



City of Tukwila  
***Planning and Community  
 Development Committee***

- ◆ Cynthia Delostrinos Johnson, Chair
- ◆ Kathy Hougardy
- ◆ De'Sean Quinn

|                        |               |
|------------------------|---------------|
| <u>Distribution:</u>   |               |
| C. Delostrinos Johnson | Mayor Ekberg  |
| K. Hougardy            | D. Cline      |
| D. Quinn               | R. Bianchi    |
| T. McLeod              | C. O'Flaherty |
|                        | A. Youn       |
|                        | L. Humphrey   |

# AGENDA

**MONDAY, AUGUST 1, 2022 – 5:30 PM**

**THIS MEETING WILL BE CONDUCTED BOTH ON-SITE AT TUKWILA CITY HALL AND ALSO VIRTUALLY, BASED ON THE GOVERNOR'S PROCLAMATION 20-28.**

**ON-SITE PRESENCE WILL BE IN THE HAZELNUT CONFERENCE ROOM (6200 SOUTHCENTER BOULEVARD)**

**THE PHONE NUMBER FOR THE PUBLIC TO LISTEN TO THIS MEETING IS: 1-253-292-9750, Access Code 223807533#**

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*For Technical Support during the meeting call: 1-206-433-7155.*

| Item   | Recommended Action                                 | Page        |
|--|--|-------------|
| <b>1. BUSINESS AGENDA</b>  |  |             |
| a. Economic Development Plan – Community Engagement.<br><i>Elliot Weiss, Project Manager and<br/>Bryan Lobel, Senior Planner, Community Attributes, Inc.<br/>Derek Speck, Economic Development Administrator</i> | a. Forward to 8/8 C.O.W. Meeting.                  | <b>Pg.1</b> |
| c. 2022 code amendment ordinances.<br><i>Max Baker, Development Supervisor</i>   | b. Forward to 8/8 C.O.W. and 8/15 Regular Meeting. | <b>Pg.3</b> |
| <b>2. MISCELLANEOUS</b>  |  |             |

**Next Scheduled Meeting:** *August 15, 2022*



The City of Tukwila strives to accommodate individuals with disabilities.

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## **INFORMATIONAL MEMORANDUM**

**TO: Planning and Community Development Committee**

**FROM: Derek Speck, Economic Development Administrator**

**DATE: July 25, 2022**

**SUBJECT: Economic Development Plan Community Engagement Process**

### **ISSUE**

As part of our task to create an Economic Development Plan for the City, staff seeks Council consensus approval of the community engagement process.

### **BACKGROUND**

At its meeting on June 6, 2022, the City Council authorized the Mayor to execute a contract up to \$50,000 with Community Attributes, Inc. (CAI) to create an Economic Development Plan. At that time staff committed to return to Council for approval of the community engagement process. We are starting the engagement process and would like the Council's feedback and approval.

**Basic Plan:** The City and CAI are close to signing a \$50,000 contract for a "basic" plan. Under this scope of work, CAI would conduct research and analysis, write, design, and produce the Plan. It would also include standard community engagement such as a mobile friendly website, an online survey and in-person surveys at public meetings, community meetings and events, and gathering places. This will include Google Translate for the website and online survey. We will also form and coordinate an advisory committee of approximately eight people to provide general advice on the process and draft plan.

**Expanded Community Outreach:** In addition to the \$50,000 that Council authorized for creating the "basic" plan, the Council also provided budget for another \$50,000 for expanded community engagement. This work may include "influencers" and/or community-based organizations to help engage with various groups based on culture, language, age, etc. It would include tailoring those contracts to work with those influencers and/or organizations on methods appropriate for each group. These methods may include surveys, conversations, interviews, focus groups, social media, or other ways. We hope to find fun and easy ways for the public to engage. As appropriate, tools and methods would include interpretation, translation, childcare, and participation incentives. The City might contract with these organizations directly or through CAI. If through CAI, staff may need to return to Council for approval to increase the amount of their contract.

### **DISCUSSION**

We would like a community engagement process that welcomes Tukwila's diverse community. This includes residents, businesses, and property owners. The following are some possibilities. We would adjust based on availability of partners, resources, etc.

1. City Hosted Opportunities
  - a. City Boards and Commissions
  - b. City groups (e.g., Teens for Tukwila)
  - c. City Facilities (Tukwila Community Center, Permit Counter, Spray Park, etc.)
  - d. Parks and Recreation events (e.g., "See You in the Park")
  - e. Direct door-to-door business visits

- f. National Night Out
  - g. Public comment at City Council (especially for the draft plan)
2. Community Meetings and Events
3. Community Gathering Places
- a. Food Trucks (e.g., at Southgate Mobile Home Park)
  - b. Saar's Supersaver grocery store
  - c. Spice Bridge
  - d. Tukwila Library
  - e. Tukwila Village Farmers Market
4. Community Organizations
- a. Access to Our Community
  - b. African Community Housing and Development
  - c. East African Community Services
  - d. HealthPoint
  - e. Para Los Ninos
  - f. Partners in Employment
  - g. Refugee Women's Alliance (REWA)
  - h. Talitha Consults
  - i. Tukwila Metropolitan Park District Board
  - j. Tukwila School District (e.g., Foster High School classes)
5. Business Organizations
- a. Business Impact Northwest
  - b. Evergreen Community Capital
  - c. Seattle Southside Chamber of Commerce
  - d. Small Business Development Center at Highline College
  - e. StartZone at Highline College
6. Tools
- a. Website
  - b. Survey (friendly for mobile users)
  - c. Pop Up materials (e.g., boards, etc.)
  - d. Incentives to participate
  - e. Social media to spread awareness
  - f. Fun!

**FINANCIAL IMPACT**

None. Sufficient funding has already been budgeted.

**RECOMMENDATION**

Staff would appreciate the Committee's suggestions on these or other potential engagement opportunities and consensus approval of the engagement process.

**ATTACHMENTS**

None



## INFORMATIONAL MEMORANDUM

**To:** Planning and Community Development Committee  
**From:** Nora Gierloff, AICP, Director DCD  
**By:** Max Baker, AICP, Development Supervisor  
**Copy:** Mayor Ekberg  
**Date:** August 1, 2022  
**SUBJECT:** 2022 Housekeeping Code Updates

### ISSUE

Public Hearing regarding the proposed housekeeping code changes TMC 8 – Public Peace, Morals, and Safety, TMC 17 – Subdivisions and Plats, Chapter 18 – Zoning, and Chapter 19 – Sign Code. The proposed amendments range from code clarification to updating development regulations and permit processes.

### BACKGROUND

Staff has grouped together amendments to the Tukwila Municipal Code for your consideration. Staff briefed the Planning and Community Development Committee on March 21, 2022 and the Committee forwarded them to the Planning Commission for review and recommendation. The Planning Commission held a public hearing on the proposed changes on April 28, 2022 and their recommendations are reflected in the attached draft ordinances.

### DISCUSSION OF PROPOSED CHANGES

#### **A. Title 8 – Public Peace, Morals, and Safety**

1. Modify the definition of “Residential Party” to include “Residential Party or Other Noise Generating Event,” in both the Noise Code and the section of the Zoning Code so that loud events, other than parties, must also acquire a variance (TMC 8.22.020 and 8.22.120). This clarification will make it clear that Type 1 Noise Variances for parties/events are subject to noticing those within 500 feet. It does not pertain to whether or not they need a variance.
2. Modify the public noticing requirement for Type 1 Noise Variances to clarify that notice is required to residents and businesses within 500 feet in the case of residential parties and events (TMC 8.22.120.B.(3)).

#### **B. Title 17 – Subdivisions and Plats**

1. Clarify that Boundary Line Adjustments and Lot Consolidations shall not result in the creation of lots with split zoning (TMC 17.08.030).

#### **C. Title 18 – Zoning**

1. Modify code definitions and the table defining land uses allowed in each zoning district:
  - a. Rename “Outpatient Medical Clinic” to “Clinic, Outpatient Medical” so that it is listed alphabetically between “Clearing” and “Closed Record Appeal.” (TMC 18.06.150)
  - b. In compliance with adopted legislation, revise the definition of Essential Public Facilities to clarify that it does not include facilities that are operated by a private entity in which

persons are detained in custody under process of law pending the outcome of legal proceedings. (RCW 36.70A.200)

- c. Relocate and renumber location of definition of Revetment (TMC 18.06.677), currently between TMC 18.06.676, Regional Detention Facility and TMC 18.06.680, Research and Development Facility, to correct alphabetizing, and adjust any references in other sections to reference correct code citation.
  - d. Revise the Adult Entertainment Establishments sub-definition for Adult Bathhouse to "a commercial establishment which excludes any person by virtue of age from all or any portion of the premises, or which provides to its patrons an opportunity for engaging in "Specified Sexual Activities," with or without a membership fee."
2. Update references in the Zoning Code to "Environmentally Sensitive Areas" (ESAs) to new approved term "Critical Areas" to be consistent with nomenclature changed in the Environmentally Critical Areas chapter, TMC 18.45, in 2020.
  3. To support the intent of the Nonconforming provisions of the Code, add a requirement for bonding when the primary structure is proposed to be demolished, while accessory structures are proposed to remain. The bond shall cover the 150% of the demolition cost should an approved primary use not be applied for within 1 year. This has been the City's practice in the past; however, it has not been codified to date. (TMC 18.70.050)
  4. Correct reference and process errors in the Shoreline Overlay chapter of the Code (TMC 18.44). With the update of the Shoreline Master Program in 2020, the City intended to allow Shoreline Conditional Use Permits to be processed as Type 3 permits, rather than Type 4 permits. This change was made in in the Shoreline Overlay chapter of the Code, but not made uniformly within other parts the Zoning Code. It needs to be corrected to avoid confusion about the process required for Shoreline CUPs.
  5. Change the Supplemental Development Standards (TMC 18.50) as follows:
    - a. Clarify how an applicant can acquire a "Retaining Wall Setback Waiver(s)." The current code does not specify the process to be used, although it is intended to be the "Type 2 Special Permission Decision to the Community Development Director."
  6. Update individual zoning district basic development standards sections to ensure they are consistent with changes made to the Landscape Chapter in 2017. At the time the Landscape Code was updated, it was intended that the individual district requirements would be modified, however this was overlooked in the final adoption process.

Modify reference in TMC 18.54.080 Table A(1) to remove "see Tree Permit Application for additional detail." Since the Permit Center began taking permit applications online, those applications have been streamlined and additional information is no longer presented in this location.

7. TMC 18.54.140 - Tree Permit Exception – Modify the Permit Exceptions section of the code to remove reference to a Tree Exception Permit. The tree permit exception criteria listed can be applied to a Tree Permit instead of to a separate Tree Exception Permit. This type of permit is not listed in TMC 18.104. Remove reference to a Tree Exception Permit in TMC 18.54.030.A.3. and TMC 18.54.130.B. Add reference to exception criteria to TMC 18.54.050, “All Tree Permit applications shall meet the criteria outlined below for approval, or meet the criteria for a tree permit exception found in TMC 18.54.140.”
8. Update Table 18-6 to consolidate uses listed as “Restaurants including drive through, sit down, cocktail lounges in conjunction with a restaurant” and “Restaurants including cocktail lounges in conjunction with a restaurant” into one use called “Restaurants including drive through, sit down, and cocktail lounges in conjunction with a restaurant.” Along with this change, also consolidate the zones where this use is permitted, combining what is currently listed and matching the zones where brew pubs are permitted. Further work is required at a later date to define the different types of restaurants.
9. Correct reference in TMC 18.44.110.G.6.a, Administration: Non-Conforming Development: Non-Conforming Parking Lots, which cite landscape standards, but cites wrong section. Currently, citation says “..., except as necessary to meet vegetation protection and landscaping standards consistent with TMC Section 18.44.110.E.7.” The section should reference TMC 18.44.110.G.7, Administration: Non-Conforming Development: Non-Conforming Landscape Areas.
10. In 2017 and 2020, the City’s Landscaping Regulations were updated to modify, among other changes, landscape buffer requirements. These changes were made in the landscaping code, however, they did not also modify the requirements listed in the individual zoning district sections of the code. The following changes would address that:
  - a. TMC 18.10.060 (LDR) Basic Development Standards – add a reference to TMC 18.52, as conditioned, for Landscape requirements for Uses other than residential.
  - b. For all other district chapters, remove any previous district landscape requirements and add reference to TMC 18.52 Table A for minimum landscape requirements.
  - c. Revise perimeter landscaping requirements set forth in TMC 18.52 Table A to not be greater than the required setbacks set forth in each district’s development standards section.
11. Update Table 18-6, Land Uses Allowed by District, to streamline categories and remove outdated land use types.
12. Revise Supplemental Development Standards:
  - a. Remove requirement in Supplemental Development Standards for single-family homes to have a 5:12 roof pitch.
  - b. Remove requirement that single-family homes be setback at least twice the minimum front yard setback when applying for a variance to have the front door face a side or rear yard.

**D. Title 19 – Sign**

1. TMC 19, Sign Code, has several needed amendments
  - a. Eliminate the excess process that requires businesses to submit a "notice of copy change form" when they wish to reface an existing, permitted sign. (TMC 19.20.040(6)(d), 19.32.075(4), and 19.20.030(B)(7)(D))
  - b. Clarify in TMC 19.20.040 that all freestanding signs follow the monument sign standards. There has been customer confusion as to whether there is another Code section where freestanding sign standards are contained. Suggested language: "Monument and freestanding signs are permitted within all commercial and industrial zones, subject to the following standards."
  - c. Provide definition for "Murals."

**FINANCIAL IMPACT**

N/A

**RECOMMENDATION**

The Committee is being asked to forward the Planning Commission's recommendations to the Committee of the Whole for discussion and a public hearing on August 8, 2022 and consider the ordinances for approval at the subsequent August 15, 2022, Regular Meeting.

**ATTACHMENTS**

- A. Title 8: Public Peace, Morals, and Safety – Draft Ordinance
- B. Title 17: Subdivisions and Plats – Draft Ordinance
- C. Title 18: Zoning – Draft Ordinance
- D. Title 19: Signs – Draft Ordinance
- E. Minutes from the Planning Commission public hearing held on May 26, 2022



# DRAFT

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING TUKWILA MUNICIPAL CODE (TMC) TITLE 8, "PUBLIC PEACE, MORALS AND SAFETY AND ORDINANCE NO. 2293 §13, AS CODIFIED AT TMC SECTION 8.22.120.B, TO AMEND LANGUAGE ON PUBLIC NOTICE REQUIREMENTS FOR RESIDENTIAL PARTIES; REPEALING ORDINANCE 2370 §13, AS CODIFIED AT TMC SECTION 8.22.120.B; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, references to "Residential Party" need to be clarified so that all loud events within residential areas are subject to noise variance regulations; and

**WHEREAS**, the City desires to clarify that public notice is required for Type 1 noise variances; and

**WHEREAS**, on May 26, 2022, Tukwila Planning Commission, following adequate public notice, held a public hearing to receive testimony concerning amending the Tukwila Municipal Code and at that meeting adopted a motion recommending the proposed changes; and

**WHEREAS**, on July 21, 2022, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

**WHEREAS**, on August 8, 2022, the Tukwila City Council, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning Commission;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance No. 2293 §13, as codified at Tukwila Municipal Code (TMC) Section 8.22.120, "Variances," **subparagraph B**, is hereby amended to read as follows:

**Section 8.22.120 Variances**

B. Application types are based on the number of days/nights the sound source will exceed the maximum permissible sound levels as shown in the following table:

| <i>Number of days/nights maximum permissible sound level may be exceeded within a 12-month period</i> | <i>Variance Permit Type</i>    | <i>Notice of Application Requirements</i> | <i>Public Hearing Requirements</i> |
|---|--------------------------------|---|------------------------------------|
| 30 days or less   | Type 1 Administrative Variance | No notice <sup>(2,3)</sup>                | No Hearing                         |
| 31-60 days  | Type 2 Administrative Variance | Mailed notice <sup>(1,2)</sup>            | No Hearing                         |
| More than 60 days   | Type 3 Variance                | Mailed notice <sup>(1,2)</sup>            | Public Hearing                     |

(1) Mailed notice shall be provided per TMC Section 18.104.120 with the exception that tenants that are not affected tenants per TMC Section 8.22.020 are not required to be sent notice.

(2) The administrator shall have the discretion in unusual circumstances (i.e., unusual type or intensity of noise or length of request) to require (additional) public notification procedures, such as causing notice to be published on the City’s website, mailed notice provided to a wider geographic area, and/or notice posted at the site.

