



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, JUNE 9, 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. Resolution Adopting the South King Housing & Homelessness Partners (SKHHP) 2026 Work Plan and 2026 Operating Budget <i>Laurel Humphrey, Legislative Analyst</i>	a. Forward to 6/16 Regular Meeting Consent Agenda	Pg.1
b. Ordinances (4) amending Middle Housing, Accessory Dwelling Unit, and Objective Design Standards Code > <i>Continued from the 5/12/2025 PCD Meeting</i> < (1) Rezone to Community Residential Ordinance (2) Parking Regulations Residential Zones Ordinance (3) Title 17 Updated Standards Ordinance (4) Title 18 Middle Housing Ordinance <i>Neil Tabor, Senior Planner</i>	b. Forward to 6/9 C.O.W. & 6/16 Regular Meeting Consent Agenda	Pg.21 Pg.36 Pg.40 Pg.43 Pg.70
c. Discussion on ordinances amending the Co-living housing and streamlining of the Zoning Code. <i>Neil Tabor, Senior Planner</i>	c. Forward to Planning Commission	Pg.191
2. MISCELLANEOUS		

Next Scheduled Meeting: July 14, 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 & Community Development Committee

FROM: Claire Goodwin , Executive Manager, SKHHP
Laurel Humphrey, Legislative Analyst

DATE: May 23, 2025

SUBJECT: Resolution adopting the 2026 SKHHP Work Plan and Budget

BACKGROUND

The South King Housing and Homelessness Partners (SKHHP) was established through an interlocal agreement between nine South King County cities and King County to work together and share resources to increase options for South King County residents to access affordable housing and preserve existing affordable housing. SKHHP currently has 12 member jurisdictions. Mayor Thomas McLeod and Councilmember Dennis Martinez (alternate) are currently representing Tukwila on the Executive Board. Consistent with the SKHHP Interlocal Agreement, the SKHHP 2026 work plan and budget must be adopted by the SKHHP Executive Board and approved by each member jurisdiction's legislative body.

DISCUSSION

Every year, an annual work plan and budget is developed in collaboration with the SKHHP Executive Board and staff work group to guide the work of SKHHP staff in the coming year. The 2026 Executive Board recommended work plan was developed through a survey to the Executive Board on their priorities in January and an interactive in-person discussion in March. The 2026 work plan and budget was adopted on May 16, 2025 at the Executive Board's regularly scheduled meeting.

The 2026 work plan includes four goals with corresponding action items. Each action item is prioritized as higher, medium, or lower priority. Indicators are included to measure progress on the goals. The four goals, which are the same as 2025's goals, include the following:

1. Fund the expansion and preservation of affordable housing
2. Develop policies that expand and preserve affordable housing
3. Serve as an advocate for South King County
4. Manage operations and administration

The 2026 SKHHP operating budget totals \$501,975, supporting two full-time staff, and includes itemization of all categories of budgeted expenses and itemization of each jurisdiction's contribution, including in-kind services. Operating revenues originate from SKHHP member contributions. As discussed in 2024 with Council, contributions are proposed to increase 15% annually for each member jurisdiction through 2026 as approved by the Executive Board in July 2021 to work towards a balanced budget whereby SKHHP's revenues can fully support the budgeted expenditures. These projected member contributions assume no additional staff would be added. Member contributions are based on population size accordingly, and no members are moving into a new population tier in 2026:

Population tier	2023 Contribution	2024 Contribution	2025 Contribution	2026 Contribution
<10,000	\$5,290	\$6,084	\$6,996	\$8,045
10,001 – 35,000	\$9,919	\$11,407	\$13,118	\$15,085
35,001 – 65,000	\$19,838	\$22,814	\$26,236	\$30,172
65,000 – 100,000	\$34,385	\$39,543	\$45,474	\$52,295
100,000+	\$44,965	\$51,710	\$59,466	\$68,386

