



Tacoma Municipal Code

Title 13 Land Use Regulatory Code

May 7, 2025

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is blue underlined and text that has been deleted is shown as ~~red strikethrough~~.

Summary of Amendments

1. TMC 13.01 Definitions: Incorporates definitions for new uses added to the use table.
2. TMC 13.05 Permit Procedures – Deletes conditional use criteria for non-industrial uses in the Port of Tacoma Manufacturing and Industrial Center
3. TMC 13.06.010 General Provisions: Modifies nonconforming use standards to prohibit a nonconforming industrial use from changing to another nonconforming industrial use.
4. TMC 13.06 Zoning
 - a. 13.06.060 Industrial Districts:
 - Integrates new Seaport Zoning Districts;
 - Incorporates performance standards for Seaport uses;
 - Deletes the existing PMI Zoning Districts;
 - Modifies standards for residential uses in the Seaport Transition – TOD District
 - b. 13.06.080 Special Use Standards: Amending standards for Cleaner Fuel Infrastructure to recognize change to conditional use status; specify State Department of Ecology as SEPA lead, unless declined.
 - c. 13.06.090 Site Development Standards
 - B. Landscaping Standards – Updates landscaping and tree canopy standards for Seaport Districts
 - C. Off Street Parking – updates parking quantity standards for the Seaport Transition – TOD District
 - F. Pedestrian and Bicycle Support Standards: Replaces references to the PMI District
 - J. Residential Transition Standards: Updates landscape buffer standards for industrial districts and land uses.



5. TMC 13.12: Relocates archaeological, cultural and historic resources code to TMC 13.13; Adds supplemental air quality assessment process for SEPA environmental checklist.
6. TMC 13.13: New archaeological, cultural, and historic resources code. Relocated from SEPA process to development standards. Updated to establish process of review and mitigation.

13.01.060 Zoning Definitions.¹

For the purposes of Chapter 13.06, certain words and terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. For words that are not defined in this chapter, or that do not incorporate a definition by reference, refer to a Webster’s Dictionary published within the last ten years.

13.01.060.A

“Abandonment of wireless facility.” The termination or shutting-off of electrical power to a wireless communication tower and/or associated antenna and equipment facility for a period of one calendar year or more. The records of the City of Tacoma, Department of Public Utilities, shall be utilized to determine the date of power termination.

“Accessory antenna device.” An antenna including, but not limited to, test, mobile, and global positioning (GPS) antennas which are less than 12 inches in height or width, excluding the support structure.

“Accessory building.” An accessory building, structure, or portion thereof which is subordinate to and the use of which is incidental to that of the main building, structure, or use, and which is not considered as a main building or a building used for dwelling purposes. If an accessory building is attached to the main building by a substantial connection, such accessory building shall be considered as a part of the main building for the purposes of building envelope standards. The building must meet all other requirements under the building code.

“Accessory dwelling unit.” A subordinate dwelling unit, either within the same building as the main dwelling or in a detached building, with a provision for independent cooking, living, sanitation, and sleeping.

“Accessory use.” A use that occupies less than 50 percent of the building or site square footage, is incidental to the main building or principal use, and is located on the same lot as the principal use. In no case shall such accessory use dominate in area, extent, or purpose the principal lawful use or building.

“Adult family home.” Family abode, licensed by the state of a person or persons who are providing assistance with Activities of Daily Living such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, as well as room and board to more than one but not more than six adults, 18 years or older, with functional disabilities who are not related by blood or marriage to the person or persons providing the service.

“Adult retail and entertainment.”² Adult entertainment, activity, retail, or use shall mean all of the following:

1. Adult theater shall mean a building or enclosure, or any portion thereof, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified “sexual activities” or “specified anatomical areas,” as defined in this section, for observation by patrons therein, which excludes minors by virtue of age.
2. Adult entertainment shall mean any commercial premises or club to which any patron is invited or admitted and where adult entertainment, as defined by Section 6.36.010.A³, is provided on a regular basis or is provided as a substantial part in the premises activity.
3. Adult retail means a commercial establishment such as a bookstore, video store, or novelty shop which, as its principal business purpose, offers for sale or rent, for any form of consideration, any one or more of the following:
 - a. Books, magazines, periodicals, or other printed materials, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are distinguished or characterized by a predominant emphasis on matters depicting, describing, or simulating any specified sexual activities or any specified anatomical areas; or

¹ Code Reviser’s note: Previously codified as 13.06.700 (Definitions and illustrations); relocated to 13.01.060 per Ord. 28613 Ex. G; passed Sept. 24, 2019.

² Code Reviser’s note: Relocated from 13.06.525.A. per Ord. 28613 Ex. G.

³ Code Reviser’s note: Section 6.36.010A was recodified as section 6B.30.010 pursuant to Ord. 27297, passed Nov. 23, 2004.

- b. Instruments, devices, or paraphernalia designed for use in connection with any specified sexual activities.

For the purpose of this definition, the term “principal business purpose” shall mean the business purpose that constitutes 50 percent or more of the stock in trade of a particular business establishment. The stock in trade of a particular business establishment shall be determined by examining either: (i) the retail dollar value of all sexually-oriented materials compared to the retail dollar value of all non-sexually-oriented materials readily available for purchase, rental, view, or use by patrons of the establishment, excluding inventory located in any portion of the premises not regularly open to patrons; or (ii) the total volume of shelf space and display area reserved for sexually-oriented materials compared to the total volume of shelf space and display area reserved for non-sexually-oriented materials.

4. Specified anatomical areas shall mean the following:

- a. Less than completely and opaquely covered human genitals, anus, pubic region, buttock, or female breast below a point immediately above the top of the areola; or
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

5. Specified sexual activities shall mean any of the following:

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, or bestiality;
- c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed, of oneself, or of one person by another; or
- d. Excretory functions as part of or in connection with any of the activities set forth in this section.

“Agricultural use.” The use of land for tree farming or growing or producing field crops, livestock, or livestock products for the production of income, together with incidental retail sales by the producer of products raised on the farm. Field crops include, among others, barley, soy beans, corn, hay, oats, and potatoes. Livestock includes, among others, dairy and beef cattle, goats, sheep, hogs, poultry and game birds. Livestock products include, among others, milk, butter, cheese, eggs and meat.

“Airport.” Facilities for the takeoff and landing of aircraft, including runways, aircraft storage, hangers, air traffic control facilities, terminal buildings, and customary accessory facilities and uses, such as cargo and freight transfer, aircraft maintenance, aviation fueling, aviation instruction, and eating and drinking.

“Alley.” A public or private accessway which provides a secondary means of vehicular access to abutting property, unless determined by the Director or Hearing Examiner to be an Officially Approved Accessway as provided under Section 13.04.140.B.

“Alter.” To make any change, addition, or modification in construction or occupancy of a building structure.

“Alteration.” A physical change to a structure or a site. Alterations do not include normal maintenance and repair or any of the following:

1. Changes to the façade of a building;
2. Changes to the interior of a building;
3. Increases or decreases in floor area of a building;
4. Changes to other structures, including parking garages, on the site or the development of new structures;
5. Changes to landscaping, off-street parking spaces, and other improvements to a site; and/or
6. Demolition

“Alteration, substantial.” As used in Chapter 13.06.050 – Downtown Tacoma, alterations within a two-year period:

1. The total cost of which, excluding purchase costs of the property and/or building, exceeds 50 percent of the replacement value of a building or structure;

2. The total cost of which, excluding purchase costs of the property, exceeds 50 percent of the replacement value of site improvements;
3. Which increase the gross square footage by more than 50 percent of buildings and structures; or
4. Which increase the gross square footage by more than 50 percent of a surface parking lot.

“Ambulance services.” Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

“Anchor tenant.” Tenant or owner occupying not less than 100,000 square feet of building area.

“Animal boarding.” Provision of shelter and care for small animals on a commercial basis and large animals on a noncommercial basis. Such boarding shall include daytime and overnight stays. This classification includes activities such as feeding, exercising, grooming, and incidental medical care. This classification includes animal daycare.

“Animal clinics.” Facilities which provide grooming, training, or other services to animals, including medical and surgical treatment on an inpatient and/or outpatient basis.

“Animal grooming.” Provision of bathing and trimming services for small animals on a commercial basis.

“Animal husbandry.” A branch of agriculture concerned with the production and care of domestic animals.

“Animal sales and service.” Animal care or sales conducted primarily within an enclosed building, including animal clinics, kennels, animal grooming, animal boarding (including daycare), and retail sales. Does not include activities such as animal husbandry or stables.

“Antenna.” Any system of poles, panels, rods, reflecting discs, or similar devices used for the transmission or reception of radio or electromagnetic frequency signals.

1. Directional antenna (also known as “panel” antenna). An antenna which transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.
2. Omni-directional antenna (also known as a “whip” antenna). An antenna that transmits and receives radio frequency signals in a 360 degree radial pattern.
3. Parabolic antenna (also known as a dish antenna). An antenna that is a bowl-shaped device for the reception and/or transmission of radio frequency communication signals in a specific directional pattern.
4. Concealed antenna. An antenna and associated equipment enclosure, installed inside a non-antenna structure or camouflaged to appear as a non-antenna structure.

“Antenna height.” The vertical distance measured from the base of the antenna support structure at a grade to the highest point of the structure, even if said highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances, and shall be measured from the finished grade of the parcel. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

“Antenna support structure.” Any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

“Arborist.” An individual engaged in the profession of arboriculture who, through experience, education and related training, possesses the competence to provide for or supervise the management of trees and other woody plants and is certified and in good standing with the International Society of Arboriculture (ISA), or equivalent agency.

“Arcade.” A continuous unoccupied covered area, having direct access from abutting streets or open areas, unobstructed to a height of not less than 12 feet except for supporting beams and columns, and accessible to the general public at all times.

“Art gallery.” A space with public access from the sidewalk in the space and which is located within a building for the interior exhibition or display of artworks which may or may not be offered for sale to the public.

“Assembly facilities.” Privately operated facilities for the principle purpose of public meetings and social gatherings (including incidental recreation), including community halls, union halls, exhibition halls, social clubs, and youth centers. This use shall not include stadiums or public or quasi-public parks, recreation or open space uses.

“Assisted living facility.” See “intermediate care facility.”

“Automobile house trailers.” Any structure used for human habitation constructed on wheels and capable of being moved from place to place, either under its own power or under tow.

“Auto wrecking.” The process of dismantling vehicles to extract parts that can be sold or used in other vehicles. The process involves identifying and recovering usable parts from broken, wrecked, or decommissioned vehicles.

13.01.060.B

“Basement.” A story partly underground. A basement shall be counted as a story in building height measurement and floor area ratio for single-family small lots where more than one-half of its height is above the average level of the adjoining ground.

“Bicycle parking.” Stationary rack that accommodates a lock securing the frame and wheels, or a lockable enclosure with the quantity accommodated determined by manufacturer’s specifications.

“Bicycle parking, short-term.” Parking meant to accommodate visitors, customers, messengers and others expected to depart within two hours; requires approved standard rack and appropriate location and placement.

“Bicycle parking, long-term.” Parking meant to accommodate employees, students, residents, commuters, and others expected to park more than two hours. This parking is to be provided in a secure, weather-protected manner and location.

“Billboard, bulletin.” A billboard with a sign area or billboard face approximately 14’x48’ (672 sq. ft.) (may be as small as 301 sq. ft. and as large as 672 sq. ft.)

“Billboard, digital.” An off-premises sign greater than 72 square feet in size, utilizing digital message technology capable of changing the message or copy on the sign electronically. Digital billboards are not considered under the definitions of animated sign, changing message centers, electrical signs, illuminated signs, or flashing signs.

“Billboard, face.” A billboard face is the area of a billboard that is contiguous and used or intended to be used for display purposes, excluding the minimum frame and supports. The calculation of the area of the billboard face excludes the sign structure.

“Billboard, poster.” A billboard with a sign area or billboard face approximately 12’x24’ (288 sq. ft.) (may be as small as 240 sq. ft. and as large as 300 sq. ft.).

“Billboard, Jr. Poster.” A billboard with a sign area or billboard face approximately 6’x12’ (72 sq. ft.) (typically any sign smaller than 240’ sq. ft.).

“Billboard, standard.” An off-premises sign generally composed of materials (panels or modules) mounted on a building wall (“wall-mounted billboard” or “building-mounted billboard”) or freestanding structure (“freestanding billboard”), or painted directly on the wall or freestanding structure.

“Billboard, wall.” A billboard that is mounted to a wall either by direct application or installed on a device that is mounted to a wall designed to support the billboard advertising copy. A wall billboard may also be referred to as a “wall-mounted billboard” or a “building-mounted billboard”.

“Brewpub.” An eating and drinking establishment having a small brewery on the premises which produces beer, ale, or other malt beverage, or wine, and where the majority of the beer/wine produced is consumed on the premises. This classification allows a brewpub to sell beer/wine at retail and/or act as wholesaler for beer of its own production for off-site consumption, with appropriate state licenses.

“Building.” Any structure having a roof supported by columns or walls for the housing, shelter, or enclosure of persons, animals, or chattels; when separated by dividing walls without openings, each portion of such building so separated shall be deemed a separate building. For the purpose of this section, the term “building” shall not include “vehicle” as hereinafter defined.

“Building, face or wall.” All window and wall area of a building in one plane or elevation.

“Building footprint.” The outline of the total area that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof, excluding any roof overhangs.

“Building, height of.” In all districts except those containing a View-Sensitive Overlay District, per Section 13.06.070.A, building height shall be measured consistent with the applicable Building Code, Height of Building. For buildings located within a View-Sensitive Overlay District, the method provided below shall be used:

1. The height limit shall be the vertical distance between existing grade and a plane essentially parallel to the existing grade. The corners of such plane shall be located above the base points.
2. The base points shall be located at the four corners of the foundation or, if the foundation of the structure does not form a rectangle, at the four corners of the smallest rectangle which surrounds the foundation.
3. The base points shall be located on existing grade, unless determined otherwise by the Director in accordance with the provisions of Section 13.05.010.B.
4. Additional height at the rate of one foot for each 6 percent of the slope shall be allowed. This additional height shall not be allowed on the uphill portion of the structure. For the purpose of this provision, the slope shall be the difference between the elevation of the highest base point and the elevation of the lowest base point divided by the distance between those two base points.
5. No portion of a structure, including the highest gable, unless specifically excepted, shall extend above the height limit; provided, however, that a legal structure that existed before June 18, 1989, that was destroyed by fire, natural disaster, explosion, or other calamity or act of God or the public enemy may be rebuilt to its previous height within the building’s prior actual dimensions, including, but not limited to, height, roof pitch, depth, and width. Such a structure cannot be enlarged, expanded, or otherwise increased in size without the enlargement or expansion meeting the zoning regulations in effect at the time of the expansion.

The height of a stepped or terraced building is the maximum height of any segment of the building.

“Building materials and services.” Retailing, wholesaling, or rental of building supplies or equipment. This classification includes indoor lumber sales with limited outdoor storage, tool and equipment sales or rental establishments, and building contractors’ yards, but excludes lumber yards, establishments devoted exclusively to retail sales of paint and hardware, and activities classified under vehicle rental and sales.

“Building orientation.” The location or position of a building on a site, particularly the relationship of the principal entry to the adjacent street. A building oriented to the street has an entry facing the street.

“Building, temporary.” A building without a permanent foundation or footing and without permanent utilities which is removed when the designated time period, activity, or use for which the temporary building was erected, has ceased.

“Building, unit group.” Two or more buildings of one ownership grouped on a lot, including institutions, hospitals, colleges, and industries.

“Business support services.” A provision of recurrently needed services of a business nature, including parcel and package delivery services for individual and/or commercial customers; preparation of parcels for delivery, shipping, or mailing; printing; copying; and computer support services.

13.01.060.C

“Caliper.” Diameter of a tree’s trunk or stem measured at a point 6 inches above finish grade if the resulting measurement is up to and including 4 inches. If the resulting measurement is more than 4 inches the point of measurement shall be relocated to 12 inches above finish grade.

“Camouflaged (wireless communication facility).” A wireless communication facility that is integrated with a building or the landscape in terms of design, colors, materials and height, so as to be disguised, hidden, concealed, masked, or screened from view.

“Canopy (or marquee).” An ornamental roof-like structure unenclosed on one or more sides and normally used for pedestrian protection and convenience and/or signage.

“Cargo and container marshalling and storage (includes imported autos).” A container parking lot, or any open area where containers are stored in a precise order according to the ship loading plan.

“Car washing facility.” A building or portion thereof containing facilities for washing automobiles, either manually or using a fully automatic washing process, requiring no personnel for the conduct of the operation except as is necessary for the collection of money and the maintenance of the facility.

“Carnival.” A temporary and often traveling establishment at which a combination of attractions or exhibitions, such as rides, shows, displays, eating concessions, and gaming booths, are provided for the purpose of amusement and entertainment.

“Catering services.” Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.

“Cell site.” A tract or parcel or land that contains wireless communication facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless communication facilities.

“Cement and asphalt batching plant.” An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction. It includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

“Cemetery and internment services.” Property used for the interring of the dead. This property may include support facilities, such as funeral homes and/or chapels.

“Chemical Manufacturing.” The production, processing, and wholesale distribution of chemicals and allied products, including:

1. “Production and processing.” Establishments primarily engaged in the transformation of organic and inorganic raw materials by a chemical process and the formulation of products. This subsector distinguishes the production of basic chemicals that comprise the first industry group from the production of intermediate and end products produced by further processing of basic chemicals that make up the remaining industry groups.
2. “Wholesaling.” Establishments primarily engaged in the merchant wholesale distribution of chemicals and allied products (except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes).
3. “Petrochemical Manufacturing.” Establishments primarily engaged in (1) manufacturing acyclic (i.e., aliphatic) hydrocarbons such as ethylene, propylene, and butylene made from refined petroleum or liquid hydrocarbons, (2) manufacturing cyclic aromatic hydrocarbons such as benzene, toluene, styrene, xylene, ethyl benzene, and cumene made from refined petroleum or liquid hydrocarbons, and/or (3) manufacturing methyl alcohol (methanol) from natural gas, coal, or other petroleum based feedstock.
4. “Explosives Manufacturing.” Establishments primarily engaged in manufacturing explosives.
5. “Fertilizer Manufacturing.” Establishments primarily engaged in one or more of the following: (1) manufacturing nitrogenous or phosphatic fertilizer materials; (2) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; and (3) formulating and preparing pesticides and other agricultural chemicals.

These use classifications exclude uses that are otherwise defined herein as “Cleaner Fuels” and “Petroleum Fuel Facilities.”

“Clean construction/demolition/land-clearing (CDL) wastes.” CDL wastes are solid wastes produced from construction, remodeling, demolition, or land-clearing operations that have been source separated so that the material is principally composed of asphalt, concrete, brick, or other forms of masonry; non-chemically treated wood (i.e., creosote, paint, preservatives); land-clearing wastes; or other materials approved by the Tacoma-Pierce County Health Department. Yard wastes (i.e., leaves, grass, prunings, and sod), plaster (sheet rock or plasterboard), or any materials other than wood that are likely to produce gases or a leachate during the decomposition process and asbestos wastes are specifically excluded from this definition of clean CDL wastes, unless otherwise approved by the Tacoma-Pierce County Health Department.

“Cleaner Fuels.” shall mean carbon-free fuels that generate no carbon emissions including green hydrogen, and the following:

- a. Any credit generating fuel under the Washington State Low Carbon Fuel Standard (HB 1091 2021-2022) as determined by the Washington State Department of Ecology.
- b. Any Biomass Renewable Fuels approved by the federal Environmental Protection Agency under the federal Renewable Fuel Standard (40 CFR Part 80).
- c. Alcohol Fuels meeting the requirements of RCW 19.112.010(1) as that statute exists or may hereafter be amended.
- d. Biodiesel Fuel meeting the requirements of RCW 19.112.010(3), and Renewable Diesel meeting the requirements of RCW 19.112.010(9), as those statutes exist or may hereafter be amended.
- e. E85 motor fuel which meets the requirements of RCW 19.112.010(2) exclusively for the propulsion of motor vehicles upon the roads, or RCW 19.112.010(6) for other motors, as those statutes exist or may hereafter be amended.
- f. Alternative Fuels exclusively for the propulsion of motor vehicles upon the roads, which fuels meet the requirements of RCW 19.112.010(2) as that statute exists or may hereafter be amended. Provided that the restrictions on petroleum including in gaseous form, and petroleum fuel facilities, shall apply to such Alternative fuels and all references to hydrogen in this chapter are limited to green hydrogen only.

“Cleaner Fuel Infrastructure – Expanded.” The expansion of storage infrastructure including tankage constructed prior to effective date of this chapter to store petroleum, where the expansion of such petroleum storage infrastructure is for the sole purpose of blending petroleum with biomass and other cleaner fuels in the production of cleaner fuels.

“Cleaner Fuel Infrastructure – New.” New infrastructure for the production, storage, transportation and transshipment of Cleaner Fuels as defined herein, including infrastructure for blending biomass and other cleaner fuels with petroleum. New Cleaner Fuel Infrastructure shall not include new tankage for petroleum storage.

“Climate-adapted Plant Species.” Climate adapted plants include both native and non-native plant species which are able to thrive in the local climate and soil conditions of the City of Tacoma. The two most authoritative references on climate adaptation for plants are the USDA Plant Hardiness Zones and the Sunset Climate Zones.

“Coal facilities.”

- Bulk coal storage: any structure, group of structures, equipment, or device that stores or transfers coal for use in the production of electricity or power, or for wholesale distribution.
- Coal power plant: a thermal power station which burns coal to generate electricity or other usable power.

“Collocation.” The use of a wireless communication facility or cell site by more than one wireless communication provider.

“Commercial parking facility.” Lots offering parking to the public, which are not designed for or directly associated with another use. This is distinguished from parking that is provided as part of and accessory to another use, which shall be considered part of the use it serves. This classification includes commuter parking facilities (park & rides), general public parking lots, and similar facilities.

“Commercial recreation and entertainment.” Private provision of participant or spectator recreation or entertainment. This classification includes uses such as privately operated sports stadiums and arenas, amusement parks, bingo parlors, bowling alleys, billiard parlors, poolrooms, dance halls, ice/roller skating rinks, miniature golf courses, golf driving ranges, archery ranges, scale-model courses, shooting galleries, tennis/racquetball courts, croquet courts, swim clubs, health/fitness clubs, and pinball arcades or electronic gaming centers having more than five coin-operated game machines. This use does not include public or quasi-public parks, recreation or open space, theaters or golf courses.

“Communication facilities.” Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding major utilities. This classification includes radio, television, or

recording studios; telephone switching centers; and telegraph offices. This classification does not include wireless communication facilities.

“Comprehensive Plan.” The official statement of the Tacoma City Council which sets forth its major policies concerning desirable future physical development.

“Condominium.” A multiple-family dwelling, and its accessory uses and grounds, in which each dwelling unit is individually owned, and all or any part of the dwelling structure, accessory uses, and grounds are owned cooperatively by the owners of said dwelling units, and maintenance functions are performed by required subscriptions from said owners.

“Confidential shelter.” Shelters for victims of domestic violence, as defined and regulated in RCW 70.123 and WAC 388-61A. Such facilities are characterized by a need for confidentiality.

“Construction/demolition/land-clearing (CDL) waste recycling.” CDL waste recycling is the storage, processing and/or sale of clean CDL wastes to recover usable products or to regenerate the material where the following activities are further defined:

1. Storage includes the holding of CDL wastes prior to processing and stockpiling of the recycled product and by-products.
2. Processing includes the sorting of clean CDL wastes and the mechanical reduction of these materials by means of an initial mechanical processing operation which results in a raw product to be shipped to secondary processors, but does not include composting.
3. Product sales, including retail and wholesale sales of recycled materials.

“Container, shipping/storage.” A large, prefabricated box or container made of metal, wood, or similar material utilized for the shipping/storage and distribution of various products or commodities.

“Continuing care retirement community.” An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state-licensing programs.

“Convalescent home.” See “extended care facility.”

“Cornice.” Projection at the top of a wall; a term applied to construction where the roof and side walls meet.

“Correctional facility.” A facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes prerelease facilities, but does not include work release centers or juvenile community facilities.

“Cottage housing.” Cottage housing is defined as a grouping of small dwelling units clustered around a common area and developed with a coherent plan for the entire site, per the provisions of TMC 13.06.080.C.

“Court, multiple-family dwelling.” An open, unoccupied space other than a yard, on the same lot with a multiple-family building and which is bounded on two or more sides by such building.

“Coverage, lot or site.” The percentage of a site covered by a roof, soffit, trellis, eave, or overhang extending more than 2.5 feet from a wall, and by a deck more than 30 inches in height.

“COW.” Acronym for “cell on wheels.” A temporary wireless communication facility.

“Craft Production.” A commercial use that involves the production of arts, crafts, foods, beverages or other product with on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, they are compatible, and are often co-located with, retail sales and service uses. This use category includes but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, bakeries, confectionaries, butchers, coffee roasting establishments, food production and beverage production.

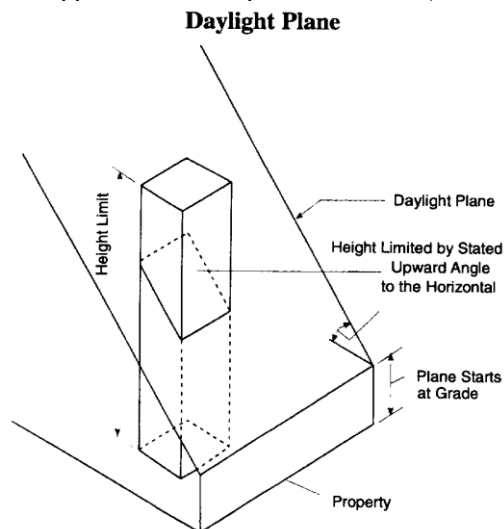
“Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences, such as a museum, or cultural center, operated by a non-profit organization or faith-based organization, and offering services to the community.

13.01.060.D

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

“Day care, family.” An occupied dwelling in which a person provides day care for children or adults other than 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.

“Daylight plane.” An inclined plane, beginning at a stated height above grade, generally at a property line or setback line or buffer, and extending into the site at a stated upward angle to the horizontal, which may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum setbacks applicable at such point on the site (see diagram below).



“Deciduous.” A plant that loses its leaves and remains leafless for some months of the year, usually in winter (temperate zones) or the dry season (tropical zones).

“Decorative grille.” An open framework of metal, wood, or other material arranged in a pattern that effectively obscures the views of parked cars located in an off-street parking structure from the public right-of-way.

“Department of Defense.” The United States Department of Defense (“DOD”) and any subdivision including the Defense Logistics Agency.

“Design (wireless communication facility).” The appearance of wireless communication facilities, including such features as materials, colors, and shapes.

“Detention facility.” A facility in which persons are held and housed in custody under process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

“Detoxification center.” A facility providing detoxification and/or treatment on an inpatient basis, with or without outpatient services available, for persons suffering from the effects of alcohol or drugs.

“Development.” All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. Development includes improved, open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

“Diameter at breast height (DBH).” A tree’s trunk or stem diameter measured at four and one-half feet above the ground.

“Director.” For purposes of Chapter 13.06 of the Tacoma Municipal Code, “Director” means the Director of Planning and Development Services unless otherwise specified.

“Distillery.” Any distillery licensed under RCW 66.24.140. Craft distilleries, licensed under RCW 66.24.145 are included in the definition for craft production.

“Drive-through.” A business or a portion of a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to receive services or partake in business while seated in a motor vehicle. This definition does not include uses where the service is not provided while the customer is in the vehicle, such as fueling stations, passenger drop-off/pick-up zones for schools, hospitals, hotels or similar uses.

“Drive-through within a building.” A drive-through in which the window and all driving and stacking lanes are contained within a building.

“Drug rehabilitation facility”, or “substance abuse facility”. Any facility licensed by the Washington State Department of Social and Health Services whose primary focus is treatment for a person with a chemical or drug dependency, whether on an outpatient or inpatient basis.

“Dwelling.” A building or portion thereof designed and used entirely as the residence of one or more families, except hotels.

“Dwelling, group.” Two or more dwelling structures located upon a single lot.

“Dwelling, multiple-family.” A building or portion thereof designed for or used as the residence of four or more families living independently of each other.

“Dwelling, single-family detached.” A building designed for or used as the residence of one family that is not attached to any other dwelling unit, except for an accessory dwelling unit as allowed.

“Dwelling, three-family.” A building designed for or used as the residence of three families living independently of each other.

“Dwelling, townhouse.” A building on its own separate parcel of land containing one single-family dwelling unit that occupies space from the foundation to the roof and is attached to one or more other townhouse dwelling units by at least one common wall.

“Dwelling, two-family.” A building designed for or used as the residence of two families living independently of each other.

“Dwelling unit.” Two or more rooms and kitchen designed for or used as the living quarters of one family.

13.01.060.E

“Eating and drinking.” Establishments in which food and/or beverages are prepared and sold at retail for immediate consumption. Eating and drinking establishments include restaurants and drinking establishments as defined below:

1. “Drinking establishment” means an establishment other than a restaurant, licensed to sell alcoholic beverages for consumption on premises; that limits patronage to adults of legal age for the consumption of alcohol; and in which limited food service may be accessory to the service of alcoholic beverages. Drinking establishments may include but are not limited to taverns, saloons, bars, pubs, or cocktail lounges associated with restaurants. This use does not include brewpubs, catering services, or industrial-scale food production facilities.