(3) In the case of residential parties or other noise generating events within a residential area and prior to granting any variance, the applicant shall provide written notice to all residents and businesses within 500 feet of where the party or project is being held. When the 500 foot radius includes multi-family complexes, all residents of the complex shall be notified. Written notice shall be provided between 10 and 30 days of the onset of activity and shall enumerate the anticipated party hours or work schedule for the length of the project. An affidavit of distribution shall be provided to the City.

**Section 2. Repealer.** Ordinance No. 2370 §1, as codified at TMC Section 8.22.120, “Variances,” **subparagraph B**, is hereby repealed in its entirety.

**Section 3. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 4. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 5. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Christy O'Flaherty, MMC, City Clerk

\_\_\_\_\_  
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_

Passed by the City Council: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney



# DRAFT

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING TUKWILA MUNICIPAL CODE (TMC) TITLE 17, "SUBDIVISIONS AND PLATS," INCLUDING ORDINANCE NOS. 2649 §2 AND 1833 §1 (PART), AS CODIFIED AT TMC SECTION 17.08.030, "PRELIMINARY APPROVAL," TO ADD CLARIFYING LANGUAGE REGARDING ZONING REQUIREMENTS FOR BOUNDARY LINE ADJUSTMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Title 17 of the Tukwila Municipal Code adopts procedures for preliminary plats and the City desires these procedures to be consistent with the provisions of state law, as per Chapter 58. 17 RCW; and

**WHEREAS**, the City desires to provide clarification on zoning requirements for boundary line adjustments; and

**WHEREAS**, on May 26, 2022, Tukwila Planning Commission, following adequate public notice, held a public hearing to receive testimony concerning amending the Tukwila Municipal Code and at that meeting adopted a motion recommending the proposed changes; and

**WHEREAS**, on July 21, 2022, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

**WHEREAS**, on August 8, 2022, the Tukwila City Council, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning Commission;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance Nos. 2649 §2 and 1833 §1 (part), as codified at TMC Section 17.08.030, "Preliminary Approval," **subparagraph C**, are hereby amended to read as follows:

## **17.08.030 Preliminary Approval**

C. In order to approve a boundary line adjustment or lot consolidation, the Short Subdivision Committee shall determine the project complies with the following criteria:

1. No additional lots, sites, parcels, tracts or divisions are created.

2. The adjustment will not create non-conforming lots with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards. [The adjustment shall not result in the creation of lots with split zoning.](#)

3. The degree of non-conformance on existing non-conforming lots with respect to zoning dimension and area standards, zoning setbacks and floor area ratio are not increased.

4. All lots have legal access to a public road. Existing required private access road improvements and easements are not diminished below subdivision ordinance standards for lots that are served by a private access road.

5. Existing easements for utilities are appropriate for their intended function, or they are extended, moved or otherwise altered to an appropriate location.

6. The adjustment does not create any non-conformities with respect to the Uniform Building Code or any other locally administered regulation.

**Section 2. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 3. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 4. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Christy O'Flaherty, MMC, City Clerk

\_\_\_\_\_  
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_

Passed by the City Council: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney

# DRAFT

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING VARIOUS ORDINANCES AS CODIFIED IN TUKWILA MUNICIPAL CODE (TMC) TITLE 18, "ZONING," AS DELINEATED HEREIN, TO INCORPORATE A VARIETY OF HOUSEKEEPING CODE AMENDMENTS INCLUDING DEFINITIONS (TMC 18.06), AND REGULATIONS RELATED TO: NON-RESIDENTIAL DEVELOPMENT (TMC 18.41), SHORELINE CONDITIONAL USE PERMITS (TMC 18.44), SINGLE-FAMILY DWELLING DESIGN STANDARDS AND EXCEPTIONS (TMC 18.50), LANDSCAPING REQUIREMENTS (TMC 18.52), TREE EXCEPTION PERMITS AND PROCEDURES (TMC 18.54), NONCONFORMING STRUCTURES (TMC 18.70), AND CLASSIFICATION OF PROJECT PERMIT APPLICATIONS (TMC 18.104); AS WELL AS REVISIONS TO THE BASIC DEVELOPMENT STANDARDS IN VARIOUS SECTIONS OF THE TMC AS DETAILED HEREIN; AND AN UPDATE TO TABLE 18-6, "LAND USES ALLOWED BY DISTRICT;" PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the standards for non-residential development in the Tukwila South Overlay District were inadvertently struck when the residential development standards were adopted in Ordinance No. 2661 and should be reenacted; and

**WHEREAS**, references in the Zoning Code to Tukwila Municipal Code Chapter 18.45 need to be updated to the new approved term and chapter title, "Environmentally Critical Areas"; and

**WHEREAS**, with the update of the Shoreline Master Program in 2020, the City intended to allow Shoreline Conditional Use Permits to be processed as Type 3 permits, rather than Type 4 permits; and this change should be updated to be consistent throughout the Zoning Code and to avoid confusion about the process required for Shoreline Conditional Use Permits; and

**WHEREAS**, the City Council desires to amend current design standards related to single-family dwellings as they relate to the minimum roof pitch requirement and the need for a Type 2 Special Permission for certain conditions; and

**WHEREAS**, language changes are needed to clarify regulations related to Tree Exception Permits; and

**WHEREAS**, a requirement for bonding when the primary structure on a property is proposed to be demolished while accessory structures are proposed to remain is needed in the nonconforming provisions of the Zoning Code; and

**WHEREAS**, updates are required to the Basic Development Standards in several of the individual zoning districts, including landscape buffer requirements, to maintain consistency with changes made to the landscape requirements in Tukwila Municipal Code Chapter 18.52, "Landscape Requirements;" and

**WHEREAS**, the City Council desires to update Table 18-6, "Land Uses Allowed by District," to streamline categories and remove outdated land use types; and

**WHEREAS**, on May 26, 2022, the Tukwila Planning Commission, following adequate public notice, held a public hearing to receive testimony concerning amending the Tukwila Municipal Code and at that meeting adopted a motion recommending the proposed changes; and

**WHEREAS**, on July 21, 2022, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

**WHEREAS**, on August 8, 2022, the Tukwila City Council, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning Commission;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance No. 1758 §1 (part), as codified at Tukwila Municipal Code (TMC) Section 18.06.025, "Adult Entertainment Establishments" (definition), **subparagraph A.1.**, is hereby amended to read as follows:

**18.06.025 Adult Entertainment Establishments**

A. "Adult entertainment establishments" means adult motion picture theaters, adult drive-in theaters, adult bookstores, adult cabarets, adult video stores, adult retail stores, adult massage parlors, adult sauna parlors or adult bathhouses, which are defined as follows:



1. “Adult bathhouse” means a commercial bathhouse which excludes any person by virtue of age from all or any portion of the premises or which provides to its patrons an opportunity for engaging in “Specified Sexual Activities,” with or without a membership fee.”

**Section 2. New Definition Adopted.** A new section is hereby added to TMC Chapter 18.06, “Definitions,” as follows:

### Airports

“Airports” means any area of land that is used or intended for the landing and takeoff of aircraft, any appurtenant areas that are used or intended for airport buildings or other airport facilities or rights-of-way, and all airport buildings and facilities.

**Section 3.** Ordinance Nos. 2287 §3 and 1758 §1, as codified at TMC Section 18.06.150, “Outpatient Medical Clinic” (definition), are hereby amended to read as follows:

### **18.06.150 Clinic, Outpatient Medical ~~Clinic~~**

“Clinic, Outpatient Medical~~–clinic~~” means a building designed and used for the medical, dental and surgical diagnosis and treatment of patients under the care of doctors and nurses and/or practitioners and does not include overnight care facilities. This category does not include diversion facility or diversion interim services facility.

**Section 4. New Definition Adopted.** A new section is hereby added to TMC Chapter 18.06, “Definitions,” as follows:

### Commercial Laundries

“Commercial laundries” means an establishment where textiles are washed for commercial, industrial, and institutional entities not located on the same site.

**Section 5. New Definition Adopted.** A new section is hereby added to TMC Chapter 18.06, “Definitions,” as follows:

### Contractor Storage Yards

“Contractor storage yards” means storage yards operated by, or on behalf of, a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor’s type of business; storage of scrap materials used for repair and maintenance of contractor’s own equipment; and buildings or structures for uses such as offices and repair facilities.

**Section 6.** Ordinance No. 1758 §1 (part), as codified at TMC Section 18.06.270, "Essential Public Facility" (definition), is hereby amended to read as follows:

#### **18.06.270 Essential Public Facility**

"Essential public facility" means a facility which provides a basic public service, provided in one of the following manners: directly by a government agency, by a private entity substantially funded or contracted for by a government agency, or provided by a private entity subject to public service obligations (i.e., private utility companies which have a franchise or other legal obligation to provide service within a defined service area). [This does not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings.](#)

**Section 7.** Ordinance No. 1758 §1 (part), as currently codified at TMC Section 18.06.735, "Service Station" (definition), and as hereafter recodified, is hereby amended to read as follows:

#### **18.06.735 [Vehicle](#) Service Station**

"[Vehicle](#) service station" means any area of land, including structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories which may or may not include washing, lubricating, tune-ups, [enclosed engine repair](#), and other minor servicing incidental to this use, but no painting or major repair operations.

**Section 8. New Definition Adopted.** A new section is hereby added to TMC Chapter 18.06, "Definitions," as follows:

#### **[Truck Terminal](#)**

"[Truck terminal](#)" means land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. [The terminal cannot be used for permanent or long-term storage.](#)

**Section 9.** Ordinance Nos. 2500 §14 and 2443 §4, as codified at TMC Section 18.28.030, "Applicability and Design Review," **subparagraph A.4.**, are hereby amended to read as follows:

**18.28.030 Applicability and Design Review**

**A. Relationship to Other Tukwila Codes.**

4. Areas meeting the definition of sensitive areas or sensitive area buffers are subject to the regulations of TMC Chapter 18.45, “Environmentally ~~Sensitive~~ Critical Areas,” and TMC Chapter 18.54, “Urban Forestry and Tree Regulations.”

**Section 10.** Ordinance Nos. 2661 §2, 2580 §4, and 2235 §10 (part), as codified at TMC Section 18.41.090, “Basic Development Standards,” are hereby amended to add subparagraph C to read as follows:

**18.41.090 Basic Development Standards**

C. Non-Residential Uses. All non-residential use development on all lands within the TSO shall conform to the development standards set forth in TMC Section 18.41.090.C. Modifications to these standards are available pursuant to TMC Section 18.41.100, “Modifications to Development Standards through Design Review.”

|  |  |
|--|--|
| Lot  | N/A  |
| Setbacks:  |  |
| Front – adjacent to a public street  | 15 feet*   |
| Second Front – adjacent to a public street   | 15 feet*   |
| Sides  | None*; increased to 10 feet if adjacent to residential use or non-TSO Zoned property |
| Rear   | None*; increased to 10 feet if adjacent to residential use or non-TSO zoned property |
| Height   | 125 feet   |
| Landscaping:   |  |
| Fronts – adjacent to a public street   | 15 feet  |
| Side   | None; increased to 10 feet if adjacent to residential use or non-TSO zoned property  |
| Rear   | None; increased to 10 feet if adjacent to residential use or non-TSO zoned property  |
| Landscape requirements (minimum): See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for requirements |  |
| Off-street parking:  | See TMC Chapter 18.56  |
| *Subject to modification to meet Fire Department Access Requirements   |  |

**Section 11.** Ordinance No. 2627 §26, as codified at TMC Section 18.44.110, “Administration,” **subparagraph E.2.**, is hereby amended to read as follows:

#### **18.44.110 Administration**

##### **E. Shoreline Conditional Use Permit.**

2. **Application.** Shoreline Conditional Use Permits are a Type ~~4~~3 Permit processed under TMC Chapter 18.104.

**Section 12.** Ordinance No. 2627 §26, as codified at TMC Section 18.44.110, “Administration,” **subparagraph G.6.a.**, is hereby amended to read as follows:

##### **G. Non-Conforming Development.**

##### **6. Non-Conforming Parking Lots.**

a. Parking lot regulations contained in this chapter shall not be construed to require a change in any aspect of a structure or facility that existed on the date of adoption of this chapter covered thereunder including parking lot layout, loading space requirements and curb-cuts, except as necessary to meet vegetation protection and landscaping standards consistent with TMC Section ~~18.44.110.E.7~~18.44.110.G.7.

**Section 13.** Ordinance Nos. 2581 §9, 2500 §23, and 2098 §2, as codified at TMC Section 18.50.050, “Single-Family Dwelling Design Standards,” are hereby amended to read as follows:

#### **18.50.050 Single-Family Dwelling Design Standards**

All new single-family dwellings, as well as accessory dwelling units and other accessory structures that require a building permit, must:

1. Be set upon a permanent concrete perimeter foundation, with the space from the bottom of the home to the ground enclosed by concrete or an approved concrete product that can be either load bearing or decorative.
2. If a manufactured home, be comprised of at least two fully-enclosed parallel sections, each of not less than 12 feet wide by 36 feet long.
3. Be thermally equivalent to the current edition of the Washington State Energy Code with amendments.
4. Have exterior siding that is residential in appearance including, but not limited to, wood clapboards, shingles or shakes, brick, conventional vinyl siding, fiber-cement siding, wood-composite panels, aluminum siding or similar materials. Materials such as smooth, ribbed or corrugated metal or plastic panels are not acceptable.
5. Have the front door facing the front or second front yard, if the lot is at least 40 feet wide. This requirement does not apply to ADUs or accessory structures.

6. Have a roofing material that is residential in appearance including, but not limited to, wood shakes or shingles, standing seam metal, asphalt composition shingles or tile, ~~with a minimum roof pitch of 5:12.~~

**Section 14.** Ordinance Nos. 2581 §10, 2368 §52, and 2098 §3, as codified at TMC Section 18.50.055, "Single-Family Design Standard Exceptions," are hereby amended to read as follows:

### **18.50.055 Single-Family Design Standard Exceptions**

A. The design standards required in TMC Section 18.50.050 (4), (5) and (6) may be modified by the Community Development Director as ~~a Type 2 Special Permission decision part of the building permit approval process.~~

1. The criteria for approval of use of unconventional exterior siding are as follows:

- a. The structure exhibits a high degree of design quality, including a mix of exterior materials, detailing, articulation and modulation; and
- b. The proposed siding material is durable with an expected life span similar to the structure; and
- c. The siding material enhances a unique architectural design.

~~2. The criteria for approval of a roof pitch flatter than 5:12 are as follows:~~

- ~~a. The proposed roof pitch is consistent with the style of the house (for example modern, southwestern);~~
- ~~b. If a flat roof is proposed, the top of the parapet may not exceed 25 feet in height;~~
- ~~c. If a sloped roof is proposed, it must have at least 24 inch eaves; and~~
- ~~d. The house exhibits a high degree of design quality, including a mix of exterior materials, detailing, articulation and modulation.~~

~~3.~~ 2. The criteria for approval of a house with a front door that faces the side or rear yard are as follows:

- a. The topography of the lot is such that pedestrian access is safer or more convenient from the side or rear yard;
- ~~b. The house will be set back at least twice the minimum front yard setback;~~
- ~~eb.~~ b. The entrance is oriented to take advantage of a site condition such as a significant view; or
- ~~ec.~~ c. The entry feature is integral to a unique architectural design.

B. The design standards required in TMC Section 18.50.050 (5) and (6) may also be modified by the Community Development Director as ~~a Type 2 Special Permission decision part of the building permit approval process~~ if the proposal includes a replacement of a single

wide manufactured home with a double wide and newer manufactured home. The property owner can apply for this waiver only one time per property starting from the date of adoption of this ordinance. Additionally, the proposal should result in aesthetic improvement to the neighborhood.

C. The design standards required in TMC Section 18.50.220.A (4) may be modified by the Community Development Director as ~~a Type 2 Special Permission decision~~ [part of the building permit approval process](#). The design of an attached ADU that does not reflect the design vocabulary of the existing primary residence may be approved if the new portion of the structure exhibits a high degree of design quality, including a mix of durable exterior materials, detailing, articulation and modulation.

