



City of Tukwila
*Planning and Community
Development Committee*

- ◆ Hannah Hedrick, Chair
- ◆ Jovita McConnell
- ◆ Verna Seal

Distribution:

H. Hedrick
J. McConnell
V. Seal

Mayor McLeod
M. Wine
A. Youn
L. Humphrey

AGENDA

MONDAY, MAY 12, 2025 – 5:30 PM

ON-SITE PRESENCE:

TUKWILA CITY HALL
CITY COUNCIL CONFERENCE ROOM
6200 SOUTHCENTER BOULEVARD

REMOTE PARTICIPATION FOR THE PUBLIC:

1-253-292-9750, ACCESS CODE: 866559860#
Click here to: [Join Microsoft Teams Meeting](#)
For Technical Support: 1-206-433-7155

Item	Recommended Action	Page
1. BUSINESS AGENDA		
a. Lodging Tax Funding Request for Starfire Sports <i>Brandon Miles, Director of Strategic Initiatives and Government Relations</i>	a. Forward to 5/19 Regular Meeting Consent Agenda	Pg.1
b. Ordinance establishing a Critical Area Designation Permit and Pre-Application Conference Process <i>Max Baker, Development Supervisor</i>	b. Forward to 5/12 C.O.W. & 5/19 Regular Meeting Consent Agenda	Pg.13
c. Ordinances amending Middle Housing, Accessory Dwelling Unit and Objective Design Standards Code <i>Neil Tabor, Senior Planner</i>	c. Forward to 6/9 PCD, 6/9 C.O.W., & 6/16 Regular Meeting Consent Agenda	Pg.21
2. MISCELLANEOUS		

Next Scheduled Meeting: June 9, 2025



The City of Tukwila strives to accommodate individuals with disabilities.
Please contact the City Clerk's Office at **206-433-1800** (TukwilaCityClerk@TukwilaWA.gov) for assistance.



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development

FROM: Brandon Miles, Director, Strategic Initiatives

CC: Thomas McLeod, Mayor

DATE: May 5, 2025

SUBJECT: Lodging Tax Funding Requests

ISSUE

Review of lodging tax funding request from Starfire Sports to support its marketing and promotional activities for Starfire Sports.

BACKGROUND

The City collects a 1% lodging tax on certain qualifying overnight stays in paid accommodations (hotels/motels/Airbnb) in the City. State law limits the use of these funds to tourism promotion¹. There is currently just over \$1 million in lodging tax funds available for use.

The City's Lodging Tax Advisory Committee (LTAC) reviews all requests for use of lodging tax funds. LTAC then forwards a list of recommended applications to the City Council for its review and consideration. If LTAC does not recommend an application be funded, that application is not forwarded to the City Council. The City Council may approve or deny any of the applications recommended by LTAC. The City Council may also approve an application and increase or decrease the dollar amount awarded².

The City accepts applications on a rolling basis, with the LTAC reviewing requests monthly.

¹ RCW 67.28.080 (6) defines "tourism promotion" as "...activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists."

² On August 17, 2016, the Washington State Attorney General's Office issued an informal opinion regarding whether a municipality could change the dollar amounts recommended by the local lodging tax advisory committee. Specifically, the informal opinion states:

"When awarding lodging tax revenues pursuant to RCW 67.28.1816(2)(b)(ii), a municipality may award amounts different from the local lodging tax advisory committee's recommended amounts, but only after satisfying the procedural requirements of RCW 67.28.1817(2), according to which the municipality must submit its proposed change to the advisory committee for review and comment at least forty-five days before final action on the proposal."

Pending Applications

1. City of Tukwila, Starfire Sports (\$160,000 over two years)

Starfire is requesting lodging tax funds in 2025/2026 to assist in promotion and facilitation of leagues, events, and tournaments. The goal is to have 1,300,000 (not unique) total attendance for Starfire related events and to generate 10,000 room nights in area lodging businesses. Starfire will promote its events through email and online marketing, with regional sports organizations and social media efforts.

LTAC reviewed the request at its April meeting and recommended approval of the funding request. LTAC did have a lengthy discussion about ways that the City could leverage the visitors that come to Starfire and how we can get attendees to other businesses in the area. Staff is currently working on how to address this as part of the final agreement.

LTAC Recommendation on Application: Approval.

Staff Recommendation on Application: Approval.

FINANCIAL IMPACT

The total request for this application will not exceed \$160,000 over two years and is consistent with the six-year financial plan for the tourism funds.