2. “Restaurant” means a use in which food and/or beverage preparation and service is provided for individual consumption either on- or off-premises, and in which any service of alcoholic beverages is accessory to the service of food. This classification includes, but is not limited to, cafés, eateries, bistros, diners, restaurants, sandwich shops, and coffee shops.

“Eave.” That part of a roof which projects over the side wall.

“Electric vehicle charging stations.” A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

1. “Accessible electric vehicle charging station” means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of an access aisle for a designated accessible parking space (minimum 44-inch width) and the electric vehicle.

2. “Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

3. “Charging level” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. Levels 1, 2, and 3 are defined by the speed of charging and typically have the following specifications:

a. Level 1 – slow charging. Typically 15- or 20-amp breaker on a 120-volt alternating current.

b. Level 2 – medium charging. Typically 40-amp to 100-amp breaker on 208- or 240-volt alternating current.

c. Level 3 - fast or rapid charging [station]. Typically 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

4. “Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; (4) a medium-speed electric vehicle, (5) electric scooters and motorcycles.

5. “Electric vehicle infrastructure (EVI)” means the site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future electric vehicle charging stations pursuant to National Electrical Code (2008) Article 625.

6. “Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

7. “Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

“Emergency and transitional housing.” Establishments offering daily meal service and housing to persons who are in need of shelter. This classification does not include confidential shelters, or facilities licensed for residential care by the state of Washington.

“Emergency medical care.” Facilities providing emergency medical service on a 24-hour basis with no provision for continuing care on an inpatient basis.

“Enhanced SEPA Review.” Additions to the standard State Environmental Policy Act (SEPA) review process and checklist for project proposals governed by this chapter to be promulgated and updated from time to time by the Director. Such additions to the SEPA review process and checklist shall include but not be limited to; a public meeting for a SEPA application, which occurs after SEPA determination that an application is complete but prior to issuance of a preliminary threshold determination; an expanded Notice Distribution List to include direct mailing to taxpayers and occupants, consistent with Land Use Permits; expanded Public Notification Distance for Direct Mailing to 2500’ from the Manufacturing and Industrial Center, consistent with Land Use Permits; expanded Notification Period and Comment Period for SEPA to 30 days for Consistency with Land Use Permits, and a supplemental checklist specific to SEPA review of fuel production and or chemical manufacturing. To ensure application of this Enhanced SEPA review, the City of Tacoma shall be SEPA lead agency for all fuel-related projects permitted under this chapter.

“Equipment enclosure.” A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

“Establishment period.” A minimum of a three year time period following the transplanting/installation of vegetation where maintenance is crucial to the survival of the vegetation.

“Evergreen.” A plant that bears leaves throughout the year.

“Existing grade.” The elevation of the natural ground surface, excluding vegetation, before any site preparation work has been done. Existing grade shall not be artificially increased for building height measurement purposes by placement of fill on the site; provided, however, that existing grade for any lot which is within a development which

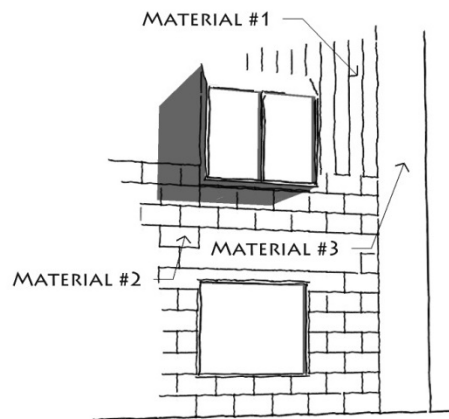
is required to receive final plat approval shall be the ground surface at the time of final plat approval. If existing grade surrounding the entire foundation is lowered by more than five feet in preparing the site for construction, except excavation for a foundation, a basement, or daylight basement, then the height measurement will be taken from the lowered grade. Soil investigations, elevation markers, grade stakes, or other verification may be required to verify existing grade.

“Extended care facility.” Establishments providing 24-hour supervised nursing care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. Such facilities are licensed by the state as nursing homes.

13.01.060.F

“FAA.” Federal Aviation Administration.

“Façade variety.” Illustrated as required in certain districts of Chapter 13.06:



FACADE VARIETY EXAMPLE

“Facility location (wireless communication facility).” Location may include placement of facilities in one or more of the following manners:

1. Attached Facility is a facility that is affixed to an existing structure, such as a building or water tower, and is not considered a component of the attached wireless communication facility.
2. Collocation Facility is a support structure, such as a monopole, or lattice tower to which more than one wireless communications provider mounts equipment.
3. Free-standing Facility is a facility that includes a separate support structure including, but not limited to, monopoles, lattice towers, wood poles, or guyed towers.

“Family.” One or more persons, related or unrelated, living together as a single household where all members have common access to and use of living, kitchen and other shared spaces.

“FCC.” Federal Communications Commission.

“Floor area.” The sum of the square footage of all of the floors of a structure or building. Unless specified otherwise, “floor area” shall be calculated in the same manner outlined in the current building code definition for “floor area, gross.”

“Floor Area Ratio (FAR).” The amount of floor area within a building as a multiple of the lot area. Right-of-way that has had its air rights vacated shall be considered as lot area for calculating FAR. For the purposes of calculating allowable FAR within the downtown area, floor area shall exclude the following areas when calculating the maximum FAR:

1. Spaces below grade;
2. Space used for retail uses or restaurants that front the sidewalk; and
3. Space devoted to special features.

4. Area used for parking.
5. Mechanical equipment, elevators, and stair shafts.
6. Exterior decks, balconies, and corridors open to the air.

“Floor Area Ratio – Single-family Small Lots.” The ratio of the total floor area of a single-family house to the lot area upon which it is built, not including basements and accessory structures.

“Food and beverage sales.” Retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, groceries, liquor stores, bakeries, and delicatessens.

“Food processing.” Any variety of operations by which raw foodstuffs are made suitable for consumption, cooking, or storage.

“Foster home.” A dwelling that is licensed by the state for foster care, which is used as living quarters for a family that includes one or more children or adults who are placed by a licensed child or adult placement agency and who are not related to the owner or occupant thereof by blood, marriage, or legal adoption, but are under their supervision and care.

“Foundation.” The supporting part of a wall or structure, usually below ground level and including footings, used as a means of transferring building loads to the soil below. For the purpose of calculating height, the foundation shall only be that portion supporting the walls of the main building.

“Frontage.” All property fronting on one side of a street and measured along the street line, between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or City boundary.

“Frontage, building.” The frontage of a building is the maximum horizontal dimension of that side of a building abutting on or generally parallel to the front lot line or, in the case of a corner building, the combined maximum horizontal dimensions of the sides of the building abutting or generally parallel to the front lot line and the corner side line.

“Frontage (for the purposes of the sign regulations).”

1. Freestanding sign. For the purpose of computing the size of a freestanding sign, frontage shall be the length of the property line parallel to and abutting each public right-of-way bordered.
2. Building mounted sign. For the purpose of computing the size of building mounted signs, frontage shall be the length of that portion of the building containing the business oriented onto a right-of-way or parking lot. For a business with more than one frontage, the largest frontage with a public entrance shall be used.

“Frontage road.” A roadway contiguous to and generally paralleling a state of Washington limited access highway, so designed as to intercept, collect, and distribute traffic desiring to cross, enter, or leave such facility and to furnish access to abutting property.

“Frontage, street.” The street frontage is the length of the front lot line, or in the case of a corner lot, the front lot line plus the corner side lot line.

“Funeral home.” Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead, except that crematories are prohibited.

“Fueling station.” Establishments engaged in the retail sale of gas or diesel fuel, lubricants, parts, and accessories, and/or rapid charging of electric vehicles. This classification includes customary incidental activities when performed in conjunction with the sale of fuel, such as vehicle maintenance and repair, vehicle washing, and electric vehicle battery swap-out, but excludes body and fender work or repair of heavy trucks or vehicles.

13.01.060.G

“Gable.” The triangular end of an exterior wall above the eaves.

“Garage, private.” An accessory building, detached or part of the main building, for the parking or storage of automobiles belonging to the occupants of the premises.

“Genus” (pl. genera). A group of plants within a family that is morphologically similar and contains one or more species.

“Glare.” Unwanted light that causes eyestrain, discomfort, nuisance, or adversely affects a visual task.

“Golf course.” A facility providing a private or public golf recreation area that is designed for executive or regulation play, generally consisting of tees, greens, fairways, and hazards, along with customary golf support facilities, such as a clubhouse, restrooms, locker rooms, related retail sales, and eating and drinking. This use does not include standalone miniature golf courses or driving ranges (see “Commercial recreation and entertainment”), but may include those as accessory components of the overall golf course facility.

“Government offices.” Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

“Grade.” The elevation of the ground surface around a building.

“Green Hydrogen.” Hydrogen produced through electrolysis powered by renewable electricity, specifically including hydroelectric power.

“Green roof.” See Vegetated roof.

“Greenhouse gas emissions.” Gases that trap heat in the atmosphere. "Greenhouse gas," "greenhouse gases," "GHG," and "GHGs" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and any other gas or gases designated by the federal clean air act (United States Code Title 42, Chapter 85), state clean air act (Chapter 70.94 RCW) or state limiting greenhouse gas emissions law (Chapter 70.235 RCW).

"Greenhouse gas emissions – Facility emissions.” Means greenhouse gas emissions associated with fossil fuel refineries, processing, or fossil fuel transshipment facilities based upon the refining and processing of fossil fuels located within the Port of Tacoma Manufacturing and Industrial Center.

“Greenhouse gas emissions – Lifecycle emissions.” The aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions), related to the full fuel lifecycle, including all stages of fuel and feedstock production and distribution, from feedstock generation or extraction through the distribution and delivery and use of the finished fuel to the ultimate consumer, where the mass values for all greenhouse gases are adjusted to account for their relative global warming potential.

“Grocery store, full service.” A grocery store that sells a broad range of food products that typically include fresh meats, canned and prepared foods, fresh fish, fresh eggs, fresh produce, fresh dairy products, frozen foods, and baked goods.

“Groundcover.” Low and dense growing plants that cover the ground in place of turf, planted for ornamental purposes or to prevent soil erosion. Turf lawn and mulch do not count as groundcover.

“Group housing.” A residential facility designed to serve as the primary residence for individuals, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit. This classification includes uses such as convents and monasteries but does not include uses that are otherwise classified as special needs housing or student housing.

13.01.060.H

“Hazard Tree.” As defined by the Pacific Northwest Chapter of the International Society of Arboriculture, a hazard tree, or a hazardous component, exists when the sum of the risk factors assessed equals or exceeds a predetermined threshold of risk. Below that threshold, the tree (or component parts) is not considered to be a hazard.

“Hazardous substance.” Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, which exhibits any of the characteristics or criteria of hazardous waste.

“Hazardous waste.” All dangerous and extremely hazardous waste as defined in RCW 70.105.010.

“Hazardous waste storage.” The holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

“Hazardous waste treatment.” The physical, chemical, and biological processing of dangerous waste to make such waste not dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

“Hazardous waste treatment and storage (off-site).” Facilities which treat and store hazardous wastes from generators on properties other than those on which the off-site facilities are located.

“Hazardous waste treatment and storage (on-site).” Facilities which treat and store hazardous wastes generated on the same, geographically contiguous, or bordering property.

“Hearing Examiner.” The Hearing Examiner as established by Chapter 1.23 of the Tacoma Municipal Code.

“Heavy vehicle and driver services.” The transportation of goods and people using large vehicles, such as tractor-trailers and buses, and uses or facilities that provide these services.

“Helipoint.” An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

“Home occupation.” A business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

“Hospitals.” Medical facilities, licensed by the Department of Health Services, the Committee on Accreditation of Rehabilitation Facilities, the Department of Aging, or other similar organizations, for the provision of surgery, rehabilitation and physical care, acute psychiatric care, chemical dependency, and substance abuse on an out-patient basis, including ancillary nursing, training, and administrative facilities. Such facilities are generally licensed by the state under the provisions of RCW 70.41.

“Hotel or Motel.” A building or group of buildings in which lodging or lodging and meals are provided for transient or semi-permanent guests, or both, for compensation, and in which there are ten or more guest rooms.

13.01.060.I

“Illumination, direct.” Illumination by means of light that travels directly from its source to the viewer’s eye.

“Illumination, indirect.” Illumination by means only of light cast upon an opaque surface from a concealed source.

“Industry, heavy.” Manufacturing of any and all parts or products, provision of industrial services, and commercial production and sale of goods and services. This classification includes, but is not limited to, basic industrial processing from raw materials, food processing, industrial boatyards, industrial recycling facilities, scrap metal yards, CDL waste recycling facilities, port/terminal uses, log yards, sawmills, chemical plants, hulk hauling yards, wrecking yards, and bulk or raw materials storage.

“Industry, light.” Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services, both within an enclosed building. This classification includes commercial bakeries, dry cleaning plants, lumber yards, retail storage, and businesses engaged in processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, food processing, log yards, bulk storage, and raw materials storage.

“Intermediate care facility.” A facility that provides, on a regular basis, assistance with one or more Activities of Daily Living (“ADL”) such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, including persons with functional disabilities, needing health-related care and services, but who do not require the degree of care and treatment that a hospital or extended care facility provides. Such facility requires a state boarding home license. This use includes assisted living facilities, but does not include adult family homes, staffed residential homes, or residential care facilities for youth.

“Invasive species.” A plant species that has a negative environmental, economical, recreational, and/or public health impacts that overcome native plants or ornamental landscaping for resources. For a current listing of Pierce County Invasive/Noxious weeds consult the Pierce County Noxious Weed Control Board.

13.01.060.J

“Joint Base Lewis McChord (“JBLM”) Joint Land Use Study.”⁴ A collaborative process among local, state, and regional jurisdictions; the public; federal, state, and regional agencies; and military installations within the South

⁴ Code Reviser’s note: Relocated from 13.06.585.C., Definitions, per Ord. 28613 Ex. G.

Puget Sound region that presents recommendations for consideration by local and state governments that promote development compatible with military presence and protecting public health, safety, and welfare while also protecting the ability of the military to accomplish its vital training and operational missions presently and over the long-term.

“JBLM Accident Potential Zone II (“APZ II”).”⁵ Clear Zones and Accident Potential Zones (“APZs”) are areas where the potential for aircraft accidents has been identified through the Air Installation Compatible Use Zone (“AICUZ”) program of the U.S. Air Force. The APZ II designation has a lower accident potential than either the Clear Zone or APZ I, but still is considered high enough to warrant land use restrictions to promote public safety.

“Juvenile community facility.” A group care facility for the care of juveniles committed to the physical custody of the Washington State Department of Social and Health Services under the Juvenile Justice Act of 1977. A county detention facility that houses juveniles is not a juvenile community facility. Nothing in this section precludes placement in a juvenile community facility of children who would otherwise be eligible for placement in a community care facility for youth, a residential care facility for youth, or a staffed residential home as defined herein.

13.01.060.K

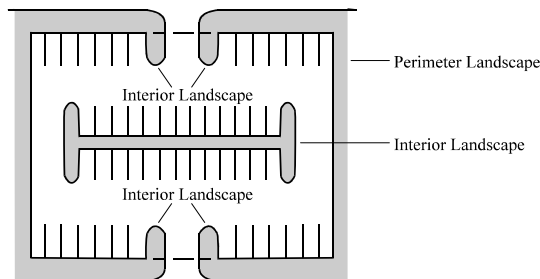
“Kennel.” A building, enclosure, or portion of any premises in or at which dogs or cats are kept or maintained by any person other than the owner thereof, as defined in Title 17 of the Tacoma Municipal Code.

13.01.060.L

“Laboratories.” Establishments providing medical or dental laboratory services, scientific research, pharmaceutical research laboratories (including limited product testing) or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. This classification excludes manufacturing, except of prototypes. (Other laboratories are classified as limited industry.)

“Landscape.” To plant and maintain some combination of trees, ground cover, shrubs, vines, flowers, or lawn. Required landscaping may include natural features such as existing or imported rock and structural features including fountains, pools, art work, screens, walls, fences, or benches. A landscaped area may also include a walkway or concrete plaza if it is an integral part of the elements of landscaping described above. Plants on rooftops, porches, or in boxes attached to buildings are not considered landscaping.

“Landscaping, interior.” A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).



LANDSCAPING: INTERIOR/EXTERIOR

“Landscaping, perimeter.” A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

[“Laundry and dry cleaning plant.” A building or portion of a building, or premises, used or intended for cleaning fabrics, textiles, wearing apparel, or articles of any sort that are cleaned by process of immersion or agitation in volatile solvents, petroleum distillates, and chlorinated hydrocarbons.](#)

⁵ Code Reviser’s note: Relocated from 13.06.585.C., Definitions, per Ord. 28613 Ex. G.

“Light rail street.” A street either containing public light rail transportation or planned for such transportation as evidenced by a public transportation agency.

“Live/work.” A dwelling or sleeping unit in which up to 50 percent of the space includes a commercial business use. The business owner lives in the residential space.

“Loading space.” An off-street space, having a paved surface, within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials and which has direct access to a street or alley.

“Log yard, lumber yard, sawmill.” Any area or situation used primarily for the receipt, storage, sorting and preparation of logs immediately before entry to a sawmill. A sawmill is a factory in which logs are sawed into lumber by machine, typically including debarking, sawing, and sawdust handling.

“Lot.” A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

“Lot, corner.” A lot abutting upon two or more streets at their intersection.

“Lot frontage.” That portion of a lot abutting upon a public or private street or way or permanent access easement including an officially approved accessway.

“Lot, interior.” A lot other than a corner lot.

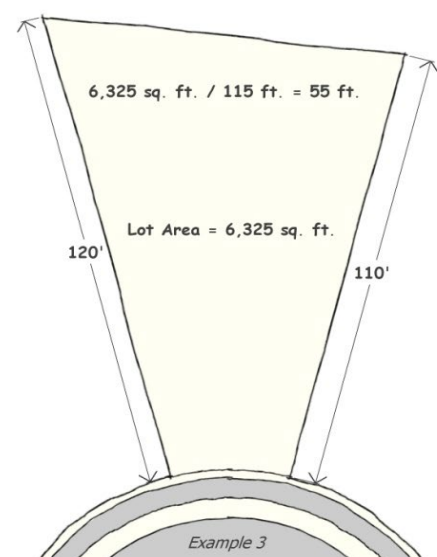
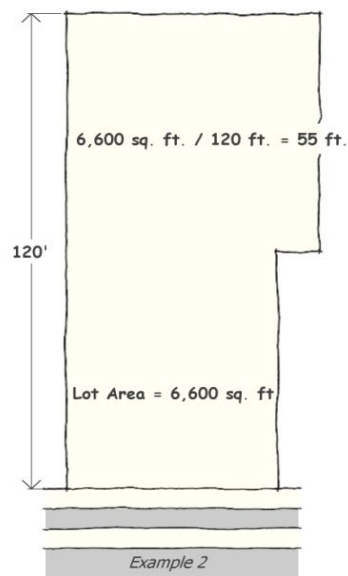
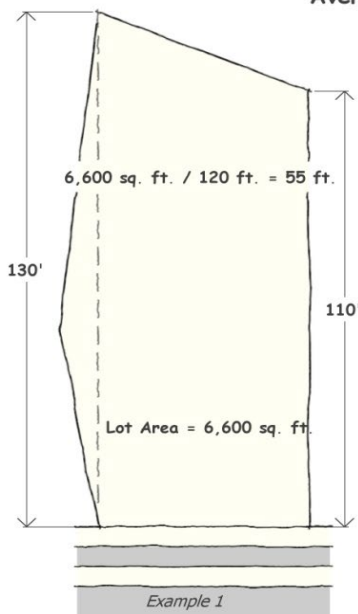
“Lot line.” A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

“Lot of record.” A single platted lot which is a part of a plat which has been recorded as required by the laws of the state of Washington, in the office of the Pierce County Auditor.

“Lot, through.” A lot having frontage on two parallel or nearly parallel streets.

“Lot width, average.” The average width of a lot shall be considered to be the average horizontal distance between the side lot lines. It shall be calculated by dividing the lot area by the average lot depth. (See examples, below.) For properties where the front and rear lot lines are not parallel, the average lot depth shall be calculated as the average of the length of the two straight lines drawn between the foremost points of the side lot lines in front (where they intersect with the front lot line) and the rearmost points of the side lot lines in the rear (where they intersect with the rear lot line). (See examples 1 and 3, below)

$$\text{Average Lot Width} = \text{Lot Area} / \text{Average Lot Depth}$$



“Low Impact Development.” A stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of onsite natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

“Low Impact Development Best Management Practices” (LID BMPs). Distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout infiltration and dispersion, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water reuse. LID BMPs shall be designed in accordance with the Stormwater Management Manual.

“Low Impact Development Principles.” Land use management strategies that emphasize conservation, use of onsite natural features, and site planning to minimize impervious surfaces, native vegetation loss and stormwater runoff.

13.01.060.M

“Main building and principal use.”

1. Building. The primary building or other structure on a lot designed or used to accommodate the principal use to which the premises are devoted. Where a principal use involves more than one building or structure designed or used for the principal use, as in the case of group dwellings, each such permitted building or structure on a lot defined by this chapter shall be construed as comprising a main building or structure.
2. Use. The main or primary purpose for which a building, other structure, and/or lot is designed, arranged, or intended, or for which they may be lawfully used, occupied, or maintained under this chapter.

“Mansard roof.” A roof with two slopes or pitches on each of the four sides, the lower slopes steeper than the upper.

“Marijuana.” As defined in RCW 69.50.101 and provided herein for reference. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

“Marijuana Cooperative” (or “Cooperative”). As regulated by RCW 69.51A.250 and provided herein by reference, qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative.

“Marijuana processor.” As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana producer.” As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

“Marijuana researcher.” As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

“Marijuana-infused products.” As defined in RCW 69.50.101 and provided here for reference. Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana.

“Marijuana retailer.” As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

“Massing study.” A massing study is an architectural method to visualize the way that the shape and size of buildings will impact the neighborhood and site character. Massing refers to the general shape and size of buildings. A massing study shall detail the building bulk, height and articulation on the site as well as the site setbacks, yards and open spaces.

“Mature or maturity, tree.” A tree that has achieved at least 75 percent of its anticipated crown growth or a tree that is over 15 years of age.

“Microbrewery/winery.” An establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, or wine, and which may include accessory uses such as tours of the microbrewery/winery, retail sales, and/or on-site consumption, e.g., “taproom.” This classification allows a microbrewery to sell beer/wine at retail and/or act as wholesaler for beer/wine of its own production for off-site consumption with appropriate state licenses.

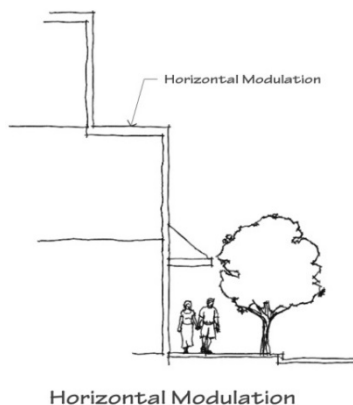
“Mining and Quarrying.” The Mining, Quarrying, and Oil and Gas Extraction sector comprises establishments that extract naturally occurring mineral solids, such as coal and ores; liquid minerals, such as crude petroleum; and gases, such as natural gas. The term mining is used in the broad sense to include quarrying, well operations, beneficiating (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. This use category includes all industry sectors identified under NAICS Code 21 Mining, Quarrying, and Oil and Gas Extraction as well as surface mining as defined in TMC 13.01.060.S.

“Mixed-rate housing.” Includes both affordable and market-rate housing units in the same housing or mixed-use development.

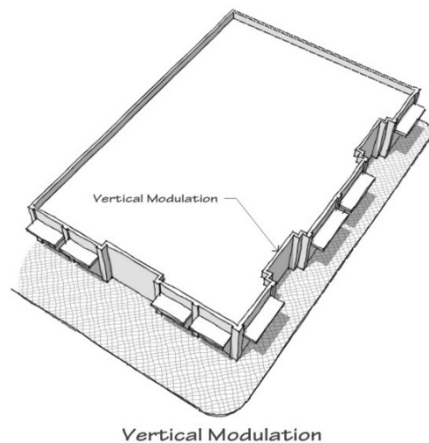
“Mobile home/trailer court” or “mobile home park.” Any real property which is rented or held out for rent to others for the placement of two or more mobile homes/trailers for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

Modification (wireless communication facility). The changing of any portion of a wireless communication facility from its description in a previously approved permit. Examples include, but are not limited to, changes in design and the addition of an antenna to the site.

“Modulation, horizontal.” The horizontal stepping back of one or more upper levels of a building from the façade (see diagram below).



“Modulation, vertical.” A stepping back or projecting forward of vertical walls of the building face as a means of breaking up the apparent bulk of a structure's continuous exterior walls (see diagram below).



“Mount” (wireless communication facility). The structure or surface upon which the wireless communication facilities are mounted. There are three types of mounts:

1. Building mounted. A wireless communication facility mount fixed to the roof or side of a building.
2. Ground mounted. A wireless communication facility mount fixed to the ground, such as a tower.
3. Structure mounted. A wireless communication facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.

“Mural.” A decorative design or scene intended to provide visual enjoyment this is painted or placed on an exterior building wall. A mural contains no commercial messages, logo or corporate symbol.

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“Neutral surface” (for purposes of the sign regulations). The building surface, cabinetry, and opaque surfaces which are not an integral part of the sign message.

“Normal maintenance and repair.” “Normal maintenance” includes those usual acts designed to keep a building, structure, or site, or portion thereof, in a sound condition and operation. “Normal repair” includes those usual acts designed to restore a building, structure, or site, or portion thereof, to a state comparable to its original condition within a reasonable period after decay or partial destruction. Maintenance or repair does not include acts that would noticeably change the size, shape, location, external appearance, potential impacts, or character of existing development.

“Nonconforming building or structure.” A lawfully established building or structure which, on the effective date of this title or the effective date of any amendment to this title, was not in conformance with the height, area, or parking requirements of the zone classification upon which said building or structure is located.

“Nonconforming use.” A use which lawfully occupied a building or land at the time this chapter became effective and which does not conform with the use regulations of the district in which it is located, as provided by this chapter and any amendment hereto.

“Noxious weed.” A plant that, once established, is highly destructive, competitive, and difficult to control using cultural or chemical practices. For a current listing of Pierce County Invasive/Noxious weeds consult the Pierce County Noxious Weed Control Board.

“Nurseries.” Establishments primarily engaged in the retail sale of plants grown elsewhere. Merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and compost, mulch, soil additives, and fertilizer of any type are stored and sold in package form only.

“Nursing home.” See “extended care facility.”

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“Occupancy.” Means the purpose for which a building, or part thereof, is used or intended to be used.

“Office.” Offices of firms or organizations providing medical, professional, executive, management, or administrative services. This classification includes offices for a physician, dentist, chiropractor, massage therapy, and acupuncture; laboratories; emergency medical care; architectural; computer software consulting; data management; engineering; interior design; graphic design; real estate; insurance; investment; banks and savings and loan associations; government offices; and law offices.

“Officially approved accessway.” A public or private street or way or permanent access easement, which does not conform to the minimum requirements of the Major Street Plan and the specifications of the City of Tacoma, and, which has been officially approved, as identified in Section 13.04.140, by the City as providing a proper and adequate principal access to the property it is intended to serve.

“Open space.” Land undeveloped with structures which may be managed or utilized for a variety of purposes. The term open space is employed differently in different code sections, generally either to refer to public or quasi-public land maintained for its natural features (see Parks, recreation and open space definition), or to an area within subdivisions or developments which provides a separation between structures, a buffer between different uses, recreation opportunities or similar functions.

“Outdoor storage.” Exterior display of materials or storage outside of a building of material not intended for immediate sale or exhibition, including retail storage, log and lumber yards, bulk storage, contractor’s equipment yards, raw materials storage, etc.

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“Parapet.” A protective railing, false front, or low wall along the edge of a roof, balcony or terrace and extending above the roof line, generally provided for decorative, drainage control, and/or fire separation purposes.

“Parcel.” A single platted or unplatted lot, or contiguous lots, or tract of land having the same Pierce County Assessor’s tax identification number. A parcel is usually considered a unit for the purposes of development.

“Parcel and mail services.” A use which provides for the preparation of parcels and packages for shipping, delivery, and mailing for walk-in clientele.

“Parks, recreation and open space.” Metropolitan Park District, City of Tacoma, or other public/quasi-public parks, playgrounds, community gardens, and active-use open spaces, including commonly associated uses and features such as recreation facilities and community centers; and, undeveloped, passive use public or quasi-public open space lands maintained primarily in a natural state for their conservation, aesthetic and other open space benefits. Open space may be enhanced with low-impact public access features such as trails and viewpoints, on-site parking, small buildings such as storage structures, bathrooms or picnic shelters, or interpretive signage and other limited improvements, and in some cases may serve additional public purposes.

“Parking aisles.” A maneuvering area for ingress and egress to a parking space in a parking area.

“Parking area.” An open, off-street area used for the parking of five or more motorized vehicles, trailers, or a combination of motorized vehicles and trailers. The term parking lot may be used as well. Differs from vehicle storage in that a majority of vehicles enter and exit daily under unassisted operation of individual drivers not necessarily in the employment of the site or an affiliated operation.

“Parking space.” An off-street area for the parking or storage of one automobile that is unobstructed and readily accessible to an alley or a street.

