing facilities for the care of temporary and permanent illness; 5. Administrative offices and staff quarters; 6. Commissary facilities; 7. Common lobby and lounge areas.
Residential care facility for youth	A facility, licensed by the state, that provides 24-hour care for persons who are 18 years of age or younger, with or without functional disabilities, that has not been licensed by the state as a staffed residential home. Such facilities may, in addition to providing food and shelter, provide some combination of assistance with Activities of Daily Living ("ADL"), such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, and additional services such as social counseling and transportation. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.
Community-Based Behavioral Health Facilities Residential facility licensed and regulated by the State of Washington, with up to 24 beds, staffed to provide on-site care and that is not a hospital or a group home. Uses that fall under this definition included Intensive Behavioral Health Treatment Facility, Enhanced Services Facility, Dementia Care Facility, and Residential Substance Use Disorder Treatment.	

Enhanced Services Facility	Residential long-term care facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary. Mental health treatment is not provided on site. The facility includes rooms for social activities and dining, bedrooms, bathrooms, a commercial kitchen, and offices. (RCW 70.97); (WAC 388-107)
Dementia Care Facility	Facility that provides specialized long-term care services for persons with dementia. All facilities have delayed egress, an indoor wander path, and a safe, enclosed outdoor area that can be accessed independently. Stays are generally long-term, with residents aging in place and only moving if their care needs can no longer be safely met. (WAC 388-110-220 (2) (3))
Intensive Behavioral Health Treatment Facility	Residential facility that provides 24-hour supervision and specialized treatment for individuals with behavioral health conditions, including individuals discharging or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment, but whose care needs cannot be met in other community placement settings. Residents are placed there voluntarily and may include short-term or long-term stays. (RCW 71.24.025 (29)); (WAC 246-341-1137)
Residential Substance Use Disorder Treatment	Facility that provides care to individuals, typically on a voluntary basis, with a diagnosis of a substance use disorder.

Background on Community Based Behavioral Health Facilities

The Washington State Legislature charged the Department of Commerce with developing a Model Ordinance for cities and counties to utilize for siting community-based behavioral health facilities (ESSB 6168 (2020), Section 127 (27)). BERK Consulting was hired by Commerce and guided by an Advisory Committee made up of representatives from the Association of Washington Cities (AWC); Department of Health (DOH); Department of Social & Health Services (DSHS); the Governor's Office; Health Care Authority (HCA); housing, health and human services providers; Tribes and local governments; and the Washington State Association of Counties.

It is the purpose of this model ordinance to promote the public health, safety, and general welfare supporting the goals of the Community Behavioral Health Services Act, Chapter

71.24 RCW, and the statewide Integrated Managed Care (IMC) Policy. Specifically, these goals are to:

- Develop a community-based behavioral health system to assist people experiencing mental illness or a substance use disorder to retain a respected and productive position in the community.
- Encourage the development of regional behavioral health services with adequate local flexibility to assure eligible people in need of care access to the least restrictive treatment alternative appropriate to their needs, and the availability of treatment components to assure continuity of care.
- Coordinate physical health, mental health, and substance use disorder treatment services to help provide whole-person care.

Why is this being considered as part of the Special Needs Housing Review?

1. The City's current use classifications do not clearly differentiate between care facilities that can or should fall under a residential use classification and those that more appropriately fall under medical and health services.
2. The intent of the state model ordinance is to support the expansion of health services that operate and function more similarly to residential uses and in a scale that can be integrated into a residential environment.
3. Current Special Needs Housing types include facilities that provide behavioral and substance abuse care.

Characteristics of Community-Based Behavioral Health Facilities

The below table is extracted from the Behavioral Health Facilities Model Ordinance (p. 18) and provides general reference information on typical size and of these facilities.

<table>
<tr><th colspan="3">Characteristics of Community-Based Behavioral Health Facilities</th></tr>
<tr><th>Facility Type</th><th>Scale and Building Needs</th><th>Staffing</th></tr>
<tr><td rowspan="3"></td><td>Facility Size:
• 6,000-8,000 sq ft is typical, could be up to 10,000 sq ft
• Often one story to avoid adding an elevator</td><td rowspan="3">Example:
Enhanced Service Facility (ESF) -
○ 1 staff per 4 residents

Intensive Behavioral Health Facility (IBHT) –</td></tr>
<tr><td>Bed Capacity:
16 beds is most common</td></tr>
<tr><td>Additional Facility Features:
Included commercial kitchen and dining room; offices/counseling</td></tr>
</table>

Community-based Behavioral Health Facility	space; nursing station; and outdoor covered space	○ Mental Health Professionals and RNs onsite 24/7 ○ Recommended at least 5 members on day and swing shifts, and at least 3 for night shift.
	Parking: Residents do not typically drive; parking may be needed for staff	
	Building Standards: Building must meet all requirements in Chapter 388-107 WAC. Work with the Department of Health's Construction Review Services to comply with all building specifications.	