2025 Tourism Six-Year Financial Plan Allocation	
Sponsorships:	\$175,000
Experience Tukwila (Approved) Funding Request:	(\$15,000)
PacNW (Approved) Request:	(\$20,000)
General Operations Sponsorship Approved Request:	(\$15,000)
Starfire (Pending) Request:	(\$80,000)
Remaining Sponsorship Funds:	\$80,000

2026 Tourism Six-Year Financial Plan Allocation	
Sponsorships:	\$175,000
Experience Tukwila (Approved) Funding Request:	(\$15,000)
General Operations Sponsorship Approved Request:	(\$15,000)
Starfire (Pending) Request:	(\$80,000)
Remaining Sponsorship Funds:	\$80,000

RECOMMENDATION

Staff recommends that the Committee approve the pending funding requests and forward to the May 19, 2025, consent agenda. The contract with Starfire Sports will be over \$160,000 and will require approval by the Council. Staff would like permission to bypass PCD and place the contract on a consent agenda once it's ready for review and approval

ATTACHMENTS

1. Starfire Funding Request Application
2. City Staff Report to LTAC

Application to the City of Tukwila for Use of 2025 Lodging Tax Funds

Event or Activity Name (if applicable):	Starfire Sports Tournament and Event Season
Amount of Lodging Tax Requested:	\$160,000 for 2025 and 2026 (\$80,000 per year).
Applicant Organization:	Starfire Sports
Federal Tax ID Number:	47-0887811
Mailing Address:	14800 Starfire Way, Tukwila WA 98188
Primary Contact Name:	Eric Olmstead
Primary Contact Phone:	206-267-7417
Primary Contact Email Address:	eric@starfiresports.com

Check all the service categories that apply to this application:

- ✓ *Tourism promotion or marketing.*
- ✓ *Operation of a special event or festival designed to attract tourists.*
- ✓ *Operation of a tourism-related facility owned or operated by a non-profit organization.*
- ✓ *Operation and/or capital costs of a tourism-related facility owned by a municipality or a public facilities district.*

Check which one of the following applies to your agency:

- ✓ Non-Profit (Note: Attach a copy of your current non-profit corporate registration from the Washington Secretary of State Office)
- Municipality
- For Profit Corporation

I am an authorized agent of the organization/agency applying for funding. I understand that:

- I am proposing a tourism-related service for 2025. If awarded, my organization intends to enter into a services contract with the City; provide liability insurance for the duration of the contract naming the City as additional insured and in an amount determined by the City; and file for a permit for use of City property, if applicable.
- My agency will be required to submit a report documenting economic impact results in a format determined by the City.

Signature:



Date: 4/16/25

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

AUG 15 2008

STARFIRE SPORTS A NONPROFIT
CORPORATION
14800 STARFIRE WAY
TUKWILA, WA 98188

Employer Identification Number:

47-0887811

DLM:

17053215700018

Contact Person:

CARLY D YOUNG

ID# 31494

Contact Telephone Number:

(877) 829-5500

Public Charity Status:

509(a)(2)

Dear Applicant:

Our letter dated December 23, 2003, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

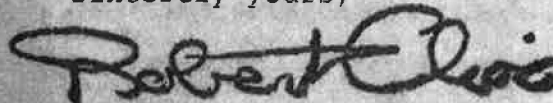
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Robert Choi

Director, Exempt Organizations
Rulings and Agreements

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Starfire Sports	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see Instructions) ►	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3). Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. 14800 Starfire Way	Requester's name and address (optional)
6 City, state, and ZIP code Tukwila, WA 98188	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-			-		
or								
Employer identification number								
4	7		-	0	8	8	7	8 1 1

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► <i>Amy Hiecker</i>	Date ► 1/12/2024

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

1) Describe your tourism-related activity or event.

Starfire Sports events and tournaments

1) If an event, list the event name, date(s), and projected overall attendance.

Starfire hosts over 11 soccer tournaments, 32- third party events and over 30- stadium events for professional soccer and rugby including US Open Cup, Seawolves and Tacoma Defiance games. These events draw people from all over the county, Canada and further abroad. Placier.ai reported that Starfire Sports had 1,300,000 visits in 2024. Our projected 2025 total attendance is over 1,300,000 visits.

2) Is your event/activity/facility focusing on attracting overnight tourists, day tourists, or both?

Both

3) Describe why visitors will travel to Tukwila to attend your event/activity/facility.

Starfire Sports is the epicenter of soccer not only here in the Pacific Northwest but nationwide. As not only the home of our Seattle Reign FC and the Seattle Seawolves we are host to over 71 annual events ranging from the recreational youth players to professional players. Starfire's own tournaments bring over 951 teams in annually totaling over 53,256 people (15,216 players and 38,040 spectators), while our leagues and youth programs bring 1,000-1,200 day visitors to Tukwila every day of the week.

4) Describe the geographic target of the visitors you hope to attract (locally, regionally, nationally, and/or internationally).

Starfire offers programs and events for people from all walks of life and geographic regions. Whether it's local kids dropping by to kick a ball, players from around WA State, the US and or World competing in our youth tournaments, or professional athletes from National Teams, Major League Soccer, the National Women's Soccer League, and Major League Rugby training and competing here — Starfire is a home for everyone who loves the game. Our fields also host countless youth and adult participants year-round in our regular programs and leagues.

5) Describe the prior success of your event/activity/facility in attracting tourists.

Starfire Sports generated over 229,000 unique visitors and about 1,300,000 visits in 2024. Of these visitors, roughly 7% travel more than 50 miles and stay in the area approximately 2-4 nights at a time. Starfire run tournaments averaged 23% of participating teams traveled more than 50 miles.