Salaries and benefits are proposed to increase by 0.3% in 2026. This is to align with actual expenditures in this category. Interfund IT, which is the amount paid to SKHHP's administering agency (City of Auburn) for IT services, is proposed to increase by 14%. Professional Services is proposed to increase by 46% (\$26,000) due to an every other year data update to the SKHHP Affordable Housing Inventory Dashboard (\$18,000) and anticipated higher rates for contracted services. Professional Services include Advisory Board compensation (unchanged in 2026), contract attorney expenses (\$30,000 in 2026 which is \$5,000 more than 2025), data update to the SKHHP Affordable Housing Inventory Dashboard (\$18,000), third-party construction reports (\$6,000), travel (\$6,000), professional development (\$6,800), Housing Development Consortium member dues (\$725), and an annual license fee (\$20). The proposal includes aligning budgeted categories with SKHHP's administering agency. SKHHP continues to spend down the fund balance from previous cost-savings to mitigate any additional increases to member contributions.

The 2026 Executive Board recommended operating budget includes \$501,975 to be set-aside in reserve sourced from interest earned primarily on the Housing Capital Fund balance. This amount is the equivalent of 100% of SKHHP's annual budgeted expenses as discussed over three public meetings and adopted by the SKHHP Executive Board on May 16, 2025. Interest earned in 2024 on all SKHHP funds totaled \$540,377. Interest earned in 2024 by jurisdiction to be set-aside in reserve with the remaining supporting the 2025 Housing Capital Fund funding round are as follows:

TABLE 1: INTEREST EARNED BY JURISDICTION 2024 AND BOARD RECOMMENDED ALLOCATIONS

JURISDICTION	Reserve	Housing Capital Fund	TOTAL 2024 Interest EARNINGS
AUBURN	\$26,486	\$2,026	\$28,512
BURIEN	\$12,530	\$959	\$13,489
COVINGTON	\$29,074	\$2,224	\$31,298
DES MOINES	\$5,358	\$409	\$5,767
FEDERAL WAY	\$22,682	\$1,735	\$24,417
KENT	\$327,110	\$25,024	\$352,134

MAPLE VALLEY	\$22,306	\$1,707	\$24,013
NORMANDY PARK	\$682	\$52	\$734
RENTON	\$36,229	\$2,772	\$39,001
SEATAC	\$13,384	\$1,024	\$14,408
TUKWILA	\$6,134	\$470	\$6,604
KING COUNTY	--	--	--
TOTAL	\$501,975	\$38,402	\$540,377

To spend interest earnings requires the approval of each SKHHP member with allocated earned interest based on their contributions. With the adoption of the 2026 SKHHP operating budget which incorporates a portion of the interest earnings into an unrestricted fund balance in reserve, the City Council is providing authorization for SKHHP to use those funds towards the unrestricted fund balance in reserve. These funds will assist in future years should there be an economic recession and members choose to pause an increase in dues or other unexpected expense arises. The remaining amount will go towards the 2025 funding round of the Housing Capital Fund and Council will provide approval to use those funds during the annual concurrence process in early 2026.

RECOMMENDATION

Staff recommends Committee approval of the resolution to forward to the June 16, 2025 Regular Consent Agenda.

1. The 2026 SKHHP work plan and budget is consistent with the Interlocal Agreement and relevant subsequent Companion Agreements between Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Maple Valley, Normandy Park, Renton, SeaTac, Tukwila, and King County.
2. The 2026 SKHHP work plan and budget incorporates the feedback and priorities of the SKHHP Executive Board made up of representatives of each participating jurisdiction.