**Section 15.** Ordinance No. 2176 §2, as codified at TMC Section 18.50.150, “Retaining Wall Setback Waiver,” is hereby amended to read as follows:

#### **18.50.150 Retaining Wall Setback Waiver**

Retaining walls with an exposed height greater than four feet may be allowed in required front, side or rear yard setbacks [as a Type 2 Special Permission decision to the Community Development Director](#) under the following circumstances:

1. When the applicant’s property is on the lower side of the retaining wall and it is not visible from adjacent properties or is screened by landscaping; or
2. When a wall built on a property line or perpendicular to it benefits the lots on both sides, and the owners of both properties agree to jointly maintain the wall; or
3. When a wall in a front yard is required due to roadway expansion or improvements.

**Section 16.** Ordinance Nos. 2661 §5, 2625 §48, 2580 §6, and 2523 §8, as currently codified at TMC Section 18.52.040, “Perimeter and Parking Lot Landscaping Requirements by Zone District,” and Ordinance Nos. 2442 §1, 2251 §61, 2235 §13, and 1872 §14 (part), as then codified at TMC Section 18.52.020, “Perimeter Landscaping Requirements by Zone District, are hereby amended to read as follows and codified in TMC Section 18.52.040:

#### **18.52.040 Perimeter and Parking Lot Landscaping Requirements by Zone District**

In the various zone districts of the City, landscaping in the front, rear and side yards and parking lots shall be provided as established by the various zone district chapters of this title. These requirements are summarized in the following table (Table A), except for Tukwila Urban Center (TUC) requirements, which are listed in TMC Chapter 18.28.

**TABLE A**

| ZONING DISTRICTS                      | FRONT YARD (SECOND FRONT) (linear feet)            | LANDSCAPE TYPE FOR FRONTS | LANDSCAPE FOR SIDE YARD (linear feet)                  | LANDSCAPE FOR REAR YARD (linear feet) | LANDSCAPE TYPE FOR SIDE/REAR | LANDSCAPING FOR PARKING LOTS (square feet)   |
|---------------------------------------|--|---------------------------|--|---------------------------------------|------------------------------|--|
| LDR (for uses other than residential) | 15 <sup>2</sup>                                    | Type I                    | 10   | 10                                    | Type I                       | 20 per stall for non-residential uses; 15 per stall if parking is placed behind building |
| MDR                                   | 15 <sup>1,2,11</sup>                               | Type I                    | 10   | 10                                    | Type I                       | Same as LDR  |
| HDR                                   | 15 <sup>1,2,11</sup>                               | Type I                    | 10   | 10                                    | Type I                       | Same as LDR  |
| MUO                                   | 15 (12.5) <sup>2,11</sup>                          | Type I <sup>7</sup>       | 6 <sup>4</sup>   | 6 <sup>4,11</sup>                     | Type I <sup>7</sup>          | 20 per stall adjacent to street; 15 per stall if parking is placed behind building       |
| O                                     | 15 (12.5) <sup>2</sup>                             | Type I <sup>7</sup>       | 6 <sup>4</sup>   | 6 <sup>4</sup>                        | Type I <sup>7</sup>          | Same as MUO  |
| RCC                                   | 20 (10) <sup>2,3</sup>                             | Type I <sup>7</sup>       | 6 <sup>5</sup> ; 10 if near LDR, MDR, HDR <sup>4</sup> | 10 <sup>11</sup>                      | Type II                      | Same as MUO  |
| NCC                                   | 10 <sup>6,11</sup>                                 | Type I <sup>7,13</sup>    | 0 <sup>4</sup>   | 0 <sup>4,11</sup>                     | Type II                      | Same as MUO  |
| RC                                    | 10   | Type I <sup>13</sup>      | 6 <sup>5</sup>   | 0 <sup>4</sup>                        | Type II <sup>8</sup>         | Same as MUO  |
| RCM                                   | 10   | Type I                    | 6 <sup>5</sup>   | 0 <sup>4</sup>                        | Type II <sup>8</sup>         | Same as MUO  |
| C/LI                                  | 15<br>Second Front: 12.5; 15 if near LDR, MDR, HDR | Type I <sup>6</sup>       | 6 <sup>5,12</sup>                                      | 0 <sup>5,12</sup>                     | Type II <sup>8</sup>         | 15 per stall; 10 per stall for parking placed behind building                            |
| LI                                    | 15 <sup>2</sup><br>Second Front: 12.5              | Type II                   | 0 <sup>4,12</sup>                                      | 0 <sup>4,12</sup>                     | Type III                     | 15 per stall; 10 per stall for parking placed behind building                            |
| HI                                    | 15 <sup>2</sup><br>Second Front: 12.5              | Type II                   | 0 <sup>4,12</sup>                                      | 0 <sup>4,12</sup>                     | Type III                     | 15 per stall   |
| MIC/L                                 | 10 <sup>5</sup>                                    | Type II                   | 0 <sup>5,12</sup>                                      | 0 <sup>5,12</sup>                     | Type III                     | 10 per stall   |
| MIC/H                                 | 10 <sup>5</sup>                                    | Type II                   | 0 <sup>5,12</sup>                                      | 0 <sup>5,12</sup>                     | Type III                     | 10 per stall   |
| TUC – See TMC Chapter 18.28           |  |                           |  |                                       |                              |  |
|                                       |  |                           |  |                                       |                              |  |
| TVS – See TMC Chapter 18.40           |  |                           |  |                                       |                              |  |
| TSO – See TMC Chapter 18.41           |  |                           |  |                                       |                              |  |

**Notes:**

1. Minimum required front yard landscaped areas in the MDR and HDR zones may have up to 20% of their required landscape area developed for pedestrian and transit facilities subject to the approval criteria in TMC Section 18.52.120.C.
2. In order to provide flexibility of the site design while still providing the full amount of landscaping required by code, the front yard landscape width may be divided into a perimeter strip and one or more other landscape areas between the building and the front property line if the perimeter strip is a minimum of 10 feet and the landscape materials are sufficient to provide landscaping along the perimeter and screening of the building mass.
3. Required landscaping may include a mix of plant materials, pedestrian amenities and features, outdoor café-type seating and similar features, subject to the approval criteria in TMC Section 18.52.120.C. Bioretention may also be used as required landscaping subject to the approval criteria in TMC Section 18.52.120.E. Required plant materials will be reduced in proportion to the amount of perimeter area devoted to pedestrian-oriented space.
4. Increased to 10 feet if any portion of the yard is within 50 feet of LDR, MDR or HDR.

5. Increased to 15 feet if any portion of the yard is within 50 feet of LDR, MDR or HDR.
6. Increased to Type II if the front yard contains truck loading bays, service areas or outdoor storage.
7. Increased to Type II if any portion of the yard is within 50 feet of LDR, MDR or HDR.
8. Increased to Type III if any portion of the yard is within 50 feet of LDR, MDR or HDR.
9. Only required along public streets.
10. Increased to 10 feet for residential uses; or if adjacent to residential uses or non-TSO zoning.
11. In the MDR and HDR districts and other districts where multifamily development is permitted, a community garden may be substituted for some or all of the landscaping. In order to qualify, a partnership with a nonprofit (501(c)(3)) with community garden expertise is required to provide training, tools and assistance to apartment residents. Partnership with the nonprofit with gardening expertise is required throughout the life of the garden. If the community garden is abandoned, the required landscaping must be installed. If the garden is located in the front landscaping, a minimum of 5 feet of landscaping must be placed between the garden and the street.
12. To accommodate the types of uses found in the C/LI, LI, HI and MIC districts, landscaping may be clustered to permit truck movements or to accommodate other uses commonly found in these districts if the criteria in TMC Section 18.52.120.D are met.
13. For NCC and RC zoned parcels in the Tukwila International Boulevard District, the front landscaping may be reduced or eliminated if buildings are brought out to the street edge to form a continuous building wall, and if a primary entrance from the front sidewalk as well as from off-street parking areas is provided.

**Section 17.** Ordinance Nos. 2625 §58, 2570 §4, and 1758 §1 (part), as codified at TMC Section 18.54.030, “Tree Permit Required,” **subparagraph A**, are hereby amended to read as follows:

### **18.54.030 Tree Permit Required**

#### **A. Permit Required.**

1. A Tree Permit is required prior to work within the Critical Root Zone of any Significant, Exceptional or Heritage Tree or prior to the removal or destruction of any of these trees within the City, unless the action is exempt from this chapter.

2. A Tree Permit is required when any person wishes to prune a Heritage Tree in excess of 20% of the existing crown in a two-year period.

3. ~~A request for an exception to the requirements of the chapter shall be processed under a Tree Exception Permit.~~ All Tree Permit applications shall meet the criteria outlined in this chapter for approval, or meet the criteria for a Tree Permit Exception per TMC Section 18.54.140.

**Section 18.** Ordinance Nos. 2570 §14, 1770 §32, and 1758 §1 (part), as codified at TMC Section 18.54.130, “Permit Processing and Duration,” are hereby amended to read as follows:

### **18.54.130 Permit Processing and Duration**

A. All Tree Permits shall be processed as Type 1 decisions. Exceptions to the requirements of this chapter shall be processed as a Type 2 decision.



B. If the Tree Permit ~~or Tree Exception Permit~~ application is not approved, the Director shall inform the applicant in writing of the reasons for disapproval.

C. Tree permits expire one year after the date the permit is issued.

**Section 19.** Ordinance Nos. 2570 §15 and 1758 §1 (part), as codified at TMC Section 18.54.140, "Permit Exceptions," **subparagraph A**, are hereby amended to read as follows:

#### **18.54.140 Permit Exceptions**

A. **Exception Procedures.** An applicant seeking an exception from this chapter shall submit ~~a Tree Exception Permit application in addition to the~~ for an exception as part of a Tree Permit application. Such application shall fully state all substantiating facts and evidence pertinent to the exception request, and include supporting maps or plans. The exception shall not be granted unless and until sufficient reasons justifying the exception are provided by the applicant and verified by the City. Approval of the exception is subject to the exception criteria outlined below.

**Section 20.** Ordinance Nos. 2660 §32, as codified at TMC Section 18.58.160, "Small Wireless Facility Aesthetic, Concealment, and Design Standards," subparagraph **E.1.d.**, are hereby amended to read as follows:

#### **18.58.160 Small Wireless Facility Aesthetic, Concealment, and Design Standards**

E. **Standards for small wireless facilities on new poles in the rights-of-way and installation on decorative poles.**

1. d. No new poles shall be located in a critical area or associated buffer required by the City's Environmentally ~~Sensitive~~ Critical Areas ordinance, TMC Chapter 18.45, except when determined to be exempt pursuant to said ordinance.

**Section 21.** Ordinance Nos. 2625 §66, 2518 §15, and 1819 §1 (part), as codified at TMC Section 18.70.050, "Nonconforming Structures," are hereby amended to read as follows:

#### **18.70.050 Nonconforming Structures**

Where a lawful structure exists at the effective date of adoption of this title that could not be built under the terms of this title by reason of restrictions on area, development area, height, yards or other characteristics of the structure, it may be continued so long as the structure remains otherwise lawful subject to the following provisions:

1. No such structure may be enlarged or altered in such a way that increases its degree of nonconformity. Ordinary maintenance of a nonconforming structure is permitted, pursuant to TMC Section 18.70.060, including but not limited to painting, roof

repair and replacement, plumbing, wiring, mechanical equipment repair/replacement and weatherization. These and other alterations, additions or enlargements may be allowed as long as the work done does not extend further into any required yard or violate any other portion of this title. Complete plans shall be required of all work contemplated under this section.

2. Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, in the judgment of the City's Building Official, it shall not be reconstructed except in conformity with provisions of this title, except that in the LDR zone, structures that are nonconforming in regard to yard setbacks or sensitive area buffers, but were in conformance at the time of construction may be reconstructed to their original dimensions and location on the lot.

3. Should such structure be moved for any reason or any distance whatsoever, it shall thereafter conform to the regulations for the zone in which it is located after it is moved.

4. When a nonconforming structure, or structure and premises in combination, is vacated or abandoned for 24 consecutive months, the structure, or structure and premises in combination, shall thereafter be required to be in conformance with the regulations of the zone in which it is located. Upon request of the owner, the City Council may grant an extension of time beyond the 24 consecutive months.

5. If a primary structure on a property is demolished but nonconforming accessory structures remain, a primary permitted use on the site must be applied for within one year or remaining accessory structures will need to be demolished. A performance bond or financial security equal to 150% of the cost of labor and materials required for the demolition of accessory structures shall be submitted prior to City acceptance of project of primary structure demolition.

~~56~~. Residential structures and uses located in any single-family or multiple-family residential zoning district and in existence at the time of adoption of this title shall not be deemed nonconforming in terms of bulk, use, or density provisions of this title. Such buildings may be rebuilt after a fire or other natural disaster to their original dimensions and bulk, but may not be changed except as provided in the non-conforming uses section of this chapter.

~~67~~. Single-family structures in single- or multiple-family residential zone districts that have legally nonconforming building setbacks, shall be allowed to expand the ground floor only along the existing building line(s), so long as the existing distance from the nearest point of the structure to the property line is not reduced, and the square footage of new intrusion into the setback does not exceed 50% of the square footage of the current intrusion.

~~78~~. In wetlands, watercourses and their buffers, existing structures that do not meet the requirements of the Critical Areas Overlay District chapter of this title may be remodeled, reconstructed or replaced, provided that:

a. The new construction does not further intrude into or adversely impact an undeveloped critical area or the required buffer, except where an interrupted buffer waiver has been granted by the Director. However, legally constructed buildings, other than accessory structures, may:

(1) Expand vertically to add upper stories in exchange for buffer enhancement, provided no significant tree is removed.

(2) Expand laterally along the building side that is opposite of critical area up to a maximum of 1,000 square feet, provided that expansion is outside 75 percent of the required buffer; buffer enhancement is proposed; and no significant tree is removed.

(3) Expand laterally along the existing building lines in exchange for buffer enhancement, provided the expansion into the buffer is less than 50 percent of the current encroachment or 500 square feet, whichever is less; expansion is outside 75 percent of the required buffer; and no significant tree is removed.

(4) Enclose within existing footprint in exchange for buffer enhancement, provided no significant tree is removed.

b. The new construction does not threaten the public health, safety or welfare.

c. The structure otherwise meets the requirements of this chapter.

**89.** In areas of potential geologic instability, coal mine hazard areas, and buffers, as defined in the Critical Areas Overlay District chapter of this title, existing structures may be remodeled, reconstructed or replaced, provided that:

a. The new construction is subject to the geotechnical report requirements and standards of TMC Sections 18.45.120.B and 18.45.120.C;

b. The new construction does not threaten the public health, safety or welfare;

c. The new construction does not increase the potential for soil erosion or result in unacceptable risk or damage to existing or potential development or to neighboring properties; and

d. The structure otherwise meets the requirements of this chapter.

