



## INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

CC: Mayor Thomas McLeod

FROM: Nora Gierloff, AICP, DCD Director

BY: Neil Tabor, AICP, Senior Planner

DATE: April 14, 2025

SUBJECT: Proposal to Amend Regulations Relating to Conversion of Existing Building Space to Residential

### **ISSUE**

The proposed code amendment would bring the City into compliance with upcoming changes in state law and designate an area for preservation of ground floor commercial space.

### **BACKGROUND**

In the 2023 legislative session, the state legislature passed HB 1042, a bill broadening the required allowances for conversion of non-residential buildings, or non-residential portions of buildings, into residential spaces (since codified as [RCW 35A.21.440](#)). The intent of this bill was to encourage conversion of underutilized office and commercial space into much needed residential units. The viability of individual buildings being converted may differ, based on building characteristics. The City is required to adopt code that is compliant with the bill within six months after the adoption of the comprehensive plan, or by June 30, 2025.

As summarized by the Municipal Research and Services Center (MRSC), some of the key provisions of the bill requirements include:

- Allowing a 50% density increase above what is permitted in the underlying zone if the housing is constructed entirely within the envelope of an existing building, provided that generally applicable health and safety standards can be met;
- Prohibiting the imposition of parking standards on the additional dwelling units; (however, cities may require retention of existing parking required to satisfy existing residential parking requirements under local law and for any nonresidential uses that remain after new units are added);
- Prohibiting imposing additional permitting requirements on use of existing buildings beyond those applicable to all residential development in the zone, with the exception of emergency and transitional housing;
- Prohibiting the imposition of additional design standards beyond those generally applicable to all residential development in the zone;
- Prohibiting requiring that unchanged portions of an existing building used for residential purposes meet the current energy code; (however, if any portion of an existing building is converted to new dwelling units, the new units must meet the current energy code); and

- Prohibiting denial of a building permit based on certain existing nonconformities unless a city official with decision-making authority makes findings that the nonconformity is causing a significant detriment to the surrounding area.

Other key provisions of the bill include:

- Provisions apply to all zones permitting multifamily development, and all structures that have received a certificate of occupancy at least three years prior.
- Developments along designated “Major Pedestrian Corridors”, as defined by the individual jurisdiction, may restrict conversion of otherwise qualifying ground floor building space if there is a code requirement for non-residential ground floor space.

### **PLANNING COMMISSION RECOMMENDATION**

A public hearing on the code amendment L25-0002 was held at the January 23<sup>rd</sup>, 2025, Planning Commission meeting. Commissioners passed a motion to recommend that the City Council adopt the code amendments without modifications. A link to the Planning Commission packet materials on this topic is [provided here](#).

### **SUMMARY OF PROPOSED CHANGES**

Staff proposes adopting a new code section as TMC 18.50.230 “Residential Conversions”, clarifying residential conversion allowances and standards, and adopting a map designating parcels within a Major Pedestrian Corridor, depicted in Figure 1. Language regarding residential conversions in zones affected by these provisions are also noted in individual chapters.

A new definition of “Residential Conversion” is also proposed in TMC 18.06 for clarity, as copied below.

“Residential Conversion” means the conversion of a building, or portion of a building, that is vacant, or occupied by a nonresidential use, to a residential use.