“Passenger terminal.” Public or publicly regulated facility for passenger transportation services and operations. This classification includes railroad passenger terminals, rapid rail or street railway passenger terminals, bus passenger terminals, multi-modal transportation passenger terminals, or any combination of the above. Typical activities include ticketing, waiting, boarding, baggage and parcel handling, transport, and temporary storage of transit vehicles and equipment. Passenger terminals may include park-and-ride facilities, bicycle facilities, and pedestrian linkages at, above, or below grade (including sky-bridges and/or tunnels within City rights-of-way). Accessory uses may include indoor and/or outdoor retail sales, food and drink sales or other service operations within or adjacent to the terminal.

“Pawn shops.” Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property. (See “retail sales.”)

“Peak.” The uppermost point of a gable or the uppermost point of a parapet designed to mimic the shape of a gable.

“Permanent Roadway.” Roadway constructed with a designed full depth subgrade and road surface section with an established curb and gutter alignment.

“Permeable pavement.” Pervious concrete, permeable pavers, or other forms of pervious or porous paving material effectively allowing the passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

“Person.” Person shall mean and include a person, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.

“Person with functional disabilities.” A person who, because of recognized chronic physical or mental condition or disease, is functionally disabled to the extent of: (a) needing care, supervision, or monitoring to perform activities of daily living or instrumental activities of daily living; (b) needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; (c) having physical or mental impairment which substantially limits one or more of such person’s major life activities; or (d) having a record of having such an impairment or being regarded as having such an impairment. Such term does not include persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, being a sex offender pursuant to RCW 9A.44.130, being a person currently using illegal drugs, or being a person who has been convicted of the manufacture or sale of illegal drugs.

“Personal services.” Provision of recurrently needed services of a personal nature. This classification includes services such as barber and beauty shops, tanning, seamstresses, tailors, shoe repair, dry cleaning agencies (excluding plants), photocopying, and self-service laundries; provision of instructional services or facilities such as photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, and fitness studios.

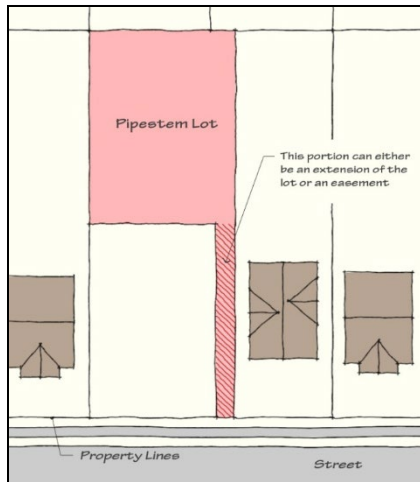
“Petroleum.” Crude oil, petroleum products and byproducts, and gaseous hydrocarbons and byproducts.

“Petroleum Fuel Facility.” This definition includes the following facilities:

- Petroleum fuel refinery;
- Terminals engaged in the bulk movement of petroleum fuels (excluding railyards and marine fueling facilities);
- Natural gas processing: any facility which (i) separates natural gas components to recover usable natural gas liquids (i.e., liquefied petroleum or natural gas), or (ii) produces natural gas suitable for transport (i.e., pipeline quality dry natural gas), or (iii) processes natural gas to create methanol or other chemical products.
- Bulk storage and processing of one type of petroleum fuel, or a combination of multiple types of petroleum fuels, in excess of one million gallons.

“Petroleum – Storage Capacity.” Gallons of petroleum capable of being stored within the entirety of the applicant’s facility for purposes of measuring expansion as allowed herein.

“Pipestem lot.” An interior lot in which the buildable area is not bound laterally by a public or private road, and which gains access by means of a lot extension, a driveway easement, or the terminus of a private or public road. Also commonly referred to as flag lots or panhandle lots (see diagram below).



“Plants; Plant; Plant Material.” These terms refer to vegetation in general, including trees, shrubs, vines, groundcovers, ornamental grasses, bulbs, corms, tubers, or herbaceous vegetation.

“Playground.”⁶ A public outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a city, county, state, or federal government, or a metropolitan parks district.

“Police Sector.” Areas created by the Tacoma Police Department to support its Community Policing Division, which focuses on proactive policing in partnership with the community.

“Provider” (wireless communication facility). Every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity, and individual that provides wireless communication services over wireless communication facilities.

“Public benefit use.” Public benefit uses shall include any of the following uses, whether operated by a for-profit, non-profit, or faith-based organization:

1. Day care available to the general public
2. Human services, such as employment counseling and walk-in clinics
3. Recreation, such as health clubs
4. Community meeting rooms
5. Cultural institutions
6. Drop-in centers for youth or seniors

“Public facility site.” A public or quasi-public site developed with a facility that provides service to the general public, and is funded in whole or part with public funds. This definition may include, but is not limited to schools, public libraries, community centers, public parks, government facilities, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility. This general classification does not include other government facility sites that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, and utilities.

“Public service facilities.” Facilities owned, operated, or occupied by a government agency that provide a governmental service to the public, such as public libraries, courthouses, post offices, community centers, government offices, police and fire protection, and ambulance services. This general classification does not include

⁶ Code Reviser’s note: Relocated from 13.06.565.B., per Ord. 28613 Ex. G.

other government facilities that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, and utilities.

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“Recreation center or facility.”⁷ A supervised center that provides a broad range of activities and events intended primarily for use by persons under twenty-one years of age, owned and/or managed by a charitable nonprofit organization, city, county, state, or federal government, or a metropolitan parks district.

“Regional Public Convention & Entertainment Facility.” Any facility, funded in whole or part with public funds, which provides convention and/or entertainment services for the greater region. These facilities are typically located on 10 acre or larger sites and are comprised of convention centers, stadiums, or similar facilities.

“Religious assembly.” Facilities where persons regularly assemble for religious worship, such as churches, temples, and synagogues, that are maintained and controlled by a religious body, together with their customary accessory buildings and uses, such as incidental religious education, but not including private schools.

“Repair services.” Establishments providing repair services for personal items and small equipment, such as appliance and office machine repair or building maintenance services. This classification excludes maintenance and repair of vehicles, including lawnmowers (see “vehicle service and repair”). Repair and storage (including display and sales) shall be located entirely within the building.

“Replacement value.” The value of a building as calculated using the latest “Evaluation Table” printed in the Building Standards magazine, published by the International Conference of Building Officials, based on the existing occupancy and the most closely appropriate type of construction.

“Research and development industry.” Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial, or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

“Residential care facility for youth.” A facility, licensed by the state, that provides 24-hour care for persons who are 18 years of age or younger, with or without functional disabilities, that has not been licensed by the state as a staffed residential home. Such facilities may, in addition to providing food and shelter, provide some combination of assistance with Activities of Daily Living (“ADL”), such as bathing, toileting, dressing, personal hygiene, mobility, transferring, and eating, and additional services such as social counseling and transportation. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.

“Residential chemical dependency treatment facility.” A residential facility, licensed by the state, that provides chemical dependency treatment and includes room and board in a twenty-four-hour-a-day supervised facility.

“Retail.” Establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, bank branches, furniture stores, pawn shop, pharmacies, and businesses retailing the following goods as examples: toys, hobby materials, food and beverages sales (including catering and commissary kitchens), hand-crafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, baseball cards, coins, comics, paint and wallpaper, carpeting and floor covering, medical supplies, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

“Retirement home.” A multiple-family dwelling, a complex of dwellings, an apartment hotel or a complex of apartment hotels and/or boarding houses operated primarily as a residence for retired persons. Depending on the level of care provided, such facilities may or may not require state licensing. Such an establishment may include the following accessory facilities for the exclusive use of its residents and their guests:

1. Food preparation, service, and storage on a group basis;
2. Indoor and outdoor recreation facilities;
3. Religious assembly facilities;

⁷ Code Reviser’s note: Relocated from 13.06.565.B., per Ord. 28613 Ex. G.

4. Medical and nursing facilities for the care of temporary and permanent illness;
5. Administrative offices and staff quarters;
6. Commissary facilities;
7. Common lobby and lounge areas.

“Roof line or ridge line.” The top edge of the roof or top of a parapet, whichever forms the top line of the building silhouette, excluding any cupola, pylon, chimney, mechanical equipment, or other minor projection.

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“School, public or private.” Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

“Screening.” A continuous fence, wall, or evergreen hedge supplemented with landscape planting of grass, shrubs, or evergreen ground cover, or a combination thereof, that effectively screens visually the property which it encloses, and which is at least four feet high and is broken only for accessways.

“Searchlight.” An apparatus for projecting a beam or beams of light.

“Seasonal sales.” Temporary sales, usually outdoors and independent of another use, of merchandise for the celebration of certain seasons. These include items such as Christmas trees and pumpkins.

“Security barrier” (wireless communication facility). A wall, fence, or berm that has the purpose of sealing a wireless communication facility from unauthorized entry or trespass.

“Self-storage.” Any real property designated and used for the purpose of renting or leasing separate storage spaces to individuals or businesses.

“Setback line.” A line within a lot parallel to a corresponding lot property line, which is established to govern the location of buildings, structures, or uses. Where no minimum front, side, corner side, or rear yard setbacks are specified, the setback line shall be coterminous with the corresponding lot line.

“Shopping center.” A unified grouping of two or more commercial establishments, such as retail, eating and drinking, office, and personal service uses, which are located on a single site with common/shared parking facilities. Shopping centers may occupy a single structure or separate structures that are physically or functionally related, but establishments with accessory uses, such as a grocery store with an accessory coffee shop, are not, by themselves, considered a shopping center. A shopping center may include pads for future buildings.

“Short-term rental.” The rental of not more than nine guest rooms within an owner occupied dwelling, or the rental of an entire dwelling to a family, as defined in TMC 13.01, for less than thirty days at a time. This use includes bed and breakfast, but does not include home exchange (“home swapping”) or units in a multifamily development reserved for guest(s) of the residents.

“Shrub.” Any woody perennial plant that is generally less than fifteen feet in height at maturity.

“Sign.” Any materials placed or constructed, or light projected, that (a) convey a message or image, and (b) are used to inform or attract the attention of the public, but not including any lawful display of merchandise. Some examples of “signs” include placards, A-boards, posters, murals, diagrams, banners, flags, billboards, or projected slides, images or holograms. The applicability of the term “sign” does not depend on the content of the message or image conveyed.

“Sign, abandoned.” A sign that no longer correctly directs any person or advertises a bona fide business, lessor, owner, product, or activity conducted or available on the premises where such sign is located.

“Sign, A-Board.” A sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground. Also commonly known as sandwich board signs.

“Sign, animated.” A sign that uses movement by electronic means to depict action or create a special effect or scene, as with video or a series of moving lights.

“Sign, architectural blade.” A sign structure which is designed to look as though it could have been part of the building structure, rather than something suspended from or standing on the building.

“Sign area.” The total area of a sign, as measured by the perimeter of the smallest rectangle enclosing the extreme limits of the letter, module, or advertising message visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, decorative features, or framework which contains no written or advertising copy. (Includes only one side of a double-faced sign, unless noted otherwise.)

1. Individual letter signs, using a wall as the background without added decoration or change in wall color, shall be calculated by measuring the smallest rectangle enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.
2. For a multiple face sign, the sign area shall be computed for the largest face only. If the sign consists of more than one section or module, all areas will be totaled.
3. Neutral surfaces (i.e., graphic design, wall murals and colored bands), shall not be included in the calculation. (See definition of “Neutral Surface.”)
4. The area of all regulated signs on a business premises shall be counted in determining the permitted sign area.

“Sign, banner.” A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

1. Commercial banner. A banner used for commercial purposes, which includes “For Lease,” “Grand Opening,” “Sale,” etc.
2. Cultural, civil, and educational banner. A banner used for cultural, civic, or educational events, displays, or exhibits.

“Sign, billboard.” See 13.01.060.B, above.

1. Poster panels or bulletins normally mounted on a building wall (“wall-mounted billboard” or “building-mounted billboard”) or freestanding structure (“freestanding billboard”) with advertising copy.
2. Painted bulletins, where the message of the advertiser is painted directly on the background of a wall-mounted or freestanding display area.

“Sign, blade.” A double-faced sign intended for pedestrian viewing installed no higher than the top of the first floor of a building and generally perpendicular to the building façade for which it identifies.



“Sign, canopy (or awning).” A sign affixed to the surface of a canopy, awning, marquee, or similar feature and which does not extend vertically or horizontally beyond the limits of such feature, but does not include a projecting roof.

“Sign, center identification.” Any sign which identifies a shopping center, industrial center, or office center by name, address, or symbol. Center identification signs may also identify individual businesses and activities located within the center.

“Sign, changing message center.” An electronically controlled sign, message center, or readerboard where copy changes are shown on the same lamp bank or screen.

“Sign, changeable copy (manual).” Any sign that is designed so that characters, letters, or illustrations can be changed or rearranged by hand, without altering the face or the surface of the sign (i.e., readerboards with changeable pictorial panels).

“Sign, construction.” A temporary sign giving the name or names of principal contractors, architects, lending institutions, or other persons or firms responsible for construction on the site where the sign is located, together with other information included thereon.

“Sign, corporate logo.” A logo sign consists of a symbol or identifying mark(s) used as part of a corporation identification scheme that is meant to identify a corporation, company, or individual business or organization. Internally illuminated cabinet signs shall not be allowed for use as a logo sign above 35 feet in any of the downtown districts.

“Sign, directional.” Any sign which serves solely to designate the location of any place, area, or business within the City limits of Tacoma, whether on-premises or off-premises.

“Sign, directory.” A sign on which the names and locations of occupants or the use of a building is given.

“Sign, electrical.” A sign or sign structure in which electrical wiring, connections, and/or fixtures are used as any part of the sign.

“Sign, feather.” A portable freestanding type sign, affixed to a light weight pole, intended to advertise temporary promotions, services, and events.



“Sign, flashing.” An electrical sign or portion which changes light intensity in sudden transitory bursts, but not including signs which appear to chase or flicker and not including signs where the change in light intensity occurs at intervals of more than one second.

“Sign, freestanding.” A permanently installed, self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.

“Sign graphics.” An aggregate of designs, shapes, forms, colors, and/or materials located on an exterior wall and relating to or representing a symbol, word, meaning, or message.

“Sign, ground.” A sign that is six feet or less in height above ground level and is supported by one or more poles, columns, or supports anchored in the ground.

“Sign height.” The vertical distance measured from the adjacent grade at the base of the sign to the highest point of the sign structure; provided, however, the grade of the ground may not be built up in order to allow the sign to be higher.

“Sign, identification or directory.” A combination sign used to identify numerous buildings, persons, or activities which relate to one another, which is used as an external way-finding for both vehicular and pedestrians traffic.

“Sign, illuminated.” A sign designed to give forth any artificial or reflected light, either directly from a source of light incorporated into or connected with such sign or indirectly from a source intentionally directed upon it, so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.

“Sign, incidental.” A small sign intended primarily for the convenience and direction of the public on the premises, which does not advertise but is informational only, and includes information which denotes the hours of operation, telephone number, credit cards accepted, sales information, entrances and exits, and information required by law. Incidental information may appear on a sign having other copy as well, such as an advertising sign.

“Sign, interpretive.” A sign designed to impart educational, instructive, or historic information, or to identify parks or other public recreational facilities.

“Sign landscaping.” Any material used as a decorative feature, such as planter boxes, pole covers, decorative framing, and shrubbery or planting materials, used in conjunction with a sign, which expresses the theme of the sign but does not contain advertising copy.

“Sign, mechanized.” A sign which uses natural or mechanical means to physically move all or part of the sign structure.

“Sign, nonconforming.” A nonconforming sign shall mean any sign which does not conform to the requirements of this Chapter.

“Sign, off-premises.” A permanent sign not located on the premises of the use or activity to which the sign pertains.

“Sign, on-premises.” A permanent sign located on the premises of the use or activity to which the sign pertains.

“Sign, political.” A temporary sign which supports the candidacy of any candidate for public office or urges action on any other matter on the ballot in a primary, general, or special election.

“Sign, portable.” Any sign not permanently attached to the ground or a building. (Includes A-frame, sandwich boards, and portable readerboards.)

“Sign, projecting.” A sign, other than a wall sign, which is attached to and projects from a structure or building face.

“Sign, public information.” A sign erected and maintained by any governmental entity for traffic direction or for designation of, or direction to, any school, hospital, historical site, or public service, property, or facility. Public signs include those of such public agencies as the Port of Tacoma, Pierce Transit, the Tacoma School District, and the MetroParks Tacoma.

“Sign repair.” To paint, clean, or replace damaged parts of a sign, or to improve its structural strength, but not in a manner that would change the size, shape, location, or character.

“Sign, roof sign.” Any sign erected upon, against, or directly above a roof or parapet of a building or structure.

“Sign, rotating.” Any sign or portion thereof which physically revolves about an axis.

“Sign structure.” Any structure which supports, has supported, is designed to support, or is capable of supporting a sign, including a decorative cover.

“Sign, swinging.” A sign installed on an arm or spar that is fastened to an adjacent wall or upright pole, which sign is allowed to move or swing to a perceptible degree.

“Sign, temporary off-premises.” An off-premises advertising sign attached to temporary fencing during the time of construction.

“Sign, temporary.” A sign, banner, balloon, feather sign, pennant, valance, A-board, or advertising display constructed of cloth, canvas, fabric, paper, cardboard, plywood, wood, wallboard, plastic, sheet metal, or other similar light material, with or without a frame, which is not permanently affixed to any sign structure and which is intended to be displayed for a limited time only.

“Sign, under-canopy.” Signs or other information-conveying devices that are affixed to the underside of a canopy, awning, marquee, or similar feature and project down from the bottom of the feature.

“Sign, unlawful.” Any sign which was erected in violation of any applicable ordinance or code governing such erection or construction at the time of its erection, which sign has never been in conformance with all applicable ordinances or codes.

“Sign, wall.” A sign painted on or attached to or erected against the wall of a building with the face in a parallel plane of the building wall. Also known as a fascia sign.

“Sign, warning.” Any sign which is intended to warn persons of prohibited activities such as “no hunting” and “no dumping.”

“Sign, window.” A sign painted on, affixed to, or installed inside a window for purposes of viewing from outside the premises.

“Smelting.” Smelting is a process of applying heat to ore in order to extract a base metal. It is a form of extractive metallurgy. It is used to extract many metals from their ores, including silver, iron, copper, and other base metals. This use category includes all smelting activities identified in NAICS codes 331411, 331313, and 331410.

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

“Stable, private.” A detached accessory building for the keeping of horses owned by the occupants of the premises and which are not kept for remuneration, hire, or sale.

“Stacking lane.” A driving lane, associated with a drive-thru, in which cars line up while waiting for service.

“Staffed residential home.” A home, licensed by the state, providing 24-hour care for six or fewer children or expectant mothers, 17 years or younger, with or without functional disabilities. The home employs staff to care for children and may or may not be a family residence. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.080.H, Juvenile Community Facilities.

“Storage, general.” Any real property designed and used for the purpose of renting or leasing storage space to individuals or businesses, for the purpose of indoor dead storage of personal items or business inventory and supplies. This may include self-storage or businesses where storage is provided as a service.

“Street.” A thoroughfare which provides the principal means of access to abutting property.

“Storage of bulk or raw materials.” The use of a portion or entire parcel or lot for storage of uncontained or open solid materials, typically for materials that will be subsequently used in the production and manufacture of other products.

“Story.” That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

“Story, half.” A story which, by reason of a sloping roof, has not more than one-half of the habitable space of the floor next below it.

“Structure.” That which is built or constructed and located on the ground.

“Structural alterations.” Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

“Student housing.” A residential facility occupied by and maintained exclusively for students that is affiliated with a professional college or university, or other recognized academic institution. These facilities are generally owned and operated by the associated institution and located on the institution’s campus. This classification includes uses such as dormitories, fraternity houses, and sorority houses.

“Substance abuse facility.” (See “Drug rehabilitation facility”).

“Substantial connection.” A substantial connection is a common covered structure whose roof extends between two structures, the width of which is at a minimum 50% of the width of one of the structures, and which utilizes a roof style, structure, and finishing materials that tie into the existing roof of at least one of the two structures.

“Super regional mall.” Combination of stores in single ownership or under unified control through a reciprocal easement agreement with at least four anchor tenants and a total of not less than 750,000 square feet of leasable building area.

“Surface mining.” Any premises from which the removal of any rocks, sand, gravel, stone, earth, topsoil, peat, minerals, or other natural resources results in the following:

1. More than three acres of disturbed area;
2. Surface mined slopes greater than 30 feet high and steeper than 1.0 foot horizontal to 1.0 foot vertical; or
3. More than one acre of disturbed area within an eight acre area, when the disturbed area results from mineral prospecting or exploration activities.

Surface mining shall exclude excavations or grading necessary for the construction of a structure for which a building permit has been duly issued.

13.01.060.T

“Telecommunications exchange facility.” A structure where the majority of its floor area is used for equipment for the purposes of automatically receiving, decoding, routing, recoding, and sending of voice and data communications.

“Temporary housing.” A structure, usually an automobile house trailer or mobile home, of a temporary nature not involving permanent installations.

“Temporary shelters.” A temporary type of accommodation for persons without permanent housing or a fixed address that provides shelter by means of a structure or dwelling unit.

“Temporary use.” A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period. Temporary uses include seasonal sales, temporary office space, carnivals, and temporary housing.

“Theater.” A building or part of a building devoted primarily to the showing of motion pictures or for dramatic, dance, musical, or other live performances.

“Total cost.” All costs associated with an alteration incurred from project initiation to project completion, excluding the purchase costs for the building and site.

“Transit street.” A street on which regularly scheduled bus service operates at frequencies of 15 minutes or less during peak travel periods. Transit streets are designated by the Director of Public Works in consultation with Pierce Transit and include streets designated in Section 11.05.492.

“Transparency.” Glazing through which it is possible to see clearly into and out of a building or into a window display.

“Transportation/freight terminals.” A place where transfer of goods and/or people takes place between modes of transportation. This classification includes marine terminals, freight terminals and transfer yards, container marshalling yards, intermodal rail yards, general rail yards, train and bus stations, and ferry terminals.

“Travel services.” Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.

“Tree.” Any woody perennial that generally matures over fifteen feet in height, generally has a minimum mature canopy width of ten feet and greater, and is capable of being shaped and pruned to develop a branch-free trunk to at least eight feet in height at maturity.

“Tree Size.” Categorized as Large, Medium or Small as determined by the Canopy Factor, which takes into account the trees mature height, mature crown spread and growth rate. The Canopy Factor is calculated using the following formula: (mature height in feet) x (mature crown spread in feet) x (growth rate number) x 0.01 = Canopy Factor. The growth rate number is 1 for slow growing trees, 2 for moderately growing trees, and 3 for fast growing trees.

- Large Trees = Canopy Factor greater than 90,
- Medium Trees = Canopy Factor from 40 to 90,

- Small Trees = Canopy Factor less than 40.

“Truck and chassis parking.” A dedicated parking area specifically designed for large commercial vehicles like semi-trucks, where both the tractor (truck) and the trailer (chassis) can be parked together.

13.01.060.U

“Unlicensed wireless services.” Commercial mobile services that operate on public frequencies and do not need an FCC license.

“Upper story setback.” See “modulation, horizontal.”

“Urban Forest Manual.” A compilation of City urban forestry practices and standards.

“Urban Horticulture.” A use in which plants are grown or produced indoors for the sale of the plants or their products or for use in any business, including such things as fruits, vegetables, and other crops, flowers, ornamental plants or trees.

“Use.” The purpose land, building, or structure now serves or for which it is occupied, maintained, arranged, designed, or intended.

“Utilities.” Generating plants, electrical substations with outdoor equipment, refuse collection and transfer stations, processing, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, and similar facilities.

13.01.060.V

“Variance.” The procedure by which the strict application of the provisions of this title relating to height, area, setbacks, parking, design and other such development standards may be modified for a particular project based on special circumstances applicable to the specific property and/or project. Variances cannot change the underlying zoning or allow for uses that are otherwise prohibited. Since variances are an adjustment to the standards, projects that have received approval of a variance shall be considered to be conforming to that standard.

“Variance, minor.” A variance in which the relief requested is within 10 percent of the quantified standard contained in the code.

“Vegetated roof.” (also known as green roofs) Thin layers of engineered soil and vegetation constructed on top of conventional flat or sloped roofs. Vegetated roofs shall be designed in accordance with the SWMM.

“Vegetated wall.” A vegetated wall is a vertical surface designed and planted to be covered at maturity by plants that:

- Can include the wall of a structure (such as a masonry wall), or a trellis or lattice structure either free standing or on the side of a building, or a wire screen or other framework that allows coverage by plants.
- Is at least 6 feet tall, unless specifically allowed at a lower height;
- Does not consist of invasive species; and
- Has demonstrated viability in the planned environment.

“Vehicle.” The term “vehicle” as used herein means all instrumentalities capable of movement by means of circular wheels, skids, or runners of any kind, specifically including, but not limited to, all forms of automotive vehicles, buses, trucks, cars, and vans; all forms of trailers or mobile homes of any size, whether capable of supplying their own motive power or not, without regard to whether the primary purpose of which instrumentality is or is not the conveyance of persons or objects, and specifically including all such automobiles, buses, trucks, cars, vans, trailers, and mobile homes even though they may be at any time immobilized in any way and for any period of time.

“Vehicle rental and sales.” Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, including storage and incidental maintenance.

“Vehicle sales area.” An open, off-street area used for the display, sale or rental of new or used automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, and where no repair work is done.

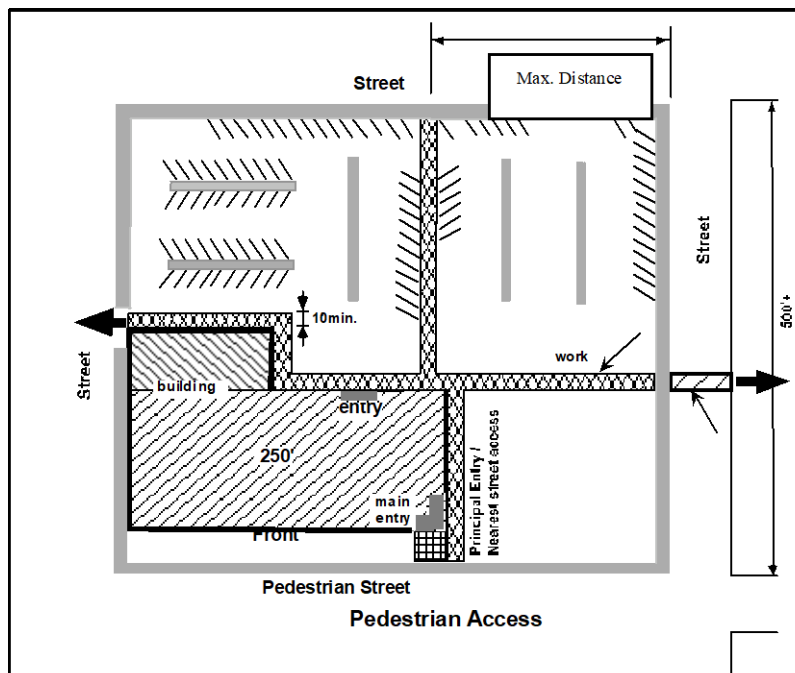
“Vehicle service and repair.” Repair and/or service of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes car washing facilities, auto repair shops, electric vehicle rapid charging and/or battery swap-out facilities, body and fender shops, car painting, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

“Vehicle service and repair, industrial.” Facilities, either indoors or outdoors, for the layover, maintenance, and temporary storage of buses, trains, transit, semi trucks, heavy equipment, and associated support vehicles. Equipment, materials, and vehicles used in the maintenance of bus transit facilities are also included.

“Vehicle storage.” Lots for storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles. Not to be construed as a parking lot or area.

13.01.060.W

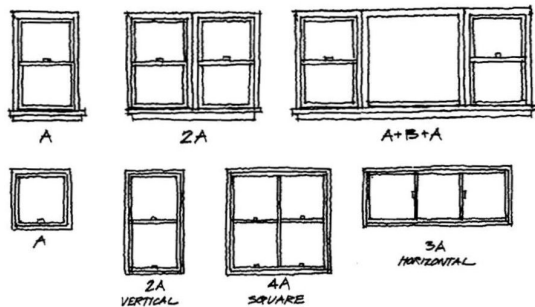
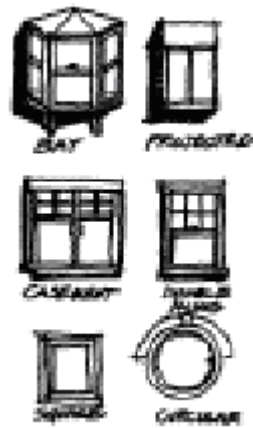
“Walkways.” Illustrated as required in certain districts of Chapter 13.06:



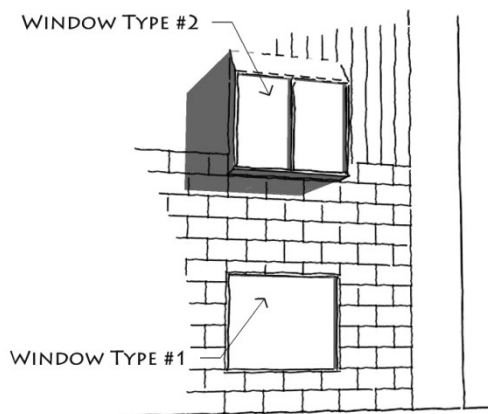
“Warehouse, storage.” A building or portion of a building, or open storage or outdoor yard area, used for long-term storage of items where incoming and outgoing traffic is intermittent and which requires minimal employee activity.

“Wholesale or distribution.” A building or portion of a building used for short-term storage in preparation for rerouting or reshipment, or used in connection with an industrial activity where incoming and outgoing shipments are a continuing operation.