- 6) If this your first time holding the event/activity/facility provide background on why you think it will be successful.

N/A

- 7) Describe how you will promote lodging establishments, restaurants, retailers, and entertainment establishments in the City of Tukwila.

Starfire will promote our events through email and online marketing/advertising/social media. New partners being formed with surrounding States. Our events will be listed on regional soccer. We are also currently hiring a fulltime person in Public Relations and Communication.

- 8) Describe how you will use the name, "Tukwila" in publications, promotions, and for your event?

Tukwila will not only be integrated into publications, promotions and the appropriate use of "Tukwila" #hashtags when using social media but also on all tournament branded materials including clothing.

In the past this integration has seen the media talk more about Tukwila with regards to soccer, Starfire, the Sounders, Seawolves and now also the OL Reign.

- 9) Measurements and Metrics (Note: You will be required to report these metrics as part of the close out of the agreement between your organization and the City.)

As a direct result of your proposed tourism-related service, provide an estimate of:	
a. Overall attendance at your proposed event/activity/facility.	1,300,000
b. Number of people who will travel fewer than 50 miles for your event/activity.	150,000
c. Number of people who will travel more than 50 miles for your event/activity.	10,000
d. Of the people who travel more than 50 miles, the number of people who will travel from another country or state.	23%

e. Of the people who travel more than 50 miles, the number of people who will stay overnight in Tukwila.	7,000+/-
f. Of the people staying overnight, the number of people who will stay in PAID accommodations (hotel/motel/bed-breakfast) in Tukwila.	6,500+/-
g. Number of paid lodging room nights resulting from your proposed event/ activity/facility <i>(for example: 25 paid rooms on Friday and 50 paid rooms on Saturday = 75 paid lodging room nights)</i>	10,000+/-

10) What methodologies did you use to calculate the estimates and what methodologies will you use to track outcomes, such as total participants, estimated visitor spending, etc?

Team surveys and SSRTA Event Impact Calculator

11) What is the overall budget for your event/activity/facility? What percent of the budget are you requesting from the City of Tukwila?

Our annual marketing budget is just under \$24,000 without the support of LTAC funding that allows us to market to traveling teams, attend team/marketing conferences for tournaments and event recruiting.

Applications are considered on a rolling basis. Please contact staff to discuss the process for having the application reviewed by the City's Lodging Tax Advisory Committee.

Completed applications should be submitted to:

Lodging Tax Advisory Committee
c/o Brandon Miles
City of Tukwila
6200 Southcenter Blvd
Tukwila, WA 98188

Or,

Brandon.Miles@Tukwilawa.gov

Questions?

LTAC Contact:

Brandon J. Miles

(206) 431-3684

Brandon.Miles@Tukwilawa.gov.

Updated: December 29, 2022

Staff Memorandum

Lodging Tax Advisory Committee Funding Request

Name of Applicant:

Starfire Sports

Address:

14800 Starfire Wy
Tukwila, WA 98188

Total Funds Requested:

\$160,000 two-year funding request (\$80,000 in 2025 and \$80,000 in 2026)

About the Applicant:

Starfire Sports, a non-profit entity, has grown into one of the premier sports facilities in the United States. Over 1.3 million people visited the facility in 2024 to take part in soccer, rugby, and lacrosse tournaments; to play in outdoor and indoor soccer leagues; to engage in sport specific training; to review professional sporting events; and for STEM educational courses. Starfire is home training ground for the OL Reign and the Seattle Seawolves.

Opening in 2003, Starfire Sports has 12 outdoor fields and two indoor fields. The facility is located at Fort Dent Park, which is owned by the City of Tukwila. Also located at the Park is a small children's play area and trails that connect to the regional trail system. The City has maintenance responsibility for the play area, trails, and parking area.

Starfire regular hosts multiday, weekend soccer, rugby, and lacrosse tournaments, which brings in teams from throughout North America. Teams stay in hotels throughout the Seattle Southside region, with a typical split of 70/30 between Tukwila and SeaTac hotels. Players and their families can be seen throughout Tukwila, at Westfield Southcenter, the Family Fun Center, and area restaurants.

Funds Previously Awarded:

\$110,000 in 2023-2025.

Funding Request Narrative:

Starfire is requesting lodging tax funds in 2025/2026 to assist in promotion and facilitation of leagues, events, and tournaments. The goal is to have 1,300,000 (not unique) total attendance for Starfire related events and to generate 10,000 room nights in area lodging businesses.

Starfire will promote its events through email and online marketing, with regional sports organizations and social media efforts.

Staff Comments:

After Westfield Southcenter, Starfire is the largest draw of visitors in the City and likely the largest draw for overnight guests. Additionally, the tournaments and leagues at Starfire bring in people from throughout the Puget Sound region on day visits to the City. Starfire visitor count

including in their application does not include all third-party events, thus the numbers may actually be lower than the actual tourist impact on the City.