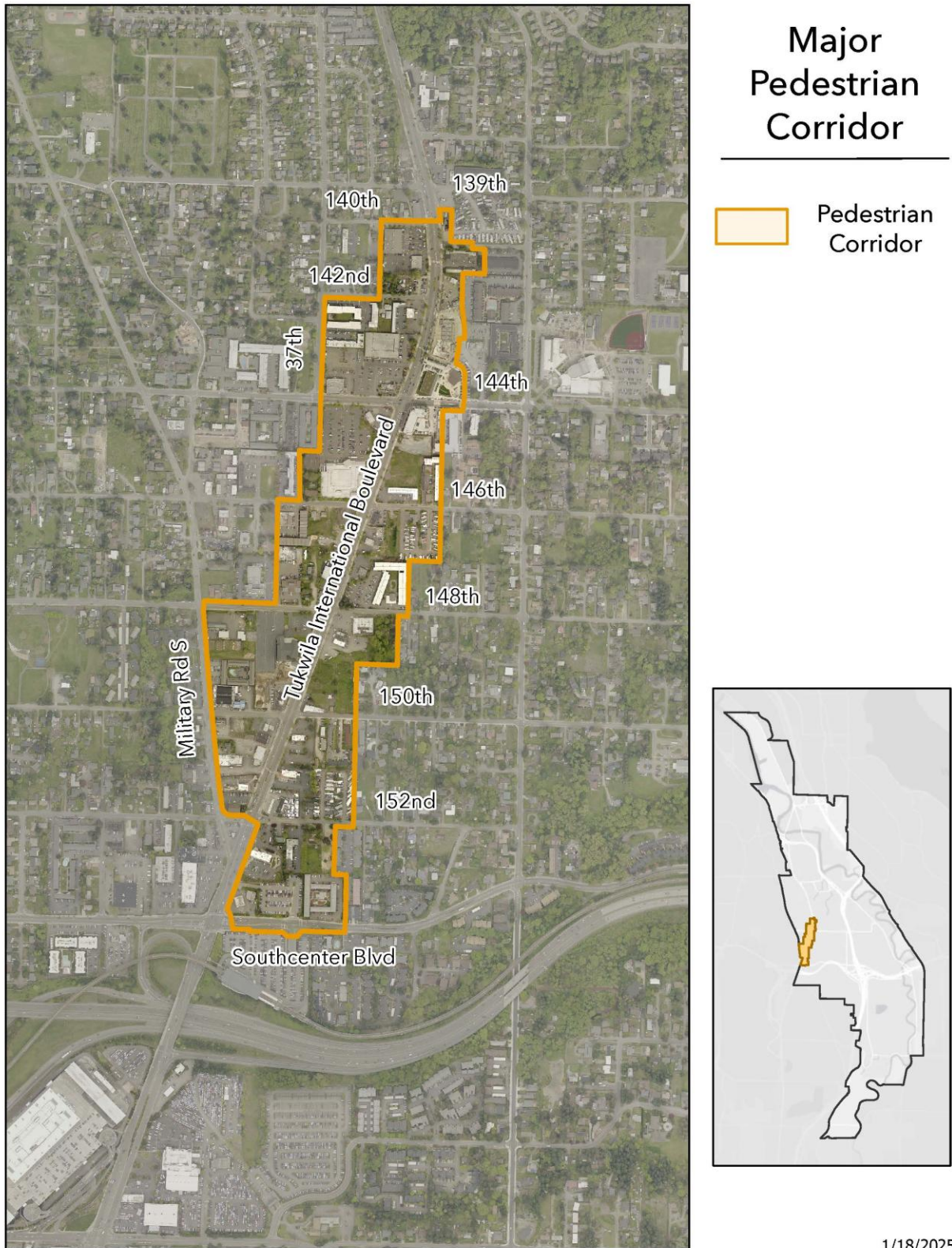


Figure 1. Proposed Major Pedestrian Corridor

## **ANALYSIS**

Preserving ground floor uses and requiring ground floor commercial uses in select residential development circumstances can provide a variety of public benefits and support fulfillment of comprehensive plan goals and policies. Ground floor commercial spaces can help foster placemaking, support denser transit-oriented development, provide spaces for local businesses and options for local shoppers, amongst other benefits. Many of the comprehensive plan policies to achieve these goals are focused along the TIB corridor, which is transit rich, but currently lacks significant walkable commercial opportunities outside of a select few nodes. Staff anticipates revisiting zoning and development regulations in the future, which will likely include evaluating ground floor commercial requirements in mixed use developments.

In the interest of preserving the ability to maintain ground floor commercial spaces, staff proposes to adopt a Major Pedestrian Corridor along Tukwila International Boulevard as depicted in Figure 1 above.

### **Staff Report Criteria**

TMC 18.82.030 requires that staff reports for proposed amendments to development regulations address the five listed criteria in this section. As criteria pertain to both privately initiated code amendment applications and those proposed by staff, some criteria may not be as relevant for all code amendment proposals. Criteria and staff responses are listed below.

1. *An evaluation of the application materials;*

Staff Response: Not applicable.

2. *Impact upon the Tukwila Comprehensive Plan and Zoning Code;*

Staff Response: The proposed code amendment is consistent with the comprehensive plan and does not require an amendment to the comprehensive plan.

3. *Impact upon surrounding properties, if applicable;*

Staff Response: Not applicable.

4. *Alternatives to the proposed amendment; and*

Staff Response: The City is required to update development regulations to comply with [RCW 35A.21.440](#) by no later than six months after adoption of its comprehensive plan periodic update. The City has flexibility in choosing whether to establish a major pedestrian corridor to prevent the conversion of required ground floor commercial space and where to locate this corridor designation(s).

The designation of the major pedestrian corridor along Tukwila International Boulevard was determined by staff to be a logical area of emphasis for continued transition to a less automotive-oriented district. If modifications to the initial proposed corridor geography are desired, this could be addressed in future code amendments.

5. *Appropriate code citations and other relevant documents.*

Staff Response: Standards specific to conversion of non-residential space to residential, and associated preemptions such as minimum density allowances, do not currently exist in the Tukwila Municipal Code. This ordinance proposes to incorporate this recent legislative requirement.



### Decision Criteria

TMC 18.82.020, *Decision Criteria* provides criteria for the final City Council decision on proposed code amendments.

Decision criteria are as follows:

1. *Is the amendment consistent with the Comprehensive Plan?*
2. *Does the amendment meet at least one of the following criteria:*
  - a. *Eliminates conflicts between TMC and the Comprehensive Plan; or*
  - b. *Accomplishes policy directives of the Council or Administration; or*
  - c. *Corrects an error or errors in the TMC.*

### **FINANCIAL IMPACT**

No direct costs to the City are expected from this code amendment.