“Window type.” A window type is an individual grouping of windows, a window size, or a window shape. Individual panes within the same frame are not considered a separate type. Illustrated as required in certain districts of Chapter 13.06:



WINDOW VARIETY AND COMBINATIONS



UPPER LEVEL WINDOW REQUIREMENT

“Wireless communication” and “wireless communication facilities.” Facilities used in the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for communication, cellular phone, personal communication services, enhanced specialized mobile radio, and any other services licensed by the FCC and unlicensed wireless services. These types of facilities also include central office switching units, remote

switching units, telecommunications radio relay stations, and ground level equipment structures. This classification does not include communication facilities.

“Wireless communication tower.” Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term encompasses wireless communication facilities, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, wireless communication towers, building-mounted structural supports and/or the building where equipment is mounted directly to the building’s structure, and alternative tower structures, and the like.

“Work release center.” An alternative to imprisonment, including work and/or training release programs which are under the supervision of a court or a federal, state, or local agency. This definition excludes at-home electronic surveillance.

“Work/live.” A commercial business use which includes a dwelling unit in up to 50 percent of the unit’s space. The business owner lives in the residential space.

“Works of art.” Original, artist-produced creations of visual art, including, but not limited to, sculptures, murals, paintings, inlays, earthworks, mosaics, etc. Works of art can be both self-standing and/or integrated into the structure or its grounds. The reproduction of original works of art, commercially mass-produced artwork, or architect-designed elements are not included. Also not included are directional signage or super graphics, maps, etc., except where an artist is employed. Works of art shall be determined by the City’s Arts Administrator and/or approved by the Arts Commission, as determined by the Arts Administrator.⁸

13.01.060.X

(For future use if needed.)

13.01.060.Y

“Yard.” An open space other than a court, on the same lot with a building unoccupied or unobstructed from the ground upward, except as otherwise provided in Chapter 13.06.

“Yard, front.” A yard extending the full width of the lot, the depth of which is the minimum distance from the front lot line to the building.

“Yard, rear.” A yard extending the full width of the lot, the depth of which is the minimum distance from the rear lot line to the main building.

“Yard, side.” A yard extending from the front yard to the rear yard along the side of the main building, the width of which yard is the minimum distance from the side lot line to the main building.

13.01.060.Z

(For future use if needed.)

(Ord. 28904 Ex. A; passed Aug. 15, 2023: Ord. 28821 Ex. E; passed Jun. 28, 2022: Ord. 28786 Ex. A; passed Nov. 16, 2021: Ord. 28725 Exs. A and D; passed Dec. 8, 2020: Code Reviser’s note: Previously codified as 13.06.700 (Definitions and illustrations); relocated to 13.01.060 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28613 Ex. E; passed Sept. 24, 2019: Ord. 28518 Ex. 6; passed Jun. 26, 2018: Ord. 28498 Ex. A; passed Apr. 10, 2018: Ord. 28491 Ex. A; passed Feb. 20, 2018: Ord. 28476 Ex. C; passed Dec. 12, 2017: Ord. 28429 Ex. B; passed May 9, 2017: Ord. 28417 Ex. A; Mar. 7, 2017: Ord. 28376 Exs. C, D, E; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Exs. B, C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28051 Ex. B; passed Feb. 21, 2012: Ord. 28009 Ex. A; passed Aug. 9, 2011: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27665 Ex. A; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27563 Ex. A; passed Dec. 12, 2006: Ord. 27539 § 20; passed Oct. 31, 2006: Ord. 27296 § 29; passed Nov. 16, 2004: Ord. 27278 § 3; passed Oct. 26, 2004:

⁸ Code Reviser’s note: Effective January 1, 2021 per Ord. 28725, Ex. A.

Ord. 27245 § 22; passed Jun. 22, 2004: Ord. 27079 § 53; passed Apr. 29, 2003: Ord. 27054 § 1, 2, 3, 4; passed Mar. 18, 2003: Ord. 26966 § 23; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)

CHAPTER 13.05

LAND USE PERMITS AND PROCEDURES¹

Sections:

- 13.05.010 Land use permits.
- 13.05.020 Application requirements for land use permits.
- 13.05.030 Zoning and land use regulatory code amendments.
- 13.05.040 Historic preservation land use decisions.
- 13.05.050 Development regulation agreements.
- 13.05.060 *Repealed.*
- 13.05.070 Notice process.
- 13.05.080 Director decision making authority.
- 13.05.090 Decision of the director.
- 13.05.100 Appeals of administrative decisions.
- 13.05.105 *Repealed.*
- 13.05.110 Applications considered by the Hearing Examiner.
- 13.05.120 Expiration of permits.
- 13.05.130 Modification/revision to permits.
- 13.05.140 Director approval authority.
- 13.05.150 Enforcement.

13.05.010 Land Use Permits.

A. Conditional Use Permits.²

1. Purpose.

In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit. These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in this Chapter and the applicable criteria outlined below.

¹ Code Reviser's note: Section 13.05.005 (Definitions), was repealed and relocated to the new Chapter 13.01 per Ord. 28613 Ex. G. See 13.01.050.

² Code Reviser's note: Previously codified as 13.06.640 (Conditional use permit); relocated to 13.05.010 per Ord. 28613 Ex. G. Prior legislation: Ord. 28613 Ex. E; passed Sept. 24, 2019: Ord. 28611 Ex. B; passed Sept. 24, 2019: Ord. 28491 Ex. A; passed Feb. 20, 2018: Ord. 28429 Ex. B; passed May 9, 2017: Ord. 28376 Exs. D, E; passed Aug. 16, 2016: Ord. 28336 Exs. B, C; passed Dec. 1, 2015: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27539 § 19; passed Oct. 31, 2006: Ord. 27432 § 17; passed Nov. 15, 2005: Ord. 27296 § 28; passed Nov. 16, 2004: Ord. 27245 § 21; passed Jun. 22, 2004: Ord. 27079 § 49; passed Apr. 29, 2003: Ord. 26966 § 22; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002.

2. General Criteria.

Unless otherwise excepted, all conditional use permit applications shall be subject to the following criteria:

- a. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
- b. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
- c. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.
- d. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
 - (1) The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
 - (2) Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
 - (3) The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

* * *

~~24. Non-Industrial Uses in the Port of Tacoma Manufacturing and Industrial Center.~~

~~a. Decision: Hearing Examiner.~~

~~b. In addition to the general conditional use criteria in TMC 13.05.010.A, non-industrial conditional uses in the Port of Tacoma Manufacturing and Industrial Center shall meet the following criteria. In considering conditional use permit applications, the City will consult with the Puyallup Tribe of Indians and Port of Tacoma to determine potential off-site impacts on port/industrial facilities and operations, and to identify appropriate mitigation measures.~~

- ~~(1) The location will not significantly interfere with container shipping facilities. Mitigation may be required to avoid and minimize disruptions to nearby industrial activity.~~

~~(2) The location is buffered from potentially high-impact industrial facilities.~~

~~(3) The use will incorporate design elements to reduce impact on employees and customers from adjacent or nearby industrial activities.~~

254. Affordable housing bonus.

The intent of this section is to provide an optional incentive to religious organizations and/or nonprofits seeking to develop and manage multifamily projects integrating significant affordable housing, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood. Applications for conditional use permits for Bonus Density for Affordable Housing on land owned by religious organizations or by nonprofit affordable housing providers shall be processed in accordance with the standard procedures for conditional use permits, with the following additional requirements.

a. The application criteria and review process shall be the same as the Infill Pilot Program per TMC 13.05.060.

b. Religious organizations as defined by RCW 26.04.007, as amended, as well as nonprofit affordable housing providers, meeting the requirements of these provisions may utilize the land use and development standards applicable to the R4-L Residential District.

c. To qualify, applicants must provide a minimum of 20% of the total units affordable for a minimum of 15 years at the following affordability rates:

(1) Rental units must be affordable at the 80% of Area Median Income.

(2) Ownership units must be affordable at 115% of Area Median Income.

(3) The general provisions of TMC 1.39 Affordable Housing Incentives and Bonuses Administrative Code shall apply. The fee in lieu option is not available for this purpose.

d. Pre-application site inspection for conversion of an existing building.

Prior to submitting an application for a conditional use permit, for conversion of an existing building for use as affordable housing, to the City, the applicant shall allow for an inspection by the appropriate Building Inspector and appropriate Fire Marshall to determine if the facility meets the Building and Fire Code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a conditional use permit, but instead, is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.

e. If the proposed development will include any special needs housing or on-site social service uses the conditional use permit will also follow and comply with the special needs housing conditional use permit process, criteria and conditions 13.05.010.A.5.

265. Pre-existing non-residential uses in residential districts

a. A conditional use permit may be granted for the replacement, reuse or expansion of existing structures in a residential zoning district for proposals meeting the General

Criteria as well as following criteria. The intent of these provisions is to provide flexibility and development opportunities that promote additional housing opportunities and/or neighborhood-oriented and neighborhood-serving non-residential uses, while ensuring reasonable compatibility with neighborhood scale and character and limiting negative impacts to the neighborhood.

b. To be eligible, all of the following must be applicable to the site:

- (1) The site is located in a residential zoning district.
- (2) The site is less than 1 acre in size.
- (3) The uses and/or structures are either legally nonconforming or legally permitted.
- (4) The primary building(s) or site improvements constructed for a non-residential use are still in place, irrespective of whether they continue to be used for their original purpose.

c. The proposed use(s) shall be limited to the following:

Craft production	Assembly facilities	Continuing care retirement community
Cultural institutions, including art galleries	Extended care facility	Group housing
Intermediate care facility	Short-term rental	Multi-family dwellings
Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement home	Retail, provided it is primarily neighborhood serving	Eating and Drinking
Live Work		

d. Provided that the intent of this section is met, the replacement, reuse or expansion of existing structures and improvements shall be permitted subject to the development standards of the Neighborhood Commercial (C-1) Zoning District, along with any specific standards applied through the conditional use permit to meet that intent.

e. In some circumstances, the Director or Hearing Examiner may find that proposed development does not meet the neighborhood compatibility intent of this section and should be denied. For example, structures that are substantially taller than the neighborhood average height that do not provide reasonable transitions to neighboring residential development would not meet the intent. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the size, location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the surrounding area.

f. For proposals consistent with the provisions of this section, this process provides a remedy to nonconforming status as defined in TMC 13.06.010.L. The requirements of this section and the specific conditions of an approved Conditional Use Permit supersede some or all of the nonconforming standards that might otherwise apply.

TMC 13.06.010 General Provisions

* * *

L. Nonconforming uses/parcels/structures

* * *

5. Nonconforming use.

a. Continuation of nonconforming use. Except as otherwise required by law, a legal nonconforming use, within a building or on unimproved land, may continue unchanged. In the event that a building, which contains a nonconforming use, is damaged by fire, earthquake, or other natural calamity, such use may be resumed at the time the building is restored; provided that the restoration is commenced in accordance with applicable codes and regulations and that any degree of nonconformity to the land use regulations is not increased. Further, such restoration shall be undertaken only under a valid building permit for which a complete application was submitted within 18 months following said damage, which permit must be actively pursued to completion.

b. The use of unimproved land which does not conform to the provisions of this chapter shall be discontinued one year from the adoption date of the change to this chapter that creates the nonconformity; provided, however, exception may be made for the nonconforming use of unimproved land abutting a lot occupied by a building containing a nonconforming use and which nonconforming use is continuous and entire in the building and over said abutting land, all being in one ownership, and such use shall have been legally established prior to the adoption date of the change to the chapter that creates the nonconformity.

c. Allowed changes to and expansions of nonconforming use.

Changes to a nonconforming use shall be allowed only under the following circumstances:

(1) A nonconforming use, or a portion of a nonconforming use, may be changed to a use that is allowed in the zoning district in which it is located.

(2) A nonconforming use, or a portion of a nonconforming use, may be expanded or changed to another nonconforming use when nonconforming rights for the subject use have been verified by the City of Tacoma. The applicant must provide evidence to show that the subject use was lawfully permitted prior to May 18, 1953, or if such legal use became nonconforming by reason of subsequent changes in this Chapter, prior to the date of the code change that made the use nonconforming. An application for a review of nonconforming rights shall include the following:

(a) The name, address and phone number of the applicant(s) or applicant's representative.

(b) The name address and phone number of the property owner, if other than the applicant.

(c) Location of the property. This shall, at a minimum, include the property address and/or parcel number(s).

- (d) A general description of any proposed change of use and/or proposed expansion.
- (e) A general description of the property as it now exists including its physical characteristics and improvements and structures.
- (f) A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to clearly depict all required information.
- (g) Documenting evidence to prove that the nonconforming use was allowed when established and maintained over time, which may include: photographs, permit documentation, zoning codes or maps, tax/license/utility records, insurance maps, directories, inventories or data prepared by a government agency.

(3) If a determination of nonconforming rights concludes that a use is lawfully in existence, then it may be expanded or changed to another nonconforming use, subject to the limitations and standards provided herein.

(a) Changes in use shall be limited to those uses allowed in the lowest intensity zoning district where the existing nonconforming use is currently permitted outright.

(b) Change in use from one nonconforming use to another is allowed for non-industrial uses only. Nonconforming industrial uses may be expanded per the provisions of this section.

(c) The proposed change or expansion will not increase the cumulative generation of vehicle trips by more than 10 percent, as estimated by the City Traffic Engineer; nor will the change or expansion result in an increase in the number of parking spaces that would be required by this chapter by more than 10 percent. In no event shall multiple changes or expansions be approved that would, in the aggregate, exceed the 10 percent requirement as calculated for the initial request for a change or expansion in use;

(ed) The proposed change or expansion will not result in an increase in noise such that it exceeds maximum noise levels identified in TMC 8.122;

(de) The proposed change or expansion will not result in substantial additional light or glare perceptible at the boundary lines of the subject property;

(ef) The proposed change or expansion will not result in an increase in the outdoor storage of goods or materials; and

(fg) The proposed change or expansion will not result in an increase in the hours of operation.

(4) Any change from one nonconforming use to another nonconforming use, as allowed herein, shall not be considered converting such nonconforming use to a permitted use.

(5) Changes in use that would exceed the standards herein may be approved through the issuance of a conditional use permit subject to the criteria in subsection 13.05.010.A, or, in specified circumstances, through a conditional use permit as set forth in TMC 13.05.010.A.

6. Abandonment or vacation of nonconforming use.

When a nonconforming use is vacated or abandoned for 12 consecutive months or for 18 months during any three-year period, the nonconforming use rights shall be deemed extinguished and the use shall, thereafter, be required to be in accordance with the regulations of the zoning district in which it is located. Nonconforming rights for the use of an existing structure may be re-established through a Conditional Use Permit per the requirements in TMC 13.05.010.A, provided (a) the use has not been abandoned for a period of more than five years and (b) the proposed re-use of the structure is no more intensive than the last permitted use at the site as described in subsection (c.) above.



City of Tacoma

Planning and Development Services

13.06.060 Industrial Districts.¹

A. Applicability.

The following tables compose the land use regulations for all districts of Section 13.06.060. All portions of Section 13.06.060 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

B. Purpose.

The specific purposes of the Industrial districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.
3. Create a variety of industrial settings matching scale and intensity of use to location.
4. Provide for predictability in the expectations for development projects.

C. Districts established.

M-1	Light Industrial District
M-2	Heavy Industrial District
PMI	Port Maritime & Industrial District
SCP	Seaport Core Primary District
SCM	Seaport Core Manufacturing District
SCS	Seaport Core Secondary District
ST	Seaport Transition District
STT	Seaport Transition - Transit Oriented Development District
SC	Seaport Conservancy District

1. M-1 Light Industrial District.

This district is intended to provide areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed industrial uses, or neighboring commercial or residential districts. M-1 districts may be established in new areas of the City, and M-1 district is an appropriate zone to apply as a transition between the industrial operations therein and the existing activities and character of the community in which the district is located. This classification is only appropriate inside Comprehensive Plan areas designated Light Industrial.

2. M-2 Heavy Industrial District.

This district is intended to allow heavy industrial and manufacturing uses that can reasonably be accommodated without adverse impacts on the public's health, welfare, or safety. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated Heavy Industrial.

¹ Code Reviser's note: Previously codified as 13.06.400 (Industrial Districts); relocated to 13.06.060 per Ord. 28613 Ex. G; passed Sept. 24, 2019.

3. PMI Port Maritime & Industrial District.

This district is intended to implement the use priorities of the Container Port Element of the Comprehensive Plan, specifically pertaining to the Core Maritime Industrial Area, and to protect the long-term function and viability of the area. These use priorities include: Cargo port terminal, port-related container and industrial activity, compatible manufacturing, industrial-related office, cargo yard, warehousing, transportation facilities and other similar uses.

The Port of Tacoma facilities, facilities that support the Port's operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right of ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

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

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

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

3. SCP Seaport Core Primary District

The SCP district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (3)(a). SCP implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping. Use priorities include cargo shipping terminals, seaport-related container and industrial activity, seaport-related offices, cargo and equipment storage yards, warehousing, transportation facilities, vessel fueling operations and support facilities, and rail yards. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

4. SCM Seaport Core Manufacturing District

The SCM district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (3)(a). SCM implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping and distribution. Use priorities in SCM include cargo shipping terminals, seaport-related container and industrial activity, seaport-related office, cargo and equipment storage yards, warehousing, transportation facilities, vessel fueling operations and support facilities, and intermodal yards. SCM is distinguished from SCP by allowing compatible basic manufacturing of raw materials and uses which rely on the deep water berthing to transport raw materials for processing or manufacture and distribution, as well as uses involved with final assembly, processing, fabrication, and packaging. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

5. SCS Seaport Core Secondary District

The SCS district is intended to define and protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (3)(a). SCS implements the Tideflats Subarea Plan of the Comprehensive Plan by allowing uses that protect the long-term function and viability of the seaport within the Regional Manufacturing/Industrial Center. The subarea is characterized by proximity to deepwater berthing that supports 24-hour regional and international shipping and distribution. Use priorities in SCS include cargo shipping terminals, seaport-related container and industrial activity, seaport-related offices, cargo and equipment storage yards, warehousing, transportation facilities, and intermodal yards. SCS is distinguished from SCP by allowing compatible final manufacturing, research and development, limited cultural establishments related to and which may rely on or be related to the seaport. The district includes heavy truck traffic and higher levels of noise and odors than found in other city districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Retail and commercial uses are ancillary and primarily serve the subarea's employees. Housing is allowed only for caretakers of allowed uses.

6. ST Seaport Transition District

The ST district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (6)(c). The ST district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the Regional Manufacturing/ Industrial Center. The ST district provides areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary and not detrimental to either existing or proposed seaport uses or neighboring commercial or residential districts. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Housing is allowed only for caretakers of allowed uses.

7. STT Seaport Transition - Transit Oriented Development District

The STT district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (6)(c). The STT district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the Regional Manufacturing/ Industrial Center (MIC). The STT district provides areas for light manufacturing, warehousing, and a limited mix of commercial or civic uses that are complementary to either existing or proposed seaport uses, neighboring commercial, or residential districts and is distinguished from the ST district by allowing uses compatible with high-capacity transit located in the district such as multi-family housing. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads, but it is also understood that there will be a higher level of pedestrian and bicycle activity in the STT district.

8. SC Seaport Conservancy District

The SC district is intended to serve as a transition zone between incompatible uses to protect the core areas of port and port-related industrial uses within the city, as per RCW 36.70A.085 (6)(c). The SC district is intended to support implementation of the Tideflats Subarea Plan of the Comprehensive Plan, specifically pertaining to the transition between the core area and the neighboring areas, and to protect the long-term function and viability of the seaport within the Regional Manufacturing/ Industrial Center. Freight mobility infrastructure is critically important, with the entire subarea served by road and rail corridors designed for large, heavy trucks and rail loads. Use priorities in SC are habitat preservation intending to protect the long-term function and viability of key wetland, fish and wildlife habitat, and drainage districts.

D. Pedestrian streets designated.

~~Figure 7 of the Comprehensive Plan Urban Form Chapter designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as "Pedestrian Streets." The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity. Refer to 13.06.010.D for Pedestrian Street Designations.~~

E. District use restrictions.

The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section are prohibited, unless permitted via Section 13.05.080.

1. Within the JBLM Airport Compatibility Overlay District, the land use and development standards of this section are modified as specified in TMC 13.06.070.F, which shall prevail in the case of any conflict.

2. Within the South Tacoma Manufacturing and Industrial Center (M/IC), the land use and development standards of this section are modified as specified in TMC 13.06.070.B, which shall prevail in the case of any conflict.

3. Within the South Tacoma Groundwater Protection District, the land use and development standards of this section are modified as specified in TMC 13.06.070.D, which shall prevail in the case of any conflict.

4.3. 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 13.05.010.A.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.080.P.
N	=	Prohibited use in this district.

4.5. District use table – Industrial Districts (13.06.060).

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Agriculture and Natural Resources				
Agricultural uses	N	N	N	
Mining and quarrying	P*/N	P*/N	P*/N	* Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
Urban horticulture	P	P	P	
Residential Uses				
Dwelling Types/Housing Types				*In M-1 districts, single , two and three unit and townhouse <u>houseplex, backyard buildings, rowhouses, and courtyard housing dwellings</u> are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision.
Houseplex	P/N*	N	N	
Backyard Building	P/N*	N	N	
Rowhouse	P/N*	N	N	
Courtyard Housing	P/N*	N	N	

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Multiplex	P/N	N	N	In M-1 districts, new multi-unit residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC except for quarters for caretakers and watchpersons and temporary worker housing, as noted above;
Dwelling, accessory (ADU)	P/N~	N	N	Subject to additional requirements contained in 13.06.080.A. ~Not permitted within the South Tacoma M/IC Overlay District or the Port of Tacoma M/IC.
Dwelling, single unit	P/N*	N*	N*	In M-1 districts, single, two and three unit and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision. In M-1 districts, new multi-unit residential dwellings are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC except for quarters for caretakers and watchpersons and temporary worker housing, as noted above, and except where allowed as a conditional use in the Port of Tacoma M/IC. **Conditional use in the Port of Tacoma M/IC.
Dwelling, two unit	P/N*	N*	N*	
Dwelling, three unit	P/N*	N*	N*	
Dwelling, multi unit	P/ CU**/ N*	N*	N*	
Dwelling, townhouse	P/N*	N*	N*	
Other Residential			-	
Accessory uses and buildings	P	P		
Adult family home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Emergency Shelter	P	N		

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Group housing	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
Live/Work	P/ CU*	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. *Conditional use in the Port of Tacoma M/IC. Subject to additional requirements contained in Section 13.06.080.I.
Mobile home/ trailer court	N	N	N	
Residential business	P	P	P	Subject to additional requirements contained in Section 13.06.080.G
Retirement home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Short-term rental	N	N	N	
Staffed residential home	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Medical and Health Services				

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Continuing care retirement community	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Detoxification center	CU	CU	N	
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC. ~Not permitted within the South Tacoma M/IC Overlay District or Port of Tacoma M/IC.
Intermediate care facility	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Residential care facility for youth	P/ CU**/ N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC. See Section 13.06.080.N.
Residential chemical dependency treatment facility	P/ CU**/ N*	N	N	See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District. **Conditional use in the Port of Tacoma M/IC.
Community and Civic Facilities				
Assembly facility	P	P	N	
Cemetery/ Internment services	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.05.010.A
Confidential shelter	P/N*	N	N	See Section 13.06.080.N. *Not permitted within the South Tacoma M/IC Overlay District.
Correctional facility	P	P	P	

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Cultural institution	P/CU*	P/CU*	N	*Conditional use within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , unless an accessory use.
Detention facility*	CU	N	N	Modifications or expansions to existing facilities that increase the inmate/detainee capacity shall be processed as a major modification (see Section 13.05.130). A pre-application community meeting is also required (see Section 13.05.010.A. This CU is only available in the M-1 zones in place as of January 1, 2018. The notification distance for a project within the M-1 zone will be 2,500 feet from the boundaries of that zone.
Juvenile community facility	P/ CU** / N*	P/N*	N	See Section 13.06.080.H for resident limits and additional regulations. **Conditional use within the Port of Tacoma M/IC. *Not permitted within the South Tacoma M/IC Overlay District or in the M-2 District of the Port of Tacoma M/IC.
Parks, recreation and open space	P/ CU *	P/ CU *	P/N	Subject to the requirements of Section 13.06.080.L. * High intensity/destination facilities are a conditional use in the Port of Tacoma M/IC. In the M-2 District, the use must be located indoors. —High intensity/destination facilities are prohibited in the Port of Tacoma M/IC.
Public service facilities	P	P	P	
Religious assembly	P	P	P	
School, public or private	P/ CU / N*	P/N*	P/N*	—Conditional use permit in the Port of Tacoma M/IC. * General K through 12 education not permitted in the PMI and M-2 District of the Port of Tacoma M/IC or in the South Tacoma M/IC Overlay District.
Work release center	CU	CU/ N *	N	Subject to development standards contained in Section 13.06.080.R. *Not permitted within the Port of Tacoma M/IC
Commercial Uses				
Craft Production	P	P	P	
Hotel/Motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Office ²	P*	P*	P	* Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. * Limited to 7,000 square feet of floor area, per business, in the JBLM Airport Compatibility Overlay District.
Work/Live	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.
Eating and Drinking Establishments	-			

² Code Reviser's Note: Text related to Office 'allowed uses' and 'additional regulations' was inadvertently deleted when this table was reorganized per Amended Ord. 28786 (passed Nov. 16, 2021). The scrivener's error was corrected by re-inserting the text in July 2022.

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Brewpub	P	P	P	
Eating and drinking	P	P	P	
Microbrewery/ winery	P	P	P	
Entertainment and Recreation			-	
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.080.B.
Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District
Commercial recreation and entertainment	P/CU*	P/ CU*~	N	*Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district. ~Within the Port of Tacoma M/IC, only indoor facilities are permitted in the M-2 District.
Golf Courses	P/ N *	P/ N *	N	*Not permitted within the Port of Tacoma M/IC.
Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Retail	P~	P~/ CU*~	N	~ Size limitations: Limited to 7,000 square feet of floor area, per development site, in the JBLM Airport Compatibility Overlay District. Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. Outside of the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , limited to 65,000 square feet per use, unless approved with a conditional use permit. *Conditional use within the Port of Tacoma M/IC.
Marijuana retailer	P~	P~/ CU*	N	~Within the South Tacoma M/IC Overlay District and Port of Tacoma M/IC , limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. *Conditional use within the Port of Tacoma M/IC. Size limitations apply as noted above. See additional requirements contained in Section 13.06.080.J.
Nursery	P	P	N	
Services			-	
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
Building material and services	P	P	P	
Business support services	P	P	P	
Day care center	P	P	N	Subject to development standards contained in Section 13.06.080.E.
Funeral home	P	P	N	
Personal services	P	P	P	

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Repair services	P	P	P	
Storage Uses			-	
Self-storage	P	P	P	See specific requirements in Section 13.06.090.J.
Warehouse/ storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
Wholesale or distribution	P	P	P	
Vehicle Related Uses				
Drivethrough with any permitted use	P	P	P	Subject to the requirements of TMC 13.06.090.A.
Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Industrial				
<u>Prohibited industrial uses in all districts:</u> <ul style="list-style-type: none"> • <u>Animal slaughter</u> • <u>Animal and fat rendering facility</u> • <u>Acid manufacture</u> • <u>Blast furnaces</u> • <u>Coal facility</u> • <u>Chemical manufacturing, processing, and wholesale distribution</u> • <u>Explosives, fertilizer, and petrochemical manufacturing</u> • <u>Petroleum fuel facility</u> • <u>Smelting</u> 	N	N		
Industry, heavy	N	P	P	Animal slaughter, fat rendering, acid manufacture, and blast furnaces allowed in the PMI District only.
Chemical manufacturing, processing and wholesale distribution	N	CU*/N	P/ CU*/N	*A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials, subject to conditional use criteria in Section 13.05.010.A. -Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts.
Cleaner Fuel Infrastructure	N	P*	P*	*Subject to special use standards in TMC 13.06.080.F.
Coal facility	N	N	N	

Uses	M-1	M-2	PMI	Additional Regulations (see table Footnote 1)
Petroleum Fuel Facility	N	P*/N	P*/N	*Facilities legally permitted at the time of adoption of this ordinance are permitted, subject to special use standards in Section 13.06.080.F. Otherwise prohibited.
Port, terminal, and industrial; water-dependent or water related (as defined in Title 19)	N	N	P*	*Preferred use.
Smelting	N	N	N	
Industry, light	P	P	P	
Marijuana processor, producer, and researcher	P	P	P	See additional requirements contained in Section 13.06.080.J
Research and development industry	P	P	N	
Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.080.S.
Utilities, Transportation and Communication Facilities				
Airport	N	N	N	
Communication facility	P	P	P	
Heliport	CU	CU	CU	
Passenger terminal	P	P	P	
Transportation/ freight terminal	P	P	P	
Utilities	P	P	P	
Wireless communication facility	P*	P*/	P*/	*Wireless communication facilities are also subject to Section 13.06.080.Q.
	CU**	CU**	CU**	**Wireless communication facilities are also subject to Section 13.06.080.Q.
Accessory and Temporary Uses				
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.080.P.
Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.080.P.
Unlisted Uses				
Uses not prohibited by City Charter and not prohibited herein	N	N	CU	
Footnotes: 1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.				