ATTACHMENTS

1. Presentation
2. Draft Resolution



South King Housing and Homelessness Partners (SKHHP) 2026 Work Plan and Budget

Claire V. Goodwin, SKHHP Executive Manager
cvgoodwin@skhhp.org

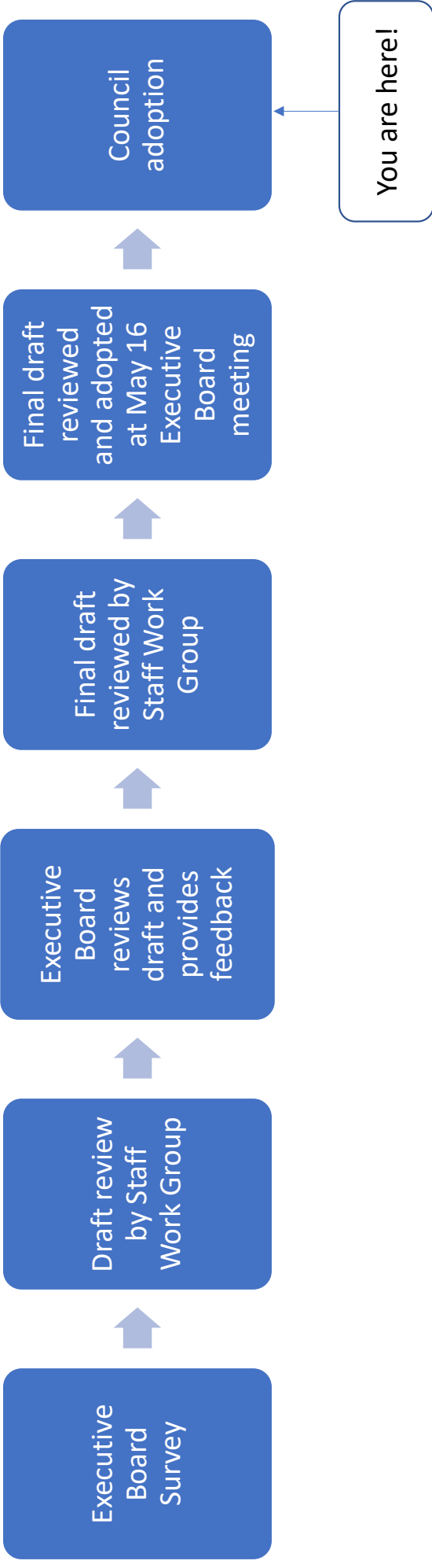




About SKHHP





- 2019: SKHHP was formed via an Interlocal Agreement
- Twelve member jurisdictions include:
 - Auburn
 - Burien
 - Covington
 - Des Moines
 - Federal Way
 - Kent
 - Maple Valley
 - Normandy Park
 - Renton
 - SeaTac
 - Tukwila
 - King County
- Mission:
 - South King County jurisdictions working together and sharing resources to create a coordinated, comprehensive, and equitable approach to increasing housing stability, reducing homelessness, and producing and preserving quality affordable housing in South King County.
- Interlocal agreement requires City Council adoption of annual work plan and budget

2026 Work Plan Development Process





2026 Work Plan Goals

	1. Fund the expansion and preservation of affordable housing.
	2. Develop policies to expand and preserve affordable housing.
	3. Serve as an advocate for South King County.
	4. Manage operations and administration.

2026 Operating Budget

- Total operating budget: \$501,975
 - 64% funds salary and benefits (2 FTEs)
- Revenue:
 - Operating revenues come from member jurisdiction annual contributions and based on population tiers
 - Executive Board adopted policy in July 2021
 - 15% increase in member contributions each year through 2026
- Expenses:
 - Professional Services increasing due to data update to Affordable Housing Inventory Dashboard and anticipated higher rates for contracted services (legal assistance for developing housing contracts and third-party construction review of applications)
 - Professional Services incorporates Advisory Board compensation, contract attorney expenses, data update to dashboard, third-party construction reports, professional development, travel, non-profit dues, and annual license
- Continuing to spend down cost savings from previous years to balance additional contribution increases
- Interest earnings incorporated into unrestricted fund balance in reserve



Operating Contributions by Population

Member Jurisdiction Population Tier	2023 Contribution	2024 Contribution	2025 Contribution	2026 Contribution
<10,000	\$5,290	\$6,084	\$6,996	\$8,045
10,001 – 35,000	\$9,919	\$11,407	\$13,118	\$15,086
35,001 – 65,000	\$19,838	\$22,814	\$26,236	\$30,171
65,000 – 100,000	\$34,385	\$39,543	\$45,474	\$52,295
100,000+	\$44,965	\$51,710	\$59,466	\$68,386