### **REQUESTED ACTION**

The Council is being asked to approve an ordinance to adopt a new code section addressing “Residential Conversions” clarifying residential conversion allowances and standards; adopting a new definition and other associated code modifications; and adopting a map designating parcels within a Major Pedestrian Corridor, depicted in Figure 1. The Council is asked to consider this code amendment at the April 28, 2025, Committee of the Whole meeting, and subsequent May 5, 2025, Regular meeting.

### **ATTACHMENTS**

- A. Ordinance
- B. Ordinance Exhibit A
- C. 1/23/2025 Planning Commission Minutes

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 2741  
§3 (PART), AS CODIFIED AT VARIOUS SECTIONS OF  
TUKWILA MUNICIPAL CODE (TMC) TITLE 18, “ZONING”; TO  
AMEND REGULATIONS REGARDING RESIDENTIAL  
CONVERSIONS; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Tukwila Municipal Code (“TMC”) Chapter 18 regulates zoning and land use in the City of Tukwila; and

**WHEREAS**, RCW 35A.21.440 requires jurisdictions to adopt compliant regulations regarding the conversion of residential structures no later than six months after the periodic update of the comprehensive plan; and

**WHEREAS**, the Tukwila Comprehensive Plan was adopted on December 16, 2024; and

**WHEREAS**, regulations should be consistent and align with state law; and

**WHEREAS**, on January 23, 2025, the Tukwila Planning Commission, following adequate public notice, held a public hearing to receive testimony concerning amendments to the Tukwila Municipal Code to establish the **Critical Area Designation Permit**, and at that meeting adopted a motion recommending that the City Council approve the proposed changes; and

**WHEREAS**, on January 24, 2025, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

**WHEREAS**, on May 5, 2025, after considering the analysis and proposed code amendments prepared by City Staff, the recommendation from the Planning Commission, and the public comments received, the City Council desire to adopt code amendments as set forth herein.

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

**Section 1. Adoption of Findings of Fact.** The City Council finds as follows:

A. The above recitals, set forth as “WHEREAS” clauses, are hereby adopted as Findings of Fact in support of the adoption of this ordinance.

B. The amendments that are established below comply with the requirements of the Washington State Growth Management Act and the Tukwila Municipal Code.

**Section 2. Regulations Established.** TMC Section 18.06.686, “Residential Conversion” is hereby established as follows:

**18.06.686 Residential Conversion**

“Residential Conversion” means the conversion of a building, or portion of a building, that is vacant, or occupied by a nonresidential use, to a residential use.

**Section 3.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.14.070, “Basic Development Standards,” is hereby amended to read as follows:

**18.14.070 Basic Development Standards**

Development within the High-Density Residential District shall conform to the following listed and referenced standards:

**HDR BASIC DEVELOPMENT STANDARDS**

Lot area, minimum	9,600 sq. ft. (Applied to parent lot for townhouse subdivisions)
Lot area per unit (multi-family, except senior citizen housing)	2,000 sq. ft. (For townhouses the density shall be calculated based on one unit per 2000 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 (Applied to parent lot for townhouse subdivisions)
Setbacks, minimum: parent lot for townhouse subdivisions	Applied to
• Front - 1st floor	15 feet
• Front - 2nd floor	20 feet
• Front - 3rd floor	30 feet (20 feet for townhouses)
• Front – 4th floor	45 feet (20 feet for townhouses)
• Second front - 1st floor	7.5 feet
• Second front - 2nd floor	10 feet
• Second front - 3rd floor	15 feet (10 feet for townhouses)
• Second front – 4th floor	22.5 feet (10 feet for townhouses)
• Sides - 1st floor	10 feet

• Sides - 2nd floor	20 feet (10 feet for townhouses unless adjacent to LDR)
• Sides - 3rd floor	20 feet (30 feet if adjacent to LDR) (10 feet for townhouses unless adjacent to LDR)
• Sides – 4th floor	30 feet (20 feet for townhouses unless adjacent to LDR)
• Rear - 1st floor	10 feet
• Rear - 2nd floor	20 feet (10 feet for townhouses unless adjacent to LDR)
• Rear - 3rd floor	20 feet (30 feet if adjacent to LDR; 10 feet for townhouses unless adjacent to LDR)
• Rear – 4th floor	30 feet (20 feet for townhouses unless adjacent to LDR)
Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.	
Townhouse building separation, minimum	
• 1 and 2 story buildings	10 feet
• 3 and 4 story buildings	20 feet
Height, maximum	45 feet
Development area coverage	50% maximum (except senior citizen housing), (75% for townhouses)
Recreation space	400 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.
• Accessory dwelling unit	See TMC 18.50.220
• Other uses, including senior citizen housing	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 4.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.16.080, “Basic Development Standards,” is hereby amended to read as follows:

#### **18.16.080 Basic Development Standards**

Development within the Mixed Use Office District shall conform to the following listed and referenced standards. In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see *TMC 18.60.020*).