6. District use table – Seaport manufacturing and industrial districts

<u>Uses</u>	<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Pre-Existing Uses</u>							
<u>Pre-Existing Uses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Except where otherwise identified in the table below, a use legally established prior to the adoption of this ordinance whose use classification is prohibited, shall be considered a permitted uses subject to standards in TMC 13.06.010 L.
<u>Agriculture and Natural Resources</u>							
<u>Agricultural uses</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
- <u>Mining and quarrying</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P*/N</u>	<u>N</u>	<u>N</u>	*Surface mines, legally permitted at the time of adoption of this ordinance, are permitted, subject to standards in Section 13.06.080.O.
- <u>Urban horticulture</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	For wholesale production and distribution. May include a retail component subject to limitations on retail uses in this chapter.
<u>Residential Uses</u>							
<u>Prohibited Residential Uses in all districts</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	-
<ul style="list-style-type: none"> • <u>Houseplex</u> • <u>Dwelling, accessory (ADU)</u> • <u>Courtyard Housing</u> • <u>Backyard House</u> • <u>Mobile Home/Trailer Court</u> • <u>Rowhouse</u> 							
<u>Housing Types</u>							For all permitted housing types, residential uses prohibited on the ground floor.
- <u>Multiplex</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	
<u>Other Residential Uses</u>							For all other residential uses, residential uses prohibited on the ground floor.

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
	<u>Accessory uses and buildings</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	
	<u>Quarters for caretakers and watchpersons</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
	<u>Temporary Worker Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
-	<u>Adult family home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
-	<u>Day care, family</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	
	<u>Emergency Shelter</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	
-	<u>Foster home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	
-	<u>Group housing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	
-	<u>Residential Business</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>Subject to additional requirements contained in Section 13.06.080.G</u>
-	<u>Live/Work</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.080.I.</u>
-	<u>Short-term rental</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
-	<u>Staffed residential home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
-	<u>Retirement home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>See Section 13.06.080.N.</u> <u>Residential uses prohibited on the ground floor.</u>
<u>Medical and Health Services</u>								

<u>Uses</u>	<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Prohibited medical and health services, in all districts</u> <ul style="list-style-type: none"> • <u>Continuing care retirement community</u> • <u>Detoxification center</u> • <u>Hospital</u> • <u>Intermediate care facility</u> • <u>Residential care facility for youth</u> • <u>Residential chemical dependency treatment facility</u> 	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Medical facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Limited to 10,000 square feet of building footprint in the SCP, SCM, and SCS districts and 15,000 square feet of building footprint in the ST and STT districts.</u>
<u>Community and Civic Facilities</u>							
<u>Prohibited community and civic facilities in all districts:</u> <ul style="list-style-type: none"> • <u>Cemetery/ internment services</u> • <u>Confidential shelter</u> • <u>Correctional facility</u> • <u>Detention facility</u> • <u>Juvenile community facility</u> • <u>Work release center</u> 	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Assembly facility</u>	<u>N</u>	<u>N</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>*Seaport related only</u>
<u>Cultural and historical establishments</u>	<u>N</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>*In the Seaport Core Manufacturing District ancillary to a primary use only.</u> <u>In all districts, the use must be seaport related only</u>

<u>Uses</u>	<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Detention facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Parks, recreation and open space</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to the requirements of Section 13.06.080.L. High intensity park and recreation facilities prohibited.</u>
<u>Public art installations</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Public service facilities</u>	<u>P*</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>*Seaport related only</u>
<u>Religious assembly</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>~ Limited to 15,000 square feet of floor area in the ST and STT districts.</u>
<u>School, public or private</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>General K-12 only.</u>
<u>Workforce training and hiring services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>To support seaport and related trades.</u>
<u>Commercial Uses</u>							
<u>Commercial uses prohibited in all districts:</u> <ul style="list-style-type: none"> <u>Adult retail and entertainment</u> <u>Carnival</u> <u>Golf course</u> <u>Mini storage</u> <u>Self storage</u> 	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Bakery - wholesaler</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>*Required to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u>
<u>Craft Production</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Subject to standards in TMC 13.06.080.D</u>
<u>Hotel/Motel</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Office</u> ³		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Limited to 10,000 square feet building footprint in the SCP, SCM, and SCS districts and 15,000 square feet of building footprint in the ST and STT districts.</u>
<u>Work/Live</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>Projects incorporating live/work in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.080.I.</u>
<u>Eating and Drinking Establishments</u>								
-	<u>Brewpub</u>	<u>N</u>	<u>N</u>	<u>P~</u>	<u>P~</u>	<u>P~</u>	<u>N</u>	<u>~ Limited to 10,000 square feet of floor area in the SCS district and 15,000 square feet of floor area in the ST and STT districts.</u>
-	<u>Eating and drinking</u>	<u>P~</u>	<u>P~</u>	<u>P~</u>	<u>P~</u>	<u>P~</u>	<u>N</u>	<u>~ Limited to 10,000 square feet of floor area in the SCP, SCM, and SCS districts and 15,000 square feet of floor area in the ST and STT districts.</u>
-	<u>Microbrewery/ winery</u>	<u>N</u>	<u>P~</u>	<u>P~~</u>	<u>P</u>	<u>P~</u>	<u>N</u>	<u>~ Retail component limited to 10,000 square feet of floor area in the SCM and SCS districts and 15,000 square feet of floor area in the ST and STT districts.</u> <u>No size limit on the production and wholesaling component.</u>
<u>Entertainment and Recreation</u>								
-	<u>Commercial recreation and entertainment</u>	<u>N</u>	<u>N</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>N</u>	<u>A conditional use permit is required for facilities over 10,000 square feet of building footprint in the SCS district and over 15,000 square feet in the ST and STT districts.</u> <u>Only indoor facilities are permitted in the SCS and ST Districts.</u>
-	<u>Theater</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	

³ Code Reviser's Note: Text related to Office 'allowed uses' and 'additional regulations' was inadvertently deleted when this table was reorganized per Amended Ord. 28786 (passed Nov. 16, 2021). The scrivener's error was corrected by re-inserting the text in July 2022.

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Retail</u>		<u>N</u>	<u>P*</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>In SCM, SCS and ST districts: must be seaport related.</u> <u>*Ancillary to a primary use only.</u> <u>Size limitations in all districts: 10,000 square feet of floor area per development site in SCP, SCM, SCS, and ST Districts, and 15,000 square feet in the STT.</u>
	<u>Marijuana retailer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Size limitations:</u> <u>Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.</u>
	<u>Nursery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
<u>Services</u>								
	<u>Ambulance services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
	<u>Animal sales and service</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
	<u>Building material and services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
	<u>Business support services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
	<u>Day care center</u>	<u>N</u>	<u>N</u>	<u>P*</u>	<u>P*</u>	<u>P</u>	<u>N</u>	<u>*Ancillary to a permitted primary use.</u> <u>Limited to 10,000 square feet of floor area per development site in the SCS and ST district and 15,000 square feet in the STT.</u> <u>Subject to development standards contained in Section 13.06.080.E.</u>
	<u>Funeral home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.</u>
	<u>Personal services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Limited to 10,000 square feet of floor area per development site in the ST district and 15,000 square feet in the STT.</u>
	<u>Repair services</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
<u>Storage Uses</u>								

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
	<u>Storage of bulk or raw materials</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<p><u>Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.</u></p> <p><u>*Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u></p>
	<u>Warehouse/Storage</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	
	<u>Wholesale goods, equipment and materials</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Heavy equipment and construction supply only</u>
<u>Industrial</u>								

<u>Uses</u>	<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Industrial uses prohibited in all districts:</u> <ul style="list-style-type: none"> • <u>Acid manufacture</u> • <u>Airport</u> • <u>Animal and fat rendering facility</u> • <u>Animal slaughter and husbandry</u> • <u>Auto wrecking yard</u> • <u>Cannabis processing, production, research</u> • <u>Coal facility</u> • <u>Explosives, fertilizer, and petrochemical manufacturing</u> • <u>Petroleum fuel facility*</u> • <u>Pulp and paper mill</u> • <u>Smelting</u> • <u>Tire related manufacturing and processing</u> • <u>Wood treatment</u> 	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>* Facilities legally permitted at the time of adoption of this ordinance are permitted, subject to special use standards in Section 13.06.080.F.</u>
<u>Boat and ship building, storage and maintenance</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	
<u>Cargo and container marshalling and storage (includes imported autos)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	
<u>Cement and asphalt batching</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>No stormwater or wastewater discharge to water bodies permitted.</u>

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
	<u>Chemical manufacturing, processing and wholesale distribution</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<p><u>*A conditional use permit is required for the manufacture, processing, and wholesaling of hazardous materials, subject to conditional use criteria in Section 13.05.010.A.23.</u></p> <p><u>~Explosives, fertilizer, and petrochemical manufacturing prohibited in all districts.</u></p> <p><u>No stormwater or wastewater discharge to water bodies permitted.</u></p>
	<u>Cleaner Fuel Infrastructure</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<p><u>Subject to special use standards in TMC 13.06.080.F.</u></p> <p><u>No stormwater or wastewater discharge to water bodies permitted.</u></p>
	<u>Commercial Bakery</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
	<u>Distillery</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>P*</u>	<u>N</u>	<u>*May include retail component per standards of this chapter.</u>
	<u>Food processing</u>	<u>P~</u>	<u>P</u>	<u>P*</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<p><u>~ Limited to seafood processing only</u></p> <p><u>*Required to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u></p>
	<u>Laundry and drycleaning plant</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>No stormwater or wastewater discharge to water bodies permitted.</u>
	<u>Log yard/lumber mill/sawmill</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<u>N</u>	<p><u>Wood treatment facilities and activities are prohibited.</u></p> <p><u>No stormwater or wastewater discharge to water bodies permitted.</u></p> <p><u>* Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u></p>
	<u>Manufacturing – basic processing from raw materials</u>	<u>N</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>*Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u>

<u>Uses</u>		<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
	<u>Manufacturing – final assembly, processing, fabrication, and packaging</u>	<u>P~</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>~Must be Seaport related.</u> <u>*Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u>
	<u>Marina</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	
	<u>Research and development industry</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>In all districts: Seaport related only</u> <u>*Ancillary use only</u>
	<u>Recycling facilities – industrial waste, food, metal</u>	<u>CU</u>	<u>P*</u>	<u>CU*</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>*Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u>
<u>Utilities, Transportation and Communication Facilities</u>								
	<u>Communication facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>*Wireless communication facilities are also subject to Section 13.06.080.Q.</u>
	<u>Heliport</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>-</u>
	<u>Passenger terminal</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>-</u>
	<u>Rail yards and services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
	<u>Seaport terminal</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	
	<u>Transportation/Freight Terminal</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
	<u>Utilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Vehicle Related Uses</u>								
	<u>Drive-through with any permitted use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Subject to the requirements of TMC 13.06.090.A.</u>
	<u>Heavy vehicle and driver services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	
	<u>Truck and chassis parking</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Must be related to seaport operations.</u>
	<u>Vehicle fueling</u>	<u>P*</u>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>*ancillary use only</u>
	<u>Vehicle rental and sales</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Subject to development standards contained in Section 13.06.080.S.</u>
	<u>Vehicle service and repair</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>Subject to development standards contained in Section 13.06.080.S.</u>

<u>Uses</u>	<u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>	<u>Additional Regulations</u> (see table Footnote 1)
<u>Vehicle service and repair, industrial</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P*</u>	<u>N</u>	<u>N</u>	<u>*Required to be fully enclosed and to utilize best available control technologies to reduce odors and emissions such that no odors can be readily detected beyond the boundaries of the property.</u>
<u>Vehicle storage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P*</u>	<u>P*</u>	<u>N</u>	<u>*Water-related only</u> <u>Does not apply to vehicle import facilities</u> <u>Subject to development standards contained in Section 13.06.080.S.</u>
<u>Accessory and Temporary Uses</u>							
<u>Seasonal sales</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>Subject to development standards contained in Section 13.06.080.P.</u>
<u>Temporary uses</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>Subject to development standards contained in Section 13.06.080.P.</u>
<u>Other Uses</u>							
<u>Tribal Treaty protected uses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Habitat mitigation and restoration</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Coastal resilience/floodplain management projects</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Educational/informational signage</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Unlisted Uses</u>							
<u>Uses not prohibited by City Charter and not prohibited herein</u>	<u>N*</u>	<u>N*</u>	<u>N*</u>	<u>N*</u>	<u>N*</u>	<u>N*</u>	<u>*Unlisted uses are prohibited unless expressly permitted by Title 19 of the Tacoma Municipal Code – Shoreline Master Program or subject to Director’s interpretation in TMC 13.05.080.</u>
<u>Footnotes:</u>							
		<u>1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.</u>					
		<u>Seaport related means the use is related to or supports the following types of activities: Tribal customs or treaty protected uses and activities; priority economic sectors including container port activities, maritime, trade, clean fuels, advanced manufacturing, green building and trades, and industrial symbiosis; clean tech and water; or activities related to the environmental characteristics of the Tideflats area.</u>					
		<u>Ancillary use is subordinate to and supporting an allowed principal use.</u>					

F. District development standards.

	M-1	M-2	PMI <u>SCP</u>	<u>SCM</u>	<u>SCS</u>	<u>ST</u>	<u>STT</u>	<u>SC</u>
<u>1.</u> Minimum Lot Area	N/A	N/A	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>2.</u> Minimum Lot Width	N/A	N/A	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>3.</u> Maximum Lot Coverage	None	None	<u>None</u>	<u>None</u>	<u>None</u>	<u>75%</u>	<u>85%</u>	<u>NA</u>
	a) <u>“Lot coverage” means the area of a site covered by buildings or roofed areas including accessory buildings, measured at the building foundation.</u>							
<u>4.</u> Minimum Front Setback	In all districts listed above, 0 feet, unless: <ul style="list-style-type: none"> Created by requirements in Sections 13.06.090.B or 13.06.090.J; or Abutting a dwelling district, then equal to the dwelling district setback for the first 100 feet from that side. The above setback requirements may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
<u>5.</u> Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Sections 13.06.090.B or 13.06.090.J, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
<u>6.</u> Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Sections 13.06.090.B or 13.06.090.J, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.							
<u>7.</u> Maximum Height Limit	75 feet	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.	<u>75 feet</u>	<u>75 feet</u>	<u>75 feet</u>	<u>75 feet</u>	<u>75 feet</u>	<u>75 feet</u>
<u>8.</u> Maximum Height Exceptions	Certain specified uses and structures are allowed to extend above height limits, per Sections 13.06.010.E and 13.06.080.Q.							
<u>9.</u> <u>Tree Credits, minimum</u>	N/A	N/A	<u>10%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>10%</u>	<u>30%</u>
	<u>(canopy coverage of lot equivalent – see TMC 13.06.090.B)</u>							

G. Performance standards.

All land uses within the Seaport Industrial Districts shall comply with the following minimum performance standards:

1. [Application of the Shoreline Master Program – TMC Title 19.](#)
2. [Application of the City’s Noise Ordinance - TMC Chapter 8.122](#)
3. [Application of federal and state criteria pollutants and air toxics limits regarding use operation and transportation generation. This is demonstrated by compliance with PSCAA regulations, Ecology air quality permits, and associated agency with jurisdiction SEPA conditions where applicable.](#)
4. [All odor emissions must comply with the applicable requirements of the Puget Sound Clean Air Agency and State Department of Ecology](#)
5. [Application of Critical Areas Preservation Ordinance, TMC Chapter 13.11](#)
6. [Wellhead protection – Projects within 10-year wellhead time of travel zones shall meet the standards in TMC 13.06.070.D.](#)
7. [Application of Residential transition standards in TMC 13.06.090.J including light trespass standards and landscaping buffers.](#)
8. [Application of tree canopy standards in TMC 13.06.060 and landscaping standards in TMC 13.06.090.B.](#)
9. [Federal, state and local standards pertaining to water quality and stormwater runoff control must be complied with, including the City of Tacoma Stormwater Management Manual and Tacoma Municipal Code 12.08A-D.](#)
10. [Hazardous Materials and Bulk Petroleum Products. Plans for the handling, storage, disposal and spill control of hazardous materials, hazardous wastes, and bulk petroleum products shall be approved prior to the issuance of any building permit.](#)
11. [Cultural resources:](#)
 - a. [Comply with the requirements established by RCW 27.53.060 \(Disturbing archaeological resource or site—Permit required—Conditions—Exceptions—Penalty.\) and Chapter 25-48 WAC \(Archaeological Excavation and Removal Permit\).](#)
 - b. [Comply with procedures included in Indian Graves and Records \(RCW 27.44\), Human Remains \(RCW 68.50\), and Abandoned and Historic Cemeteries and Historic Graves \(RCW 68.60\) shall apply.](#)
 - c. [Comply with TMC 13.13 Archaeological, cultural, and historic resources.](#)

H. Residential Development.

1. In the M-1 and M-2 Districts:

- ~~1~~a. Minimum Usable Yard Space. Residential development shall provide usable yard space in accordance with the provisions of 13.06.020 [in accordance with the R-4 District](#) based on the building type.
- ~~2~~b. Tree canopy coverage. Residential uses shall meet the tree canopy coverage requirements in 13.06.020 in accordance with the R-4 District.

3. In the STT District new non-industrial, residential, or mixed-use developments with a residential component shall meet the setback and amenity space standards associated with the CIX district in TMC 13.06.040 and the building design standards associated with Mixed-use Districts in TMC 13.06.100.B.

~~H.I.~~ References to other common requirements.

- | | |
|-------------|--|
| 13.01 | Definitions. |
| 13.05.010 | For Land use permits, including conditional use and variance criteria. |
| 13.06.010 | General provisions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area, as well as nonconforming uses/parcels/structures.) |
| 13.06.070 | Overlay districts (these districts may modify allowed uses and/or the development regulations of the underlying zoning district.) |
| 13.06.090.B | Landscaping standards. |
| 13.06.090.C | Off-street parking areas. |
| 13.06.090.D | Loading spaces. |

13.06.090.I Signs standards.

13.06.100 Building design standards.

(Ord. 28821 Ex. H; passed Jun. 28, 2022: Ord. 28786 Ex. A; passed Nov. 16, 2021: Ord. 28725 Exs. A and F; passed Dec. 8, 2020: Code Reviser's note: Previously codified as 13.06.400 (Industrial Districts); relocated to 13.06.060 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28613 Ex. E; passed Sept. 24, 2019: Ord. 28604 Ex. A; passed Sept. 10, 2019: Ord. 28592 Ex. A; passed Jun. 25, 2019: Ord. 28518 Ex. 6; passed Jun. 26, 2018: Ord. 28491 Ex. A; passed Feb. 20, 2018: Ord. 28470 Exs. B, D; passed Nov. 21, 2017 [Code Reviser's note: Ord. 28470, as extended by various ordinances, expired and was replaced by Ord. 28786 Amended, passed Nov. 16: 2021]: Ord. 28429 Ex. B; passed May 9; 2017: Ord. 28417 Ex. A; Mar. 7, 2017: Ord. 28376 Exs. B, D; passed Aug. 16, 2016: Ord. 28361 Ex. B; passed May. 24, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28327 Ex. C; passed Nov. 3, 2015: Ord. 28281 Ex. A; passed Feb. 17, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28182 Ex. A; passed Nov. 5, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28050 Ex. C; passed Feb. 14, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27813 Ex. D; passed Jun. 30, 2009: Ord. 27772 §§ 2, 3, 5-18; passed Dec. 9, 2008: Ord. 27771 Ex. C; passed Dec. 9, 2008: Ord. 27680 § 2; passed May 13, 2008: Ord. 27665 §§ 11, 13; passed Dec. 4, 2007: Ord. 27644 Ex. A; passed Sept. 18, 2007: Ord. 27574 §§ 2, 3; passed Mar. 20, 2007: Ord. 27539 § 15; passed Oct. 31, 2006: Ord. 27362 § 3; passed Jun. 7, 2005: Ord. 27245 § 11; passed Jun. 22, 2004: Ord. 27079 §§ 24-28; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002)

F. Fuel Facilities.

1. Applicability.

The following standards apply to all “Petroleum Fuel Facilities” and “Cleaner Fuel Infrastructure.”

2. Purpose:

The purpose of these standards is to minimize the risk of spill or discharge of fuels into the Puyallup River or marine waters; to support a reduction in greenhouse gas emissions and a transition to cleaner fuel and energy production consistent with Federal, state and local targets; to avoid and minimize any impacts to adjacent communities from fire, explosion, or increased air emissions resulting from facility expansion; and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

3. Baseline established.

a. The baseline for refining, storage, transportation, and transshipment facilities is established by the following information available as of November 16, 2021 (the adoption date of this ordinance.)

(1) Crude oil refining baseline capacity shall be established by the U.S. Energy Information Administration Refinery Capacity Report as measured in atmospheric crude distillation barrels per day (<https://www.eia.gov/petroleum/refinerycapacity/>) or comparable. The baseline for other product refining, including liquefied natural gas, shall be based on the documented refining capacity in the most recent local permits issued for the facility.

(2) Storage baseline capacity shall be established using Washington Department of Ecology industrial section permits and oil spill prevention plans.

(3) Transshipment and transportation facility baseline is established through the most recent spill prevention plans approved by the Department of Ecology or where a local permit documenting such facilities has been approved more recently.

(4) If an existing facility does not have an established refining or storage baseline from a past industrial section permit or spill prevention plan, the baseline must be established as part of a permit application.

4. New facilities or expansion of existing facilities beyond the established baseline shall meet the following special use standards:

a. Mitigation for local greenhouse gas impacts calculated consistent with the definition of facility emissions in TMC 13.01.060:

(1) Assessment: Greenhouse gas emissions impacts shall be assessed using current valid modeling techniques.

(2) Mitigation: Greenhouse gas emissions that create specific adverse environmental impacts may be offset through mitigation projects that provide real and quantifiable greenhouse gas mitigation.

(3) Location: Greenhouse gas emissions offsets for local impacts shall be located in the following order of preference:

- Within the City of Tacoma;
- Within the Puyallup River Watershed;
- Within Pierce County;
- Within the Central Puget Sound region, including Pierce County, Kitsap County, Snohomish County, and King County.

b. The applicant shall provide annual reporting of the following:

- The number of vessel transfers of fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.

- The number of rail cars transporting fuels, both to and from the site, including a description of the product, volume, and destination.
 - The number of trucks transporting fuel, both to and from the site, including a description of the product, volume, and destination.
 - A description of on-site storage capacity including the number of tanks, tank volumes, and products.
 - A description of all facility emissions for previous five years and a three year forecast.
- c. An applicant must provide proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Tacoma as an additional insured as a condition of permit issuance.

5. Petroleum Fuel Facilities.

a. New “Petroleum Fuel Facilities” are prohibited.

b. Existing facilities, legally permitted at the time of adoption of this ordinance, shall be considered permitted uses, subject to the following limitations:

(1) Existing facilities shall not exceed the established baseline as of November 16, 2021 (the adoption date of this ordinance) except where specifically authorized in this section.

(2) Except as specifically authorized under 13.06.080.F.5.b.(3), (4), and (5), the following new improvements are prohibited:

- New driveways, private rail sidings, docks, piers, wharves and floats.
- Site or facility improvements that would increase the capacity of a driveway, private rail siding, dock, pier, wharf or float.
- New storage tanks, refining or processing facilities.

(3) Expansion of or addition to existing petroleum fuel facilities is allowed through the normal permitting process when the particular expansion would create the maximum proposed capacity of a facility that was the subject of an Environmental Impact Statement prepared and published by the City under RCW 43.21C and TMC Chapter 13.12 as of November 16, 2021 (the adoption date of this ordinance) and for which the City has accepted on or before November 16, 2021 (the adoption date of this ordinance) all funds that fully mitigate the adverse environmental impacts of the facility’s maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent. Provided that any proposed expansion which is eligible under this section remains subject to the full permit review process, including environmental review, as applicable, and this section does not guarantee the issuance of a permit.

(4) Expansion of production, storage, transportation and transshipment of petroleum fuels when requested in writing by the Department of Defense supporting Joint Base Lewis McChord, Naval Region Northwest Installations or other national defense needs shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director.

(5) Replacement of and improvements to existing petroleum infrastructure shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, for maintenance, for improvement of the safety or security of the infrastructure, decrease air or water emissions, or to allow the infrastructure to meet new regulatory requirements.

(6) Where a “Petroleum Fuel Facility” provides direct-to-vessel fueling, new infrastructure that is necessary to support vessel fueling may be allowed so long as overall facility storage and refining does not exceed the established baseline.

(7) Improvements are limited to property owned or occupied by the use as of the adoption of this ordinance.

(8) Baseline monitoring. On an annual basis, Planning and Development Services will evaluate information from the U.S. Energy Information Administration, WA Department of Ecology, Puget Sound Clean Air Agency, as well as from local permits, to ensure compliance with the requirements herein.

6. Cleaner Fuel Infrastructure.

a. New and Expanded Cleaner Fuel Infrastructure as defined in this ~~chapter shall be allowed through the standard permitting process with the City of Tacoma acting as SEPA lead agency, subject to an enhanced SEPA checklist to be implemented and updated from time to time by the Director, and~~ shall be permitted as a conditional use in the SCP and SCM districts only, with the Washington State Department of Ecology acting as SEPA lead agency, unless declined, and subject to the following requirements:

(1) New Cleaner Fuel Infrastructure permitted through this chapter shall not be used for production, storage, transportation and transshipment of petroleum. Total or partial conversion of permitted New Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum shall constitute grounds for permit revocation and civil enforcement.

(2) Any Expanded Cleaner Fuel Infrastructure permitted through this chapter shall not exceed a cumulative total increase of fifteen percent (15%) more storage over the applicant's total petroleum storage as of November 16, 2021 (the adoption date of this ordinance). Total or partial conversion of permitted Expanded Cleaner Fuel Infrastructure for the purposes of production, storage, transportation, and transshipment of petroleum fuels shall constitute grounds for permit revocation and civil enforcement. The limitation on cumulative petroleum storage does not apply to expansions allowed under TMC 13.06.080.F.5.b (3), (4), and (5) above.

CHAPTER 13.06 SITE AND DEVELOPMENT STANDARDS

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13.06.090 Site Development Standards.

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B. Landscaping standards.

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3. General Landscaping Standards

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g. Incentives and Flexibility.

The following incentives and flexibility towards required trees may be utilized separately or in combination.

(1) New Evergreen Trees.

New evergreen trees, above and beyond those otherwise required, shall receive an additional 10% Tree Credit (a scale factor of 1.1). For example, 2 Medium evergreen trees beyond the required number of evergreen trees = 500 credits x 2 trees x 1.1 = 1,100 tree credits. If greater than two-thirds of required trees are evergreens, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090.B.4.g.(6)

(2) Retained Tree Groves

A tree grove is comprised of 8 or more existing trees, of 12" DBH or greater, that form a continuous canopy. It excludes trees listed in the Prohibited and Not Recommended tree list in the UFM. Additional flexibility is available per TMC 13.06.020.F.3 for retention of a tree grove, which includes retention of trees and/or understory vegetation that cannot be removed without damaging the health of the grove.

(3) Low Impact Development.

LID BMPs that meet both stormwater management and tree requirements, like tree retention (BMP L615) and permeable pavement over planting soil (BMP L633 with suspended pavement systems), are encouraged. Vegetated LID BMPs may be used to meet all or a portion of the landscaping requirements. For sites utilizing LID BMPs as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach, additional flexibility is available on Parking Lot Distribution requirements per TMC 13.06.090.B.4.g.(6).

(4) Tree Credit Fee and Fee in Lieu of Tree Planting.

As an alternative to planting or retaining trees on the site to meet the applicable Tree Credit requirements, funds may instead be placed into an account established by the City to support the Urban Forestry Program in planting, maintenance, and replacement of trees on public property or the right-of-way. The required amount will be assessed per Tree Credit as specified in the Urban Forest Manual, and equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment. This provision is limited to reducing the actual provision of on-site Tree Credits through tree planting and preservation to no less than 10% of the lot area in all UR zones. The City should utilize these fees to plant and maintain trees in the same Watershed as the project that generated the fees.

In limited instances when specific site characteristics do not support the preservation or planting of trees in zones with tree requirements that do not use a Tree Credit system, funds may instead be paid into the City Urban Forestry Fund. Applicants must demonstrate to the satisfaction of the Director that specific site characteristics make the installation of landscaping on the site problematic to its reasonable use. Landscaping buffer requirements may not be modified through this provision. Landscaping must still be installed to the maximum extent practicable. Funds collected will be used by the City Urban Forestry Program to plant trees on other public or private property within the City. The required amount will be equal to 1.5 times the cost to purchase and plant the required landscaping and maintain it through establishment, as specified in the UFM.

(5) Right-of-Way Trees.

New trees planted or retained in the right-of-way above and beyond those required per TMC 13.06.090.B.4.f.(3) can count toward on-site Tree Credit requirements. To use this mechanism, separately determine required tree credits per TMC 13.06.090.B.4.f.(3) to be met in the right-of-way, and required tree credits to be met on-site per TMC 13.06.090.B.4.e.(2)(a). Any additional tree credits provided with new trees in the right-of-way above the required minimum can count toward meeting the required on-site tree credits, provided the trees planted in the right-of-way meet TMC 13.06.090.B.4.f.

(6) Multiple Co-owned Parcels.

Multiple adjoining parcels under the same ownership may be combined for the purposes of calculating and meeting required on-site Tree Credits, provided that the requirements are met for the overall site. The City may require legal property restrictions to ensure the required trees are protected.

(7) Tree Banks.

Required trees may also be planted on a separate private property, such as a religious organization, or public property, such as a park or school, as long as it is within the same Watershed as the project and necessary agreements are in place to ensure the long-term maintenance and protection of the tree(s). In order to use this option, the project proponent is responsible for identifying the alternative location and securing an agreement, that conforms to City requirements, from the owner of the receiving property transferring the responsibility for the required tree(s).