Since it's opening, Starfire has been a great partner for the City and has helped the City grow a brand in the soccer and rugby community as being the epicenter of [soccer] or [rugby] in the Pacific NW.

Consistency with Six Year Financial Model:

For 2025 and 2026, the Six Year Financial Plan shows the City spending \$175,000 for sponsorship, such as this in both years.

2025 Tourism Six-Year Financial Plan Allocation	
Sponsorships:	\$175,000
Experience Tukwila (Approved) Funding Request:	(\$15,000)
PacNW (Approved) Request:	(\$20,000)
General Operations Sponsorship Approved Request:	(\$15,000)
Starfire (Pending) Request:	(\$80,000)
Remaining Sponsorship Funds:	\$80,000

2026 Tourism Six-Year Financial Plan Allocation	
Sponsorships:	\$175,000
Experience Tukwila (Approved) Funding Request:	(\$15,000)
General Operations Sponsorship Approved Request:	(\$15,000)
Starfire (Pending) Request:	(\$80,000)
Remaining Sponsorship Funds:	\$80,000

City of Tukwila Staff

Recommendation to LTAC: Approval

Notes:

Starfire will be required to execute a separate service agreement with the City.



INFORMATIONAL MEMORANDUM

.TO: **Planning and Community Development Committee**

FROM: **Nora Gierloff, AICP, Director of Community Development**

BY: **Maxwell Baker, AICP, Development Supervisor**

CC: **Thomas McLeod**

DATE: **May 12, 2025**

SUBJECT: **Ordinance Establishing a Critical Area Designation Permit and Requiring Pre-Application Conferences for Certain Permits**

ISSUE

The proposed ordinance amends Tukwila Municipal Code (TMC) Title 18, Zoning, to create a Critical Area Designation (CAD) Permit and formalize the pre-application conference process. These changes are intended to improve clarity and coordination in the development review process, particularly for environmentally sensitive sites.

BACKGROUND

The City of Tukwila regulates critical areas, such as wetlands, streams and steep slopes, under TMC Title 18. However, the absence of a dedicated permit type for establishing the presence and boundaries of critical areas has led to inconsistencies in early site review and confusion about how to determine project feasibility prior to full permit submittal. To address this, staff are proposing a new Critical Area Designation (CAD) Permit, which would provide a formal determination of critical area presence and applicability before development permits are accepted. The Planning and Community Development Committee was initially briefed about the Critical Area Designation Permit at the February 10, 2025, meeting and expressed support for moving the proposal forward.

As a companion improvement to the development review process, staff are also introducing a formal requirement for pre-application conferences. A pre-application conference is an early meeting between an applicant and City staff to discuss a potential development proposal, identify relevant codes and requirements, and flag potential issues before a full application is submitted. While pre-application conferences have long been an optional tool available to applicants under TMC 18.104.050, they are not required for any specific permit type. The current code allows applicants to request a meeting to discuss requirements and receive feedback on their proposal, but attendance is voluntary. The proposed code amendment would establish a mandatory pre-application process for certain complex permit types identified by the department, ensuring early coordination and better project outcomes.

DISCUSSION

Critical Area Designation (CAD) Permit

The proposed new CAD Permit must be obtained for any property located within 150 feet of a confirmed or potential critical area before any development permit can be accepted. It would provide an official determination of the presence, or lack, of critical areas and would be valid for five years, unless site conditions or regulatory maps change significantly. Applicants may choose to use the City's consultant for the critical area study or submit their own report, which may be subject to peer review.

Pre-Application Conferences

The amendment to TMC 18.104.050 would require pre-application meetings for certain permit types. The Department would publish a guidance document identifying which permits require a pre-application conference. Generally, these would include larger land use and development permits or permit types that are expected to lead to subsequent permits, such as design review. The intent is to ensure early coordination, clarify submittal requirements, identify potential site constraints, and facilitate interdepartmental review. A fee would be charged for the conference and credited toward the permit fee if an application is submitted within six months and the project scope remains consistent. These conferences would not vest project rights.

FINANCIAL IMPACT

There is no direct budget impact. Permit and pre-application fees would be collected under the City's adopted fee schedule. The new processes are expected to improve permitting efficiency and reduce downstream review issues, potentially saving staff time and resources. For permits required to attend a pre-application conference, the pre-application fee will be credited toward the permit application fee if the applicant submits their project within six months and the scope remains substantially the same, including key elements such as use, intensity, and site layout.

RECOMMENDATION

The Council is being asked to consider the ordinance at the May 12, 2025, Committee of the Whole meeting, with approval to take place as part of the Consent Agenda at the May 19, 2025, Regular Meeting.

