



# Residential Infill Pilot Program 2.0 Code Changes

## PROPOSED AMENDMENTS TO THE TACOMA MUNICIPAL CODE TITLE 13 – LAND USE REGULATORY CODE

February 5th, 2020

### NOTES:

This document shows all of the proposed to existing code. The sections included are only those associated with the proposed changes. Sections are divided by \*\*\* marks, indicating the beginning and end of each section containing proposed amendments.

Proposed additions are indicated by blue underline and proposed deletions are indicated by ~~blue strikethrough~~. **Green text** indicates text that has been moved

The following code sections include proposed amendments:

**13.05.115 Residential Infill Pilot Program**

**13.06.160 Cottage Housing**

**13.06.640 Conditional use permit**

### 13.05.115 Residential Infill Pilot Program

A. Purpose. To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.

B. Term. The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been ~~developed~~ revised and updated, with input from the Planning Commission, and authorized by the Director. The Pilot Program will be reassessed as directed by the City Council or by the Director. Once ~~three-three spaces in~~ any of the categories has been completed in each Council District in Tacoma, no additional applications will be accepted for that category until further Council action has been taken.

C. Applicability. The provisions of this section apply to the following categories of residential infill:

1. Two-family or townhouse development within the R-2 District,
2. Multifamily development within the R-3 District. In addition, applications to the Infill Pilot Program for renovations of existing structures, that do not increase building footprint, will be reviewed in the R2 District, and
3. Cottage Housing development within any residential district except the HMR-SRD District, and-
4. Density Based Housing option in all residential districts

D. Consistency with code~~The. Proposals submitted to the Infill Pilot Program must be consistent with pertinent the~~ provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent section of the TMC ~~shall that~~ apply. Consistency with code requirements. The proposal must be consistent with the applicable provisions of TMC 13.06 and other applicable requirements.

~~E. There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.~~

F. Submittals. Proponents of any of the above innovative residential infill development types shall submit the following:

1. Site plan(s) showing proposed and existing conditions.
2. Building elevations from all four sides, showing proposed and existing conditions.
3. A massing study.
4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.
5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.05.115, 13.06.100, 13.06.140, and TMC 13.06.160.

7. A complete application, along with applicable fees, for any required land use permits, including a [Conditional Use permit](#) and [Accessory Dwelling Unit permits](#). Such processes may require public notification [and/or](#) meetings.

8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.

G. Review process. The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner's decision and conditions of approval.

1. This body will include the following representatives:

a. The Director or designee;

b. The Long Range Planning Manager or designee;

[c. The Current Planning Manager or designee;](#)

[de.](#) A City staff member with residential building and site development expertise;

[ed.](#) A designee representing the area Neighborhood Council where the project is proposed;

[fe.](#) An architect or urban design professional; and,

[gf.](#) A representative of the Landmarks Preservation Commission, if the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties.

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

a. Designation of the historically significant property to the Tacoma Register of Historic Places.

b. Avoidance of the historically significant property or minimizing exterior changes to the property.

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

3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following:

a. Responsiveness to the following basic neighborhood patterns established by existing development in the area.

(1) Street frontage characteristics.

(2) Rhythm of development along the street.

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

(4) Front setback patterns.

(5) Landscaping and trees.

(6) Backyard patterns and topography.

(7) Architectural features.

(8) Historic character, if located within a designated Historic District.

(9) Whether adverse impacts to properties that are eligible for listing on a historic register can be mitigated.

b. Pedestrian-friendly design. The proposed development must provide direct and convenient pedestrian access from each dwelling to abutting sidewalks and public pathways and must emphasize pedestrian connectivity. The quality of the pedestrian experience within the site and in the abutting public right-of-way shall be high.

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

d. Minimize scale contrasts, shading and privacy impacts. The proposal must demonstrate that it will limit abrupt changes in scale between the proposed development and existing buildings on adjacent parcels. Privacy and shading impacts on abutting parcels must be prevented or reduced to a reasonable extent.

e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard space that will be an amenity to its residents.

f. Sustainable features. In the case of multifamily development in the R-3 District, and cottage housing, the proposal must provide documentation of the incorporation of sustainability features through one of the following certification programs:

1. Built Green 3 Stars;~~or~~ LEED Bronze; or equivalent;

~~2. Greenroads Bronze rating if full new roadway sections are constructed as part of the project;~~

~~g. Decision. Consistency with code requirements. The proposal must be consistent with the applicable provisions of TMC 13.06 and other applicable requirements. The Director has discretion to increase, decrease or modify development standards including setbacks, height and parking in order to ensure the proposal is fully consistent with the intent of the Pilot Program.~~

~~H. Decision.~~ As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the proposal meets the intent of this section and incorporate conditions as appropriate into the land use and building permit approvals. In the case of projects in historic or conservation districts, or individually designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.045. The Director has discretion to increase, decrease or modify development standards including setbacks, height and parking in order to ensure the proposal is fully consistent with the intent of the Pilot Program prior to issuance of a decision.