(8) Prioritization of Tree Retention and Tree Canopy over Parking

(a) Purpose

If complying with both tree requirements and on-site vehicular parking requirements would result in it being infeasible to achieve the maximum number of units permitted in the zone, then the tree credit and tree retention requirements shall prevail and the parking requirements will be reduced or waived, as required by RCW 36.70A. This reduction in parking requirements may occur during permit review as described below. The parking exceptions related to tree retention do not apply if the project chooses not to retain the potential conflicting trees.

(b) Criteria:

A development is exempt from residential off-street vehicle parking requirements if the applicant demonstrates that without such an exemption, at least one of the following would be necessary:

- i. Removal of trees exceeding 6-inches DBH to create space for vehicle driveways, parking, or pedestrian access, despite exploring reasonable site layout alternatives;
- ii. Removal of trees in the public right-of-way for driveway construction; or,
- iii. Purchase of off-site tree canopy credits to meet tree canopy requirements.

4. Landscaping Requirements for Districts.

* * *

d. Overall Site Landscaping.

(1) Purpose.

Overall Site Landscaping is intended to ensure that a minimum amount of landscaping is provided with development per TMC 13.06.090 B.2.

(2) Overall Site Landscaping Minimums.

This requirement may be provided anywhere on the site. The amount is determined as a percentage of the site which is not covered with structures. It may be satisfied by landscaping provided to meet other requirements.

- Residential Districts and Urban Residential Districts: 5 percent
- Commercial Districts: 10 percent
- Industrial Districts: ~~5 percent of parking areas over 20,000 sf~~ No less than 10% of overall site
- ~~Industrial Districts within Tideflats Manufacturing Industrial Center: 5 percent of parking areas over 20,000 sf~~
- X Districts: 15 percent (for single-purpose residential projects)
- In the Seaport Industrial Districts: 5 percent of the site area in the SCP District; 10% of overall site in the SCM, SCS, ST, and STT Districts.

(3) Planting requirements.

When Required, Overall Site Landscaping shall consist of a mixture of trees, shrubs and groundcover plants, as follows:

- In all but Urban Residential Districts: At least one Small Tree per 200 square feet, one Medium Tree per 300 square feet, or one Large Tree per 400 square feet of required overall site landscaped area.

- In Urban Residential Districts: See tree credit requirements in TMC.
- Shrubs and groundcover shall be designed to completely cover the remaining area within 3 years.

(4) X Districts Exceptions.

Requirements for developments with structured parking are relaxed based on the percentage of structured parking to the total number of on-site parking spaces. For example, if all parking is structured, there is no overall site landscaping requirement. If 50 percent of the parking is structured, then the amount of required overall site landscaping is reduced by 50 percent.

- Green roofs and roof gardens may be used to meet up to one-third of the landscaped area requirements.
- Planting strips within street rights-of-way shall not be counted toward this requirement.

e. Site Perimeter Landscaping:

(1) Purpose.

Site Perimeter Landscaping is intended to ensure that areas abutting property lines, and not developed with structures, be attractive, and provide the environmental benefits of vegetation.

(2) Exceptions.

- Site Perimeter Landscaping is not required in ~~Industrial Districts within Tideflats Manufacturing Industrial Center Industrial~~, Urban Residential or X Districts.
- In the Seaport Districts, site perimeter landscaping is not required in the SCP and SCM Districts, except as specifically provided for in (3) (d) below, and is only required for industrial uses within the STT Zone.

(3) General Standards.

(a) When applicable, a Site Perimeter is required around the entire perimeter of the site. Perimeter strips may be broken for primary structures, vehicle and pedestrian access crossings, and to allow limited access to and use of utility services located in alleys, but not by accessory structures, paved areas, outdoor storage or other development.

(b) A minimum 7-foot wide site perimeter strip shall be provided on sides without abutting street trees. The required perimeter strip shall be reduced to 5 feet for parcels of 150 feet or less in depth.

(c) A minimum 5-foot wide site perimeter strip shall be provided on sides with abutting street trees.

~~(e)~~(d) In the M-1 and M-2 Industrial districts, industrial uses shall provide a minimum 15-foot wide site perimeter strip along all adjacent right-of-ways.

~~(d)~~(e) In the Seaport Industrial Districts a 15' site perimeter strip will be provided along any property line abutting:

- I-509 between E Alexander Ave and Taylor Way.
- Marine View Drive.
- E. 11th Street west of Portland Avenue.
- Portland Avenue (south of E. 11th Street).
- Port of Tacoma Road (south of Lincoln Ave to City Limit)
- E. D Street.
- E. 15th Street.
- St. Paul Ave.
- E. F Street between E. 15th and E. D Street.
- Taylor Way.

Along these rights-of-way, Site Perimeter strip requirements may be met within the public right-of-way and combined with street tree standards where the strict application of the requirement would pose a conflict with port/rail operations, or where a corridor design has been approved that meets the overall tree and landscaping standards.

(4) Planting Requirements.

The perimeter strip shall be covered with a mixture of trees, shrubs, and groundcover plants, as follows:

- (a) At least one Small Tree per 200 sf; one Medium Tree per 300 sf; or one Large Tree per 400 sf of required landscaped area.
- (b) Trees planted shall be generally evenly distributed over the site.
- (c) Place trees to create a canopy in desired locations without obstructing necessary view corridors.
- (d) Shrubs and groundcover to completely cover the remaining area within 3 years.

f. Street trees:

(1) Purpose.

Street trees are intended to provide multiple benefits including aesthetics, traffic calming, environmental, shading, visual buffering and noise separation from streets.

~~(2) Exceptions.~~

~~In the PMI District, street trees are required with new development, alterations, and street improvements as specified in TMC 13.06.090.B, for development on the following gateway corridors: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street). In other locations within the PMI District, street trees are only required for street and sidewalk improvements as specified in Section 1.e, above.~~

(3) Planting Requirements.

- (a) Four Small Trees; Three Medium Trees; or Two Large Trees per 100 linear feet of site frontage. This can also be viewed as 1 Small per 25 feet, 1 Medium per 33.33 feet, or 1 Large tree per 50 feet of site frontage. Small, Medium and Large Trees may be used in combination, according to the applicable ratios. When dividing linear frontage to determine required tree quantities, a fraction of 0.3 or greater must be rounded up to the nearest whole number.

EXAMPLE: A site with 50 feet of street frontage would require 2 Small (25×2), 2 Medium ($50 \times 3/100 = 1.5$, which rounds up to 2), or 1 Large ($50 \times 2/100 = 1$).

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

- (b) Street trees should generally be evenly spaced to create or maintain a rhythmic pattern but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, traffic signs, or other streetscape features, or if such variations are demonstrated to better achieve the intent. [For Seaport Districts, this flexibility may be applied when the strict application of street tree planting requirements would pose a safety hazard for freight mobility or conflict with rail operations.](#)
- (c) Street trees shall, when possible, be planted within the right-of-way adjacent to the curb and between the pedestrian lane/sidewalk and curb. When this is not possible or a different location would better achieve the intent, street trees may be located elsewhere within the right-of-way, including behind the sidewalk, in street medians, parking strips or bulbouts. If neither of these preferred locations is possible, such as when existing infrastructure prevents trees from being planted within the right-of-way, trees located within 10 feet of the right-of-way may be counted as street trees. In this case, such trees only count toward the street tree requirement and do not count toward on-site Tree Credits.
- (d) Installation and maintenance of street trees shall adhere to the provisions in TMC 13.06.090.B.3.e.

(4) Street Tree Retention

Existing street trees shall be preserved in a healthy, thriving, and safe condition per the tree installation and maintenance requirements of this section, TMC 9.20, and the technical specifications of the UFM. If required street trees are improperly pruned, damaged, or removed, they shall be replaced per the provisions of this section and TMC 9.20. Trees within the right-of-way that are retained consistent with TMC 13.06.090.B.3.f.(1) and TMC 9.20 count as required Street Trees according to their species as Small, Medium and Large Trees.

(5) Street Trees in Downtown Districts.

- (a) Four Small Trees, Three Medium Trees, or Two Large Trees shall be provided per each 100 linear

feet of frontage. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. Street trees shall be provided, consistent with the requirements of this standard, proportionate with the linear length of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees should generally conform to the Tacoma Downtown Streetscape Study and Design Concepts.

(b) The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc.

(c) When the minimum sidewalk width standards for the roadway designation and ADA compliance cannot be met with the minimum surface planting diameter, alternative pervious surface materials may be used to cover the tree pits, such as a porous, rubberized pavement, to accommodate pedestrians in the planting area.

g. Parking Lot Landscaping.

(1) Purpose.

Parking lot landscaping is intended to provide visual relief, to enhance the aesthetic appearance, screening from adjacent sites and public areas, to reduce environmental impacts of parking and other paved areas, and to provide shade and shelter for pedestrians.

(2) Exceptions.

(a) ~~Parking Lot Perimeter Landscaping is not required in Industrial Districts within Tideflats Manufacturing Industrial Center M-2 or PMI Districts~~ In Industrial districts, parking lot landscaping standards do not apply to outdoor storage areas or cargo and container marshalling yards.

(b) Parking Lot Perimeter Landscaping is required only between parking lots and streets in Urban Residential (UR) Districts.

(c) Parking lots of 16 stalls or less are not required to meet Interior Planting requirements.

(d) Parking lots of 16 stalls or less, located behind buildings and accessed by alleys, are exempt from the Interior Planting and Site Perimeter requirements.

(3) Parking Area tree minimum – overall.

One Small Tree per 700 square feet; one Medium Tree per 1,000 square feet; or, one Large Tree per 1,400 square feet of parking lot area, including drive lanes.

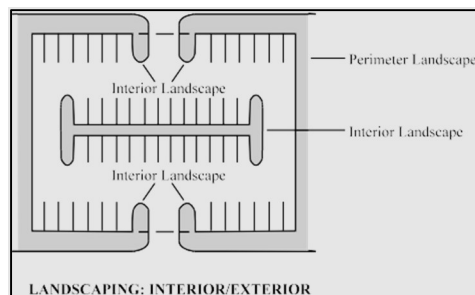
(4) Parking Lot – Interior Planting Requirements.

A mixture of trees, shrubs and groundcover meeting the following requirements:

(a) At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.

(b) Trees planted shall be generally evenly distributed over the site. Shrubs and groundcover plants as required above.

(c) Parking lot landscaping areas example:



(5) Distribution.

(a) No stall shall be more than 50 feet from a tree trunk.

(b) Long rows of parking shall be broken by islands or peninsulas with trees, such that there are no more than eight parking stalls in a row without a tree.

(c) Planting areas with trees are required at all parking aisle ends.

(d) Trees shall be provided along walkways per 13.06.090.F.

(6) Distribution Flexibility Bonuses.

For each of the following bonuses provided, Parking Lot Distribution requirements may be modified as follows: The maximum distance from each stall may increase by 10 feet; and, maximum parking row length may increase by 1 stall.

- Tree retention: Retention of trees at least 20 inches in diameter constitutes at least 50 percent of the number of required trees.
- Evergreen trees: Evergreen trees constitute greater than two-thirds of required trees.
- Low Impact Development: Sites utilizing Low Impact Development (LID) techniques as defined in the City of Tacoma Stormwater Management Manual as their primary stormwater management approach.

(7) Parking lot - Perimeter landscaping Planting Requirements.

(a) Parking Lots with more than 20 stalls are required to provide a 10-foot wide planting strip per the planting requirements below.

(b) Where the subject property is 150 feet or less in depth, the perimeter strip can be reduced to 5 feet in width.

(c) When applicable, a Parking Lot Perimeter is required around the shortest circumferential line defining the exterior boundary of a parking, loading or similar paved area, excluding primary structures, driveways or walkways providing access to the facility.

(d) Parking Lot Perimeters shall be planted with a mixture of trees, shrubs and groundcover meeting the following requirements:

- At least one Small Tree per 200 sf, one Medium Tree per 300 sf; or one Large Tree per 400 sf of landscaped area.
- Trees planted shall be generally evenly distributed over the site.
- Shrubs and groundcover plants as required above.
- Trees placed to create a canopy in desired locations without obstructing necessary view corridors.

(e) When site constraints do not allow for the full 10 feet of perimeter width, the perimeter landscaping can be accommodated elsewhere on site, adjacent to the parking lot.

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13.06.090 Site Development Standards.

C. Off-street parking areas.¹

1. Applicability.

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

2. Purpose.

To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land, and to ensure that required parking areas are designed to perform in a safe and efficient manner. Additionally, to minimize impacts to adjacent uses from areas used for storage of vehicles and other materials, specific design and development standards for such areas are provided in Subsection D.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

3. Off-street parking spaces - quantity.

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

a. Fractions.

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

b. Multiple uses.

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

c. Use not listed.

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

d. Historic buildings and sites.

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

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

¹ Code Reviser's note: Previously codified as 13.06.510 (Off-street parking and storage areas); relocated to 13.06.090 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28613 Ex. E; passed Sept. 24, 2019; Ord. 28518 Exs. 1, 6; passed Jun. 26, 2018; Ord. 28511 Ex. B; passed May 15, 2018; Ord. 28376 Ex. B; passed Aug. 16, 2016; Ord. 28336 Exs. B, C; passed Dec. 1, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28157 Ex. F; passed Jun. 25, 2013; Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 28088 Ex. A; passed Sept. 25, 2012; Ord. 28077 Ex. C; passed Jun. 12, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27818 Ex. A; passed Jul. 28, 2009; Ord. 27813 Ex. D; passed Jun. 30, 2009; Ord. 27771 Ex. C; passed Dec. 9, 2008; Ord. 27644 Ex. A; passed Sept. 18, 2007; Ord. 27539 § 16; passed Oct. 31, 2006; Ord. 27432 § 9; passed Nov. 15, 2005; Ord. 27296 § 22; passed Nov. 16, 2004; Ord. 27245 § 12; passed Jun. 22, 2004; Ord. 27079 § 35; passed Apr. 29, 2003; Ord. 26966 § 14; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002.

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

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

h. The following parking quantity standards apply to the Zoning Districts established in 13.06.020 Residential Districts, 13.06.030 Commercial Districts, and 13.06.060 Industrial Districts.

TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)

Use	Unit	Required parking spaces
		Min.
Residential		
Single-family detached dwelling, Adult family home, Staffed residential home ^{1, 2, 12}	Dwelling.	2.00
Two-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Townhouse dwelling in all districts ^{1, 2, 12}	Dwelling.	1.00
Three-family dwelling in all districts ^{1, 2, 12}	Dwelling.	2.00
Two- or Three-family dwelling via Conditional Use Permit	Dwelling.	1.00
Group housing – up to 6 residents		2.00
Group housing – 7 or more residents ^{1, 16}	Room, suite or dwelling.	1.00
Small Lots, Cottage Housing and lots not conforming to area/width ³	Dwelling.	1.00
Mobile home park ^{1, 2, 12}		
Senior housing	Guest room, suite or dwelling unit.	0.75
Multiple-family dwelling ^{1, 2, 12, 16}		
Located in R-3, R-4-L, T, HMR-SRD, and PRD Districts ¹²	Dwelling.	1.50
Located in R-4, C-1, C-2, PDB, and M-1 Districts ¹²	Dwelling.	1.25
Located in R-5 District ¹²	Dwelling.	1.00
Mixed-Use Center District	See TABLE 2 (next table).	
Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club ¹	Guest room, suite, or dwelling.	Same as for multiple-family.
Residential in DR, DCC, DMU, and WR Districts	See Section 13.06.050 Downtown.	
Retail¹⁰		
Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of floor area	1,000 square feet of floor area.	2.50
Shopping Center	1,000 square feet of floor area.	4.00
Retail commercial establishments, except as otherwise herein	1,000 square feet of floor area.	4.00
Eating and drinking establishments ¹¹	1,000 square feet of floor area.	6.00
Office		
Business and professional offices	1,000 square feet of floor area.	3.00

TABLE 1 – Required Off-Street Parking Spaces^{9, 14} (All footnotes are in Table 2, below.)

Use	Unit	Required parking spaces
Medical and dental clinics	1,000 square feet of floor area.	3.00
Lodging		
Hotel or Motel ¹	Guestroom or suite.	0.50
Institutional		
Libraries, museums, art galleries	1,000 square feet of floor area.	2.50
Hospitals	Bed.	1.75
Special needs housing, as listed in 13.06.080.N, and not otherwise listed in this table	Bed.	0.10 plus one per employee
Extended care facilities	Bed.	0.33
Religious assembly	Seat. ⁴	0.20
Elementary, middle, and junior high schools	Classroom.	1.20
High school	Student.	0.40
College and university	Student.	0.75
Work release or juvenile rehabilitation	Employee.	1.00 ⁵
Recreational		
Auditoriums, stadiums, and theaters	Seat. ⁴	0.25
Miniature golf course	1,000 square feet of lot area, excluding parking.	2.50
Skating rink	1,000 square feet of floor area.	6.00
Bowling establishment	Lanes.	5.00
Public dance halls and private clubs	1,000 square feet of floor area.	7.50
Marina	Moorage space.	0.50
Boat launch	Ramp.	25.00 ⁶
Recreational uses not listed elsewhere	Same as retail, based on size.	
Warehouse/Industrial ¹³		
Self-service storage	Storage unit.	See note 7.
Warehousing	2,000 square feet of floor area.	1.00
Industrial/manufacturing	1,000 square feet of floor area.	1.00
Services		
Laundromat	Washing and dry-cleaning machine.	0.50
Car wash	Wash stall or 25 feet of wash lane.	4.00 ⁸
Day-care centers	Each 10 children in care.	2.00

TABLE 2 – Exceptions to quantity requirements.

1. Guest rooms, dwellings or suites in group housing, retirement homes, apartment hotels, residential hotels, and residential clubs shall be construed to be dwelling units for purposes of determining the number of off-street parking stalls required.
2. For purposes of this regulation, a mobile home shall be construed to be a single-family dwelling. Tandem parking is permitted for single-family, two-family, and three-family dwellings.
3. Includes lots approved through the provisions of the Small Lot standards of TMC 13.06.020.J, Cottage Housing Dwellings approved per TMC 13.06.080.C, including 13.05.060, and lots which were a single unified parcel of land as indicated by the records of the Pierce County Auditor as of May 18, 1953 or a lot which was configured legally to conform to the applicable requirements but which became nonconforming as a result of subsequent changes to this chapter or other official action by the City, and which has been maintained in that configuration since, having an average width, frontage, or area that is smaller than the applicable minimum requirements.
4. Seat, 18 inches of bench or 25 square feet of floor space.
5. There shall be 2 visitor-parking stalls provided for each 10 required employee stalls.
6. Parking spaces shall be minimum 10 feet wide and 40 feet long.
7. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide when storage facilities open onto one side of the lane only and at least 25 feet wide when storage facilities open onto both sides of the lane. Driving lanes shall be designed to accommodate single unit vehicles. Two parking spaces shall be provided adjacent to the manager's quarters. One parking space for every 200 storage spaces or fraction thereof shall be located adjacent to, or within 100 feet of, the office. A minimum of two such spaces shall be provided. Required parking spaces may not be rented as, or used for, long-term vehicular storage.
8. The required stalls may include waiting and finishing or drying space.
9. The number and size of required handicapped accessible parking spaces shall be consistent with the applicable Building Code.
10. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 3,000 square feet of retail space.
11. In commercial districts combined with a View-Sensitive Overlay District and adjacent to a shoreline district (i.e., Old Town), 0 stalls are required for the first 750 square feet of eating and drinking establishments.
12. Additional off-street parking for existing residential uses, including those nonconforming as to off-street parking, in all "R" Residential Dwelling Districts shall only be required if the number of dwelling units is increased.
13. Storage warehousing, distribution warehousing, and industrial uses.
 - a. The off-street parking requirements, set forth in Table 1 of this section, shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed utilizing the requirements set forth in Table 1.
 - b. In determining whether to apply the parking standard based on floor area or the standard based on the number of employees, the City shall consider the following:
 - (1) The extent to which automation is utilized in the operation of the facility;
 - (2) The long-term versus the short-term nature of the use;
 - (3) The means of product delivery and distribution;
 - (4) The need for storage of company vehicles on-site;
 - (5) The availability of accurate employee counts;
 - (6) Future expansion plans;
 - (7) The amount of available area which could be converted to additional off-street parking should the need arise; for example, due to an increase in the work force or change in use.

If, after reviewing the project in light of the above factors, the City finds that the off-street parking standard based on number of employees more accurately reflects the parking needs of the facility while still protecting the general health, safety, and welfare of the community, such standards shall be applied.
14. In instances where the parking requirement is based on number of employees and the employees work in shifts, the number of regular employees in the largest shift shall be used for the purpose of determining the required number of parking stalls.
15. For purposes of calculating parking quantity requirements, "floor area," when used, shall not include space devoted to parking.

16. Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts (TMC 13.06.090.C.4, below), up to a minimum of 1 stall per 2 rooms, suites or dwellings. Each parking reduction option provided shall receive 50 percent of the credit available in Mixed-Use Center Districts. This reduction may not be utilized in combination with the bonus offered through Footnote 1 of this table.

17. In the Seaport Transition – TOD District, no minimum parking requirements shall apply to residential units, unless accessible parking is required per TMC 13.06.090.C.5. Other off-street minimum parking requirements shall be reduced by 50 percent for proximity to the planned light rail station.

* * *

E. Storage areas and vehicle storage areas.¹

* * *

F. Pedestrian and bicycle support standards.²

5. Street Furniture.

a. 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.

b. 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, and is not required if the site has less than 250 feet of street frontage. Projects in the ~~PMI~~ SCP and SCM Districts 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.

c. 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, and is not required if the 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.

d. 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.



e. Credit.

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

¹ Code Reviser's note: Relocated from 13.06.510.D per Ord. 28613 Ex. G.

² Code Reviser's note: Previously codified as 13.06.512 (Pedestrian and bicycle support standards); relocated to 13.06.090 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28511 Ex. B; passed May 15, 2018: Ord. 28376 Ex. B; passed Aug. 16, 2016: Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27245 § 13; passed Jun. 22, 2004: Ord. 27079 § 37; passed Apr. 29, 2003: Ord. 26933 § 1; passed Mar. 5, 2002.

CHAPTER 13.06

SITE AND DEVELOPMENT STANDARDS

* * *

13.06.090 Site Development Standards.

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J. ~~Residential Zoning~~ transition standards.

~~1. Applicability.~~

~~2.1.~~ Purpose.

To help ensure appropriate transitions between non-residential and/or higher intensity development and adjacent residential and/or lower intensity districts, in terms of building bulk and scale, location of activity areas for privacy and noise reduction, provision of greenspace, and visual separation.

* * *

a. Landscaping Buffers:

a. Applicability.

This section is applicable per the thresholds for landscaping in TMC 13.06.090.B.

b. Purpose.

Landscaping buffers are intended to function as a substantial vegetative screening providing physical and visual separation between dissimilar districts in order to soften visual and aesthetic impacts. Buffers also provide the aesthetic and environmental benefits of vegetation.

c. Exceptions.

- (1) When there is a 20 foot vertical grade difference between a development site that is located across the street or alley or is abutting a residential district property, no ~~L~~landscape buffers are required along the affected property line if such grade difference is demonstrated to provide comparable protection.
- (2) Wherever a development site is separated from a ~~R~~Residential ~~d~~District by an arterial street, highway, or alley existing right of way, ~~provide~~ a ~~L~~landscape buffer is not required. This exception does not apply to industrial development sites.
- (3) The Director may waive the requirement for a landscape buffer ~~a screening~~ if equivalent landscape buffer screening is provided by existing parks, parkways, recreation areas, or by topography or other natural conditions.
- (4) The Director may waive the requirement for ~~a screening~~ a landscape buffer if the use R District property being screened is in long- term use for a purpose other than residential, and which would not be negatively impacted by adjacency to a more intensive use.
- (5) The continuous landscaping buffer may be interrupted to the minimum extent necessary to accommodate walkway access and preferred driveway access to and from the property and to allow limited access to and use of necessary utilities.
- (6) A buffer is not required between the front of a commercial or ~~residential~~ building and the street.
- (7) Single-, two-, three-unit and townhouse developments are exempt from all landscaping buffer requirements.

d. Buffer Standards. ~~—More intensive district abutting an R District Property.~~

~~(1) In Industrial zoning districts:~~

- ~~—A landscape buffer of 50 feet must be provided on the property, along the boundary abutting an R-district property~~
- ~~—If a berm with a 6-foot vertical grade difference is provided on the property, the landscape buffer may be reduced to 30 feet.~~
- ~~—Where the property required to provide a buffer is 300 feet or less in depth, measured~~

perpendicularly from the residential parcel, the buffer can be reduced to 20 feet.

- Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to 15 feet.

(2) In all other zoning districts:

- A continuous planting area that has a minimum width of 15 feet shall be provided on the property, along the boundary with the residential district.
- Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to the minimum 10 foot wide buffer listed below.
- Where the property required to provide a buffer is 60 feet or less in depth measured perpendicularly from the residential parcel, the buffer can be reduced to a minimum of 7 feet in width and designed consistent with the site perimeter standards in Section 13.06.090.B.4.e(4).

(3) Planting requirements for landscaping strips 10 to 15 feet wide:

- At least one row of evergreen trees, minimum 8 feet in height at the time of planting and 10 feet maximum separation.
- Shrubs at a rate of one shrub per 20 square feet of landscaped area. In addition to being from minimum 3 gallon sized containers, shrubs shall be at least 16 inches tall at planting and have a mature height of at least 3 feet.
- Groundcover plants.
- Note: These provisions supersede the standard height, spacing and visibility provisions of the General Section, above.

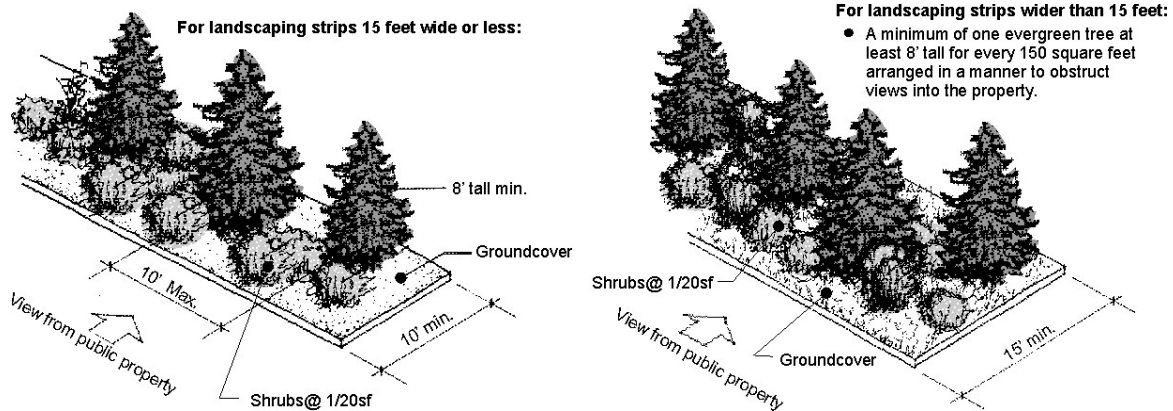
(4) Planting requirements for landscaping strips wider than 15 feet:

- A minimum of one evergreen tree for every 150 square feet arranged in a manner to obstruct views into the property.
- Shrubs and groundcover as required above.

(5) This Landscaping Buffer is not subject to landscaping credits or flexibility provisions of TMC 13.06.090.B.

(6) Alternative species selection and spacing plans demonstrated to substantially meet the Buffer intent may be approved with staff review.

(7) Buffer planting examples:



Figures: (Left) for landscaping strips 15 feet wide or less; (right) for landscaping strips wider than 15 feet.