##### **MUO BASIC DEVELOPMENT STANDARDS**

Lot area per unit, multi-family (except senior citizen housing), minimum	3,000 sq. ft.
Setbacks to yards, minimum:	
• <i>Front</i>	
• <i>Second front</i>	
• <i>Sides</i>	
• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	
• <i>Rear</i>	
• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	
Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	
Recreation space	
Recreation space, senior citizen housing	
Off-street parking:	
• <i>Residential (except senior citizen housing)</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, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 5.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.20.080, “Basic Development Standards,” is hereby amended to read as follows:

**18.20.080 Basic Development Standards**

Development within the Residential Commercial Center District shall conform to the following listed and referenced standards:

**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
Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	3 stories or 35 feet
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
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 6.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.22.080, “Basic Development Standards,” is hereby amended to read as follows:

**18.22.080 Basic Development Standards**

Development within the Neighborhood Commercial Center District shall conform to the following listed and referenced standards: In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see TMC 18.60.020).

## 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
Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	3 stories or 35 feet (4 stories or 45 feet in the NCC of the Tukwila International Boulevard, if a mixed use with a residential and commercial component)
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 18.56, Off-street Parking/Loading Regulations
• <i>Office</i>	3 per 1,000 sq. ft. usable floor area
• <i>Retail</i>	2.5 per 1,000 sq. ft. usable floor area
• <i>Manufacturing</i>	1 per 1,000 sq. ft. usable floor area minimum
• <i>Warehousing</i>	1 per 2,000 sq. ft. usable floor area minimum
• <i>Other uses, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 7.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.24.080, “Basic Development Standards”, is hereby amended to read as follows:

## 18.24.080 Basic Development Standards

Development within the Regional Commercial district shall conform to the following listed and referenced standards. In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see TMC 18.60.020).

### RC BASIC DEVELOPMENT STANDARDS

Lot area per unit (multifamily, except senior citizen housing), minimum	2,000 sq. ft. 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
Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	3 stories or 35 feet
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 18.56, Off street Parking/Loading Regulations
• <i>Office</i>	3 per 1,000 sq. ft. usable floor area minimum
• <i>Retail</i>	2.5 per 1,000 sq. ft. usable floor area minimum
• <i>Manufacturing</i>	1 per 1,000 sq. ft. usable floor area minimum
• <i>Warehousing</i>	1 per 2,000 sq. ft. usable floor area minimum
• <i>Other uses, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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.
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**Section 8.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.26.080, “Basic Development Standards,” is hereby amended to read as follows:

### 18.26.080 Basic Development Standards

Development within the Regional Commercial Mixed Use District shall conform to the following listed and referenced standards:

#### RCM BASIC DEVELOPMENT STANDARDS

Lot area per unit (multifamily, except senior citizen housing), minimum	3,000 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>	
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
Refer to TMC Chapter 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	3 stories or 35 feet
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 18.56, Off street Parking/Loading Regulations
• <i>Office</i>	3 per 1,000 sq. ft. usable floor area minimum
• <i>Retail</i>	2.5 per 1,000 sq. ft. usable floor area minimum
• <i>Manufacturing</i>	1 per 1,000 sq. ft. usable floor area minimum
• <i>Warehousing</i>	1 per 2,000 sq. ft. usable floor area minimum
• <i>Other uses, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 9.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.40.080, “Basic Development Standards”, is hereby amended to read as follows:

#### 18.40.080 Basic Development Standards

Development within the Tukwila Valley South District shall conform to the following listed and referenced standards:

##### TVS BASIC DEVELOPMENT STANDARDS

Lot area per unit (multifamily, except senior citizen housing), minimum	2,000 sq. ft.
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>	
1st Floor	10 feet
2nd Floor	20 feet
3rd Floor	30 feet
• <i>Rear</i>	5 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
Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	115 feet
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 18.56, Off street Parking/Loading Regulations
• <i>Office</i>	3 per 1,000 sq. ft. usable floor area minimum
• <i>Retail</i>	4 per 1,000 sq. ft. usable floor area minimum
• <i>Manufacturing</i>	1 per 1,000 sq. ft. usable floor area minimum
• <i>Warehousing</i>	1 per 2,000 sq. ft. usable floor area minimum
• <i>Other uses, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>
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 10.** Ordinance No. 2741 §3 (part), as codified at TMC Section 18.41.090, “Basic Development Standards,” Table 18.41.090, “Tukwila South Overlay Residential Development Standards,” is hereby amended to read as follows:

<b>Table 18.41.090</b> <b>Tukwila South Overlay Residential Development Standards</b>			
Standard	TSO Townhouses & Low-rise (3 stories or less)	TSO Mid-rise (4-7 stories)	TSO High-rise (8 or more stories)
<b>Setbacks/yards, minimum (feet)</b>			
Front <sup>1</sup>			
Arterial streets	15	15	15
All other streets	10	10	10
Side <sup>2</sup>			
Up to 3 <sup>rd</sup> story	5	5 <sup>3</sup>	5 <sup>3</sup>
4 <sup>th</sup> story and above	n/a	15 <sup>4</sup>	15 <sup>4</sup>
Rear <sup>3</sup>			
Up to 3 <sup>rd</sup> story	5	5 <sup>3</sup>	5 <sup>3</sup>
4 <sup>th</sup> story and above	n/a	15 <sup>4</sup>	15 <sup>4</sup>
<sup>1</sup> In the event modification is pursued under TMC 18.41.100, front setbacks may be reduced to no less than 5 feet. <sup>2</sup> Structures or portions of structures containing multi-family dwelling units that have solar access only from a side or rear setback-facing window(s) must be set back at least 15 feet from side and rear property lines. Structures must also maintain at least 15 feet of separation from adjacent structure elevations that provide the only solar access for a multi-family dwelling unit. See the Tukwila South Residential Guidelines for a graphic example. <sup>3</sup> When adjacent to a townhouse, the minimum setback is 15 feet. <sup>4</sup> When adjacent to a townhouse, the setback for portions of a structure taller than 35 feet must increase by 1 foot for each additional 1 foot in building height.			
<b>Building height, maximum (feet)</b>			
Building Height	45	85	125

Standard	TSO Townhouses & Low-rise (3 stories or less)	TSO Mid-rise (4-7 stories)	TSO High-rise (8 or more stories)
<b>Outdoor lighting height, maximum (feet)</b>			
Light poles in parking areas	20	20	20
Light poles along pedestrian walkways, trails, plazas, building entries, and other pedestrian-oriented areas	12	12	12
Building wall-mounted lighting	15	15	15
Building mounted lights fully recessed into the underside of a ceiling, soffit, or overhang	No limit	No limit	No limit
<b>Building length, maximum (feet)</b>			
Maximum building length	200	200	200
<b>Recreation space per unit, minimum square footage (see TMC 18.41.090.3 for more information)<sup>7,8</sup></b>			
Recreation space	Residential development must provide on-site <sup>9</sup> and off-site <sup>10</sup> recreation space at the following standard: <ul style="list-style-type: none"> <li>200 square feet total. <ul style="list-style-type: none"> <li>75 square feet per unit, on-site.</li> <li>125 square feet per unit, off-site.</li> </ul> </li> </ul>		

7	Senior citizen housing must provide 100 square feet of recreation space per unit.		
8	Developments with 10 or more dwelling units must provide a children's play area in the on-site recreation space. A children's play area is not required for senior citizen housing or if the proposed structure or related development project is within 1/4 mile, measured along constructed sidewalks and/or trails of the perimeter, of a recreation facility for children that is open to residents of the proposed structure.		
9	Recreation area provided on-site must be functional space for active and passive recreation purposes and located within the same parcel or tract as the proposed development.		
10	The Director may approve the required off-site recreation area to be located on-site provided that the recreation space meets the design guidelines set forth in this chapter. If off-site recreation space is approved to be located on-site, that space must be active outdoor recreation space.		
<b>Parking spaces per dwelling unit, minimum</b>			
Studio	1	1	1
1-bedroom	1	1	1
2-bedroom	1.5	1.5	1.5
3-bedroom	2	2	2
<a href="#">Conversion to Residential</a>	<a href="#">See TMC 18.50.230, Residential Conversions</a>		

**Section 11. Regulations Established.** TMC Section 18.50.230, "Residential Conversions," is hereby established to read as follows:

### **18.50.230 Residential Conversions**

#### **A. Applicability.**

1. Conversion of nonresidential space to residential units is subject to additional standards listed in TMC 18.50.230(B). These standards do not apply to:
  - a. Buildings which have not received certificate of occupancy at least three years prior;
  - b. Conversion to emergency shelters, transitional housing, emergency housing or permanent-supportive housing;
  - c. Ground floor space required as part of a mixed use development adjacent to designated major pedestrian corridors (figure 61); and
  - d. Buildings within zoning districts where residential development is not permitted.

#### **B. Additional Standards.**

1. Density: In zoning districts with a maximum unit density standard, converted buildings may exceed the density limit by up to 50%.
2. Parking: No additional parking is required for conversion of non-residential space to residential use. Parking shall not be removed from the site if it contains, or would contain after removal, fewer parking stalls than would otherwise be required for the site's uses.

3. Design: No additional exterior design or architectural requirements shall be required beyond those deemed by the Director to be necessary for health and safety.

4. Nonconformity: No nonconforming aspects of the existing building shall prevent new residential conversions, unless the Director determines the nonconformity is causing a significant detriment to the surrounding area. If determined to be the case, the decision shall be provided with written findings.