**Section 22.** Ordinance Nos. 2649 §11, 2368 §70, 2251 §75, 2235 §19, 2135 §19, and 2119 §1, as codified at TMC Section 18.104.010, "Classification of Project Permit Applications," **subparagraph 4**, are hereby amended to read as follows:

#### **18.104.010 Classification of Project Permit Applications**

4. TYPE 4 DECISIONS are quasi-judicial decisions made by the Board of Architectural Review or the Planning Commission, following an open record hearing. Type 4 decisions may be appealed to the Hearing Examiner based on the record established by the Board of Architectural Review or Planning Commission, ~~except~~

~~Shoreline Conditional Use Permits, that are appealable to the State Shorelines Hearings Board pursuant to RCW 90.58.~~

**TYPE 4 DECISIONS**

| <b>TYPE OF PERMIT</b>   | <b>INITIAL DECISION MAKER</b>  | <b>APPEAL BODY (closed record appeal)</b>  |
|---|--------------------------------|--|
| Public Hearing Design Review<br>( <i>TMC Chapter 18.60</i> )  | Board of Architectural Review  | Hearing Examiner                           |
| Subdivision – Preliminary Plat with an associated Design Review application<br>( <i>TMC Section 17.14.020</i> )   | Planning Commission            | Hearing Examiner                           |
| Subdivision Phasing Plan (for a subdivision with an associated Design Review)<br>( <i>TMC Section 17.14.040</i> ) | Planning Commission            | Hearing Examiner                           |
| <del>Shoreline Conditional Use Permit<br/>(<i>TMC Section 18.44.050</i>)</del>                                    | <del>Planning Commission</del> | <del>State Shorelines Hearings Board</del> |

**Section 23. Section 18.10.060 Amended.** Ordinance Nos. 2581 §2, 2518 §7, 1972 §4, and 1758 §1 (part), as codified at TMC Section 18.10.060, “Basic Development Standards,” is hereby amended to revise **the Setbacks portion** of the Low Density Residential (LDR) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**LDR BASIC DEVELOPMENT STANDARDS**

|  |   |
|--|---|
| Lot area, minimum  | 6,500 sq. ft.   |
| Average lot width (min. 20 ft. street frontage width), minimum   | 50 feet   |
| Development Area, maximum (only for single family development)   | 75% on lots less than 13,000 sq. ft. up to a maximum of 5,850 sq. ft. |
|  | 45% on lots greater than or equal to 13,000 sq. ft.                   |
| Setbacks to yards, minimum:  |   |
| • <i>Front</i>   | 20 feet   |
| • <i>Front, decks or porches</i>   | 15 feet   |
| • <i>Second front</i>  | 10 feet   |
| • <i>Sides</i>   | 5 feet  |
| • <i>Rear</i>  | 10 feet   |
| <a href="#">Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.</a> |   |
| Height, maximum  | 30 feet   |

|                                  |   |
|----------------------------------|---|
| Off-street parking:              |   |
| • <i>Residential</i>             | See TMC Chapter 18.56, Off-street Parking & Loading Regulations |
| • <i>Accessory dwelling unit</i> | See TMC Section 18.50.220                                       |
| • <i>Other uses</i>              | See TMC Chapter 18.56, Off-street Parking & Loading Regulations |

**Section 24. Section 18.12.070 Amended.** Ordinance Nos. 2581 §3, 2199 §12, 1976 §23, and 1758 §1 (part), as codified at TMC Section 18.12.070, “Basic Development Standards,” is hereby amended to revise **the Setbacks portion** of the Medium Density Residential (MDR) District BASIC DEVELOPMENT STANDARDS table to read as follows:

### MDR BASIC DEVELOPMENT STANDARDS

|  |  |
|--|--|
| Lot area, minimum  | 8,000 sq. ft. (Applied to parent lot for townhouse plats)  |
| Lot area per unit (multi-family)                               | 3,000 sq. ft. (For townhouses the density shall be calculated based on one unit per 3000 sq. ft. of parent lot area. The “unit lot” area shall be allowed to include the common access easements). |
| Average lot width (min. 20 ft. street frontage width), minimum | 60 feet<br>(Applied to parent lot for townhouse plats)   |
| Setbacks, minimum:   | Applied to parent lot for townhouse plats  |
| • <i>Front - 1st floor</i>                                     | 15 feet  |
| • <i>Front - 2nd floor</i>                                     | 20 feet  |
| • <i>Front - 3rd floor</i>                                     | 30 feet<br>(20 feet for townhouses)  |
| • <i>Second front - 1st floor</i>                              | 7.5 feet   |
| • <i>Second front - 2nd floor</i>                              | 10 feet  |
| • <i>Second front - 3rd floor</i>                              | 15 feet<br>(10 feet for townhouses)  |
| • <i>Sides - 1st floor</i>                                     | 10 feet  |
| • <i>Sides - 2nd floor</i>                                     | 20 feet<br>(10 feet for townhouses unless adjacent to LDR)   |
| • <i>Sides - 3rd floor</i>                                     | 20 feet<br>(30 feet if adjacent to LDR; 10 feet for townhouses unless adjacent to LDR)   |
| • <i>Rear - 1st floor</i>                                      | 10 feet  |
| • <i>Rear - 2nd floor</i>                                      | 20 feet<br>(10 feet for townhouses unless adjacent to LDR)   |

|  |  |
|--|--|
| • <i>Rear - 3rd floor</i>  | 20 feet<br>(30 feet if adjacent to LDR;<br>10 feet for townhouses<br>unless adjacent to LDR) |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>   |  |
| Townhouse building separation, minimum   |  |
| • <i>1 and 2 story buildings</i>   | 10 feet  |
| • <i>3 story buildings</i>   | 20 feet  |
| Height, maximum  | 30 feet  |
| <del>Landscape requirements (minimum): Applied to parent lot for townhouse plats</del><br><del>See Landscape, Recreation, Recycling/<br/>Solid Waste Space requirements<br/>chapter for further requirements</del> |  |
| • <del>Front(s)</del>  | <del>15 feet</del>   |
| • <del>Sides</del>   | <del>10 feet</del>   |
| • <del>Rear</del>  | <del>10 feet</del>   |
| Development area coverage  | 50% maximum (75% for townhouses)   |
| Recreation space   | 400 sq. ft. per dwelling unit<br>(1,000 sq. ft. min.)  |
| Off-street parking:  |  |
| • <i>Residential</i>   | See TMC Chapter 18.56,<br>Off-street Parking & Loading Regulations.                          |
| • <i>Accessory dwelling unit</i>   | See TMC Section 18.50.220  |
| • <i>Other uses</i>  | See TMC Chapter 18.56,<br>Off-street Parking & Loading Regulations                           |

**Section 25. Section 18.14.070 Amended.** Ordinance Nos. 2581 §4, 2199 §14, 1976 §27, 1830 §3 and 1758 §1 (part), as codified at TMC Section 18.14.070, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the High Density Residential (HDR) District BASIC DEVELOPMENT STANDARDS table to read as follows:

#### HDR BASIC DEVELOPMENT STANDARDS

|   |  |
|---|--|
| Lot area, minimum   | 9,600 sq. ft. (Applied to parent lot<br>for townhouse plats)   |
| Lot area per unit<br>(multi-family, except<br>senior citizen housing) | 2,000 sq. ft. (For townhouses the<br>density shall be calculated based on<br>one unit per 2000 sq. ft. of parent lot area.<br>The "unit lot" area shall be allowed to<br>include the common access easements.) |

|  |   |
|--|---|
| Average lot width<br>(min. 20 ft. street frontage width),<br>minimum   | 60 feet<br>(Applied to parent lot<br>for townhouse plats)                                     |
| Setbacks, minimum:   | Applied to parent lot for townhouse plats   |
| • <i>Front - 1st floor</i>   | 15 feet   |
| • <i>Front - 2nd floor</i>   | 20 feet   |
| • <i>Front - 3rd floor</i>   | 30 feet (20 feet for townhouses)  |
| • <i>Front – 4th floor</i>   | 45 feet (20 feet for townhouses)  |
| • <i>Second front - 1st floor</i>  | 7.5 feet  |
| • <i>Second front - 2nd floor</i>  | 10 feet   |
| • <i>Second front - 3rd floor</i>  | 15 feet (10 feet for townhouses)  |
| • <i>Second front – 4th floor</i>  | 22.5 feet (10 feet for townhouses)  |
| • <i>Sides - 1st floor</i>   | 10 feet   |
| • <i>Sides - 2nd floor</i>   | 20 feet<br>(10 feet for townhouses<br>unless adjacent to LDR)                                 |
| • <i>Sides - 3rd floor</i>   | 20 feet<br>(30 feet if adjacent to LDR)<br>(10 feet for townhouses<br>unless adjacent to LDR) |
| • <i>Sides – 4th floor</i>   | 30 feet<br>(20 feet for townhouses<br>unless adjacent to LDR)                                 |
| • <i>Rear - 1st floor</i>  | 10 feet   |
| • <i>Rear - 2nd floor</i>  | 20 feet<br>(10 feet for townhouses<br>unless adjacent to LDR)                                 |
| • <i>Rear - 3rd floor</i>  | 20 feet<br>(30 feet if adjacent to LDR;<br>10 feet for townhouses<br>unless adjacent to LDR)  |
| • <i>Rear – 4th floor</i>  | 30 feet<br>(20 feet for townhouses<br>unless adjacent to LDR)                                 |
| <a href="#">Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.</a> |   |
| Townhouse building separation, minimum   |   |
| • <i>1 and 2 story buildings</i>   | 10 feet   |
| • <i>3 and 4 story buildings</i>   | 20 feet   |
| Height, maximum  | 45 feet   |
| Development area coverage  | 50% maximum (except senior citizen housing), (75% for townhouses)                             |

|  |   |
|--|---|
| <del>Landscape requirements (minimum): Applied to parent lot for townhouse plats</del><br><del>See Landscape, Recreation, Recycling/<br/>Solid Waste Space requirements<br/>chapter for further requirements</del>   |   |
| • <del>Front(s)</del>  | <del>15 feet</del>  |
| • <del>Sides</del>   | <del>10 feet</del>  |
| • <del>Rear</del>  | <del>10 feet</del>  |
| Recreation space   | 400 sq. ft. per dwelling unit<br>(1,000 sq. ft. min.)               |
| Recreation space,<br>senior citizen housing  | 100 sq. ft. per dwelling unit                                       |
| Off-street parking:  |   |
| • Residential (except senior citizen housing)  | See TMC Chapter 18.56,<br>Off-street Parking & Loading Regulations. |
| • Accessory dwelling unit  | See TMC Section 18.50.220   |
| • Other uses, including senior citizen housing   | See TMC Chapter 18.56,<br>Off-street Parking & Loading Regulations  |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 26. Section 18.16.080 Amended.** Ordinance Nos. 2581 §5, 2251 §22, 1976 §30, 1872 §1, 1865 §18, 1830 §7, and 1758 §1 (part), as codified at TMC Section 18.16.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Mixed Use Office (MUO) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**MUO BASIC DEVELOPMENT STANDARDS**

|   |  |
|---|--|
| Lot area per unit,<br>multi-family (except senior citizen housing), minimum | 3,000 sq. ft.  |
| Setbacks to yards, minimum:   |  |
| • Front   | 25 feet  |
| • Second front  | 12.5 feet  |
| • Sides   | 10 feet  |
| • Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR      | Ratio of 1.5:1 setback<br>(for every 1.5 feet of bldg. height, setback 1 foot from property line)<br>min. of 10 feet and a max. of 30 feet |
| • Rear  | 10 feet  |



|  |  |
|--|--|
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   | Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 30 feet |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>   |  |
| Height, maximum  | 4 stories or 45 feet   |
| <del>Landscape requirements (minimum): See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del>  |  |
| <del>• Front</del>   | <del>15 feet</del>   |
| <del>• Second front</del>  | <del>12.5 feet</del>   |
| <del>• Sides</del>   | <del>5 feet</del>  |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>   |
| <del>• Rear</del>  | <del>5 feet</del>  |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>   |
| Recreation space   | 200 sq. ft. per dwelling unit (1,000 sq. ft. min.)   |
| Recreation space, senior citizen housing   | 100 sq. ft. per dwelling unit  |
| Off-street parking:  |  |
| • <i>Residential (except senior citizen housing)</i>   | See TMC Chapter 18.56, Off street Parking & Loading Regulations  |
| • <i>Office, minimum</i>   | 3 per 1,000 sq. ft. usable floor area  |
| • <i>Retail, minimum</i>   | 2.5 per 1,000 sq. ft. usable floor area  |
| • <i>Other uses, including senior citizen housing</i>  | See TMC Chapter 18.56, Off-street Parking & Loading Regulations  |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |  |

**Section 27. Section 18.18.080 Amended.** Ordinance Nos. 2581 §6, 1976 §35, 1872 §2, and 1758 §1 (part), as codified at TMC Section 18.18.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Office (O) District BASIC DEVELOPMENT STANDARDS table to read as follows:

## OFFICE BASIC DEVELOPMENT STANDARDS

|   |   |
|---|---|
| Setbacks to yards, minimum:   |   |
| • <i>Front</i>  | 25 feet   |
| • <i>Second front</i>   | 12.5 feet   |
| • <i>Sides</i>  | 10 feet   |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   |   |
| - 1st Floor   | 10 feet   |
| - 2nd Floor   | 20 feet   |
| - 3rd Floor   | 30 feet   |
| • <i>Rear</i>   | 10 feet   |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  |   |
| - 1st Floor   | 10 feet   |
| - 2nd Floor   | 20 feet   |
| - 3rd Floor   | 30 feet   |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>            |   |
| Height, maximum   | 3 stories or 35 feet                                    |
| <del>Landscape requirements (minimum): See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |   |
| <del>• <i>Front</i></del>   | <del>15 feet</del>                                      |
| <del>• <i>Second front</i></del>  | <del>12.5 feet</del>                                    |
| <del>• <i>Sides</i></del>   | <del>5 feet</del>                                       |
| <del>• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>  | <del>10 feet</del>                                      |
| <del>• <i>Rear</i></del>  | <del>5 feet</del>                                       |
| <del>• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>10 feet</del>                                      |
| Off-street parking:   |   |
| • <i>Residential</i>  | See TMC 18.56, Off-street Parking/Loading Regulations   |
| • <i>Office, minimum</i>  | 3 per 1,000 sq. ft. usable floor area                   |
| • <i>Retail, minimum</i>  | 2.5 per 1,000 sq. ft. usable floor area                 |
| • <i>Other uses</i>   | See TMC 18.56, Off-street Parking & Loading Regulations |

Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.

**Section 28. Section 18.20.080 Amended.** Ordinance Nos. 2581 §7, 2518 §8, 1976 §39, 1872 §3, and 1758 §1 (part), as codified at TMC Section 18.20.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Residential Commercial Center (RCC) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**RCC BASIC DEVELOPMENT STANDARDS**

|   |  |
|---|--|
| Lot area, minimum   | 5,000 sq. ft.                                      |
| Lot area per unit (multi-family), minimum   | 3,000 sq. ft.                                      |
| Setbacks to yards, minimum:   |  |
| • <i>Front</i>  | 20 feet  |
| • <i>Second front</i>   | 10 feet  |
| • <i>Sides</i>  | 5 feet   |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   | 10 feet  |
| • <i>Rear</i>   | 10 feet  |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>  |  |
| Height, maximum   | 3 stories or 35 feet                               |
| <del>Landscape requirements (minimum): All setback areas shall be landscaped. Required landscaping may include a mix of plant materials, bioretention facilities, pedestrian amenities and features, outdoor cafe type seating and similar features, subject to approval. See Landscape, Recreation, Recycling/Solid Waste Space chapter for further requirements</del> |  |
| <del>• <i>Front</i></del>   | <del>20 feet</del>                                 |
| <del>• <i>Second front</i></del>  | <del>10 feet</del>                                 |
| <del>• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>  | <del>10 feet</del>                                 |
| <del>• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>10 feet</del>                                 |
| Recreation space  | 200 sq. ft. per dwelling unit (1,000 sq. ft. min.) |
| Off-street parking:   |  |

|   |   |
|---|---|
| • <i>Residential</i>  | See TMC Chapter 18.56, Off-street Parking & Loading Regulations |
| • <i>Office, minimum</i>  | 3 per 1,000 sq. ft. usable floor area                           |
| • <i>Retail, minimum</i>  | 2.5 per 1,000 sq. ft. usable floor area                         |
| • <i>Other uses</i>   | See TMC Chapter 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 29. Section 18.22.080 Amended.** Ordinance Nos. 2581 §8, 1976 §42, 1872 §4, 1865 §25, 1830 §13, and 1758 §1 (part), as codified at TMC Section 18.22.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Neighborhood Commercial Center (NCC) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**NCC BASIC DEVELOPMENT STANDARDS**

|   |  |
|---|--|
| Lot area per unit for senior citizen housing, minimum                         | 726 sq. ft. (senior housing)   |
| Setbacks to yards, minimum:   |  |
| • <i>Front</i>  | 6 feet (12 feet if located along Tukwila International Blvd. S.)   |
| • <i>Second front</i>   | 5 feet   |
| • <i>Sides</i>  | 10 feet  |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i> | Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 20 feet |
| • <i>Rear</i>   | 10 feet  |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  | Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 20 feet |

|  |  |
|--|--|
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>   |  |
| Height, maximum  | 3 stories or 35 feet<br>(4 stories or 45 feet in the NCC of the Tukwila International Boulevard, if a mixed use with a residential and commercial component) |
| <del>Landscape requirements (minimum): See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del>  |  |
| <del>• Front</del>   | <del>5 feet</del>  |
| <del>• Front(s) if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>   |
| <del>• Sides</del>   | <del>None</del>  |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>   |
| <del>• Rear</del>  | <del>none</del>  |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>   |
| Recreation space   | 200 sq. ft. per dwelling unit<br>(1,000 sq. ft. min.)  |
| Recreation space, senior citizen housing   | 100 sq. ft. per dwelling unit  |
| Off-street parking:  |  |
| • Residential (except senior citizen housing)  | See TMC 18.56, Off-street Parking/Loading Regulations  |
| • Office   | 3 per 1,000 sq. ft. usable floor area  |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area  |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area minimum  |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area minimum  |
| • Other uses, including senior citizen housing   | See TMC 18.56, Off-street Parking & Loading Regulations  |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |  |