(1) Industrial Zoning District abutting a Residential District property

(a) Type 1 buffer required

(2) Industrial zoning abutting a Commercial or Mixed-use zoning district

(a) Type 1 buffer required for industrial sites 2 acres or larger

(b) Type 2 buffer required for industrial sites less than 2 acres

(3) Non-industrial zoning district abutting a Residential District property

(a) Type 2 buffer required

(b) Type 3 buffer required where the property required to provide the buffer is 300 feet or less in depth measured perpendicularly from the residential parcel

(c) Type 4 buffer required where the property required to provide the buffer is 150 feet or less in depth measured perpendicularly from the residential parcel

<u>Buffer Type</u>	<u>Width, measured perpendicular from the property line</u>	<u>Berm, with a 6' vertical grade difference</u>	<u>Screen¹</u>	<u>Planting Requirement</u>
<u>Type 1; Applicant may select between the two options.</u>	<u>50'</u> <u>25'</u>	<u>Not required</u> <u>Required</u>	<u>Not required</u> <u>Not required</u>	<ul style="list-style-type: none"><u>A minimum of one evergreen tree for every 150 square feet arranged in a manner to obstruct views into the property.</u><u>Shrubs at a rate of one shrub per 20 square feet of landscaped area. In addition to being from minimum 3-gallon sized containers, shrubs shall be at least 16 inches tall at planting and have a mature height of at least 3 feet.</u><u>Note: These provisions supersede the standard height, spacing and visibility provisions of the General Section, above.</u>
<u>Type 2</u>	<u>15'</u>	<u>Not required</u>	<u>Required for industrial uses</u>	<ul style="list-style-type: none"><u>At least one row of evergreen trees, minimum 8 feet in height at the time of planting and 10 feet maximum separation.</u>
<u>Type 3</u>	<u>10'</u>	<u>Not required</u>		<ul style="list-style-type: none"><u>Shrubs at a rate of one shrub per 20 square feet of landscaped area. In addition to being from minimum 3-gallon sized containers, shrubs shall be at least 16 inches tall at planting and have a mature height of at least 3 feet.</u><u>Groundcover plants.</u><u>Note: These provisions supersede the standard height, spacing and visibility provisions of the General Section, above.</u>
<u>Type 4</u>	<u>7', may be reduced to 4' where there is a demonstrated site constraint</u>	<u>Not required</u>		<ul style="list-style-type: none"><u>At least one Medium Tree per 300; or one Large Tree per 400 square feet of landscaped area.</u><u>Trees to be spaced at an average of 20 feet on-center, but may be grouped in asymmetrical arrangements.</u>

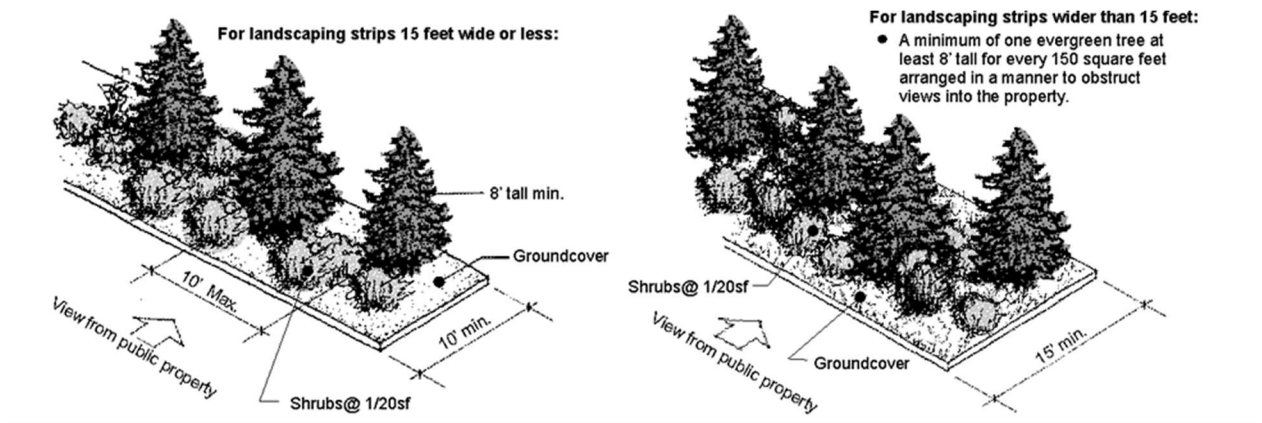
				<ul style="list-style-type: none"> • <u>At least 50 percent of trees must be evergreen conifers.</u>
1 Screening shall be accomplished by locating a minimum six foot tall wall or opaque fence that will screen the items from a non-elevated view from neighboring properties or adjacent public rights-of-way				

e. Requirements common to all buffers

(1) Additional Planting Requirements

- (a) Buffers shall be planted continuously along the full length of the applicable property line, with limited exceptions for driveways, pedestrian access, and utilities.
- (b) This Landscaping Buffer is not subject to landscaping incentives or flexibility provisions of TMC 13.06.090.B.3.g
- (c) Alternative species selection and spacing plans demonstrated to substantially meet the Buffer intent may be approved with staff review.

(2) Buffer Planting Examples



Figures: (Left) for landscaping strips 15 feet wide or less; (right) for landscaping strips wider than 15 feet.

~~e. Buffer standards—More intensive district across the street from R-District property.~~

- ~~(1) A continuous planting area that has a minimum width of 7 feet shall be provided on the property, across from the R-District.~~
- ~~(2) In cases where there is a demonstrated site constraint, the minimum buffer width may be reduced to a minimum 4 feet, with the integration of a continuous site-obscuring vegetated fence or wall.~~
- ~~(3) Buffer Planting requirements~~
 - ~~At least one Medium Tree per 300; or one Large Tree per 400 square feet of landscaped area.~~
 - ~~Trees to be spaced at an average of 20 feet on center, but may be grouped in asymmetrical arrangements.~~
 - ~~At least 50 percent of trees must be evergreen conifers.~~

f. Mobile home/trailer courts abutting Residential districts (where permitted).

- A wall, fence, vegetated wall, evergreen hedge, or other suitable enclosure of minimum height four and one half feet and maximum height of seven feet placed at least five feet from the side and rear lot lines. The area between such enclosures and the property lines shall be landscaped to form a permanent screening area.
- A landscaped screening area at least five feet in depth must be provided along the street frontage on a non-arterial street forming a boundary between a mobile home park site and an R-1, R-2, or R-3 District.

- No signs shall be permitted on any part of a screening enclosure or within a screening area.

#

CHAPTER 13.12

ENVIRONMENTAL CODE

Sections:

13.12.004-13.12.055 *Repealed.*

Part One – Purpose and Authority

13.12.100 Purpose of this part and adoption by reference.
13.12.120 Authority.
13.12.130 Purpose, applicability, and intent.
13.12.140 Environmental policy.
13.12.150 Severability.

Part Two – General Requirements

13.12.200 Purpose of this part and adoption by reference.
13.12.210 Lead agency – Responsibilities.
13.12.220 Designation of responsible official.
13.12.230 Designation and responsibility of the City’s SEPA public information center (SEPA PIC).
13.12.240 Timing of the SEPA process.

Part Three – Categorical Exemptions

13.12.300 Purpose of this part and adoption by reference.
13.12.305 *Repealed.*
13.12.310 Flexible thresholds for categorical exemptions.
13.12.315 *Repealed.*
13.12.320 Emergencies.
13.12.340-13.12.355 *Repealed.*

Part Four – Categorical Exemptions And Threshold Determination

13.12.400 Purpose of this part and adoption by reference.
13.12.408 *Repealed.*
13.12.410 Categorical exemptions.
13.12.420 Environmental checklist.
13.12.430 Determination of non-significance (DNS).
13.12.440 Mitigated DNS.
13.12.450 Optional DNS process.
13.12.460 *Repealed.*

Part Five – Environmental Impact Statement (EIS)

13.12.500 Purpose of this part and adoption by reference.
13.12.510 Scoping.
13.12.520 Expanded scoping (optional).
13.12.530 EIS preparation.
13.12.540 Issuance of final environmental impact statement (FEIS).
13.12.550 SEPA Planned Action EIS.
13.12.560 Optional Plan Elements and Development Regulations.
13.12.570 Archaeological, Cultural, and Historic Resources.
13.12.580 Traffic Impact Assessment.

Part Six – Commenting

13.12.600 Purpose of this part and adoption by reference.
13.12.610 Public notice.
13.12.620 Responding to SEPA Requests for Comment from Other Lead Agencies.
13.12.660-13.12.685 *Repealed.*

Part Seven – Using Existing Environmental Documents

13.12.700 Purpose of this part and adoption by reference.

Part Eight – SEPA and Agency Decisions

13.12.800 Purpose of this part and adoption by reference.

13.12.801 *Repealed.*

13.12.810 Substantive authority and mitigation.

13.12.820 Appeals of SEPA threshold determination and adequacy of final environmental impact statement.

13.12.880 *Repealed.*

Part Nine – *Repealed.*

Part Ten – Agency Compliance

13.12.920 Purpose of this part and adoption by reference.

13.12.923 *Repealed.*

13.12.930 Critical areas.

Part Eleven – Forms

13.12.940 Purpose of this part and adoption by reference.

13.12.950 *Repealed.*

(Ord. 28011 Ex. A; passed Aug. 23, 2011; Ord. 27296 § 34; passed Nov. 16, 2004)

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Part Two – General Requirements

13.12.200 Purpose of this part and adoption by reference.

The purpose of this part is to set forth general requirements that apply to all environmental determinations and all environmental review responsibilities on the part of the City. The following sections apply to environmental review in general, and to specific regulations for cities planning under the Growth Management Act. They also describe the procedures when environmental review is applied in conjunction with other state environmental laws. It also incorporates the following sections of the Washington Administrative Code by reference:

197-11-050	Lead agency.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.
197-11-158	GMA project review. Reliance on existing plans, laws, and regulations.
197-11-164	Planned actions. Definition and criteria.
197-11-168	Ordinance or resolution designating planned actions. Procedures for adoption.
197-11-172	Planned actions. Project review.
197-11-210	SEPA/GMA integration.
197-11-220	SEPA/GMA definitions.
197-11-228	Overall SEPA/GMA integration procedures.
197-11-230	Timing of an integrated SEPA/GMA process.
197-11-232	SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.
197-11-235	Documents.
197-11-238	Monitoring.
197-11-250	SEPA/Model Toxics Control Act integration.

197-11-253	SEPA lead agency for MCTA actions.
197-11-256	Preliminary evaluation.
197-11-259	Determination of non-significance for MCTA remedial action.
197-11-262	Determination of significance and EIS for MCTA remedial actions.
197-11-265	Early scoping for MCTA remedial actions.
197-11-268	MCTA interim actions.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

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Part Four – Categorical Exemptions And Threshold Determination

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13.12.420 Environmental checklist.

Any action or proposal which is not determined to be exempt shall require environmental review under SEPA, which shall commence with the filing of a SEPA checklist. However, a checklist is not needed if the responsible official has decided to prepare an EIS, or the responsible official and applicant agree an EIS is required; see section 13.12.400 for the requirements for an EIS.

A. The Environmental checklist form shall be the same as that on file with the SEPA Public Information Center, titled “Environmental Checklist,” which is incorporated by reference in this chapter.

B. The checklist shall be filed no later than the time an application is filed for a permit, license, certificate, or other approval. {13.12.315(1)}

C. For private proposals, the responsible official shall require the applicant to complete the environmental checklist, providing assistance as necessary. For public proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.

D. The items in the environmental checklist are not weighted. The mention of one or many adverse environmental impacts does not necessarily mean that the impacts are significant or that the impacts cannot be mitigated. Conversely, a probable significant adverse impact on the environment identified in the checklist may result in the need for an EIS.

(Ord. 27995 Ex. J; passed Jun. 14, 2011; Ord. 23262 § 8; passed Sept. 25, 1984)

13.12.430 Air Quality Assessment.

A. Purpose. To support the air quality assessment of the Environmental Checklist by providing clear submittal requirements to applicants; ensuring submittal documentation is consistent with best practices; and providing for consistent review and application of assessment and mitigation strategies for air quality impacts.

B. Applicability. The following supplemental materials are required for industrial, manufacturing, warehousing, and distribution facilities that are required to prepare an environmental checklist under the provisions of 13.12.420.

C. Supplemental Environmental Checklist Submittal Requirements

- a. An inventory of GHG emissions will be provided based on the accepted methodologies from the Department of Ecology, Puget Sound Clean Air Agency, or equivalent based on the best available information.
 - b. A GHG reduction plan regarding construction, initial operations and horizon operations.
 - c. An inventory of air toxics using an accepted methodology from the Department of Ecology, Puget Sound Clean Air Agency or equivalent based on the best available information.
 - d. All projects shall submit a completed Tacoma Climate Action Plan Consistency Checklist.
- D. Based on the applicant’s assessment of compliance with these plans and regulations, and a review of EPA’s **Air Toxics Screening Assessment (AirToxScreen)**, **2023 Tacoma Seattle Air Toxics Report**, or other best available information to estimate health risks for air toxics, the City may condition projects to reduce pollutant generation and apply mitigation recommendations from these sources as well as the Northwest Ports Clean Air Strategy, or other air quality mitigation plans and strategies as adopted by the Department of Ecology or Puget Sound Clean Air Agency.

- E. [Based on the review of the GHG inventory and reduction plan and the completed Tacoma Climate Action Plan Consistency Checklist, the City may condition projects to mitigate significant impacts and to align with overall GHG reduction targets. Proposed GHG reductions and mitigation measures shall be based first on the Optional elements identified in the Tacoma Climate Action Plan Consistency Checklist.](#)

Tacoma Climate Action Plan Indicator Checklist

CATEGORY	BETTER STRATEGY	INDICATOR	PERFORMANCE STANDARD	PROJECT COMPLIANCE
NATURAL SYSTEMS & LOCAL FOOD	BREATHING	Exceed national average per capita rate spent on tree care	Required. Submit tree care plan for landscaping that is privately maintained.	
		Increase tree planting and care in high heat, very low and low opportunity equity neighborhoods	Required. Achieved through implementation of landscaping and tree canopy standards. Optional: Contribute funds to Urban Forestry Program.	
		Increase acres of actively managed open space ecosystem habitat by 24%. Protect 6% more acres.	Protection: Required. Achieved through critical area standards (TMC 13.11) and Shoreline Master Program, Title 19. Enhancement: Optional. May be achieved through critical area buffer restoration, contribution to Open Space Fund, voluntary stewardship agreements, or purchase of Transfer of Development Rights Credits.	
	LIVING	Increase natural heat Island intervention projects in hottest neighborhoods by 100%	Optional. Contribute funds to Urban Forestry Program; Provide grant funding for depave and rain garden programs through the Pierce Conservation District, Make a Splash Grant, or Watershed Council Grants or equivalent	
BUILDINGS & ENERGY	LIVING	Reduce fossil fuel energy use from buildings by 33%	Required. Achieved through application of Washington State Building Code.	

CATEGORY	BETTER STRATEGY	INDICATOR	PERFORMANCE STANDARD	PROJECT COMPLIANCE
			Optional: Provide capacity for electric vehicle charging that exceeds building and energy code requirements; Achieve LEED status or equivalent; Provide solar ready roof.	
MOBILITY & LAND USE	LIVING	Eliminate fatalities and serious injuries from collisions by 2035 to achieve Vision Zero (reduce by 66% by 2030)	Required. Achieved through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee	
	BREATHING	Increase public electric vehicle charging locations by 5 times, especially in low and very low opportunity equity neighborhoods	Required: Onsite electrical vehicle charging per building codes. Optional: Exceed building code standards; Establish off-site or public charging stations.	
	LIVING	Increase bicycle infrastructure miles by 80%	Required: Achieved through compliance with SEPA transportation mitigation fee and public access improvements.	
		Increase miles of sidewalks by 14%	Required. Achieve through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee.	
		Increase number of ADA-compliant curb ramps by 78%	Required. Achieved through compliance with street frontage standards.	
		Increase compact, complete, walkable neighborhoods	Achieved through compliance with street frontage standards and contribution of SEPA mitigation fee and impact fee.	
CONSUMPTION	RESOURCE USE	Decrease per-capita waste generation by 14%	Deconstruction required if demolition is proposed.	
		Increase metric tons of GHGs from diverted	Provide plan for diverting reusable and recyclable	

CATEGORY	BETTER STRATEGY	INDICATOR	PERFORMANCE STANDARD	PROJECT COMPLIANCE
		materials from Recycling and Recovery Center by 17%	materials for day to day operations. Other actions consistent with CAP.	
GREEN ECONOMY	RESOURCE USE	Increase number of EnviroStar businesses by 5x	Required. Achieved through Envirostar certification or equivalent.	
GOVERNANCE AND ENGAGEMENT	TOGETHER	Community-led climate equity projects and programs		
		Northwest Ports Clean Air Strategy	Contribute funds towards implementation of Northwest Ports Clean Air Strategy. This option is available for all planned action projects if an Interlocal Agreement is in place with the local Port district.	
		Transportation Demand Management (TDM)	Required. For projects that are subject to the Commute Trip Reduction Program (per TMC 13.15), achieved by meeting the required elements of TMC 13.15.070. Optional: Incorporate one or more of the additional measures described in TMC 13.15.070.D.	

13.12.430 Determination of non-significance (DNS).

A. If the responsible official determines there will be no probable significant adverse environmental impacts from a proposal, the responsible official shall prepare and issue a determination of non-significance (DNS). If the City adopts another environmental document in support of a threshold determination as set forth in Part Six of this chapter, the City shall issue a notice of adoption and/or combine the documents.

B. A DNS issued under the provisions of this section shall not become effective until the expiration of the appeal period. The filing of an appeal shall stay the effect of the DNS and no major action in regard to a proposal may be taken during the pendency of an appeal and until all action regarding the appeal is final. A decision to reverse the determination of the responsible official and uphold the appeal shall further stay any decision, proceedings, or actions in regard to the proposal.

C. When a DNS is issued for any of the proposals listed below, the requirements in this subsection shall be met. The requirements of this subsection do not apply to a DNS issued when the optional DNS process is used (Section 13.12.450).

1. The City shall not act upon a proposal for 14 days after the date of issuance of a DNS if the proposal involves:
 - a. Another agency with jurisdiction;
 - b. Non-exempt demolition of any structure or facility;
 - c. Issuance of clearing or grading permits not otherwise exempted; or
 - d. A DNS when the applicant has changed the project in response to early review by the responsible official in order to avoid or withdraw a Determination of Significance; or
 - e. A mitigated DNS.
2. The responsible official shall send the DNS and environmental checklist to agencies with jurisdiction, the Department of Ecology, and affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal, and shall give notice as set forth in this chapter.
3. Any person, affected tribe, or agency may submit comments to the City within 14 days of the date of issuance of the DNS, or as may be extended by the planning and/or public hearing process for non-project actions.
4. The date of issuance for the DNS is the date the DNS is sent to the Department of Ecology and agencies with jurisdiction and is made publicly available.
5. An agency with jurisdiction may assume lead agency status only within this comment period.
6. The responsible official shall reconsider the DNS based on timely comments and may retain or modify the DNS or, if the responsible official determines that significant adverse impacts are likely, withdraw the DNS. When a DNS is modified, the responsible official shall send the modified DNS to agencies with jurisdiction.

D. The responsible official shall withdraw a DNS if:

1. There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts;
2. There is significant new information regarding a proposal's probable significant adverse environmental impacts (this section shall not apply when a nonexempt license has been issued on a project); or
3. The DNS was procured by misrepresentation or lack of material disclosure; if the DNS resulted from such actions by an applicant, any subsequent environmental checklist on the proposal shall be prepared directly by the responsible official or their consultants at the expense of the applicant.

If the responsible official withdraws a DNS, a new threshold determination shall be made and other agencies with jurisdiction shall be notified of the withdrawal and new threshold determination.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.440 Mitigated DNS.

A. The responsible official may issue a determination of nonsignificance based upon conditions attached to the proposal by the responsible official or upon changes to, or clarifications of, the proposal made by the applicant.

B. If an applicant requests early notice of whether a Mitigated Determination of Nonsignificance (MDNS) or a Determination of Significance (DS) is likely, the request must:

1. Be submitted in writing;
2. Follow submission of a completed environmental checklist for a nonexempt proposal for which the department is lead agency; and
3. Precede the department's actual threshold determination for the proposal.
4. The responsible official shall respond to the request in writing and shall state whether the responsible official is considering issuance of an MDNS or a DS and, if so, indicate the general or specific area(s) of concern that are leading to consideration of an MDNS or DS;
5. The response must also state that the applicant may change or clarify the proposal to mitigate the impacts indicated in the letter, revising the environmental checklist as necessary to reflect the changes or clarifications. {13.12.350.2 and 3}

C. As much as possible, the responsible official should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.

D. If the applicant submits a changed or clarified proposal, along with a revised environmental checklist, the responsible official will make a threshold determination based on the changed or clarified proposal:

1. If the responsible official indicated specific mitigation measures in a response to the request for early notice that would allow him or her to issue a DNS, and the applicant changed or clarified the proposal to include those specific mitigation measures, the responsible official shall issue a determination of nonsignificance.
2. If the responsible official indicated general or specific areas of concern, but did not indicate specific mitigation measures that would allow a DNS to be issued, the responsible official shall make the threshold determination, issuing a DNS or DS as appropriate.
3. The applicant's proposed mitigation measures (clarifications, changes, or conditions) must be in writing and must be specific.
4. Mitigation measures which justify issuance of a DNS shall be incorporated in the DNS by inclusion in the determination, or by reference to staff reports, studies or other documents.

E. Mitigation measures incorporated in the DNS or MDNS shall be deemed conditions of approval of the associated building, work order, land use, or other development permit or license, unless revised or changed by the decision maker, and shall be placed as conditions directly upon the permit decision. The conditions shall be incorporated into the permit and shall be enforced in the same manner as any term or condition of the permit. {13.12.350(7)}

F. If the tentative decision for an approval of a permit does not include mitigation measures that were incorporated in the SEPA determination for the proposal, the threshold determination should be evaluated to assure consistency with Section 13.12.430.D of this chapter (withdrawal of DNS).

G. The responsible official's written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussions of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the responsible official to a mitigated DNS.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.450 Optional DNS process.

A. The responsible official may use the optional DNS process if they have determined that significant adverse environmental impacts are unlikely, and a single integrated comment period is desired to obtain comments for the application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued.

B. If the optional DNS process is used, the following shall apply:

1. The notice shall state on the first page that the City expects to issue a DNS for the proposal, and that:
 - a. The optional DNS process is being used;
 - b. This may be the only opportunity to comment on the environmental impacts of the proposal;
 - c. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and
 - d. A copy of the subsequent threshold determination for the specific proposal may be obtained upon request.
2. The notice shall list the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.
3. The City shall comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and
4. The City shall send the notice and environmental checklist to:
 - a. Agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and
 - b. Anyone requesting a copy of the environmental checklist for the specific proposal.

C. If the City indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice.

D. The responsible official shall consider timely comments on the notice and either:

1. Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;
2. Issue a DNS, or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the City determines a comment period is necessary;
3. Issue a DS, or
4. Require additional information or studies prior to making a threshold determination.

E. If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the City shall send a copy of the DNS or mitigated DNS to the Department of Ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be re-circulated.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.460 *Repealed by Ord. 28011. Issuance of final environmental impact statement (FEIS).*¹

(Ord. 28011 Ex. A; passed Aug. 23, 2011; Ord. 25856 § 6; passed Jan. 27, 1996; Ord. 23262 § 8; passed Sept. 25, 1984)

¹ Relocated to Section 13.12.540.

Part Five – Environmental Impact Statement (EIS)

13.12.500 Purpose of this part and adoption by reference.

The purpose of this part is to describe the process, content, and format of an EIS, and to set forth the procedures for two specific kinds of non-project EIS reviews. It also incorporates the following sections of the Washington Administrative Code by reference:

197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonprofit proposals.
197-11-443	EIS contents when prior non-project EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.510 Scoping.

A. The responsible official shall narrow the scope of every EIS to the probable significant adverse impacts and reasonable alternatives, including mitigation measures. For example, if there are only two or three significant impacts or reasonable alternatives, the EIS shall be focused on those.

B. To ensure that every EIS is concise and addresses the significant environmental issues, the responsible official shall:

1. Invite agencies with jurisdiction, if any, affected tribes, and the public to comment on the DS (WAC 197-11-360). The responsible official shall require comments in writing. Agencies with jurisdiction, affected tribes, and the public shall be allowed 21 days from the date of issuance of the DS in which to comment, unless expanded scoping is used. The date of issuance for a DS is the date it is sent to the Department of Ecology and other agencies with jurisdiction, and is publicly available;
2. Identify reasonable alternatives and probable significant adverse environmental impacts;
3. Eliminate from detailed study those impacts that are not significant;
4. Work with other agencies to identify and integrate environmental studies required for other government approvals with the EIS, where feasible.

C. Meetings or scoping documents, including notices that the scope has been revised, may be used but are not required. The responsible official shall integrate the scoping process with the existing planning and decision making process in order to avoid duplication and delay.

D. The responsible official shall revise the scope of an EIS if substantial changes are made later in the proposal, or if significant new circumstances or information arise that bear on the proposal and its significant impacts.

E. DEISs shall be prepared according to the scope decided upon by the responsible official in the scoping process.

F. EIS preparation may begin during scoping.

(Ord. 27995 Ex. J; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 25856 § 7; passed Jan. 27, 1996; Ord. 23262 § 8; passed Sept. 25, 1984)

13.12.520 Expanded scoping (optional).

The responsible official may expand the scoping process to include any or all of the provisions found in WAC 197-11-410, which may be applied on a proposal-by-proposal basis.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.530 EIS preparation.

For draft, final, and supplemental EISs:

A. Preparation of the EIS is the responsibility of the City, by or under the direction of its responsible official, as specified by Section 13.12.220 of this chapter. Regardless of who participates in the preparation of the EIS, it is the EIS of the responsible official. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with these rules and the procedures of the City of Tacoma.

B. The responsible official may have an EIS prepared by City staff, an applicant or its agents, or by an outside consultant retained by either an applicant or the responsible official. The responsible official shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

C. If a person other than the responsible official is preparing the EIS, the responsible official or designee shall:

1. Coordinate any scoping procedures so that the individual preparing the EIS receives all substantive information submitted by any agency or person;
2. Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS;
3. Allow any party preparing an EIS access to all public records of the City that relate to the subject of the EIS, under Chapter 42.56 RCW (Public Records Act);
4. Review and examine pertinent sections of the EIS to assure the completeness, accuracy, and objectivity of the EIS.

D. Any outside person, firm, or corporation assisting in the preparation of an EIS shall have expertise and experience in preparing environmental impact statements and shall be approved by the responsible official prior to participation in the EIS development process.

E. Field investigation or research by the applicant, reasonably related to determining the environmental impacts associated with the proposal, may be required, with the cost of such field investigation or research to be borne by the applicant.

(Ord. 28336 Ex. C; passed Dec. 1, 2015; Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.540 Issuance of final environmental impact statement (FEIS).

A. A FEIS shall be issued by the responsible official and sent to the Department of Ecology (two copies), to all agencies with jurisdiction, to all agencies who commented on the DEIS, and to anyone requesting a copy of the FEIS. (Fees may be charged for the FEIS, see WAC 197-11-504)

B. The responsible official shall send the FEIS, or a notice that the FEIS is available, to anyone who commented on the DEIS or scoping notice and to those who received but did not comment on the DEIS. If the responsible official receives petitions from a specific group or organization, a notice or EIS may be sent to the group and not to each petitioner. Failure to notify any individual under this subsection shall not affect the legal validity of the City's SEPA compliance.

C. The responsible official shall make additional copies available for review in their office and in the SEPA Public Information Center.

D. The date of issue is the date the FEIS, or notice of availability, is sent to the persons and agencies specified in the preceding subsections and the FEIS is publicly available. Copies sent to the Department of Ecology shall satisfy the statutory requirement of availability to the governor.

E. The City shall not act on a proposal for which an EIS has been required prior to 15 days after issuance of the FEIS. Further, filing of an appeal of the adequacy of a FEIS pursuant to Section 13.12.xxx of this chapter shall stay the effect of such FEIS and no major action in regard to a proposal may be taken during the pendency of an appeal and until the appeal is finally disposed of by the Hearing Examiner. A decision that the FEIS is inadequate and upholding the appeal shall further stay any decision, proceedings, or actions in regard to the proposal.

F. The responsible official shall issue the FEIS within 60 days of the end of the comment period for the DEIS, unless the proposal is unusually large in scope, the environmental impact associated with the proposal is unusually complex, or extensive modifications are required to respond to public comments.

G. The form and content of the FEIS shall be as specified in WAC 197-11-400-460.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.550 SEPA Planned Action EIS

A. The Responsible Official may authorize preparation of a Planned Action for a specific type of development, other than for an essential public facility or facilities as defined in RCW 36.70A.200, or for a specific geographical area that is less extensive than the jurisdictional boundaries of the City. The Planned Action must have the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with a comprehensive plan, a comprehensive plan amendment, a subarea plan or for the phased project.

B. Ordinance. A Planned Action must be designated by ordinance of the City Council. The adopting ordinance must describe the planned action projects and may establish a time period for completion of the planned action projects.

C. Project actions must be included in the designated ordinance and impacts addressed in an EIS prepared in conjunction with a comprehensive plan, amendment thereto, a subarea plan or a phased project.

D. Planned action project review. Projects developed within a planned action area shall be exempted from further environmental review. However, the project proponent shall describe the environmental mitigation to be provided by subsequent or implementing projects, and must include a checklist (not a SEPA Checklist, but as set forth in the planned action EIS) that is to be filed with the project application and used to verify that:

1. The project meets the description in, and will implement, any such mitigation and
2. The probable significant adverse environmental impacts of the project have been adequately addressed in the EIS.

E. The adopting ordinance will state that if notice is otherwise required for the underlying permit the notice shall state that the project has qualified as a planned action and that if notice is not otherwise required for the underlying permit no special notice is required. The adopting ordinance may limit a planned action to a time period identified in the ordinance.

(Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.560 Optional Plan Elements and Development Regulations

A. The City may adopt optional comprehensive plan elements and optional development regulations that apply within designated centers or for subareas within one-half mile of a major transit stop zoned for higher density housing consistent with RCW 43.21C.240.

B. Designation of areas:

The centers must be designated by the Puget Sound Regional Council as a Regional Growth Center or a Manufacturing-Industrial Center or be an area within one-half mile of a major transit stop that is zoned to have an average minimum density of fifteen dwelling units or more per gross acre.

C. The City shall prepare a non-project (as defined in WAC 197-11-774) environmental impact statement.

1. The EIS must assess and disclose probable adverse impacts of the optional comprehensive plan element and development regulations and of future development consistent with the plan and regulations.
2. The EIS may have appended to it an analysis of the extent to which the proposed plan may result in the displacement or fragmentation of existing businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups; the results of the analysis must be discussed at a community meeting that is separate from the EIS/plan public hearings.