ATTACHMENTS

- A. Draft Ordinance – Critical Area Designation Permit and Pre-Application Conference Requirements

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING TUKWILA MUNICIPAL CODE (TMC) ESTABLISHING NEW SECTION 18.45.050 TO ESTABLISH A PRE-APPLICATION CONFERENCE PROCESS FOR LAND USE PERMITS; AMENDING ORDINANCE NOS 2741 §3 (PART) AND 2745 §7, AS CODIFIED AT TMC 18.104.010; AMENDING ORDINANCE NO. 2741 §3 (PART), AS CODIFIED AT TMC 18.104.050; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Title 18 of the Tukwila Municipal Code (“TMC”) establishes regulations for critical areas, and the City seeks to ensure these regulations align with best practices and statutory requirements; and

WHEREAS, the City desires to improve the permitting process by establishing a Critical Area Designation Permit, streamlining the review of critical areas while maintaining environmental protections; and

WHEREAS, the requirement for detailed critical area delineations has been identified as essential for ensuring compliance with TMC Title 18, and a dedicated permit will provide clarity and efficiency in the review process; and

WHEREAS, the proposed amendments to the Tukwila Municipal Code to establish the Critical Area Designation Permit are exempt from review under the State Environmental Policy Act (SEPA); and

WHEREAS, on February 10, 2025, the Planning and Community Development Committee received a briefing on the proposed approach and expressed support for moving the item forward to the City Council for consideration;

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 18.45.050 is hereby established to read as follows:

18.45.050 Critical Area Designation Permit

A. A Critical Area Designation Permit establishes whether critical areas or buffers are present on or near the property and includes a critical area study if needed.

1. A Critical Area Designation Permit is required for any property that contains, or is located within 150 feet of, a confirmed or potential critical area before any other development permit can be accepted or issued.

2. A Critical Area Designation Permit may be applied for at any time by the property owner or the property owner's agent.

B. To apply for a Critical Area Designation Permit, the property owner or the property owner's agent must submit an application to the department using a form provided by the department. The application may cover the entire site or a portion, provided that a map is included identifying the area for which designation is sought.

C. The department, or its consultant, shall conduct an initial site review to determine whether critical areas or buffers exist, or have the potential to exist, on the property or within 150 feet. If a wetland or stream is identified, the applicant must obtain a critical area report consistent with TMC 18.45.070, as provided in subsection D as currently enacted or hereafter amended. If the presence or classification of a stream is uncertain, the report shall include a professional recommendation. If the report concludes that no wetland or stream exists on or within 150 feet of the property, and the department concurs, no further assessment shall be required.

D. To fulfill the requirement for a critical area report, the applicant shall either:

1. Fund a critical area study prepared by the City's consultant, which will not be subject to peer review; or

2. Submit a critical area study prepared by a qualified professional as defined in TMC Title 18, which may be subject to applicant-funded peer review by the City or its consultant.

E. Upon request by the applicant, the Critical Area Designation Permit may include an evaluation or interpretation of the applicability of critical area buffers and standards to a potential future development.

F. Based on the critical area report, the Department shall issue a final determination for the Critical Area Designation Permit.

G. The Department shall make its written determination on the Critical Area Designation Permit within one hundred twenty (120) days of receiving a complete application, unless an extension is authorized under the Tukwila Municipal Code.

H. The Critical Area Designation Permit shall be valid for five (5) years unless:

1. Physical conditions on or within 300 feet of the subject property have markedly and demonstrably changed due to natural processes or man-made activity, or

2. Applicable regulatory agencies adopt updated maps or designations that conflict with the original determination in the Critical Area Designation Permit.

Section 3. Ordinance Nos. 2741 §3 (part) and 2745 §7, as codified at TMC 18.104.010, "Classification of Project Permit Applications," is hereby amended to read as follows:

TYPE 1 DECISIONS

TYPE OF PERMIT	DECISION MAKER
Temporary Encampment Permit Revocation (TMC Chapter 18.48)	Director
Administrative Variance for Noise – 30 days or less (TMC 8.22.120)	Director
Any land use permit or approval issued by the City, unless specifically categorized as a Type 2, 3, 4, or 5 decision by this chapter	As specified by ordinance
Boundary Line Adjustment, including Lot Consolidation (TMC 17.08)	Director
Critical Area Designation Permit	Director
Minor Modification of a Boundary Line Adjustment or Lot Consolidation Preliminary Approval (TMC 17.08.030)	Director
Development Permit	Building Official
Minor Modification to Design Review Approval (TMC 18.60.030)	Director
Minor Modification to PRD (TMC 18.46.130)	Director
Signs (TMC 19.12.020)	Director
Tree Permit (TMC 18.54)	Director
Wireless Communication Facility, Eligible Facilities (TMC 18.58)	Director

Section 4. Ordinance No. 2741 §3 (part), as codified at TMC 18.104.050, “Pre-Application Conferences” is hereby amended to read as follows:

18.104.050 Pre-Application Conferences

~~—A. Prior to filing a permit application requiring a Type 1, 2, 3, 4 or 5 decision, the applicant may contact the Department to schedule a pre-application conference. The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The pre-application conference shall be scheduled by the Department at the request of an applicant, and shall be held in a timely manner.~~

A. A pre-application conference shall be required prior to filing a permit application when the permit type is identified in a guidance document maintained by the department. When a pre-application conference is not required, an applicant may voluntarily request one.

B. The purpose of the pre-application conference is to assist the applicant in understanding the applicable regulations, required permits, submittal expectations, and any known site constraints such as critical areas.