**Section 30. Section 18.24.080 Amended.** Ordinance Nos. 1976 §45, 1872 §5, 1865 §31, and 1758 §1 (part), as codified at TMC Section 18.24.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Regional Commercial (RC) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**RC BASIC DEVELOPMENT STANDARDS**

|   |  |
|---|--|
| Lot area per unit (multifamily, except senior citizen housing), minimum   | 2,000 sq. ft.<br>Where height limit is 6 stories: 622 sq. ft. Where height limit is 10 stories: 512 sq. ft.                          |
| Setbacks to yards, minimum:   |  |
| • <i>Front</i>  | 20 feet  |
| • <i>Second front</i>   | 10 feet  |
| • <i>Sides</i>  | 10 feet  |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   | Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 30 feet |
| When 3 or more stories  | 30 feet  |
| • <i>Rear</i>   | 10 feet  |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  | Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 30 feet |
| When 3 or more stories  | 30 feet  |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>                |  |
| Height, maximum   | 3 stories or 35 feet   |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |  |
| <del>• <i>Front</i></del>   | <del>10 feet</del>   |
| <del>• <i>Sides</i></del>   | <del>5 feet</del>  |
| <del>• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>  | <del>10 feet</del>   |
| <del>• <i>Rear</i></del>  | <del>None</del>  |
| <del>• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>10 feet</del>   |
| Recreation space  | 200 sq. ft. per dwelling unit (1,000 sq. ft. min.)   |
| Recreation space, senior citizen housing  | 100 sq. ft. per dwelling unit  |

|  |   |
|--|---|
| Off-street parking:  |   |
| • Residential (except senior citizen housing)  | See TMC 18.56, Off street Parking/Loading Regulations   |
| • Office   | 3 per 1,000 sq. ft. usable floor area minimum           |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area minimum         |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area minimum           |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area minimum           |
| • Other uses, including senior citizen housing   | See TMC 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 31. Section 18.26.080 Amended.** Ordinance Nos. 1976 §47, 1872 §6, 1830 §19, and 1758 §1 (part), as codified at TMC Section 18.26.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Regional Commercial Mixed-Use (RCM) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**RCM BASIC DEVELOPMENT STANDARDS**

|  |                      |
|--|----------------------|
| Lot area per unit (multifamily, except senior citizen housing), minimum  | 3,000 ft             |
| Setbacks to yards, minimum:  |                      |
| • Front  | 20 feet              |
| • Second front   | 10 feet              |
| • Sides  | 10 feet              |
| • Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR   |                      |
| 1st Floor  | 10 feet              |
| 2nd Floor  | 20 feet              |
| 3rd Floor  | 30 feet              |
| • Rear   | 10 feet              |
| • Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR  |                      |
| 1st Floor  | 10 feet              |
| 2nd Floor  | 20 feet              |
| 3rd Floor  | 30 feet              |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a> |                      |
| Height, maximum  | 3 stories or 35 feet |

|  |   |
|--|---|
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del>  |   |
| <del>• Front</del>   | <del>10 feet</del>                                      |
| <del>• Sides</del>   | <del>5 feet</del>                                       |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>                                      |
| <del>• Rear</del>  | <del>None</del>   |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>                                      |
| Recreation space   | 200 sq. ft. per dwelling unit<br>(1,000 sq. ft. min.)   |
| Recreation space, senior citizen housing   | 100 sq. ft. per dwelling unit                           |
| Off-street parking:  |   |
| • Residential (except senior citizen housing)  | See TMC 18.56, Off street Parking/Loading Regulations   |
| • Office   | 3 per 1,000 sq. ft. usable floor area minimum           |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area minimum         |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area minimum           |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area minimum           |
| • Other uses, including senior citizen housing   | See TMC 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 32. Section 18.30.080 Amended.** Ordinance Nos. 1872 §8 and 1758 §1 (part), as codified at TMC Section 18.30.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Commercial/Light Industrial (C/LI) District BASIC DEVELOPMENT STANDARDS table to read as follows:



## C/LI BASIC DEVELOPMENT STANDARDS

|   |  |
|---|--|
| Setbacks to yards, minimum:   |  |
| • <i>Front</i>  | 25 feet                                      |
| • <i>Second front</i>   | 12.5 feet                                    |
| • <i>Second front, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  | 15 feet                                      |
| • <i>Sides</i>  | 10 feet                                      |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   |  |
| <i>1st Floor</i>  | 15 feet                                      |
| <i>2nd Floor</i>  | 20 feet                                      |
| <i>3rd Floor</i>  | 30 feet                                      |
| • <i>Rear</i>   | 5 feet                                       |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  |  |
| <i>1st Floor</i>  | 15 feet                                      |
| <i>2nd Floor</i>  | 20 feet                                      |
| <i>3rd Floor</i>  | 30 feet                                      |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>                |  |
| Height, maximum   | 4 stories or 45 feet                         |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |  |
| <del>• <i>Fronts</i></del>  | <del>12.5 feet</del>                         |
| <del>• <i>Fronts, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>15 feet</del>                           |
| <del>• <i>Sides</i></del>   | <del>5 feet</del>                            |
| <del>• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>  | <del>15 feet</del>                           |
| <del>• <i>Rear</i></del>  | <del>None</del>                              |
| <del>• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>15 feet</del>                           |
| Off-street parking:   |  |
| • <i>Warehousing</i>  | 1 per 2,000 sq. ft. usable floor area min.   |
| • <i>Office</i>   | 3 per 1,000 sq. ft. usable floor area min.   |
| • <i>Retail</i>   | 2.5 per 1,000 sq. ft. usable floor area min. |

|  |   |
|--|---|
| • <i>Manufacturing</i>   | 1 per 1,000 sq. ft. usable floor area min.              |
| • <i>Other Uses</i>  | See TMC 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 33. Section 18.32.080 Amended.** Ordinance Nos. 1872 §9 and 1758 §1 (part), as codified at TMC Section 18.32.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Light Industrial (LI) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**LI BASIC DEVELOPMENT STANDARDS**

|   |                      |
|---|----------------------|
| Setbacks to yards, minimum:   |                      |
| • <i>Front</i>  | 25 feet              |
| • <i>Second front</i>   | 12.5 feet            |
| • <i>Sides</i>  | 5 feet               |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   |                      |
| <i>1st Floor</i>  | 10 feet              |
| <i>2nd Floor</i>  | 20 feet              |
| <i>3rd Floor</i>  | 30 feet              |
| • <i>Rear</i>   | 5 feet               |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  |                      |
| <i>1st Floor</i>  | 10 feet              |
| <i>2nd Floor</i>  | 20 feet              |
| <i>3rd Floor</i>  | 30 feet              |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>                |                      |
| Height, maximum   | 4 stories or 45 feet |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |                      |
| <del>• <i>Fronts</i></del>  | <del>12.5 feet</del> |
| <del>• <i>Sides</i></del>   | <del>None</del>      |

|  |   |
|--|---|
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>                                      |
| <del>• Rear</del>  | <del>None</del>   |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>                                      |
| Off-street parking:  |   |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area min.              |
| • Office   | 3 per 1,000 sq. ft. usable floor area min.              |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area min.            |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area min.              |
| • Other Uses   | See TMC 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 34. Section 18.34.080 Amended.** Ordinance Nos. 1872 §10, 1793 §2 and 1758 §1 (part), as codified at TMC Section 18.34.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Heavy Industrial (HI) District BASIC DEVELOPMENT STANDARDS table to read as follows:

#### HI BASIC DEVELOPMENT STANDARDS

|  |           |
|--|-----------|
| Setbacks to yards, minimum:  |           |
| • Front  | 25 feet   |
| • Second front   | 12.5 feet |
| • Sides  | 5 feet    |
| • Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR |           |
| 1st Floor  | 10 feet   |
| 2nd Floor  | 20 feet   |
| 3rd Floor  | 30 feet   |
| • Rear   | 5 feet    |
| • Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR  |           |

|   |   |
|---|---|
| 1st Floor   | 10 feet   |
| 2nd Floor   | 20 feet   |
| 3rd Floor   | 30 feet   |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>                |   |
| Height, maximum   | 115 feet  |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |   |
| <del>• Fronts</del>   | <del>12.5 feet</del>                                    |
| <del>• Sides</del>  | <del>None</del>   |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>                                      |
| <del>• Rear</del>   | <del>None</del>   |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>                                      |
| Off-street parking:   |   |
| • Warehousing   | 1 per 2,000 sq. ft. usable floor area min.              |
| • Office  | 3 per 1,000 sq. ft. usable floor area min.              |
| • Retail  | 2.5 per 1,000 sq. ft. usable floor area min.            |
| • Manufacturing   | 1 per 1,000 sq. ft. usable floor area min.              |
| • Other Uses  | See TMC 18.56, Off-street Parking & Loading Regulations |

**Section 35. Section 18.36.080 Amended.** Ordinance Nos. 1872 §11 and 1758 §1 (part), as codified at TMC Section 18.36.080, "Basic Development Standards," is hereby amended to revise **the Setbacks portion** of the Manufacturing Industrial Center – Light (MIC/L) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**MIC/L BASIC DEVELOPMENT STANDARDS**

|   |         |
|---|---------|
| Setbacks to yards, minimum:   |         |
| • Front   | 20 feet |
| • Second front  | 10 feet |
| • Second front, if any portion of the yard is within 50 feet of LDR, MDR, HDR | 15 feet |
| • Sides   | None    |

|  |   |
|--|---|
| • Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR   |   |
| 1st Floor  | 15 feet   |
| 2nd Floor  | 20 feet   |
| 3rd Floor  | 30 feet   |
| • Rear   | None  |
| • Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR  |   |
| 1st Floor  | 15 feet   |
| 2nd Floor  | 20 feet   |
| 3rd Floor  | 30 feet   |
| <a href="#">Refer to TMC Chapter 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</a>   |   |
| Height, maximum  | 4 stories or 45 feet                                    |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del>  |   |
| <del>• Fronts</del>  | <del>5 feet</del>                                       |
| <del>• Fronts, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>15 feet</del>                                      |
| <del>• Sides</del>   | <del>None</del>   |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>15 feet</del>                                      |
| <del>• Rear</del>  | <del>None</del>   |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>15 feet</del>                                      |
| Off-street parking:  |   |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area min.              |
| • Office   | 3 per 1,000 sq. ft. usable floor area min.              |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area min.            |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area min.              |
| • Other Uses   | See TMC 18.56, Off-street Parking & Loading Regulations |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the |   |

requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.

**Section 36. Section 18.38.080 Amended.** Ordinance Nos. 1872 §12 and 1758 §1 (part), as codified at TMC Section 18.38.080, “Basic Development Standards,” is hereby amended to revise **the Setbacks portion** of the Manufacturing Industrial Center/Heavy (MIC/H) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**MIC/H BASIC DEVELOPMENT STANDARDS**

|   |                    |
|---|--------------------|
| Setbacks to yards, minimum:   |                    |
| • <i>Front</i>  | 20 feet            |
| • <i>Second front</i>   | 10 feet            |
| • <i>Second front, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  | 15 feet            |
| • <i>Sides</i>  | None               |
| • <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>   |                    |
| <i>1st Floor</i>  | 15 feet            |
| <i>2nd Floor</i>  | 20 feet            |
| <i>3rd Floor</i>  | 30 feet            |
| • <i>Rear</i>   | None               |
| • <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>  |                    |
| <i>1st Floor</i>  | 15 feet            |
| <i>2nd Floor</i>  | 20 feet            |
| <i>3rd Floor</i>  | 30 feet            |
| <a href="#">Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.</a>                |                    |
| Height, maximum   | 125 feet           |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |                    |
| <del>• <i>Fronts</i></del>  | <del>5 feet</del>  |
| <del>• <i>Fronts, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>   | <del>15 feet</del> |
| <del>• <i>Sides</i></del>   | <del>None</del>    |
| <del>• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i></del>  | <del>15 feet</del> |
| <del>• <i>Rear</i></del>  | <del>None</del>    |

|  |   |
|--|---|
| • <del>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del> | 15 feet   |
| Off-street parking:  |   |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area min.              |
| • Office   | 2.5 per 1,000 sq. ft. usable floor area min.            |
| • Retail   | 2.5 per 1,000 sq. ft. usable floor area min.            |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area min.              |
| • Other Uses   | See TMC 18.56, Off-street Parking & Loading Regulations |

**Section 37. Section 18.40.080 Amended.** Ordinance Nos. 1976 §60, 1872 §13, 1830 §27, and 1758 §1 (part), as codified at TMC Section 18.40.080, “Basic Development Standards,” is hereby amended to revise **the Setbacks portion** of the Tukwila Valley South (TVS) District BASIC DEVELOPMENT STANDARDS table to read as follows:

**TVS BASIC DEVELOPMENT STANDARDS**

|   |  |
|---|--|
| Lot area per unit (multifamily, except senior citizen housing), minimum   | 2,000 sq. ft.  |
| Setbacks to yards, minimum:   |  |
| • Front   | 25 feet  |
| • Second front  | 12.5 feet  |
| • Sides   | 5 feet   |
| • Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR  |  |
| 1st Floor   | 10 feet  |
| 2nd Floor   | 20 feet  |
| 3rd Floor   | 30 feet  |
| • Rear  | 5 feet   |
| • Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR   |  |
| 1st Floor   | 10 feet  |
| 2nd Floor   | 20 feet  |
| 3rd Floor   | 30 feet  |
| <a href="#">Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.</a>                |  |
| Height, maximum   | 115 feet   |
| <del>Landscape requirements (minimum):<br/>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</del> |  |
| • <del>Front</del>  | <del>15 feet; required landscaping may include a mix of plant materials,</del> |

|  |   |
|--|---|
|  | <del>pedestrian amenities and features, outdoor café-type seating and similar features subject to approval as a Type 2 special permission decision.</del> |
| <del>• Sides</del>   | <del>None</del>   |
| <del>• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>  | <del>10 feet</del>  |
| <del>• Rear</del>  | <del>None</del>   |
| <del>• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</del>   | <del>10 feet</del>  |
| Recreation space   | 200 sq. ft. per dwelling unit<br>(1,000 sq. ft. min.)   |
| Recreation space, senior citizen housing   | 100 sq. ft. per dwelling unit   |
| Off-street parking:  |   |
| • Residential (except senior citizen housing)  | See TMC 18.56, Off street Parking/Loading Regulations   |
| • Office   | 3 per 1,000 sq. ft. usable floor area minimum   |
| • Retail   | 4 per 1,000 sq. ft. usable floor area minimum   |
| • Manufacturing  | 1 per 1,000 sq. ft. usable floor area minimum   |
| • Warehousing  | 1 per 2,000 sq. ft. usable floor area minimum   |
| • Other uses, including senior citizen housing   | See TMC 18.56, Off-street Parking & Loading Regulations   |
| Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated. |   |

**Section 38.** Table 18-6: "Land Uses Allowed by District," as codified in TMC Title 18, is hereby amended as set forth in the amended Table 18-6 attached as Exhibit A.



**Section 39. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 40. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 41. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Christy O'Flaherty, MMC, City Clerk

\_\_\_\_\_  
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_  
Passed by the City Council: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney

Attachment: Exhibit A, Table 18-6: Land Uses Allowed by District



# Exhibit A – Table 18-6: Land Uses Allowed by District

See Table 18-2 for uses allowed in TUC and Figure 18-1 for uses allowed in Shoreline.