**Section 12.** TMC Figure 18-61, “Major Pedestrian Corridor,” is hereby established as seen in Exhibit A.

**Section 13. 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 14. 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 15. 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 \_\_\_\_\_, 2025.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Andy Youn-Barnett, CMC, City Clerk

\_\_\_\_\_  
Thomas McLeod, Mayor

APPROVED AS TO FORM BY:

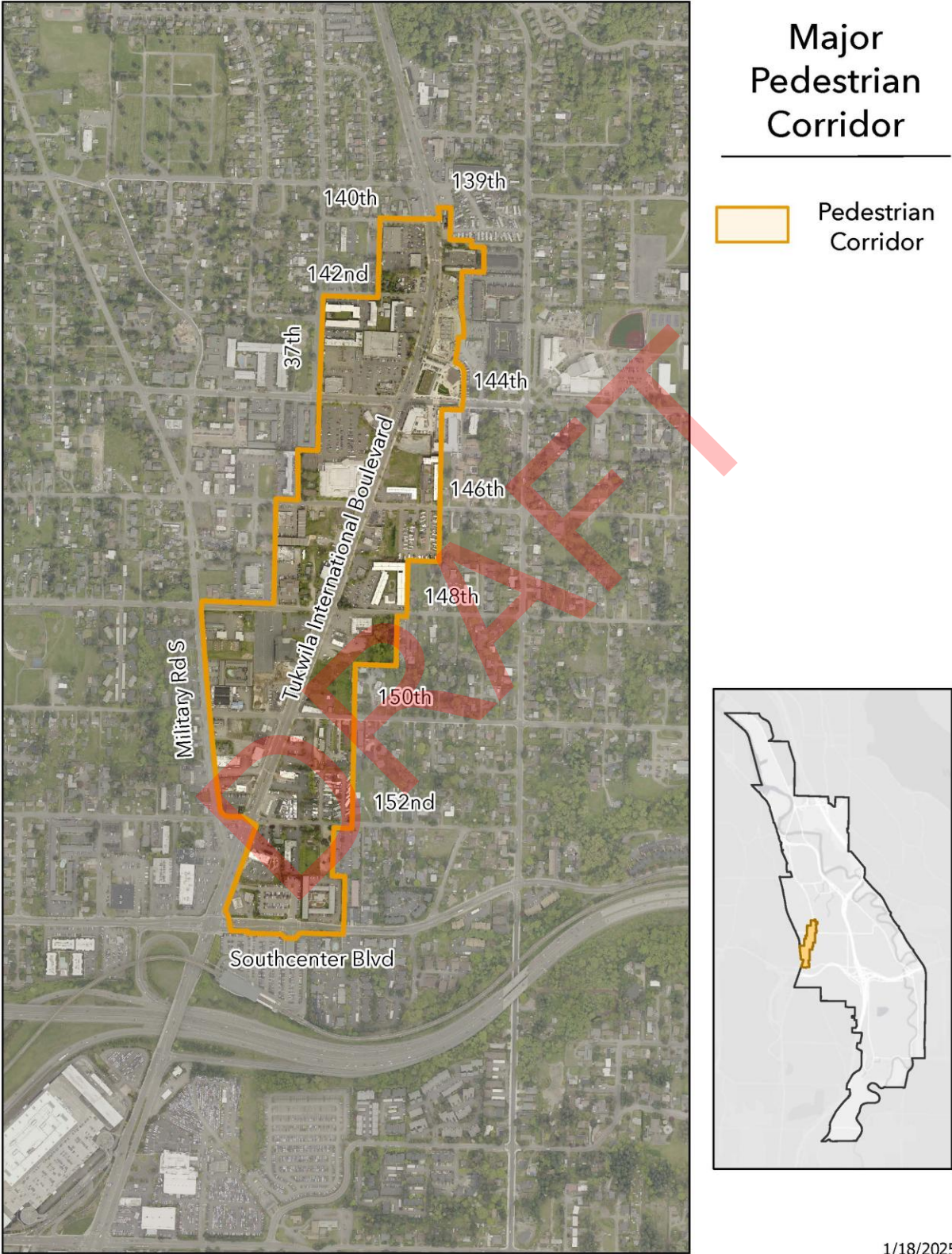
Filed with the City Clerk: \_\_\_\_\_  
Passed by the City Council: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Ordinance Number: \_\_\_\_\_

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

Exhibit A: Figure 18-61, “Major Pedestrian Corridor”



Exhibit A, Figure 61 Major Pedestrian Corridor







## CITY OF TUKWILA PLANNING COMMISSION (PC) MINUTES

Date: January 23, 2025  
Time: 6:30 p.m.  
Location: Hybrid Meeting - via Microsoft Teams / Public, In-Person Attendance,  
Council Chambers, 6200 Southcenter Blvd., Tukwila, WA 98188

### I. **Call to Order**

Chair Probst called the Tukwila PC meeting to order at 6:35 p.m.

### II. **Roll Call**

The PC Secretary took roll call.