D. Community Meeting.

1. At least one community meeting must be held on the proposed optional plan and development regulations before the scoping notice is issued. Notice of scoping and notice of the community meeting must be mailed to all taxpayers of record within the sub-area to be studied, and within four hundred feet of the boundaries of the subarea, to affected Tribes and to agencies with jurisdiction over the future development within the subarea. See Part Five for notice requirements.
2. Notice must also be mailed to all small businesses as defined in RCW 19.85.020 and to all community preservation and development authorities established under chapter 43.167 RCW. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea plan.
3. The notice of the community meeting must include general illustrations and descriptions of buildings generally representative of the maximum building envelope that will be allowed under the proposed plan and indicate that future appeals of proposed developments that are consistent with the plan will be limited. Notice of the community meeting must include signs located on major travel routes in the sub-area posted within 7 days of the mailing of the meeting notice. If the building envelope increases during the process, another notice complying with the requirements of this section must be issued before the next public involvement opportunity.

E. Appeal.

Any person that has standing to appeal the adoption of the sub-area plan or the implementing regulations under RCW 36.70A.280 has standing to bring an appeal of the non-project EIS as set forth in this chapter.

F. Transfer of Development Rights.

As an integral part of preparing a sub-area plan/non-project EIS the City shall consider establishing a transfer of development rights program in consultation with Pierce County, a program that that conserves county-designated agricultural and forest land of long-term commercial significance. If the city decides not to establish a transfer of development rights program, the city must state in the record the reasons for not adopting the program. The city's decision not to establish a transfer of development rights program is not subject to appeal. Nothing in this sub-section may be used as a basis to challenge the sub-area plan.

G. Fees for Environmental Review.

The City may recover its reasonable expenses of preparation of a non-project EIS prepared under this section through access to financial assistance under RCW 36.70A.490 or funding from private sources. In addition, the City is authorized to recover a portion of its reasonable expenses of preparation of such a non-project EIS by the assessment of reasonable and proportionate fees upon subsequent development that is consistent with the plan and development regulations adopted under this section as long as the development makes use of and benefits from the non-project EIS prepared by the City. Any assessment fees collected from subsequent development may be used to reimburse funding received from private sources. In order to collect such fees, the city must enact an ordinance that sets forth objective standards for determining how the fees to be imposed upon each development will be proportionate to the impacts of each development and to the benefits accruing to each development from the non-project EIS. Any disagreement about the reasonableness or amount of the fees imposed upon a development may not be the basis for delay in issuance of a project permit for that development. The fee assessed by the city may be paid with the written stipulation "paid under protest" and if the city provides for an administrative appeal of its decision on the project for which the fees are imposed, any dispute about the amount of the fees must be resolved in the same administrative appeal process.

H. Additional Environmental Review.

If a proposed development is inconsistent with the subarea plan policies and development regulations, the City shall require additional environmental review in accordance with this chapter.

I. Effective Dates.

1. Until July 1, 2018, a proposed development that is consistent with the sub-area plan policies and development regulations adopted under this section and that is environmentally reviewed under this section may not be challenged in administrative or judicial appeals for noncompliance with this chapter as long as a complete application for such a development that vests the application or would later lead to vested status under city or state law is submitted to the City within a time frame established by the City, but not to exceed ten years from the date of issuance of the final EIS.

2. After July 1, 2018, the immunity from appeals under this section of any application that vests or will vest under this subsection or the ability to vest under this subsection is still valid, provided that the final subarea EIS is issued by July 1, 2018. After July 1, 2018, a city may continue to collect reimbursement fees under this section for the proportionate share of a subarea EIS issued prior to July 1, 2018.

(Ord. 28336 Ex. C; passed Dec. 1, 2015; Ord. 27995 Ex. J; passed Jun. 14, 2011)

13.12.570 Archaeological, Cultural, and Historic Resources.

A. Projects located within the following areas are subject to the Archaeological, cultural, and historic resources standards in TMC 13.13:

1. Where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Subarea;
2. In areas subject to the City of Tacoma's Shoreline Jurisdiction as defined in Title 19 Shoreline Master Program;
3. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.

~~Regional Growth Centers and Urban Residential (UR) Districts.~~

~~1. Applicability.~~

~~This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located within the following areas. 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.~~

~~a. Regional Growth Centers.~~

~~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.~~

~~b. Urban Residential Districts. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.~~

~~2. Cultural Site Assessment Requirements.~~

~~a. All applications for a permit shall indicate whether the property is within 500 feet of a site known to contain an historic, cultural or archaeological resource(s) based upon historic registers and records. Locations of known archaeological sites are restricted and consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.~~

~~(1) If there are no known historically designated or significant sites within 500 feet of the subject property, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the research methods used and resources consulted.~~

~~(2) If the property is determined to be within 500 feet of a site known to contain historic, cultural, or archaeological resources, the City shall require a cultural resource site assessment; provided that, the provisions of this section may be waived if the Director determines that the proposed development activities do not include any ground disturbing activities and will not impact a known historic, cultural or archaeological site. The intent of the site assessment is to identify potentially affected historic or cultural significant properties near the project area, and to provide a general assessment of the potential impacts to these properties. The site assessment shall contain the following elements:~~

~~(a) The Cultural Resource Assessment shall catalog known significant historic or cultural sites in the vicinity (500 feet) of the proposed project, and assess whether there are any probable impacts to those sites resulting from the development activity. This assessment shall include photographs and a brief description of significant sites, a description of anticipated impacts (if any) and a map showing locations relative to the proposed development.~~

~~(b) Where there is a large planned development that may affect numerous historically significant properties, and for any project that includes demolitions of structures 50 years of age or older, the documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.~~

~~(c) Demolition of historically significant structures or the disturbance of documented archaeological sites will automatically require the preparation of a Cultural Resource Management Plan (see below).~~

~~(d) Waivers of the Cultural Site Assessment. Applicants may request that the provisions of this section be waived by submittal of a written request stating the basis for such a waiver, including the resources consulted and research conducted.~~

~~(e) The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party, if needed.~~

~~(3) From the date of receipt of the Cultural Resource Assessment, the Historic Preservation Officer shall have thirty (30) days to review the document. The Historic Preservation Officer may accept the assessment as presented, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, a Cultural Resource Management Plan should be completed.~~

~~3. Cultural Resource Management Plan.~~

~~a. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, for which there is an anticipated adverse effect resulting from the proposed development activity, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional archaeologist or historic preservation professional paid by the landowner or responsible party. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended conditions of the CRMP to the maximum extent practicable.~~

~~b. The CRMP is intended to provide documentation that allows a thorough assessment of the anticipated adverse impacts to historic and culturally significant properties resulting from development activities within the regional growth center or subarea. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation, and shall contain the following minimum elements and information:~~

~~(1) A Description of the Area of Potential Effect ("APE") for the project, defined as geographic area or areas within which the development project may directly or indirectly cause changes in the character or~~

~~use of historic or culturally significant properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of the project and may be different for different kinds of effects caused by the project. The justification for the APE shall include a general description of the scope of work for the project and the extent and locations of ground disturbing activities (ground disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground disturbances that may occur as a result of construction activities);~~

~~(2) An inventory and assessment of all historically and culturally significant/designated properties within the APE, including citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included, such as the Washington State Department of Archaeology and Historic Preservation, the City of Tacoma Historic Preservation Office, and the Puyallup Tribe of Indians;~~

~~(3) An assessment of probable direct and indirect impacts within the APE resulting from development activities, including:~~

~~(a) Demolition of any buildings or structures over 50 years of age.~~

~~(b) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.~~

~~(4) An examination of project on-site design alternatives, including an explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and~~

~~(5) A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:~~

~~(a) Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks Commission.~~

~~(b) Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction.~~

~~(c) Avoidance of historic/cultural resources;~~

~~(d) Retention of all or some of a historic structure into a new development;~~

~~(e) Interpretive/educational measures;~~

~~(f) Off site/on site preservation of another historic resource;~~

~~(g) Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic register formally adopted by the City of Tacoma;~~

~~(h) Preservation in place;~~

~~(i) Reinternment in the case of grave sites;~~

~~(j) Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);~~

~~(k) Excavation and recovery of archaeological resources;~~

~~(l) Inventorying prior to covering of archaeological resources with structures or development; and~~

~~(m) Monitoring of construction excavation.~~

~~e. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.~~

~~d. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.~~

~~e. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.~~

B. Demolition of Historic Resources—Citywide.

1. Scope and Applicability.

This section sets forth provisions for review of demolition permits that affect structures that are 50 years of age or greater at the time of permit application, and that involve demolition of 4,000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:

~~a. Demolition of single unit dwellings that are not located within National Register Historic Districts or listed on the National Register of Historic Places;~~

~~b. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers.~~

~~2. Demolitions affecting designated City Landmarks. All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.040.E and TMC 13.07.110.~~

~~3. Requirements. Applications for a demolition permit shall include a summary report that identifies all affected structures that are fifty years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:~~

~~a. Current photographs of all elevations of all affected structures~~

~~b. Historical photographs of the affected structures, if available from public sources~~

~~c. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events)~~

~~4. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.~~

~~a. Demolition affecting properties that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of designation to the Tacoma Register of Historic Places, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.~~

~~b. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040.~~

~~5. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant will be directed to prepare a Historic Property Assessment Report, which shall be prepared at the expense of the applicant by a qualified historic preservation consultant, and which shall contain:~~

~~a. A narrative statement which assesses the historical or cultural significance of the property, in terms of the Designation Criteria listed in TMC 13.07.050; and~~

~~b. A narrative statement which assesses the physical condition of the property and includes an architectural description; and~~

~~c. Specific language indicating which improvements on the site are eligible for historic designation according to the Designation Criteria, including any significant interior features within publicly-owned buildings; and~~

~~d. A complete legal description; and~~

~~e. A description of the character defining features and architectural elements that contribute to the historic character of the property.~~

~~6. The Historic Property Assessment Report shall be forwarded to the Landmarks Preservation Commission for its review. If the Commission finds that the affected properties should be included in the Tacoma Register of Historic Places, it shall transmit such a recommendation to the appropriate Council Committee for concurrence.~~

~~7. If no concurrence from the Committee is received within 60 days of the Committee's initial consideration of the recommendation, the Commission's recommendation is rejected. In all cases, the Committee's concurrence by vote shall be required for further consideration by the Commission; however, this does not preclude consideration of the property for designation to the Tacoma Register of Historic Places if a formal nomination for the same property is received from a private individual.~~

~~8. Upon receiving concurrence from the Committee, the Landmarks Preservation Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.~~

~~9. During the demolition review process, all requirements of TMC 13.05.040.C relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.~~

~~C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.~~

~~All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop work notification, and for notification of appropriate agencies.~~

~~(Ord. 28986 Ex. D; passed Nov. 19, 2024; Ord. 28725 Ex. A; passed Dec. 8, 2020; Ord. 28611 Ex. D; passed Sept. 24, 2019; Ord. 28511 Ex. B; passed May 15, 2018; Ord. 28222 Ex. C; passed May 13, 2014)~~

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13.13 Archaeological, Cultural, and Historic Resources Protection.**13.13.010 Purpose**

The City recognizes that development may impact cultural resources of federally recognized Tribes. The purpose of this Title is to identify, evaluate, and protect cultural resources within the City of Tacoma for future generations, in order to: 1. Safeguard the heritage of the city as represented by cultural resources including buildings, sites, structures, and objects which reflect significant elements of history; 2. Promote and facilitate the early identification and resolution of conflicts between preservation of cultural resources and land uses in a manner consistent with the City of Tacoma Comprehensive Plan; and 3. Comply with applicable state and federal laws related to the regulation of cultural resources.

13.13.020 Applicability.

- A. This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located in the following areas:
 - 1. Where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed, including the Downtown Tacoma Regional Growth Center, the Tacoma Mall Neighborhood Regional Growth Center and the Tideflats Subarea;
 - 2. In areas subject to the City of Tacoma’s Shoreline Jurisdiction as defined in Title 19 Shoreline Master Program;
 - 3. Sites within the Urban Residential (UR) districts, where the City has completed an area-wide, non-project Environmental Impact Statement to raise the residential threshold exemption to 40 units, and where the proposal exceeds 20 units.
- B. In Washington State, archaeological sites and archeological objects are protected by both federal and state laws. This chapter does not repeal, modify, or waive any provision of federal or state law currently enacted, or as enacted in the future, that regulates archaeological sites including, but not limited to: the Archaeological Resource Protection Act of 1979 (16 U.S.C. 470aa-mm); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); the National Historic Preservation Act (16 U.S.C. 470 et seq.); Procedures For State, Tribal, And Local Government Historic Preservation Programs (36 CFR 61); Chapter 27.44 RCW titled “Indian Graves and Records”; and Chapter 27.53 RCW titled “Archaeological Sites and Resources”; Chapter 68.50 RCW titled “Human Remains”; Chapter 68.60 RCW titled “Abandoned and Historic Cemeteries and Historic Graves.
- C. The provisions of this chapter are not intended to be duplicative of other related cultural resource or historic review processes, including those mandated by Section 106 of the National Historic Preservation Act, National Environmental Policy Act or other applicable review processes.
- D. Where the provisions of this chapter conflict with each other or with other laws, ordinances or programs, the more restrictive shall govern.

13.13.030 Administration. The Planning and Development Services Department, herein after “Department” shall be responsible for administering these provisions in an efficient, effective, and transparent review process. The Department, in coordination with affected Tribes and the Washington State Department of Archaeology and Historic Preservation (DAHP), shall determine whether the proposed development activity has a high probability of cultural resources and how the site shall be investigated, and protected, and shall apply appropriate monitoring and management procedures as set forth in this Title. No development activity or structure shall be established, expanded, constructed, or otherwise changed except in conformance with this Title.

13.13.040 Compliance. The applicant and landowner shall be responsible for compliance with this Title. Compliance with conditions established in a permit or approval is required. Any violation of this Title shall be subject to enforcement actions, penalties, and/or revocation of permit or approval identified in TMC 1.82 Uniform Enforcement Code.

13.13.050 Exemptions and Waivers. The following shall be exempted from the provisions of this chapter:

- A. Emergencies that result in the imminent threat or hazard to the public or environment or immediate rescue and salvage operations conducted to preserve life or property are exempt. The exemption to this section based on an emergency that shall not extend for more than thirty days. The Department, in its discretion, may extend the exemption for an additional 30 days.
- B. Interior residential remodel and commercial tenant improvement permits within the foundation of the existing structure, pier, or footing.
- C. Exterior residential and commercial modifications without soil disturbance.
- D. New or replacement of residential or commercial decks, patios, fences, signs, sheds, and driveways.

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- E. Operation, maintenance, repair, modification, minor addition to, or replacement of existing structures, infrastructure improvements, utilities, public or private roads, or draining systems -provided the activity only requires minimal soil disturbance.
- F. Vegetation management performed in accordance with best management practices; provided that such management actions are part of regular and ongoing maintenance and the activity only requires minimal soil disturbance.

13.13.060 Review Procedures

This section shall be construed as the local review process in accordance with 36 CFR 61.6(e)(1)(ii).

- A. Cultural Resource Review Required. One or more of the following project factors may trigger a cultural resource review:
 - 1. Properties with a known or high probability for presence of archaeological, cultural or historic sites, including:
 - a. Properties with archaeological and historic resources listed or inventoried in the Washington Information System for Architectural and Archaeological Records Data (WISAARD).
 - b. Construction or ground disturbing activities within 500 feet of a previously documented cultural resource.
 - c. Properties with resources that are listed on any historic register, including the National Register of Historic Places, the Washington State Heritage Register, or the Tacoma Register of Historic Places.
 - d. Areas identified as high probability for the presence of cultural resources based on information provided by Tribes with jurisdiction.
 - e. The proposed development will involve soil disturbance and reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground disturbing action or activity has been submitted.
 - 2. Activities subject to development review under Title 13 Land Use Regulatory Code and Title 19 Shoreline Master Program that include soil disturbance or excavation.
 - 3. On parcel(s) where information provided by a Tribe, or by a Pierce County, federal, or state professional archaeologist demonstrates that the project location contains, or that the project will have probable adverse effect to, cultural resources, provided the information is submitted to the Department within thirty (30) days of notification or within the applicable State or Federal regulatory comment period.
 - a. Locations of known archaeological sites are restricted and consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.
 - b. The Applicant may submit notification to Tribal Historic Preservation Officer (THPO) with jurisdiction in advance of submitting the application to the Department. The advanced notice shall fulfill the notice requirement of TMC 13.13.060.B after 30 days of submittal to the THPO with jurisdiction if the notice sufficiently describes the project, the location, and the estimated depth of ground disturbance. The applicant shall provide the advance notice and any correspondence received to the Department.
- B. Tribal Coordination. Tribal Historic Preservation Officers (THPO) with jurisdiction shall be provided the opportunity to review and comment on all applications subject to the provisions of this chapter. Comments from the Tribe shall be submitted within 30 days of notification or within the applicable SEPA comment period.
 - 1. Advance notification to the Tribe may be provided by the applicant pursuant to 13.13.060.A; or
 - 2. If no advance notice and correspondence is submitted with the permit application, the Department shall provide such notice.
- C. Risk Assessment. For proposed activities with project factors that trigger a cultural resource review, the applicant's Professional Archaeologist shall conduct a risk assessment:
 - 1. The Risk Assessment shall include a review of cultural resources located within one mile from the project location. The distance shall be measured on a horizontal plane extending in all directions.
 - 2. Whether the project site is within 500 feet of a site known to contain historic, cultural or archaeological resource(s) based upon historic registers and records.
 - 3. Whether the project site is classified as a moderate to high risk for the presence of archaeological sites according to the Washington Information System of Architectural and Archaeological Records Data (WISAARD).
 - 4. Following confirmation by the Department, within ten (10) years of a complete application, a property in which

a previous Risk Assessment or Cultural Resource Survey was prepared by a Professional Archaeologist shall satisfy the Risk Assessment requirement. Cultural Resource Surveys older than ten (10) years may satisfy the Risk Assessment requirement if there is concurrence from affected Tribes.

5. The Department shall review the Risk Assessment and coordinate with affected Tribes. Affected Tribes shall be provided the opportunity to comment on the proposed action and Risk Assessment. Response from affected Tribes on potential adverse effects to cultural resources shall be submitted to the Department within thirty (30) days of notification.
6. A Risk Assessment may be waived if the applicant proposes conducting a Cultural Resource Survey instead.

D. Determination of Impact

1. Following coordination with affected Tribes and DAHP, the Department shall determine if the project site is determined to have a potential to impact cultural or historic resources City shall require a cultural resource assessment to be prepared at the applicant's expense by a consultant meeting the applicable Secretary of the Interior's Professional Qualification Standards for Archaeology and/or Architectural History. Potential impact is defined as:
 - a. For archaeological sites, any project within 500 feet of a known archaeological site, or that is within a moderate to very high risk area according to WISAARD, a high probability area as defined in the Puyallup Tribe of Indians Comprehensive Plan, or for which THPO has indicated a potential impact after being duly notified as described in this chapter.
 - b. For historic structures, any project that will demolish or substantially alter the exterior appearance of any structure listed on the National Register of Historic Places, the Washington State Heritage Register, or demolition of any structure for which a Determination of National Register Eligibility has been made by the State Historic Preservation Officer (SHPO).
2. If there are no potential impacts to archaeological, cultural or historic sites resulting from the project, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the resources consulted and any correspondence between the applicant and THPO with jurisdiction supporting a no-impact assessment. "No potential impact" includes projects that:
 - a. Do not have any known archaeological or historically designated sites within 500 feet of the subject property; and
 - b. Are not within any areas that are categorized as moderate to very high risk for archaeological sites according to WISAARD records or based on publicly available information from the Puyallup Tribe of Indians, or
 - c. Have received confirmation from THPO indicating no concern, or for which 30 days has elapsed since the applicant has provided notification to THPO, where no concerns have been received.
 - d. For permit applications that meet the criteria under TMC 13.12.570.2.a.(3), the Department shall find that the project will have no effect on cultural or historic resources and may conclude the review, provided that an Unanticipated Discovery Plan is filed with the permit pursuant to the provisions elsewhere in this chapter.

E. Cultural Resources Assessment Requirements

Depending upon the nature of the potential impact, the Cultural Assessment may be required to address impacts to archaeological sites, historic structures, or both.

1. A cultural resources assessment for archaeology shall contain the following elements:
 - a. A title page that includes:
 - (1) Report title
 - (2) Principal Investigator, author, and organization
 - (3) Date of submission
 - b. Introduction
 - (1) Table of contents and list of figures and tables
 - (2) Project description that includes proposed project activities and elements, defines the location and size of the project, and a description of the vertical depth and horizontal area of disturbance
 - c. A summary of the environmental setting with an emphasis on current and historical vegetation, geomorphology, regional depositional history, watershed information and natural resources.

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- (1) If this information has been provided in a previous report for the project, it does not need to be replicated. Reference to the original report or inclusion of an abbreviated version of the summary will suffice.
 - d. Summary of the cultural history, ethnography, and history of the region with an emphasis on historical settlement and activity in the specific project area.
 - (1) If this information has been provided in a previous report for the project, it does not need to be replicated. Reference to the original report or inclusion of an abbreviated version of the summary will suffice.
 - e. Existing Data and Background Data based on current knowledge about archaeological properties, both in the project area and within a study area, based on the impacts of the project. The review should include existing archaeological inventories, historic records, and other archival repositories.
 - f. Sufficient figures, images, and maps to convey the project's relation to cultural resources. This shall include but not be limited to the United State Geological Survey 7.5 minute quadrangle map with the location of the project, and aerial image with the location of the project.
 - g. Recommendations for future archaeological work, including survey, monitoring or data recovery, property management, and avoidance or mitigation options based on the nature of the undertaking, as described in TMC13.12.570.3.
 - h. Full citation of all published sources of information including author, title, publisher, and date.
- F. A Cultural Resource Assessment addressing impacts to historic structures shall contain:
 1. A title page that includes:
 - a. Report title
 - b. Author and organization
 - c. Date of submission
 2. Introduction
 - a. Table of contents and list of figures and tables
 - b. Project description
 - c. An inventory of affected historic structures, including representative exterior photographs from present day as well as any historic period photographs available through historic archives or architectural databases, condition and integrity assessment, associated State Historic Property Inventory forms in WISAARD. For demolition of any structure over the age of 50 years, documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.
 - d. Maps and site plans as applicable clearly showing affected structures and their relation to the proposed development
 3. A previous archaeological survey or cultural assessment that meets the standards established within this section completed within 10 years of the date of application may be used in place of a new assessment.
- G. From the date of receipt of the Cultural Resource Assessment, the Historic Preservation Officer shall have thirty (30) days to review the document. The Historic Preservation Officer may accept the assessment as presented and concur with any conclusions or recommendations for additional work, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, additional assessment or mitigation is warranted that was not identified in the Cultural Assessment.
- H. Archaeological Field Survey. Following coordination with affected Tribes and DAHP, the Department shall determine if the project has the potential for adverse effects to cultural and archaeological resources. If there are potential adverse effect, the applicant shall be notified by the Department and the applicant shall provide an Archaeological Field Survey, prepared by a Professional Archaeologist.
 1. The Archaeological Field Survey shall include the following elements:
 - a. The elements of a Cultural Resources Assessment Report.
 - b. The survey boundaries and how the boundary was determined.

- c. How survey methods were determined including number and spacing of pedestrian transects and subsurface examination procedures.
 - d. Define survey goals and research questions based on both the environmental and cultural setting.
 - e. Summarize the observations and results of the survey, quantify and describe the surface and subsurface survey. If subsurface testing is not utilized, justify the decision against such methodology.
- I. Archaeological monitoring.
 - 1. Archaeological monitoring shall be required if:
 - a. A Cultural Resource Survey or Risk Assessment determines there is a potential for adverse effect to cultural resources, or;
 - b. The project has been discussed with affected Tribes and DAHP; and the Department determines that the Unanticipated Discovery Plan is insufficient.
 - 2. Monitoring reports, when required, shall include the following elements:
 - a. The elements of a Cultural Resources Assessment Report.
 - b. Detail the date(s) of monitoring activities, noting the field and weather conditions.
 - c. Summarize archaeological monitoring methodology and results of monitoring efforts.
 - d. Quantify and describe the ground-disturbing activities monitored, including area and depth of ground disturbance, and types of equipment used.
 - e. Describe any artifacts, features, and/or other archaeological objects identified during archaeological monitoring activities.
 - f. The applicant may elect to include proactively these elements when completing the Cultural Assessment report submitted with the development permit.
- J. Avoidance, Minimization, or Mitigation.
 - 1. For impacts to historic structures, additional submittals shall include:
 - a. A description of how potential adverse effects to historic structures as a result of construction activities will be avoided, minimized, or mitigated. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:
 - (1) Additional consultation with historic preservation officials at the federal, state, or local level or the Tacoma Landmarks Commission.
 - (2) Additional documentation, including intensive level documentation of affected structures (as defined by the Washington State Department of Archaeology and Historic Preservation survey and reporting standards)
 - (3) Avoidance of historic structures
 - (4) Retention of all or some of a historic structure into a new development;
 - (5) Interpretive/educational measures, including onsite interpretation, context statements or documentation of thematically or historically related structures or historical narratives;
 - (6) Off-site/on site preservation of another historic resource.
 - 2. For impacts to archaeological and cultural resources, prior to requiring archaeological monitoring, the Department, affected Tribes, and DAHP may opt to resolve adverse effects through avoidance, minimization, or mitigation following the process outlined in 36 CFR 800.6 Resolution of adverse effects.
- K. Unanticipated Discovery Plan Required.
 - 1. An unanticipated discovery plan (UDP) is required as a permit condition for all development permits issued citywide where there is ground disturbance as a result of the permitted project, to be titled "Plan and Procedures for the Unanticipated Discovery of Cultural Resources and Human Skeletal Remains.
 - 2. The City will provide a UDP template to be used by permit applicants. Applicants may elect to provide their own UDP, so long as it meets the requirements set forth below.
 - 3. The UDP shall be attached to the permit as a permit condition, and included with permit submittals if the applicant is providing their own UDP for the project (such as a UDP included with a cultural assessment report as

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an appendix), and contain the following sections:

- a. A general description of cultural resources that may be encountered during the project
- b. Responsibilities of the project management, should a discovery occur
- c. Steps for consultation with Tribal representatives, and City and State officials.
- d. A contact list including the State Historic Preservation Office/State Archaeologist, City Historic Preservation Officer, Tribal Historic Preservation Officer(s), Pierce County Medical Examiner and Tacoma Police Department Non-Emergency number.
- e. A section specifically outlining procedures in the event of discovery of human remains
- f. Steps for further documentation
- g. Steps for resuming development activities on the site
4. The Unanticipated Discovery Plan must be posted onsite along with other permitting documents during the course of construction.
- L. If archaeological resources, archaeological indicators, or human remains are unearthed or exposed during a project's construction, the following shall apply:
 1. Conform to Chapter 25-48 WAC (Archaeological Excavation and Removal Permit).
 2. If Human Remains as defined in RCW 68.50 are encountered, the applicant or landowner shall contact the appropriate law enforcement agency.
 3. Failure to comply with RCW 27.53.060 is punishable under Chapter 9A.20 RCW. The procedures and penalties included in Indian Graves and Records (RCW 27.44), Human Remains (RCW 68.50), and Abandoned and Historic Cemeteries and Historic Graves (RCW 68.60) shall also apply.
 4. The landowner shall be responsible for any required curation. The Department, at the discretion of the Director, may assist the landowner with curation by recommending permanent repositories or providing temporary storage. The permanent repository shall meet the standards of 36 CFR 79, for curation of materials other than human remains. Whenever feasible, the Department in coordination with affected Tribes shall encourage methodological approaches that do not require curation

13.13.070 Demolition of Historic Resources – Citywide.

A. Scope and Applicability. This section sets forth provisions for review of demolition permits that affect structures that are 50 years of age or greater at the time of permit application, and that involve demolition of 4,000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:

1. Demolition of single family homes that are not located within National Register Historic Districts or listed on the National Register of Historic Places;
2. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers.

B. Demolitions affecting designated City Landmarks. All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.048 and TMC 13.07.110.

C. Requirements. Applications for a demolition permit shall include a summary report that identifies all affected structures that are fifty years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:

1. Current photographs of all elevations of all affected structures
2. Historical photographs of the affected structures, if available from public sources
3. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events)

D. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.

1. Demolition affecting properties that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of designation to the Tacoma Register of Historic Places, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.
2. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040

E. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant will be directed to prepare a Historic Property Assessment Report, which shall be prepared at the expense of the applicant by a qualified historic preservation consultant, and which shall contain:

1. A narrative statement which assesses the historical or cultural significance of the property, in terms of the Designation Criteria listed in TMC 13.07.050; and
2. A narrative statement which assesses the physical condition of the property and includes an architectural description; and
3. Specific language indicating which improvements on the site are eligible for historic designation according to the Designation Criteria, including any significant interior features within publicly owned buildings; and
4. A complete legal description; and
5. A description of the character-defining features and architectural elements that contribute to the historic character of the property.

F. The Historic Property Assessment Report shall be forwarded to the Landmarks Preservation Commission for its review. If the Commission finds that the affected properties should be included in the Tacoma Register of Historic Places, it shall transmit such a recommendation to the appropriate Council Committee for concurrence.

G. If no concurrence from the Committee is received within 60 days of the Committee's initial consideration of the recommendation, the Commission's recommendation is rejected. In all cases, the Committee's concurrence by vote shall be required for further consideration by the Commission; however, this does not preclude consideration of the property for designation to the Tacoma Register of Historic Places if a formal nomination for the same property is received from a private individual.

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H. Upon receiving concurrence from the Committee, the Landmarks Preservation Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.

I. During the demolition review process, all requirements of TMC 13.05.046 relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.