For properties zoned LDR, MDR and HDR that are designated as Commercial Redevelopment Areas (see figure 18-9 or 18-10), the uses and development standards of the adjacent commercial zone are permitted and shall apply, subject to the specific criteria and procedures defined in TMC 18.60.060

|   | LDR | MDR | HDR | MUO | O | RCC | NCC | RC | RCM | C/LI | LI | HI | MIC/L | MIC/H | TVS | TSO | PRO |
|---|-----|-----|-----|-----|---|-----|-----|----|-----|------|----|----|-------|-------|-----|-----|-----|
| P = Permitted outright; A = Accessory (customarily appurtenant and incidental to a permitted use) ;   | A   | A   | A   | A   | A |     |     | A  | A   |      |    |    |       |       |     | P   |     |
| C = Conditional (subject to TMC 18.64); U = Unclassified (subject to TMC 18.66); S = Special Permission (Administrative approval by the Director)   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Adult day care  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Adult entertainment (subject to location restrictions <sup>1</sup> )  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Airports, landing fields and heliports (except emergency sites)   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Amusement Parks   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Animal rendering  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Animal shelters and kennels, subject to additional State and local regulations (less than 4 cats/dogs = no permit)  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Animal Veterinary, including associated temporary indoor boarding; access to an arterial required   | P   | P   | P   | P   |   |     |     |    |     |      |    |    |       |       |     |     |     |
| <del>Automobile, recreational vehicles or travel trailer or used car sales lots<sup>2</sup></del>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| <del>Automotive services, gas (outside pumps allowed), washing, body and engine repair shops (enclosed within a building), and alternate fueling station (not wholesale distribution facilities);</del> |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| <del>Beauty or barber shops</del>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Bed and breakfast lodging for not more than twelve guests <sup>5</sup>  | C   | C   | C   |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Bed and breakfast lodging (no size limit specified)   |     |     |     | C   |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Bicycle repair shops  |     |     |     | P   | P | P   | P   | P  | P   | P    | P  | P  | P     | P     | P   | P   |     |
| <del>Billiard or pool rooms</del>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Boarding Homes  |     | C   | C   |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Brew Pubs   |     |     |     | P   | P | C   | P   | P  | P   | P    | P  | P  | P     | P     | P   | P   |     |
| Bus stations  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| <del>Cabinet shops or carpenter shops employing less than five people</del>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Cargo containers (*see also TMC 18.50.060)  | A&S | A&S | A&S |     |   |     |     |    | A&S | A&S  | P  | P  | P     | P     | P   | P   |     |
| Cement manufacturing  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| Cemeteries and crematories  | C   | C   | C   | C   | C |     |     | C  | C   | C    | C  | C  |       |       | C   | C   |     |

|  | LDR | MDR | HDR | MUO | O   | RCC | NCC | RC  | RCM | C/LI | LI  | HI  | MIC/L     | MIC/H | TVS              | TSO | PRO |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----------|-------|------------------|-----|-----|
| P = Permitted outright; A = Accessory (customarily appurtenant and incidental to a permitted use) ;<br>C = Conditional (subject to TMC 18.64); U = Unclassified (subject to TMC 18.66); S = Special Permission (Administrative approval by the Director) |     |     |     |     |     |     |     |     |     |      |     |     |           |       |                  |     |     |
| Colleges and universities  |     |     |     | C   | C   |     | C   | C   | C   | C    | C   | C   | C6        | C6    | C6               | P   |     |
| Commercial laundries   |     |     |     |     |     |     |     | P   | P   | P    | P   | P   | P         |       | P                |     |     |
| Commercial Parking (Commercial parking is a use of land or structure for the parking of motor vehicles as a commercial enterprise for which hourly, daily, or weekly fees are charged. TMC Section 18.06.613)  |     |     |     | P7  | P7  |     |     | P7  | P7  | P7   | P8  | P8  |           |       | P8               |     |     |
| <del>Computer software development and similar uses</del>  |     |     |     | P   | P   | P   | P   | P   | P   | P    | P   | P   | P9<br>C10 | P     | P                | P   |     |
| Contractor storage yards   |     |     |     |     |     |     |     |     |     | P    | P   | P   | P         | P     | P                |     |     |
| Continuing care retirement facility  |     |     |     | C   | C   |     | C   | C   | C   | C    |     |     |           |       | C                | P   |     |
| Convalescent & nursing homes & assisted living facility for not more than twelve patients  |     | C   | P   | P   | P   | C   | P   | P   | P   | P    |     |     |           |       | P                | P   |     |
| Convalescent & nursing homes & assisted living facility for more than twelve patients  |     |     |     | C   | C   |     | C   | C   | C   | C    |     |     |           |       | C                | P   |     |
| Convention facilities  |     |     |     |     |     |     |     | P   | P   | P    | P   | P   |           |       | P                | P   |     |
| Correctional institutes  |     |     |     |     | U11 |     |     |     |     |      | U   | U   |           | U     |                  |     |     |
| Daycare Centers (not home-based)   |     | P   | P   | P   | P   | P   | P   | P   | P   | P    | P   | P   | P         | P     | P                | P   |     |
| Daycare Family Home (Family Child Care Home) <sup>12</sup>   | A   | A   | A   | A   | A   | A   | A   | A   | A   | A    |     |     |           |       | A                | A   |     |
| Diversion facilities and diversion interim services facilities south of Strander Blvd  |     |     |     |     |     |     |     |     |     | U    |     |     |           |       |                  |     |     |
| Domestic Shelter   | P   | P   | P   | P   | P   |     |     |     |     |      |     |     |           |       |                  |     |     |
| Dormitory  | C   | C   | C   | A13 | A13 | A13 | A13 | A13 | A13 | A13  | A13 | A13 |           |       | A13              | A13 |     |
| Drive-in theatres  |     |     |     |     |     |     |     | C   | C   | C    | C   | C   |           |       | C                |     |     |
| Dwelling – Detached single family (includes site built, modular home or new manufactured home). One detached single family dwelling per existing lot permitted in MUO, O, RCC, NCC, TVS.   | P   | P   | P   | P   | P   | P   | P   |     |     |      |     |     |           |       | P                | P14 |     |
| Dwelling- Detached Zero-Lot Line Units   |     | P   |     |     |     |     |     |     |     |      |     |     |           |       |                  |     |     |
| Dwelling- Duplex, triplex or fourplex or townhouse up to four attached units   |     | P   |     |     |     |     |     |     |     |      |     |     |           |       |                  | P14 |     |
| Dwelling- Townhouses   |     |     | P   |     |     |     |     |     |     |      |     |     |           |       |                  | P14 |     |
| Dwelling –Multi-family   |     |     | P   |     |     |     |     | P15 |     |      |     |     |           |       |                  | P14 |     |
| Dwelling – Multi-family units above office and retail uses   |     |     |     | P   |     | P   | P   |     | P   |      |     |     |           |       | C16<br>22/<br>ac | P14 |     |

|   | LDR | MDR   | HDR     | MUO     | O | RCC | NCC     | RC      | RCM     | C/LI | LI  | HI  | MIC/L | MIC/H | TVS        | TSO | PRO |
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| Dwelling – Senior citizen housing, including assisted living facility for seniors *see purpose section of chapter, uses sections, and development standards   |     | P meeting density and all other MDR standards | P 60/ac | P 60/ac |   |     | P 60/ac | P 60/ac | P 60/ac |      |     |     |       |       | C16 100/ac | P14 |     |
| Dwelling unit – Accessory <sup>17</sup>   | A   | A   | A       |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Electrical Substation – Distribution  | C   | C   | C       | C       | C |     | C       | C       | C       | C    | C   | C   | C     | C     | C          | C   | P   |
| Electrical Substation – Transmission/Switching  |     |   |         |         |   |     |         |         |         |      | U   | U   | U     | U     | U          | U   |     |
| Electric Vehicle Charging Station – Level 1 and Level 2   | A   | A   | A       | P       | P | P   | P       | P       | P       | P    | P   | P   | P     | P     | P          | P   |     |
| Electric Vehicle Charging Station – Level 3, battery exchange stations, and rapid charging stations. (TMC 18.50.140)  | A   | A   | A       | A       | A | A   | A       | P       | P       | P    | P   | P   | P     | P     | P          | P   |     |
| Emergency Housing   |     |   |         |         |   |     |         | P38     | P38     | P38  | P38 | P38 | P38   | P38   | P38        | P38 |     |
| Emergency Shelter   |     |   |         |         |   |     |         | P38     | P38     | P38  | P38 | P38 | P38   | P38   | P38        | P38 |     |
| Essential public facilities, except those uses listed separately in any of the other zones  |     |   |         |         |   |     |         | U       | U       | U    | U   | U   | U     | U     | U          | U   |     |
| Extended-stay hotel   |     |   |         |         |   |     |         | P35     | P       | P    | P   | P   |       |       | P          | P   |     |
| Farming and farm-related activities   |     |   |         |         |   |     |         |         |         |      |     |     |       |       | P          | P   |     |
| <del>Financial, banking, mortgage, other services</del>   |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Fire & Police Stations  | C   | C   | C       | C       | C | C   | C       | C       | C       | C    | C   | C   | C     | C     | C          | C   |     |
| <del>Fix-it, radio or television repair shops/rental shops</del>  |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Fraternal organizations   |     |   |         | P       | P | C   | P       | P       | P       | P    | P   | P   |       |       | P          | P   |     |
| <del>Frozen food lockers for individual or family use</del>   |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Garage or carport (private) not exceeding 1,500 sq.ft. on same lot as residence and is subject to the regulations affecting the main building.  | A   | A   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Greenhouses (noncommercial) and storage sheds not exceeding 1,000 sq./ft.   | A   | A   | A       | A       |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Greenhouses or nurseries (commercial)   |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Hazardous waste treatment and storage facilities (off-site) subject to compliance with state siting criteria (RCW Chapter 70.105) (See TMC 21.08)   |     |   |         |         |   |     |         |         |         |      |     |     |       | C     |            |     |     |
| Heavy equipment repair and salvage  |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     |     |
| Helipads, accessory   |     |   |         |         |   |     |         |         |         |      |     |     |       |       |            |     | C   |
| Home Occupation (Permitted in dwellings as covered in TMC Section 18.06.430.)   | A   | A   | A       | A       | A | A   | A       | A       | A       |      |     |     |       |       |            |     | A   |
| Hospitals   |     |   |         | C       | C |     |         | C       | C       | C    | C   | C   |       |       |            |     | C   |

|   | LDR | MDR | HDR | MUO | O | RCC | NCC | RC  | RCM | C/LI | LI | HI | MIC/L | MIC/H | TVS | TSO | PRO |
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| Hotels  |     |     |     |     |   |     |     | P35 | P   | P    | P  | P  | C     | C     | P   | P   |     |
| Hydroelectric and private utility power generating plants   |     |     |     |     |   |     |     | U   | U   | U    | U  | U  | U     | U     | U   |     |     |
| Industries involved with etching, film processing, lithography, printing and publishing   |     |     |     |     |   |     |     | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| Internet Data/Telecommunication Centers   |     |     |     |     |   |     |     | C   |     | P    | P  | P  | P     | P     | P   | P   |     |
| Landfills and excavations which the responsible official, acting pursuant to the State Environmental Policy Act, determines are significant environmental   | U   | U   | U   | U   | U | U   | U   | U   | U   | U    | U  | U  | U     | U     | U   |     |     |
| Laundries; self-serve, dry cleaning, tailor, dyeing   |     |     |     |     |   |     |     | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| Libraries, museums, or art galleries (public)   | C   | C   | P   | P   | P | C   | P   | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| Manuf./Mobile home park <sup>18</sup>   |     | C   | P   |     |   |     |     |     |     |      |    |    |       |       |     |     |     |
| <i>Manufacturing and industrial uses that have little potential for creating off-site noise, smoke, dust, vibration or other external environmental impacts or pollution:</i>   |     |     |     |     |   |     |     |     |     |      |    |    |       |       |     |     |     |
| A) Manufacturing, processing and/or packaging pharmaceuticals and related products, such as cosmetics and drugs   |     |     |     |     |   |     | P19 | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| B) Manufacturing, processing and/or packaging previously prepared materials including, but not limited to, bags, brooms, brushes, canvas, clay, clothing, fur, furniture, glass, ink, paint, paper, plastics, rubber, tile, and wood                    |     |     |     |     |   |     | P19 | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| C) Manufacturing, processing, assembling, packaging and/or repairing electronic, mechanical or precision instruments such as medical and dental equipment, photographic goods, measurement and control devices, and recording equipment                 |     |     |     |     |   |     | P19 | P   | P   | P    | P  | P  | P     | P     | P   | P   |     |
| D) Manufacturing, processing, packaging of foods, such as baked goods, beverages, candy, canned or preserved foods, dairy products and byproducts, frozen foods, instant foods, and meats (no slaughtering)   |     |     |     |     |   |     |     |     |     |      | P  | P  | P     | P     |     |     |     |
| i) Fermenting and distilling included   |     |     |     |     |   |     |     |     |     |      |    |    |       |       |     |     |     |
| ii) No fermenting and distilling  |     |     |     |     |   |     | P19 | P   | P   | P    |    |    |       |       | P   | P   |     |

|   | LDR | MDR | HDR | MUO | O | RCC | NCC | RC | RCM | C/LI | LI | HI | MIC/L | MIC/H | TVS | TSO | PRO |
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| <i>Manufacturing and industrial uses that have moderate to substantial potential for creating off-site noise, smoke, dust, vibration or other external environmental impacts:</i>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     |     |
| (A) Manufacturing, processing and/or assembling chemicals, light metals, plastics, solvents, soaps, wood, coal, glass, enamels, textiles, fabrics, plaster, agricultural products or animal products (no rendering or slaughtering)                         |     |     |     |     |   |     |     |    |     | C    | C  | P  | C     | P     | C   |     |     |
| (B) Manufacturing, processing and/or assembling of previously manufactured metals, such as iron and steel fabrication; steel production by electric arc melting, argon oxygen refining, and consumable electrode melting; and similar heavy industrial uses |     |     |     |     |   |     |     |    |     | C    | C  | P  | C     | P     | C   |     |     |
| (C) Manufacturing, processing and/or assembling of previously prepared metals including, but not limited to, stamping, dyeing, shearing or punching of metal, engraving, galvanizing and hand forging   |     |     |     |     |   |     |     | C  | C   | C    | P  | P  | P     | P     | C   |     |     |
| D) Manufacturing, processing, assembling and/or packaging of electrical or mechanical equipment, vehicles and machines including, but not limited to, heavy and light machinery, tools, airplanes, boats or other transportation vehicles and equipment     |     |     |     |     |   |     |     |    |     | P    | P  | P  | P     | P     | C   |     |     |
| E) Heavy metal processes such as smelting, blast furnaces, drop forging or drop hammering   |     |     |     |     |   |     |     |    |     |      |    |    | C     | P     |     |     |     |
| <u>Manufacturing that includes rock crushing, asphalt or concrete batching or mixing, stone cutting, brick manufacture, marble works, and the assembly of products from the above materials</u>   |     |     |     |     |   |     |     |    |     | C    | C  | P  | C     | P     | C   | C   |     |
| <u>Manufacturing, refining or storing highly volatile noxious or explosive products (less than tank car lots) such as acids, petroleum products, oil or gas, matches, fertilizer or insecticides; except for accessory storage of such materials</u>        |     |     |     |     |   |     |     |    |     |      |    | U  |       | U     | U   | U   |     |
| Marijuana producers, processors, or retailers (with state issued license)   |     |     |     |     |   |     |     |    |     |      |    | P  |       |       | P   | P20 |     |
| Mass transit facilities   | U   | U   | U   | U   | U | U   | U   | U  | U   | U    | U  | U  | U     | U     | U   | U   |     |
| Medical and dental laboratories   |     |     |     | P   |   |     |     | P  | P   | P    | P  | P  |       |       | P   | P   |     |
| Minor expansion of an existing warehouse  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     | S   |     |
| Mortician and funeral homes   |     |     |     |     |   |     |     | P  | P   | P    | P  | P  |       |       | P   | C   |     |
| Motels  |     |     |     |     |   |     |     | P  | P   | P    | P  | P  | C     | C     | P   | P   |     |
| <del>Movie theaters with three or fewer screens</del>   |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     | P   |
| <del>Movie theaters with more than 3 screens</del>  |     |     |     |     |   |     |     |    |     |      |    |    |       |       |     |     | S   |