C. The department shall schedule the pre-application conference in a timely manner once a complete request is submitted on forms provided by the department, along with any required fee set forth in the City’s fee resolution, which shall be amended from time to time. Staff from other affected City departments or agencies may attend as determined necessary by the department.

D. For permits that require a pre-application conference, the City will not accept an application under this chapter unless the applicant attended a pre-application conference under this section within six (6) months immediately prior to the date of application submittal.

E. Applicants shall be charged a fee for the pre-application conference. If a permit application is submitted within six (6) months of the pre-application conference and the project scope remains consistent with what was presented, the pre-application fee shall be credited toward the permit application fee.

F. Pre-application conferences do not vest the applicant’s rights to any regulations in effect on the date of the conference.

Section 4. 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 5. 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 6. 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



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

CC: Mayor Thomas McLeod

FROM: Nora Gierloff, AICP, DCD Director

BY: Isaac Gloor, Senior Planner, Neil Tabor, AICP, Senior Planner

DATE: May 12, 2025

SUBJECT: Middle Housing Code Amendments

ISSUE

The proposed code amendments would align the City with upcoming requirements in state law and support broader housing efforts.

BACKGROUND

In the 2023 and 2024 legislative sessions, several bills were passed regarding housing allowances and development, addressing middle housing and accessory dwelling units. The legislation required that jurisdictions adopt consistent local regulations within six months of the deadline for the periodic update of the comprehensive plan, or June 30, 2025.

To set the stage for adoption of the local regulations, Tukwila integrated policy language supporting overall housing goals for growth and variety of housing into the periodic update of the comprehensive plan. The City received two grants from the Department of Commerce to support the development of a middle housing code, which included significant public outreach, combined with comprehensive plan efforts and engagement with the Planning Commission.

HB 1110, often referred to as the “Middle Housing” bill, applies different requirements for allowed housing based on the population of the jurisdiction: Tier 1 cities are those with at least 75,000 population; Tier 2 cities are those with populations of at least 25,000, but less than 75,000; and Tier 3 cities have a population less than 25,000¹. Tukwila, with an estimated population of 22,930, currently qualifies as a Tier 3 City ([OFM 2024](#)).

Table 1 provides the differences in the general middle housing allowance requirements identified by the state. Cities that do not adopt code amendments that are consistent with the legislation by June 30, 2025, will automatically be subject to the state’s model code for their respective tier.

In the interest of supporting broader housing goals, anticipating a population increase into Tier 2 in the next few years (based on recent growth and the pipeline of residential development projects), and the requirement to align development allowances with HB 1337, regarding

¹ Tier 3 Cities must also have a contiguous Urban Growth Area with the largest city in a county having a population of more than 275,000.

accessory dwelling unit allowances, staff developed code amendments which would comply with Tier 2 requirements.

Table 1: Basic requirements for cities subject to the middle housing bill in the 2024-2027 periodic update.

	CITY LIMITS: Number of middle housing units that must be allowed per lot within city limits	NEAR A MAJOR TRANSIT STOP: Number of middle housing units per lot that must be allowed within ¼ mile of transit	WITH AFFORDABLE HOUSING: Number of middle housing units that must be allowed within city limits if affordable units provided Sec. 3(2)(a)
TIER ONE: Cities with population of at least 75,000 HB 1110, Sec. 3(1)(b)	4 du/lot on all lots zoned predominantly residential, unless zoning permits higher densities	6 du/ lot within 1/4 mile walking distance of a major transit stop, unless zoning permits higher densities	6 du/lot if 2 are affordable, unless zoning permits higher densities
TIER TWO: Cities with population between 25,000 and 75,000 HB 1110, Sec. 3(1)(a)	2 du/lot on all lots zoned predominantly residential, unless zoning permits higher densities	4 du/lot within 1/4 mile walking distance of a major transit stop, unless zoning permits higher densities	4 du/lot on all lots predominantly residential if one is affordable
TIER THREE: Cities with population under 25,000 that are contiguous with the UGA of the largest city in a county with a population over 275,000 HB 1110, Sec. 3(1)(c)	2 du/lot on all lots zoned predominantly residential, unless zoning permits higher densities		

PLANNING COMMISSION RECOMMENDATION

A public hearing on code amendments L25-0030 (TMC Title 18 Rezone), L 25-0031 (Title 17), L25-0032 (Title 18) and L25-0033 (Title 9) was held at the April 24th, 2025, Planning Commission meeting. During the hearing, testimony was heard from four individuals. The hearing occurred individually on each ordinance, however two individuals expressed support for the overall content of all the ordinances, with one commenter suggesting the need to amend the definition of “basement”. Two individuals had general concerns with the ordinances regarding parking, tree retention and potential change.

Commissioners entertained motions to forward the code amendments as provided in their packets to the City Council with a recommendation for approval.

A link to the Planning Commission packet materials on this topic is [provided here](#).