Present: Chair Martin Probst; Vice Chair Ann Durant; Commissioners Louise Strander, Alex Kaehler, Richard McLeland Wieser, and Jacob Halverson

Excused Absence: Commissioner Jane Ho

Staff: Director Nora Gierloff, American Institute of Certified Planners (AICP), Department of Community Development (DCD); Long Range Planning Manager Nancy Eklund, AICP, DCD; Development Supervisor Max Baker, AICP, DCD; Senior Planner Neil Tabor, AICP, DCD; and PC Secretary Wynetta Bivens, DCD

### III. **Amendment of the Agenda**

No changes to the agenda were requested.

### IV. **Approval of Minutes**

Commissioner Halverson moved to adopt the 12/12/24 Minutes. Commissioner Durant seconded the motion. Commissioner Kaehler recused himself due to absence. Motion carried.

### V. **Written General Public Comments**

No submittals.

### VI. **Old Business**

None

## VII. New Business

### PUBLIC HEARING

#### 1. Shelter, Transitional, Emergency, Permanent (STEP) Housing Changes

FILE NUMBER: L24-0026, E25-0001  
PURPOSE: Code amendment to comply with state law.  
LOCATION: Non-Project Action/Citywide

Senior Planner Neil Tabor gave the presentation for staff. He provided background on STEP Housing and the purpose of the public hearing. He said that legislature narrowed restrictions for the STEP Housing types, which resulted in the allocation of certain housing targets. The City of Tukwila previously adopted code amendments to recognize the STEP Housing types. In 2021, the State legislature passed HB 1220 which sets requirements for STEP Housing. The following housing types are not included:

- Temporary Encampments
- Tiny Home Villages
- Group Homes
- Oxford Homes/Recovery Residence
- Assisted Living Facility
- Adult Family Homes
- Senior Living
- Traditional Income-Restricted Housing

Staff noted that the State, Puget Sound Regional Council, and Countywide King County each commented that the city's current development regulations do not meet requirements. Staff went over the proposed standards and walked through the STEP housing requirements in which the City of Tukwila is not in compliance.

To meet state law requirements and provide capacity to site the city's allotted amount of STEP Housing, while maintaining reasonable occupancy and spacing requirements, staff propose to amend TMC 18.50.250, 18.50.260 and Table 18-2 *Tukwila Urban Center (TUC) Land Uses Allowed by District*

Staff addressed clarifying questions from the PC.

#### Recommendation

Staff are requesting that the Planning Commission forward a recommendation for adoption of the draft code amendments to the City Council (CC) for their review.

#### Public Hearing

Chair Probst opened the public hearing.

Staff noted that there were no public hearing comments letters received.

There was no public testimony.

Chair Probst closed the public hearing.

**Deliberations/Motion**

There was no deliberation.

Commissioner Halverson moved to adopt the staff's recommendation and forward them to the CC for their review. Commissioner Durant seconded the motion. Motion carried.

**PUBLIC HEARING**

**2. Phased Binding Site Improvement Plans (BSIP)**

FILE NUMBER: L25-0001, E25-0002  
PURPOSE: Code amendment to remove development agreement requirement.  
LOCATION: Non-Project Action/Citywide

Senior Planner Neil Tabor gave the presentation for staff. He provided background on the proposed. BSIPs are plans used to provide flexibility for sale of property within a larger development. These developments often rely on shared features within the larger site, such as: Parking; access points; landscaping; utilities; refuse collection areas; etc. Phased BSIPs improvement plans and proposals to develop in phases are required to enter into a development agreement in addition to completing the BSIP.

The requirement for phased BSIPs to execute a development agreement is listed in the Tukwila Municipal Code (TMC) 17.16.030(C) Preliminary Binding Site Improvement Plan (BSIP) approval, approval Criteria.

Staff proposed removing the sole provision requiring the execution of a development agreement with phased BSIPs. References requiring consistency with approvals and options to apply conditions and limitations for phased BSIPs are already present in other sections of TMC 17.16 and throughout the TMC.

Staff addressed clarifying questions from the PC.

**Recommendation**

Staff are requesting that the Planning Commission forward a recommendation for the adoption of the draft code amendments to the CC for their review.

**Public Hearing**

A public hearing comment letter was received from Sam Pace, Housing Specialist. Seattle King County REALTORS, on January 22, 2025, which was distributed to the PC on January 22, 2025.

Chair Probst opened the public hearing.

There was no public testimony.

Chair Probst closed the public hearing.

**Deliberations/Motion**

There was no deliberation.

Commissioner Durant moved to adopt the staff's recommendations and forward it to the CC for their review. Commissioner McLeland Wieser seconded the motion. Motion carried.