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|---|--------------|--------------|--------------|-----|-----|-----|--------------|--------------|--------------|--------------|--------------|--------------|---------------|---------------|--------------|--------------|-----|
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| Offices including: medical, dental, government (excluding fire & police stations), professional, administrative, computer software development, business, e.g. travel, real estate & commercial   |              |              |              | P23 | P   | P23 | P24          | P            | P            | P            | P            | P            | P9<br>C10     | P25<br>C26    | P            | P            |     |
| Office or sample room for wholesale or retail sales, with less than 50% storage or warehousing  |              |              |              |     |     |     | P            |              |              |              |              |              |               |               |              |              |     |
| <del>Outpatient and emergency medical and dental services</del>   |              |              |              |     |     |     |              |              |              |              |              |              | <del>€3</del> | <del>€4</del> |              |              |     |
| Park & ride lots  |              |              |              | C   | C   |     | C            | C            | C            | C            | C            | C            | C             | C             | C            | C            |     |
| Parking areas   | A            | A            | A            | A   | A   | A   | A            | A            | A            | A            | A            | A            | A             | A             | A            | A            |     |
| Parking areas, for municipal uses and police stations   | C            | C            | C            | C   | C   | C   | C            | C            | C            | C            | C            | C            | C             | C             | C            | C            |     |
| Parks, trails, picnic areas and playgrounds (public), but not including amusement parks, golf courses, or commercial recreation   | P            | P            | P            | P   | P   | P   | P            | P            | P            | P            | P            | P            | P             | P             | P            | P            | P   |
| Pawnbroker/Payday lender  |              |              |              |     |     |     |              | C            | C            | P            | P            | P            |               |               | P            | P            |     |
| Permanent Supportive Housing  | P39          | P39          | P39          | P39 | P39 | P39 | P39          | P39          | P39          | P39          | P39          | P39          | P39           | P39           | P39          | P39          |     |
| Planned Shopping Center (mall)  |              |              |              |     |     |     |              | P            | P            | P            | P            | P            |               |               | P            | P27          |     |
| <del>Plumbing shops (no in-work or outside storage)</del>   |              |              |              |     |     |     | <del>P</del> | <del>P</del> | <del>P</del> | <del>P</del> | <del>P</del> | <del>P</del> |               |               | <del>P</del> | <del>P</del> |     |
| Radio, television, microwave, or observation stations and towers  | C            | C            | C            | C   | C   | C   | C            | C            | C            | C            | C            | C            | C             | C             | C            | C            |     |
| Railroad freight or classification yards  |              |              |              |     |     |     |              |              |              |              |              | U            | U             | U             | U            |              |     |
| Railroad tracks (including lead, spur, loading or storage)  |              |              |              |     |     |     |              |              |              | P            | P            | P            | P             | P             | P            |              |     |
| Recreation facilities (commercial – indoor) – athletic or health clubs  |              |              |              | P   | P   |     | P            | P            | P            | P            | P            | P            | C3            | P             | P            | P            |     |
| Recreation facilities (commercial – indoor), including bowling alleys, skating rinks, shooting ranges   |              |              |              |     |     |     | C            | P            | P            | P            | P            |              |               |               | P            | P            |     |
| Recreation facilities (commercial – outdoor), including golf courses, golf driving ranges, fairgrounds, animal race tracks, sports fields   |              |              |              |     |     |     |              |              |              | C            | C            | C            |               |               | C            |              |     |
| Recreation facilities (public), including, but not limited to sports fields, community centers and golf courses   | C            | C            | C            | C   | C   | C   | C            | C            | C            | C            | C            | C            | C             | C             | C            | C            | P   |
| Recreational area and facilities for employees  |              |              |              | A   | A   | A   | A            | A            | A            | A            | A            | A            | A             | A             | A            | A            |     |
| Religious facilities with an assembly area less than 750 sq.ft.   | <u>C</u>     | <u>C</u>     | <u>C</u>     | P   | P   | P   | P            | P            | P            | P            | P            | P            |               |               | P            | P            |     |
| Religious facilities with an assembly area greater than 750 sq.ft. and associated community center buildings  | <u>C</u>     | <u>C</u>     | <u>C</u>     | C   | C   | C   | C            | C            | C            | C            | C            | C            |               |               | C            | C            |     |
| <del>Religious facility and community center buildings</del>  | <del>€</del> | <del>€</del> | <del>€</del> |     |     |     |              |              |              |              |              |              |               |               |              |              |     |
| Removal and processing of sand, gravel, rock, peat, black soil and other natural deposits together with associated structures   |              |              |              |     |     |     |              |              |              | U            | U            | U            | U             | U             | U            |              |     |
| Rental of vehicles not requiring a commercial driver's license  |              |              |              |     |     |     |              | P37          | P            | P            | P            | P            | P             | P             | P            | P            |     |
| Rental of commercial trucks and fleet rentals requiring a commercial driver's license   |              |              |              |     |     |     |              |              |              | P            | P            | P            | P             | P             | P            | P            |     |



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| Research and development facilities  |     |     |     |     |          |     |     |     |     |      |    |    |           |       | P   | P   |                    |
| Residences for security or maintenance personnel   |     |     |     | A   | A        | A   | A   | A   | A   | A    | A  | A  | A         | A     | A   | A   |                    |
| Restaurants, <del>drive-through permitted including drive-through, sit down, cocktail lounges in conjunction with a restaurant</del>   |     |     |     |     |          |     |     | P36 | P   | P    | P  | P  | P         | P     | P   | P   |                    |
| Restaurants, <del>drive-through not permitted including cocktail lounges</del>   |     |     |     | P   | P        | C   | P   |     |     |      |    |    |           |       |     |     |                    |
| Retail sales of furniture appliances, automobile parts and accessories, liquor, lumber/bldg. materials, lawn & garden supplies, farm supplies  |     |     |     |     |          |     | P   | P   | P   | P    | P  | P  |           |       | P   | P   |                    |
| Retail, <del>General sales, e.g. health/beauty aids/prescription drugs/food/hardware/notions/crafts/supplies/housewares/electronics/ photo-equip/film-processing/ books/magazines/stationery/ clothing/shoes/flowers/plants/pets/jewelry/gifts/rec. equip/ sporting goods, and similar items</del> |     |     |     | P   | P#<br>P4 | P   | P36 | P36 | P   | P    | P  | P  | C3        | C34   | P   | P   |                    |
| Retail sales as part of a planned mixed-use development where at least 50% of gross leasable floor area development is for office use, no auto-oriented retail sales (e.g. drive-ins, service stations)  |     |     |     | P   | P        |     |     |     |     |      |    |    |           |       |     |     |                    |
| Rock crushing, asphalt or concrete batching or mixing, stone cutting, brick manufacture, marble works, and the assembly of products from the above materials   |     |     |     |     |          |     |     |     |     | €    | €  | €  | €         | €     | €   | €   |                    |
| Sales and rental of heavy machinery and equipment subject to landscaping requirements of TMC Chapter 18.52*  |     |     |     |     |          |     |     |     |     | P    | P  | P  | P         | P     | P   | P   |                    |
| Salvage and wrecking operations  |     |     |     |     |          |     |     |     |     |      |    | P  |           | P     | C   |     |                    |
| Salvage and wrecking operations which are entirely enclosed within a building  |     |     |     |     |          |     |     |     |     | P    | P  |    | P         |       | P   |     |                    |
| <del>Hospitals</del> , Sanitariums, or similar institutes  |     |     |     |     |          |     |     |     |     |      |    |    |           |       | C   |     |                    |
| Schools and studios for education or self-improvement  |     |     |     | P   | P        | P   | P   | P   | P   | P    | P  | P  | P9<br>C10 | P28   | P   | P   |                    |
| Schools, preschool, elementary, junior & senior high schools (public), and equivalent private schools  | C   | C   | C   | C   | C        | C   | C   | C   | C   |      |    |    |           |       | C   | C   | P<br>(public only) |
| Secure community transition facility <sup>29</sup>   |     |     |     |     |          |     |     |     |     |      |    |    |           |       |     |     |                    |
| Self-storage facilities  |     |     |     |     |          |     |     | P   | P   | P    | P  | P  | P         | P     | P   | P   |                    |
| Sewage lift station  | U   | U   | U   | U   | U        | U   | U   |     |     |      |    |    |           |       |     |     | P                  |

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| Shelter  | P   | P   | P   | P   | P   |     |     |     |     |      |     |     |       |       |     |     |     |
| Stable (private)   | A30 | A30 | A30 |     |     |     |     |     |     |      |     |     |       |       |     | P   |     |
| Storage (outdoor) of materials allowed to be manufactured or handled within facilities conforming to uses under this chapter; and screened pursuant to TMC Chapter 18.52   |     |     |     |     |     |     |     | P   | P   | P    | P   | P   | P     | P     | P   | P   |     |
| Storage (outdoor) of materials is permitted up to a height of 20 feet with a front yard setback of 25 feet, and to a height of 50 feet with a front yard setback of 100 feet; security required  |     |     |     |     |     |     |     |     |     |      |     | P   | P     | P     | C   | C   |     |
| Storm water - neighborhood detention + treatment facilities  | U   | U   | U   | U   | U   | U   | U   |     |     |      |     |     |       |       |     | P   |     |
| Storm water pump station   | U   | U   | U   | U   | U   | U   | U   |     |     |      |     |     |       |       |     |     |     |
| Studios – Art, photography, music, voice and dance   |     |     |     | P   | P   | P   | P   | P   | P   | P    |     |     |       |       |     | P   | P   |
| Taverns, nightclubs  |     |     |     |     |     |     |     | P   | P   | P    | P   | P   | P31   | P31   | P   | P   |     |
| Telephone exchanges  |     |     |     | P   | P   | P   | P   | P   | P   | P    | P   | P   | P     | P     | P   | P   |     |
| Theaters, except those theaters which constitute “adult entertainment establishments” as defined by this Zoning Code   |     |     |     |     |     |     | P   | P   | P   | P    | P   | P   |       |       | P   | P32 |     |
| Tow-truck operations, subject to all additional State and local regulations  |     |     |     |     |     |     |     |     |     | P    | P   | P   | P     | P     | P   | P   |     |
| Transfer stations (refuse and garbage) when operated by a public agency  |     |     |     |     |     |     |     |     |     |      |     | U   | U     | U     | U   |     |     |
| Transitional Housing   | P39 | P39 | P39 | P39 | P39 | P39 | P39 | P39 | P39 | P39  | P39 | P39 | P39   | P39   | P39 | P39 |     |
| Truck terminals  |     |     |     |     |     |     |     |     |     | P    | P   | P   | P     | P     | P   |     |     |
| Utilities, regional  |     |     |     |     |     |     |     |     |     |      |     |     |       |       |     | C   |     |
| <del>Automobile, recreational vehicles or travel trailer or used car sales</del>   |     |     |     |     |     |     |     | P33 | P   | P    | P   | P   |       |       |     |     |     |
| <del>Vehicle sales lot?</del>  |     |     |     |     |     |     |     |     |     |      |     |     |       |       |     |     |     |
| <del>Automotive services, gas (outside pumps allowed), washing, body and engine repair shops (enclosed within a building), and alternate fueling station (not wholesale distribution facilities). Vehicle service station</del>                          |     |     |     |     |     |     | P34 | P34 | P   | P    | P   | P   | P     | P     | P   | P   |     |
| Vehicle storage (no customers onsite, does not include park-and-fly operations)  |     |     |     |     |     |     |     |     |     |      |     |     |       |       |     |     |     |
| Warehouse storage and/or wholesale distribution facilities   |     |     |     |     |     |     |     | P   | P   | P    | P   | P   | P     | P     | P   | P   |     |
| Water pump station   | U   | U   | U   | U   | U   | U   | U   |     |     |      |     |     |       |       |     | P   |     |
| Water utility reservoir and related facilities   | U   | U   | U   | U   | U   | U   | U   |     |     |      |     |     |       |       |     |     |     |
| Wireless Telecommunications Facilities (*see TMC Ch. 18.58)  | P   | P   | P   | P   | P   | P   | P   | P   | P   | P    | P   | P   | P     | P     | P   | P   | P   |

**Note: The Director of Community Development will make a determination for uses not specifically listed in the Zoning Code. The Director will consider whether the proposed use is:**

- a. Similar in nature to and compatible with other uses permitted out right within a similar zone; and
- b. Consistent with the stated purpose of the zone; and
- c. Consistent with the policies of the Tukwila Comprehensive Plan.

1. Adult entertainment establishments are permitted, subject to the following location restrictions:
  - a. No adult entertainment establishment shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
    - (1) In or within 1,000 feet of any LDR, MDR, HDR, MUO, O, NCC, RC, RCM or TUC zone districts or any other residentially-zoned property;
    - (2) In or within one-half mile of:
      - (a) Public or private school with curricula equivalent to elementary, junior or senior high schools, or any facility owned or operated by such schools; and
      - (b) Care centers, preschools, nursery schools or other child care facilities;
    - (3) In or within 1,000 feet of:
      - (a) public park, trail or public recreational facility; or
      - (b) church, temple, synagogue or chapel; or
      - (c) public library.
  - b. The distances specified in TMC Section 18.30.020.1.a shall be measured by following a straight line from the nearest point of the property parcel upon which the proposed use is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
  - c. No adult entertainment establishment shall be allowed to locate within 1,000 feet of an existing adult entertainment establishment. The distance specified in this section shall be measured by following a straight line between the nearest points of public entry into each establishment.
2. No dismantling of cars or travel trailers or sale of used parts allowed.
3. ~~Retail sales of health and beauty aids, prescription drugs, food, hardware, notions, crafts and craft supplies, housewares, consumer electronics, photo equipment, and film processing, books, magazines, stationery, clothing, shoes, flowers, plants, pets, jewelry, gifts, recreation equipment and sporting goods, and similar items; retail services such as beauty and barber shops, outpatient and emergency medical/dental services, and recreation/health clubs. Retail sales and services are limited to uses of a type and size that clearly intend to serve other permitted uses and/or the employees of those uses.~~
4. ~~Retail sales of health and beauty aids, prescription drugs, food, hardware, notions, crafts and craft supplies, housewares, consumer electronics, photo equipment, and film processing, books, magazines, stationery, clothing, shoes, flowers, plants, pets, jewelry, gifts, recreation equipment and sporting goods, and similar items; retail services such as beauty and barber shops, financial services, outpatient and emergency medical/dental services, and recreation/health clubs. Retail sales and services are limited to uses of a type and size that clearly intend to serve other permitted uses and/or the employees of those uses.~~
4. Retail sales as part of a planned mixed-use development where at least 50% of gross leasable floor area development is for office use; no auto-oriented retail sales (e.g. drive-ins, service stations).
5. Bed and breakfast facilities, provided:
  - a. the manager/owner must live on-site,
  - b. the maximum number of residents, either permanent or temporary, at any one time is twelve,
  - c. two on-site parking spaces for the owner and permanent residents and one additional on-site parking space is provided for each bedroom rented to customers,
  - d. the maximum length of continuous stay by a guest is 14 days,
  - e. breakfast must be offered on-site to customers, and
  - f. all necessary permits or approvals are obtained from the Health Department.
6. Colleges and universities with primarily vocational curriculum if associated with an established aviation, manufacturing or industrial use.

7. Commercial parking; provided it is:
  - a. a structured parking facility located within a structure having substantial ground floor retail or commercial activities and designed such that the pedestrian and commercial environments are not negatively impacted by the parking use; or
  - b. a surface parking facility located at least 175 feet from adjacent arterial streets and behind a building that, combined with appropriate Type III landscaping, provides effective visual screening from adjacent streets.
8. Commercial parking subject to TMC Chapter 18.56, Off-Street Parking and Loading Regulations.
9. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, less than 20,000 square feet. This category does not include outpatient medical and dental clinics.
10. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, 20,000 square feet and over.
11. Correctional institution operated by the City of Tukwila.
12. Family child care homes, provided the facility shall be licensed by the Department of Early Learning or its successor agency and shall provide a safe passenger loading zone.
13. Dormitory as an accessory use to other uses that are otherwise permitted or approved conditional uses such as churches, universities, colleges or schools.
14. Allowed on those lands located in the TSO with underlying zoning of LDR, which immediately adjoin lands located in the City of SeaTac to the east of Interstate 5. Allowed on all other lands in the TSO after a residential design manual with criteria for approval is adopted by ordinance.
15. Dwelling - multi-family units on a lot that does not front on Tukwila International Boulevard South, subject to the HDR requirements of TMC Section 18.50.083, Maximum Building Length, and TMC Section 18.52.060, 2-4, Recreation Space Requirements.
16. Dwelling - Multi-family units (Max. 22.0 units/acre except senior citizen housing which is allowed to 100 units/acre, as a mixed-use development that is non-industrial in nature); must be located on property adjacent to and not greater than 500 feet from the Green River, Tukwila Pond, or Minkler Pond.
17. See TMC Section 18.50.220 for accessory dwelling unit standards.
18. Manufactured/mobile home park, meeting the following requirements:
  - a. the development site shall comprise not less than two contiguous acres;
  - b. overall development density shall not exceed eight dwelling units per acre;
  - c. vehicular access to individual dwelling units shall be from the interior of the park; and
  - d. emergency access shall be subject to the approval of the Tukwila Fire Department.