SUMMARY OF PROPOSED CHANGES

Code Amendments

Updates to development regulations within the municipal code are reviewed by the Department of Commerce for consistency with state laws. While some aspects of the proposed ordinances are elective Tukwila proposals intended to streamline the code, encourage more readable code and achieve housing goals, many of the standards are at least in part based on state requirements. Below is a summary of the proposed code amendments as part of the Middle Housing ordinances.

Rezone

The proposed language would rezone all land within the LDR and MDR zoning districts to Community Residential (CR). Consolidation of these two zones will streamline the middle housing adoption and eliminate unnecessary differentiation in zones.

Density & Housing Type Allowances

The proposal would:

- Establish a minimum lot size for the CR zoning district of 5,000 square feet
- Count accessory dwelling units toward the total density allowance
- Allow three units per lot (outside of ¼ mile transit buffer), with additional unit allowance per 1,500 square feet lot of additional lot area, up to 5 units per lot
- Allow four units per lot (within ¼ mile transit buffer), with additional unit allowance per 1,500 square feet lot of additional lot area, up to 5 units per lot
- Allow 8 of 9 middle housing types; however, not allowing sixplexes

Parking

The proposal would require:

Single-Family Housing

- 2 parking spaces per dwelling unit

Middle Housing

- 1 parking space per dwelling unit (outside of the ½ mile major transit stop buffer)
- No parking requirement within the ½ mile major transit stop buffer, per State law

Accessory Dwelling Units

- No parking required

Multifamily Housing

- 0.75 parking spaces per studio unit
- 1 parking space per 1 bedroom unit or larger

Setbacks & Building Massing

The proposal would:

- Reduce the existing 20-foot LDR front setback to 15 feet in the CR zone, with additional encroachment allowances for porches and certain architectural features
- Reduce the existing 10-foot LDR rear setback to 5 feet in the CR zone
- Increase building height allowance to 35 feet
- Increase building lot coverage to 50%

Road & Frontage Standards

The proposal would:

- Broaden allowances for use of more proportionately-sized roads
- Consolidate access points
- Require sidewalks and curbs for more types of development

Design Review

The proposal would:

- Update design standards to ensure they comply with “clear and objective” criteria requirements
- Create a design checklist to provide clear options for residential developers

Miscellaneous

Miscellaneous proposed amendments include:

- Update code references to LDR and MDR zones and “single-family only” standards for consistency
- Update definitions to be consistent with and comply with state law

- Amending the applicability of tree regulations to apply current “single-family” tree standards to single-family and middle housing development
- Add graphics for clarity

FINANCIAL IMPACT

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

REQUESTED ACTION

No action is being requested at the May 12, 2025 PCD meeting.

At the June 9, 2025, PCD meeting, Council members will be asked to forward the ordinances to be considered at the June 9, 2025, COW meeting, and to adopt this proposal at the subsequent June 16, 2025, Regular meeting.

ATTACHMENTS

A. Presentation



Middle Housing Ordinances

Planning & Community Development
Committee

May 12, 2025



Ordinances

- L25-0032, Title 18 Amendments
- L25-0030, Community Residential Rezone
- L25-0031, Title 17 Amendments
- L25-0033, Title 9 Amendments



Legislation Directing Updates

- HB 1110, Middle Housing
- HB 1337, Accessory Dwelling Units
- HB 1293, Objective Design Standards
- SB 5058, Definition of Multifamily
- SB 5258, Condos, Proportionate Impact Fees and Unit Lot Subdivisions
- SB 6015, Parking Considerations



L25-0032, Title 18 Amendments

- Title 18
 - Housing allowances
 - Development standards
 - Parking
 - Design Review
 - Consistency
 - Nonconformance



L25-0032, Title 18 Amendments

	<i>LDR (existing)</i>	<i>MDR (existing)</i>	Community Residential (replacing LDR & MDR)
Middle Housing Types			
Detached house	P	P	P
Cottage (small-lot)			P
Stacked Flats			P
Duplex		P	P
Triplex		P	P
Fourplex		P	P
Fiveplex			P
Sixplex			
Townhouses		(up to four)	P
C ourtyard Apts.		(up to four)	P



L25-0032, Title 18 Amendments

- Basic Development Standards

	Outside of 1/4 Mile of Major Transit Stop	Within 1/4 Mile of Major Transit Stop, or if at least 1 unit affordable at 60% AMI (Rental), or 80% (Ownership) for a period no less than 50 years
Lot area, minimum	5,000 sq. ft.	
Average lot width, minimum	40 feet	
Density	(3) units per parcel,	(4) units per parcel,
	plus 1 unit per 1,500 SF of parcel area over 5,000 SF, whichever is greater, up to 5 units	plus 1 unit per 1,500 SF of parcel area over 5,000 SF, whichever is greater, up to 5 units
	2 Units per lot can be designated as accessory residences, provided they meet ADU requirements (ADUs count toward maximum density)	2 Units per lot can be designated as accessory residences, provided they meet ADU requirements (ADUs count toward maximum density)
Building Footprint, maximum	50%	
Development Area Coverage, maximum	75%	
Setbacks		
Front	15 feet	
Front Porch	7 feet (if porch of at least 40 square feet, with no dimension less than 5 feet)	
Second Front	10 feet	
Side	5 feet	
Rear	5 feet	
Rear (Alley DADU)	0 feet	
Building Height	35 feet	