Operations Plan

It is recommended in the Behavioral Health Facilities Model Ordinance (p. 13) that applicants for these facilities should submit an operation plan to the jurisdiction prior to application submittal. This is for informational purposes to better assess and mitigate for potential land use impacts, but jurisdictions do not have authority over approval/rejection of plan contents (facility licensing is through the State).

Operations Plan – Community-Based Behavioral Health Facilities (Example)
Facility point-of-contact (email, phone)
Process for communicating with neighboring residents and businesses
Policies and procedures to address neighborhood concerns
Numbers of residents and expected length of stay
Facility rules and regulations
Staffing plans (number and shifts)
Onsite parking plan and anticipated response calls
Safety and discharge plan

Application: 2026-05 Legislative Code Amendments

Project Summary	
Application ID:	Legislative Code Amendments
Applicant:	Planning and Development Services
Staff Contact:	Stephen Atkinson, Principal Planner, satkinson@tacoma.gov
Area of Applicability:	Citywide
Current Land Use and Zoning:	Various
Neighborhood Council Area:	Various
Staff Recommendation:	**Child Day Care Facilities:** • Simplify definitions • Expand use allowances consistent with state requirements • Consider scale and intensity in UR zones. **Binding Site Plans:** • Simplify definition • Address purpose and applicability • Reorganize code following best practices • Address code deviations or shared standards
Project Proposal:	This proposal would update the Tacoma Municipal Code to address recent state requirements: • Childcare Centers (required by SB 5509) • Binding Site Plans (required by SB 5611)

Childcare facilities

What background information or legislative history supports the application?

Childcare Centers (required by SB 5509), summary from MRSC:
To facilitate the development of childcare facilities in more places throughout the state, SB 5509 requires cities, towns, and code cities to allow childcare centers outright (permitted without special review and approval) in all zones except industrial zones, light industrial zones, and open space zones.

Cities and code cities can allow childcare centers in other zones, and they must provide for a conditional use approval of an on-site childcare center in industrial or light industrial zones, except in or around high-hazard facilities.

The City of Tacoma is required to comply with this requirement by July 27, 2027.

Assessment of Current Childcare Facility Code

1. Definitions

TMC 13 Land Use Regulatory Code includes two distinct use classifications that fall under this review: "Day care center" and "Day care, family." The two use categories are differentiated based on the number of children or adults served in the facility.

Recommendation: *Consolidate use classifications as "Child Day Care Center" and use development standards to establish scale or intensity controls per zoning district.*

"Day care center." Any facility which receives 13 or more children or adults for day care.

"Day care, family." An occupied dwelling in which a person provides day care for children or adults other than their own family and those of close relatives. Such care in a family day care home is limited to 12 or fewer children or adults, including children or adults living in the dwelling and those of close relatives cared for in the dwelling.

2. Use Allowances by Zoning District

General Assessment: New state laws require that cities allow child day care facilities by-right in all zones except industrial and open space. In industrial zones the general requirement is to allow childcare centers as a conditional use. The table below depicts the two use classifications and where they are currently permitted, not allowed, or conditional. The arrows indicate the changes required by state law. For example, Family Day Care is currently prohibited in three industrial zones. Based on state mandates, these will be allowed as conditional uses. Second, day care centers are currently conditional in four zoning districts. Again, these will be required to be permitted outright for compliance with state laws.

	Not Allowed	Conditional	Permitted
Day care, family	CIX, M-1, M-2 →		All other zones
Day care center	~~PMI~~	UR1, UR2, UR3, NRX →	All other Zones

Day care centers.

1. Applicability.

2. Purpose.

It is found and declared that day care centers are facilities which perform a needed community service. The City of Tacoma recognizes the need for locating day care centers within areas which they service and ensuring, to the extent possible, that day care centers in residential

districts will be compatible with the surrounding neighborhood and will not adversely affect adjacent properties.

3. Use standards.

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

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

b. Day care centers located in Urban Residential (UR-1, UR-2 and UR-3) Districts shall be limited to one building face sign with a maximum area of six square feet. Sign regulations for day care centers located in PRD and multi-unit dwelling districts shall be the same as those specified in the R-4 Multiple-Family Residential District.