### **13.06.160 Cottage Housing.**

A. Intent. Cottage housing developments are intended to:

1. Add affordable units to the existing housing supply.
2. Provide an increased choice of housing that responds to changing needs and lifestyles (e.g., young families, retired people).
3. Protect neighborhood stability, property values, and the single-family residential appearance by ensuring that cottage housing developments are designed in a compatible manner.
4. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

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

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

1. A complete Conditional Use Permit application, pursuant to TMC 13.06.640.
2. Submittal requirements under the provisions of the Residential Infill Pilot Program, pursuant to TMC 13.05.115.
3. A completed Preliminary Plat application, if applicable.
4. A completed environmental checklist, if applicable.
5. A completed application for a site plan approval.
6. Documentation of the proposed ownership and property management approach, such as condominium or homeowners association.

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

E. Development standards.

1. Residential Infill Pilot Program. Cottage housing developments shall comply with the sustainability and connectivity requirements, as well as any other design requirements identified through review under the Residential Infill Pilot Program as described in TMC 13.05.115.
2. Minimum site size. Cottage housing developments require a minimum net site size of ~~107~~100,000 square feet.
3. Number of units. Cottage housing developments may contain from four to twenty-four cottage dwellings, with a maximum of twelve cottages per cluster.
4. Cottage housing types:
  - a. Cottage – A detached, single-family dwelling unit containing no more than 1,200 square feet of gross floor area with no more than 800 ground floor square feet.

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

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

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

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

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

8. Setbacks. The external setbacks of the underlying zoning district shall apply except cottage housing shall be allowed in the rear yard when lot is located on an alley.

9. Separation between units. All buildings must meet separation requirements as identified in applicable building codes. ~~A minimum of 8 feet shall be provided between structures containing dwelling units.~~

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

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

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

13. Design Standards.

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

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

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

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

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

f. Cottage developments shall be stick-built.

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

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

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

17. Accessory Dwelling Units. Not permitted.

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

### 13.06.640 Conditional use permit.

A. Purpose. In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

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G. Two-family development ~~on corner lots~~ may be allowed by conditional use permit in R-2 Districts. A conditional use permit for a two-family or townhouse dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot ~~is a corner lot with~~ has a minimum lot size of 6,000 square feet ~~in size. Corner lots provide an opportunity for two family or townhouse development to be integrated in the neighborhood in a context responsive manner that is consistent with the single family detached character of the district.~~

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

3. The proposed two-family or townhouse development is ~~designed to present the general appearance of a detached single family dwelling through one of the following two design approaches~~ consistent with the following:

~~— Development must respond to context and neighboring structures through massing, bulk, materials, landscaping, and building placement.~~

~~— Each unit must have the primary entrance directly accessed from adjacent street. Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.~~

4. ~~The proposed structure is designed to resemble a detached single family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off street parking space.~~ In the case of conversion of an existing single-family dwelling to a two-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

5. Applications for two-family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

H. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District ~~and in the R-2 District if the development is a renovation of an existing structure that does not increase building footprint~~. A conditional use permit for a multi-family dwelling unit in ~~R-2 or~~ R-3 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

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

2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.

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

4. Applications for multi-family dwellings in ~~R-2 or~~ R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings



of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

I. Between four and twenty-four Cottage Housing units may be allowed by conditional use permit in the any residential district except HMR-SRD. A conditional use permit for a Cottage Housing shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot is a minimum of 7,000 square feet in size.
2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.
3. The proposed development is designed to provide variety in unit sizes, building and site features, and site design elements. Landscaping shall be designed in an attractive way and according to a coherent design. Residential units are laid out to be oriented to the public right-of-way and shared open space. Building massing is designed to have limited impact on neighboring properties and parking is to be off the alley where possible and minimized through screening and landscaping.
4. Applications for Cottage Housing units in all residential district except HMR-SRD shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115, TMC13.06.160, and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

J. Density-Based Housing Developments may be allowed by conditional use permit in the any residential district except HMR-SRD. A conditional use permit for a Density-Based Housing shall only be approved upon a finding that such use is consistent with all of the following criteria:

1. The proposed lot is a minimum of 3,500 square feet in size in the R-3 Zone and 7,000 square feet in size in all other zones.
2. The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.115.
3. Development must respond to context and neighboring structures through massing, bulk, materials, landscaping, and building placement.

Buildings must orient entrances toward the public right-of-way and parking shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

4. Applications for Density-based Housing units in all residential district shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.115 and TMC 13.06.640. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

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