## **PUBLIC HEARING**

### **3. Townhouses in the TUC**

FILE NUMBER: L25-0003, E25-0004  
PURPOSE: Code amendment to update residential allowances.  
LOCATION: Non-Project Action/Citywide

Senior Planner Neil Tabor gave the presentation for staff. He provided background on the proposed. He stated this item is on townhouse allowances in the TUC, which is a regional center designated with the Puget Sound Regional Council for future growth, capitalizing on transit infrastructure to reduce car dependency. This center designation under the Regional Growth Strategy makes this area eligible for additional funding that helps them transition into denser, transit-oriented development over time. It covers Pierce, Snohomish, King, and Kitsap Counties. Within these counties, centers can be designated where high capacity transit exists, encouraging the greater use of public transportation.

Part of the requirement for a center is that it plans for a minimum of 45 "activity units" per acre.

Staff proposes removing townhouses from the list of allowed dwelling types in table 18-2, affecting the TUC Regional Center, Transit Oriented Development, Pond and portions of the Work Place Zoning Districts.

Staff are requesting that the PC forward a recommendation for the adoption of the proposed redlined language to the CC for their further review and adoption.

Staff addressed clarifying questions from the PC.

Commissioner Halverson stated that he would propose an amendment, stating he is against removing townhomes from the use in the TUC.

Commissioner Durant stated it was mentioned in the staff background report that regional growth strategy designation makes the area eligible for additional funding. She asked if townhomes are not stricken and allow zoning that wouldn't meet the 45 activity units whether the City of Tukwila would be ineligible for the funding or would it be less accessible to the city. She said the change makes sense to her. Mr. Tabor stated individual use allowances would be unlikely to eliminate funding eligibility, but regulations should be consistent with goals for the center.

Commissioner Halverson inquired whether there is any concept to build small townhouse-style residential.

Staff said they identified this as something that is inconsistent with the overall goals, which is why they are proposing it.

Staff proposes removing townhouses from the list of allowed dwelling types in table 18-2, affecting the Tukwila Urban Center (TUC) Regional Center, Transit Oriented Development, Pond and portions of the Work Place Zoning Districts.

There was extensive discussion around this subject.

**Recommendation**

Staff are requesting that the Planning Commission forward a recommendation for the adoption of the draft code amendments to the CC for their review.

**Public Hearing**

Chair Probst opened the public hearing

Staff noted that there were no public hearing comments letters received.

There was no public testimony

Chair Probst closed the public hearing

**Deliberations/Motion**

There was no deliberation.

Commissioner Halverson moved to amend staff's recommendation, to change townhomes to an accessory use in the Tukwila Urban Center instead of striking them. Commissioner Strander seconded the motion. There was a split decision.

Commissioner Halverson moved to forward the split recommendation to the CC for their review. Commissioner Strander seconded the motion. Motion carried.

Staff asked for clarification on how the PC would like to format the suggested amendment to change Townhouses to an accessory use. The PC deferred the decision to staff.

**PUBLIC HEARING**

**4. Residential Conversions**

FILE NUMBER: L25-0002, E25-0003  
PURPOSE: Code amendment to comply with changes in state law.  
LOCATION: Non-Project Action

Senior Planner Neil Tabor gave the presentation for staff. He provided background on the proposed amendment. He stated that in the 2023 legislative session, HB 1042 passed and broadened allowances for conversions of non-residential to residential spaces. Per the Municipal Research and Services Center (MRSC) he went over several of the key provisions of the requirements. He said the intent with this code amendment is to provide consistency with the state law. Also, to provide future allowances that the city can still maintain ground floor commercial space that is required in new use development and identified areas.



In the interest in preserving the ability to maintain ground floor commercial space staff propose to adopt a major pedestrian corridor along Tukwila International Boulevard (TIB).

Staff proposed adopting a new code section within the Tukwila Municipal Code (TMC). TMC 18.50.230 for Residential Conversion.

Staff addressed clarifying questions from the PC.

### **Recommendation**

Staff are requesting that the Planning Commission forward a recommendation for the adoption of the draft code amendments to the CC for their review.

### **Public Hearing**

Chair Probst opened the public hearing.

Staff noted that there were no public hearing comments letters received.

There was no public testimony.

Chair Probst closed the public hearing.

### **Deliberations/Motion**

There was no deliberation.

Commissioner McLeland Wieser moved to adopt staff's recommendations to adopt the draft code amendments and forward them to the PC for their review. Commissioner Durant seconded the motion. Commissioner Halverson abstained. Motion carried.

## **VIII. Director's Report**

Coming up: (may meet more than once a month some months)

- February - Additional Middle Housing (MH) presentation and discussion. Review of mapping and density standards. Intro to design and road standards.
- March - Public Hearing #1 on MH, focusing on general development regulations and consistency.
- April - Public Hearing #2 on MH focusing on objective design standards and road standards.
- Move the full package to the City Council, aiming for adoption by the end of June.
- Quick Quack Carwash has received design review approval. Now they are working on some other issues.

## **IX. Adjournment**

Commissioner McLeland Wieser moved to adjourn. Commissioner. Durant seconded the motion.

Adjourned at: 7:59 p.m.

Submitted by: Wynetta Bivens  
PC Secretary