19. NCC allows businesses that include a retail component in conjunction with their manufacturing operation and meeting other performance standards of Chapter 18.22. These businesses may manufacture, process, assemble and/or package the following:
  - a. foods, including but not limited to baked goods, beverages, candy, canned or preserved foods, dairy products and by products, frozen foods, instant foods and meats (no slaughtering);
  - b. pharmaceuticals and related products such as cosmetics and drugs;
  - c. bags, brooms, brushes, canvases, clay, clothing, fur, furniture, glass, ink, paints, paper, plastics, rubber, tile and wood;
  - d. electronic, mechanical, or precision instruments;
  - e. other manufacturing and assembly of a similar light industrial character;
  - f. industries involved with etching, lithography, printing, and publishing, meeting the City's performance standards and offering their services to the local populace on a walk-in basis;
  - g. businesses that service and repair the above products, that are entirely enclosed within a building, offering their services to the local populace on a walk-in basis and meeting the City's performance standards.
20. Where the underlying zoning is HI or TVS.
21. Minor expansion of an existing warehouse if the following criteria are met:
  - a. The area of the proposed expansion may not exceed 5% of the floor area of the existing warehouse;
  - b. The proposed expansion will not increase any building dimension that is legally non-conforming;
  - c. Only one minor expansion may be permitted per warehouse in existence as of the date of adoption of the Tukwila South Project Development Agreement;
  - d. The proposed expansion must be constructed within two years of the date of approval;
  - e. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
  - f. All measures have been taken to minimize the possible adverse impacts the proposed expansion may have on the area in which it is located.
22. Movie theaters with more than three screens if the following criteria are met:
  - a. The applicant must demonstrate through an economic analysis that the theater will not have a significant financial impact on any other theater in Tukwila;
  - b. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
  - c. The proposed theater must demonstrate substantial conformance with the goals and policies of the Comprehensive Land Use Policy Plan and the Tukwila South Master Plan;
  - d. All measures have been taken to minimize the possible adverse impacts the proposed theater may have on the area in which it is located.
23. Offices, when such offices occupy no more than the first two stories of the building or basement and floor above.
24. Offices, when such offices occupy no more than the first two stories of the building, or basement and floor above, or three stories, in the Urban Redevelopment Area along Tukwila International Boulevard.
25. Offices; must be associated with another permitted use (e.g., administrative offices for a manufacturing company present within the MIC).

26. Offices not associated with other permitted uses and excluding medical/dental clinics, subject to the following location and size restrictions:
- a. New Office Developments:
    - (1) New office developments shall not exceed 100,000 square feet of gross floor area per lot that was legally established prior to 09/20/2003.
    - (2) No new offices shall be allowed on lots that abut the Duwamish River and are north of the turning basin. The parcels that are ineligible for stand-alone office uses are shown in Figure 18-12.
  - b. An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) that exceeds the maximum size limitations may be recognized as a conforming Conditional Use under the provisions of this code. An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) may convert to a stand-alone office use subject to the provisions of this code.
27. Planned shopping center (mall) up to 500,000 square feet.
28. Schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use.
29. Secure community transition facility, subject to the following location restrictions:
- a. No secure community transition facility shall be allowed within the specified distances from the following uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
    - (1) In or within 1,000 feet of any residential zone.
    - (2) Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity/facility" as defined in RCW 71.09.020 as amended, that include:
      - (a) Public and private schools;
      - (b) School bus stops;
      - (c) Licensed day care and licensed preschool facilities;
      - (d) Public parks, publicly dedicated trails, and sports fields;
      - (e) Recreational and community centers;
      - (f) Churches, synagogues, temples and mosques; and
      - (g) Public libraries.
    - (3) One mile from any existing secure community transitional facility or correctional institution.
  - b. No secure community transition facility shall be allowed on any isolated parcel which is otherwise considered eligible by applying the criteria listed under TMC 18.38.050-12.a, but is completely surrounded by parcels ineligible for the location of such facilities.
  - c. The distances specified in TMC 18.38.050-12.a shall be measured as specified under Department of Social and Health Services guidelines established pursuant to RCW 71.09.285, which is by following a straight line from the nearest point of the property parcel upon which the secure community transitional facility is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
  - d. The parcels eligible for the location of secure community transition facilities by applying the siting criteria listed above and information available as of August 19, 2002, are shown in Figure 18-11, "Eligible Parcels for Location of Secure Community Transition Facilities." Any changes in the development pattern and the location of risk sites/facilities over time shall be taken into consideration to determine if the proposed site meets the siting criteria at the time of the permit application.
30. Private stable, if located not less than 60 feet from front lot line nor less than 30 feet from a side or rear lot line. It shall provide capacity for not more than one horse, mule or pony for each 20,000 square feet of stable and pasture area, but not more than a total of two of the above mentioned animals shall be allowed on the same lot.
31. No night clubs.

32. Theaters for live performances ~~only~~, not including adult entertainment establishments, and movie theaters with three or fewer screens are permitted. [Movie theaters with more than three screens will require a Special Permission Permit.](#)
33. Automotive sales must have an enclosed showroom with no outdoor storage of vehicles. Pre-existing legally established uses in the TIB Study Area, as set forth in Figure 18-60, on December 15, 2020, are exempt from the enclosed showroom requirement, provided the use is limited to the existing parcel(s) currently occupied on that date. Pre-existing legally established automotive sales where existing parking lots abut the public frontage must provide effective visual screening of the parking lot from sidewalks (or street if no sidewalk currently exists) using Type II landscaping when any of the following occurs: an expansion or alteration of the structure, a change of ownership, or when the business is vacated or abandoned for more than 24 consecutive months and a new business is proposed.
34. Allowed; however, if in the TIB Study Area, as set forth in Figure 18-60, the following conditions apply: Outdoor storage of vehicles, tires, or other materials used for service is not permitted. Gas stations are permitted if the pumps and parking are located behind the building, the pumps meet the setback requirements, and the pumps comply with building and fire codes. Queuing lanes are not permitted between buildings and back of sidewalk. Wholesale distribution and storage of fuel (e.g. natural gas, propane, gasoline) are not permitted in the TIB Study Area. Pre-existing legally established automotive service uses with outdoor storage or parking abutting the public frontage must provide effective visual screening of the parking and outdoor stored materials from sidewalks (or street if no sidewalk currently exists) using Type II landscaping when any of the following occurs: an expansion or alteration of the structure, a change of ownership, or when the business is vacated or abandoned for more than 24 consecutive months and a new business is proposed.
35. Allow if the following are provided: a full-service restaurant and a Class A liquor license, 24-hour staffed reception, all rooms accessed off interior hallways or lobby, and a minimum 90 rooms.
36. Allowed, however if in the TIB Study area, as set forth in Figure 18-60, the following conditions apply: Drive-through facilities are permitted when located behind a building. Queuing lanes are not permitted between buildings and public frontage sidewalks. Where the use is located on a corner or with access to an alley, drive-throughs must exit to a side street or an alley that connects to a side street, where feasible.
37. Automotive rentals must have an enclosed showroom with no outdoor storage of vehicles. Pre-existing legally established uses in the TIB Study Area, as set forth in Figure 18-60, on December 15, 2020, are exempt from the enclosed showroom requirement, provided the use is limited to the existing parcel(s) currently occupied on that date.
38. Subject to the criteria and conditions at TMC 18.50.250 and 18.50.270.
39. Subject to the criteria and conditions at TMC 18.50.260 and 18.50.270.





# DRAFT

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING TUKWILA MUNICIPAL CODE (TMC) TITLE 19, "SIGN AND VISUAL COMMUNICATION CODE," INCLUDING ORDINANCE NOS. 2375 §6 AND 2303 §5 (PART), AS CODIFIED AT TMC SECTION 19.20.030.B.7; ORDINANCE NOS. 2375 §7 AND 2303 §5 (PART), AS CODIFIED AT TMC SECTION 19.20.040; AND ORDINANCE NOS. 2375 §10, AS CODIFIED AT TMC SECTION 19.32.075, TO AMEND LANGUAGE REGARDING CHANGES TO SIGN COPY AND TO CLARIFY LANGUAGE ON FREESTANDING AND MONUMENT SIGN REGULATIONS; ADDING A NEW DEFINITION FOR "MURAL," PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City desires to clarify language in the current Sign Code regarding copy changes; and

**WHEREAS**, the City desires to clarify language in the current Sign Code that all freestanding signs are synonymous with monument signs and are required to follow monument sign standards; and

**WHEREAS**, the City desires to provide clarity on sign versus mural regulations in the City; and

**WHEREAS**, on May 26, 2022, Tukwila Planning Commission, following adequate public notice, held a public hearing to receive testimony concerning amending the Tukwila Municipal Code and at that meeting adopted a motion recommending the proposed changes; and

**WHEREAS**, on July 21, 2022, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

**WHEREAS**, on August 8, 2022, the Tukwila City Council, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning Commission;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1. New Definition Adopted.** A new section is hereby added to Tukwila Municipal Code (TMC) Chapter 19.08, "Definitions," as follows:

**Mural**

An expression of public art painted directly on the exterior of a building or on a backing that is affixed to the building and that has the consent of the property owner. Text or logos related to the businesses located at the site are not considered to be part of a mural and are subject to the regulations set forth in this code'

**Section 2.** Ordinance Nos. 2375 §6 and 2303 §5 (part), as codified at TMC Section 19.20.030, "Permanent Signs in Residential Zones," **subparagraph B**, are hereby amended to read as follows:

**19.20.030 Permanent Signs in Residential Zones**

**B. Monument Sign Design Standards.**

1. The area of a monument sign is limited to 30 square feet per sign face and a total of 60 square feet for all sides. Monument signs located on a premise with at least one building that is certified as LEED by the GBCI shall be permitted to be 35 square feet per face and a total of 70 square feet for all sides.

2. The sign shall be no taller than five feet.

3. Maximum width of the sign shall not exceed 15 feet.

4. The sign must meet sight distance triangle restrictions.

5. The sign shall be located in a landscaped area.

6. The sign may only use indirect down lighting methods except for dynamic signs as allowed under TMC 19.20.030.D. The lighting shall have no spillover impact on adjacent properties.

7. A monument sign permitted under this section is permitted to complete refaces, panel changes and copy changes without the need to obtain a new permit, provided ALL of the following criteria are met:

a. The monument sign was authorized by the City under a permit issued on or after August 24, 2010.

b. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required under this section.

c. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument sign's location.

~~d.—Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.~~

**Section 3.** Ordinance Nos. 2375 §7 and 2303 §5 (part), as codified at TMC Section 19.20.040, “Permanent Free-Standing Signage in Commercial/Industrial Zones,” are hereby amended to revise the opening sentence of the section to read as follows:

#### **19.20.040 Permanent Free-Standing Signage in Commercial/Industrial Zones**

Monument/[freestanding](#) signs are permitted within all commercial and industrial zones, subject to the following standards:

**Section 4.** Ordinance Nos. 2375 §7 and 2303 §5 (part), as codified at TMC Section 19.20.040, “Permanent Free-Standing Signage in Commercial/Industrial Zones,” **subparagraph 6**, are hereby amended to read as follows:

#### **19.20.040 Permanent Free-Standing Signage in Commercial/Industrial Zones**

6. A monument sign permitted under this section is permitted to complete refaces and copy changes without having to obtain a new permit, provided ALL of the following criteria are met:

a. The monument sign was authorized by the City under a permit issued on or after August 24, 2010.

b. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required by TMC Section 19.20.040 (6)(a).

c. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument sign’s location.

~~d.—Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.~~

**Section 5.** Ordinance Nos. 2375 §10, as codified at TMC Section 19.32.075, “Copy and Refaces of Monument and Grand Monument Signs Approved under this Chapter,” is hereby amended to read as follows:

#### **19.32.075 Copy and Refaces of Monument and Grand Monument Signs Approved under this Chapter**

A monument sign or grand monument sign permitted under this section is permitted to complete refaces and copy changes without having to obtain a new permit, provided ALL of the following criteria are met:

1. The monument sign or grand monument sign was authorized by the City under a permit issued on or after August 24, 2010.

2. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required by TMC Section 19.32.075 (1).

3. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument or grand monument sign's location.

~~4.—Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.~~

**Section 6. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 7. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 8. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Christy O'Flaherty, MMC, City Clerk

\_\_\_\_\_  
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_  
Passed by the City Council: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney



**CITY OF TUKWILA  
PLANNING COMMISSION (PC)  
PUBLIC HEARING  
MINUTES**

Date: May 26, 2022  
Time: 6:30 PM  
Location: Virtual meeting via Microsoft Teams

Protocol: Max Baker, AICP, Development Supervisor, Department of Community Development (DCD) explained the protocol for the virtual meeting as well as public hearing procedures.

The PC Secretary took roll call.

Present: Chair Karen Simmons; Vice Chair Apneet Sidhu; Commissioners Louise Strander, Sharon Mann, and Dennis Martinez

Excused  
Absent: Commissioner Alexandria Teague

Staff: DCD Director Nora Gierloff, AICP; Development Supervisor Max Baker, AICP; Long Range Planning Manager Nancy Eklund, AICP; and PC Secretary Wynetta Bivens

**Chair Simmons** called the public hearing to order.

**Commissioner Martinez** moved for Commissioner Sidhu to assume the vacated Vice-Chair position effective immediately, Commissioner Strander seconded the motion. All were in favor.

Adopt  
Minutes: **Commissioner Mann** requested that the PC Secretary review the 4/28/22 recording to confirm the accuracy of the transcribed final motion in the minutes. PC agreed the minutes would be adopted at the June meeting.

Upon review of the recording - it was determined that the minutes were accurate as presented.

**Chair Simmons** opened the public hearing for:

CASE NUMBERS: N/A  
PURPOSE: The 2022 Zoning Code Housekeeping Amendments  
LOCATION: Citywide

**Chair Simmons** swore in persons wishing to speak.

**Max Baker**, AICP, Development Supervisor, DCD, continued from where the meeting left off at the 4/28/22 work session for this same agenda topic. He provided some recap and focused on the items that PC requested staff return and provide additional information.

He noted the following clarifications:

- Title 18 - Zoning, 4. - Staff was asked to return with more information on single-family dwellings standards for; type of review; a variance to the supplement development standards would go through, whether or not a supplemental development standard is needed, such as 5:12 roof pitch requirements.
- On page eight of the packet, staff has stricken, ‘Title 9, Traffic Concurrency’. It was determined after a discussion with the Public Works (PW) Department that it would be a larger undertaking of a comprehensive explanation. Further, it would require more input from PW, and they currently do not have the staffing capacity.

The following are new proposed recommendations as amended by the PC:

- PC recommendations on housekeeping items:
  - o Strike section 2a-2d from 18.50.055 - Single-Family Design Standards Exceptions
  - o Strike section 3b from 18.50.055, regarding criteria that “a house be set back at least twice the minimum front yard setbacks.”
- The PC also asks that Council consider future review of distances of adult entertainment establishments from residential areas.

## Public Comments

There were no public comments.

The following staff-proposed, and PC-amended recommendations were reviewed and are carrying forth from the 4/28/22 Work Session:

- A. 1. 3. Title 8 - Public Peace Morals and Safety - No amendments.
- B. 1. Title 9 - Vehicles and Traffic - No amendments.
- C. 1. Title 17 - Subdivisions and Plats - No amendments.
- D. Title 18 - Zoning:
  - 1.a. - 1.c. - No amendments.
  - 1.d. - PC Recommended the paragraph be amended to – add a double quotation in front of the word – “Revise” – Replace double quotations with a single quotation around the words – ‘Specified Sexual Activities’
  - 2. - 3. - No amendments.
  - 5.c. - 11 - No amendments.
- E. 1. Title 19 - Code interpretation on murals was recommended to be codified with no amendments.

There were no deliberations.

## Final Motion

**Vice Chair Sidhu** moved to approve the 2022 Housekeeping Code amendments to be forwarded to City Council for their review, as amended by the PC. Commissioner Martinez seconded the motion. Motion passed.

**Chair Simmons** closed the public hearing.

## Director's Report

- Director Gierloff informed the PC that the Finance and Communication Departments are presenting to each of the boards and commissions, so they are kept in the loop on upcoming budget issues for 2023-24. They will present to the PC at the June meeting.
- Two design reviews will come to PC for review in July or August.
- The Mayor's Office is working on filling the vacated PC business representative position, and hopefully will have a new member confirmed by the July meeting.
- Director Gierloff also thanked the PC for their hard work and thoughtful review on the Housekeeping Code Amendments.
- Commissioner Martinez requested that staff provide some history on the re-naming of the Planning and Economic Development Committee to Planning and Community Development (PCD).

Adjourned: 8:18 pm

Submitted by: Wynetta Bivens  
PC Secretary