The term "residential zoning districts" is overly broad and includes areas that allow for multiple buildings on a lot and even high density residential use.

Second, the imposition of 20 foot sideyard setbacks in all zones, regardless of the scale of building and development allowed in those zones adds a significant burden and potential barrier to this use that is not commensurately applied to a residential building.

Recommendation: *Be more specific about which zoning districts these standards are intended to apply to, such as UR1 and UR2.*

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

d. In Urban Residential (UR-1, UR-2 and UR-3) Districts, the site shall be landscaped in a manner consistent with adjacent residences. In all zoning districts, day care centers shall be landscaped in a manner approved by the Director prior to the operation of the day care center.

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

Limits on play areas in "c", Landscaping requirements in "d" and building design in "e" add subjective requirements that other use and development in these zones are not subject to. These types of subjective standards add a significant barrier to siting and establishing new childcare centers.

Recommendation: *Require that new childcare centers meet the general setback, yard space, and design standards for the zone in which they are located.*

4. Waiver.

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

There are no established procedures or reference to a "waiver process" or application in TMC 13.05. The standard procedure is a "variance" request when a code departure is necessary.

Recommendation: *First, simplify standards to reduce the need for variances. Delete waiver reference.*

Staff Proposal Summary:

New Definition: “Child day care center” means a facility where early childhood education and early learning services is provided for a group of children for periods of less than 24 hours.

Proposed Use Allowance:

	Not Allowed	Conditional	Permitted
Child day care center	Seaport Core Zoning Districts and M-2 Heavy Industrial , due to presence of high hazard facilities	CIX, M-1, and Seaport Transition Zones	All other Zones

Proposed Use Standards:

1. All uses must comply with state licensing requirements
2. In UR1 and UR2: Permitted as a “Houseplex” subject to the baseline FAR for the district
3. In UR1 and UR2: Limit hours of operation: from 5:00 am to 10:00 pm
4. Meet general site and building development standards, including height, tree canopy and landscaping, and setbacks
5. Eliminate other subjective standards

Binding Site Plans

What background information or legislative history supports the application?

Binding Site Plans (required by SB 5611) summary per MRSC:
A binding site plan has long been an alternative process for land division of properties zoned for commercial or industrial use, manufactured home or tiny home parks, and condominiums. SB 5611 broadens the definition of commercially zoned property to include properties zoned for multifamily housing. Cities, towns, and counties may adopt ordinances allowing multifamily zoned properties to be divided using a binding site plan.

Tacoma Municipal Code – Applicable Sections

"Binding site plan" shall mean a drawing to scale showing a plan for the development of a specific parcel of land, which drawing has been approved as applicable by the Building Official or designee and which, at a minimum:

1. Identifies and shows the areas and locations of all public and private streets and ways, parcel and lot lines, utilities, public and private street improvements, open spaces, and other items specified by the zoning ordinances. In addition, shall show the site development, driveways, parking layout, landscaping, lighting, signs, building perimeters and elevations, or shall carry a condition of general site plan approval that no development or building permit will be granted therefore until additional development plans are submitted to and approved by the body approving the general binding site plan;

2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions of the use of land as established by the City of Tacoma.

3. Is filed of record in the Pierce County Auditor's office and is legally enforceable.

Assessment: Tacoma's definition is generally more complicated than comparable jurisdictions, by including examples of the content of the binding site plan, filing, and inscriptions. This subject matter is more appropriate for the inclusion in the content of the application and review process rather than as a definition.

Staff Recommendation: Simplify the definition consistent with state law.

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.

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 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.

Assessment: Tacoma's application and approval process is similar to other jurisdictions in that it refers to and is based on the short plan/subdivision process.

However, the code sections directly relating to binding site plans do not follow our standard code organization, lacking an applicability statement, purpose statement, and then clearer progression through submittal requirements, review process, and decision.

Staff Recommendation: Reformat the code to follow standard code organization and fill gaps in applicability, purpose statements and process. The recently approved unit lot subdivision standards provide a comparable for how the code should be constructed.

Staff Proposed Code Amendments Summary:

1. Update applicability to include areas zoned for multiunit dwellings, per state law. At a minimum this would include applicability to industrial zoning districts, mixed-use zoning districts, commercial zoning districts, and high density multifamily (R-4 and R-5).
2. Re-organize code to include applicability and purpose statement, fill other gaps.
3. Add clarity as to how the Binding Site Plan addresses project phasing and expiration, SEPA review, allowance for shared parking, driveways, open spaces, tree canopy and/or other standards.