Population by City and Year

SKHHP Member Jurisdictions	Population (OFM 2021 estimate)	Population (OFM 2022 estimate)	Population (OFM 2023 estimate)	Population (OFM 2024 estimate)	Population (OFM 2025 estimate)
Auburn	Total: 83,950 KC: 73,901	Total: 88,750 KC: 78,690	Total: 88,820 KC: 78,760	Total: 88,950 KC: 78,890	
Burien	53,290	52,490	52,560	53,000	
Covington	20,890	21,200	21,600	22,000	
Des Moines	32,820	33,160	33,260	33,400	
Federal Way	99,590	101,800	102,000	102,500	Data not published until June 30, 2025
Kent	132,400	137,900	139,100	140,400	
Maple Valley	--	28,920	29,250	29,320	
Normandy Park	6,740	6,790	6,840	6,855	
Renton	106,500	107,500	107,900	108,800	
SeaTac	32,000	31,910	31,740	32,710	
Tukwila	21,970	22,620	22,780	22,930	
King County (unincorporated)	--	248,160	249,060	249,575	7

Thank you!

Claire V. Goodwin, SKHHP Executive Manager
cvgoodwin@skhhp.org



**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TUKWILA, WASHINGTON, ADOPTING
THE SOUTH KING HOUSING AND
HOMELESSNESS PARTNERS 2026 WORK
PLAN AND 2026 OPERATING BUDGET.**

WHEREAS, on February 21, 2019, the City of Tukwila entered into an Interlocal Agreement (ILA) with 8 other south King County cities and King County to form the South King Housing and Homelessness Partners (SKHHP); and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve an annual work plan each year to guide the work of SKHHP staff; and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve SKHHP's annual budget that includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, the purpose of the annual work plan and budget is to provide management and budget guidance, and to implement the overarching SKHHP goals to work together and share resources to increase the available options for south King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, the 2026 work plan includes four goals with corresponding action items that further SKHHP's mission; and

WHEREAS, on May 16, 2025, the SKHHP Executive Board adopted Resolution No. 2025-01, enacting the 2026 Work Plan and Operating Budget effective upon approval by the legislative body of each party;

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

Section 1. The City Council adopts the 2026 South King Housing and Homelessness Partners Work Plan and 2026 Operating Budget hereby incorporated by reference as “Attachment A.”

Section 2. The City of Tukwila will transmit its annual contribution to SKHHP on an annual basis during the first quarter of the calendar year.

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

Tosh Sharp, Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____
Passed by the City Council: _____
Resolution Number: _____

Office of the City Attorney

Attachment A: South King Housing and Homelessness Partners Resolution No. 2025-01, Adopting the 2026 SKHHP Work Plan and Operating Budget

RESOLUTION NO. 2025-01

A RESOLUTION OF THE EXECUTIVE BOARD OF THE SOUTH KING HOUSING AND HOMELESSNESS PARTNERS (SKHHP), ADOPTING THE 2026 SKHHP WORK PLAN AND OPERATING BUDGET

WHEREAS, pursuant to the Interlocal Agreement, the SKHHP Executive Board approves an annual work plan and budget each year to guide the work of SKHHP staff; and

WHEREAS, pursuant to the Interlocal Agreement, the annual budget includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, upon adoption by the Executive Board, the annual work plan and budget will be transmitted to each participating jurisdiction for approval by their legislative body; and

WHEREAS, the budget will not become effective until approved by the legislative body of each jurisdiction and adopted by the SKHHP Executive Board; and

WHEREAS, if a party does not approve the work plan or budget in a timely manner, the Executive Board may adopt the budget and work plan with a two-thirds majority vote; and

WHEREAS, the purpose of the annual work plan and budget is to provide management and budget guidance, and implement the overarching SKHHP mission to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, the 2026 work plan includes four goals with corresponding action items that further SKHHP's mission.