L25-0032, Title 18 Amendments

- Tree standards which currently only apply to single-family and vacant LDR parcels is proposed to be expanded to all CR properties
- These standards, codified in TMC 18.54, require tree replacements for most removals
- Staff is currently working through further updates of overall tree regulations

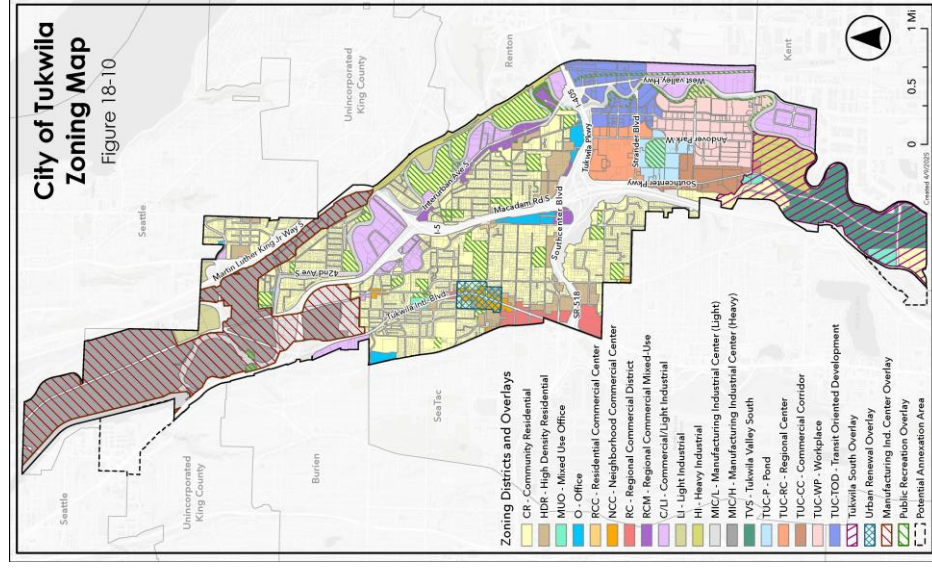
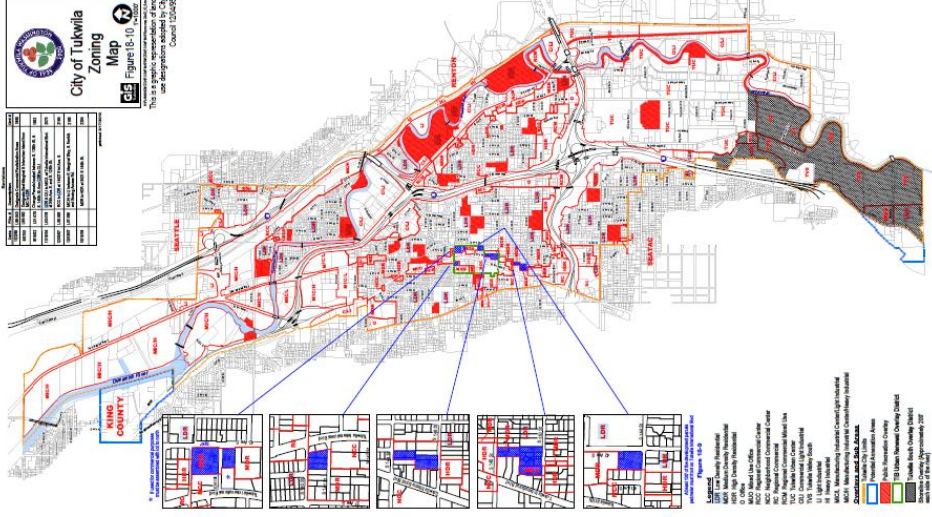


L25-0030, Community Residential Rezone

- The Community Residential Rezone amendment includes a consolidation of the Low Density Residential (LDR) and Medium Density Residential (MDR) zones to Community Residential (CR)



L25-0030, Community Residential Rezone





L25-0031, Title 17 Amendments

Land Division Regulations

- **Streets**

- Two new street types:
 - Neighborhood Yield Streets
 - Streets with parking, landscaping areas, and sidewalks
 - Living Streets
 - Shared streets with low vehicle volumes

- **Frontage Improvements**

- Require improvements (sidewalks, curbs) for more projects
 - Lowering applicability threshold for land division
 - Setting new applicability threshold for new development at projects exceeding a valuation of \$700,000.

- **Miscellaneous**

- Minor edits throughout for consistency with new zoning districts and terminology in Title 18.



L25-0033, Title 9 Amendments

- Title 9, Vehicles and Traffic largely oversees regulations regarding traffic and vehicle parking
- Though not administered by DCD staff, there is a singular section which includes references to the LDR and MDR zoning districts
- Full text of the proposed amendments can be in the packet