~~NOW, THEREFORE, THE EXECUTIVE BOARD RESOLVES as follows:~~

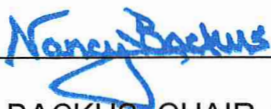
Section 1. The Executive Board adopts the 2026 SKHHP Work Plan in Attachment A.

Section 2. The Executive Board adopts the 2026 SKHHP Operating Budget in Attachment B.

Section 3. Each party's contribution to SKHHP's operating budget will be transmitted on an annual basis during the first quarter of the calendar year.

Section 4. This Resolution will take effect and be in full force upon approval by the legislative body of each participating jurisdiction.

Dated and signed this 19th day of May, 2025.



NANCY BACKUS, CHAIR, SOUTH KING HOUSING AND HOMELESSNESS PARTNERS

RESOLUTION 2025-01 – ATTACHMENT A

SKHHP 2026 WORK PLAN

PURPOSE

Establish a 2026 SKHHP work plan and budget that is guided by Executive Board priorities, is consistent with the SKHHP Interlocal Agreement, and furthers SKHHP's mission.

BACKGROUND

Established by an interlocal agreement, SKHHP jurisdictions work together and share resources to increase options for South King County residents to access affordable housing and preserve existing affordable housing. The 2026 SKHHP work plan builds on work done in previous years and was developed in collaboration with the Executive Board and staff work group.

The work plan is organized into four goals with corresponding action items. Each action is identified by priority as follows:

- Higher – Identified as higher priority by Executive Board or is necessary to carry out the Interlocal Agreements
- Medium – Identified as mid-level priority
- Lower – Identified as lower priority

Quarterly budget and progress reports on the status of the work plan elements will be submitted to the SKHHP Executive Board and the legislative body of each member jurisdiction as follows:

Quarter 1: May | **Quarter 2:** August | **Quarter 3:** November | **Quarter 4:** February

In accordance with the Interlocal Agreement, the 2026 SKHHP work plan and budget will be approved by the SKHHP Executive Board and the legislative body of each member jurisdiction.

SKHHP MISSION

South King County jurisdictions working together and sharing resources to create a coordinated, comprehensive, and equitable approach to increasing housing stability, reducing homelessness, and producing and preserving quality affordable housing in South King County.

GOALS & ACTIONS

Goal	Actions
1. Fund the expansion and preservation of affordable housing.	1 through 5
2. Develop policies to expand and preserve affordable housing.	6 through 10
3. Serve as an advocate for South King County.	11 through 16
4. Manage operations and administration.	17 through 22



Goal 1

Fund the expansion and preservation of affordable housing.

Actions	Priority of Actions ••• = Higher •• = Medium • = Lower
1. Pool resources from member cities for the Housing Capital Fund, including SHB 1406 funds, HB 1590 funds, and general funds.	•••
2. Develop and execute contract documents and covenants for projects ready to move forward from 2023-24 Housing Capital Fund funding rounds.	•••
3. Facilitate approval from participating Councils of recommended projects from 2025 Housing Capital Fund funding round and prepare contract documents and covenants for any projects ready to move forward.	•••
4. Manage 2026 Housing Capital Fund funding round including adopting annual guidelines, updating application materials, soliciting proposals, and facilitating project selection.	•••
5. Encourage investment in South King County by private investors, lenders, and philanthropies.	••
Indicators	
○ Number of housing units and number of projects funded with financial support from SKHHP	
○ Number of housing units preserved with financial support from SKHHP	
○ Total dollar amount pooled by member jurisdictions for Housing Capital Fund	
○ Total dollar amount from new sources of revenue added to the Housing Capital Fund	
○ Geographic diversity of applications received for annual Housing Capital Fund funding round	



Goal 2

Develop policies to expand and preserve affordable housing.

Actions	Priority of Actions ••• = Higher •• = Medium • = Lower
6. Facilitate implementation of subregional affordable housing preservation strategies in coordination with South King County long-range planners.	••
7. Facilitate updates to the Affordable Housing Inventory Dashboard.	••
8. Convene land use planners (SoKiHo) to increase coordination and collaboration on housing policy and planning.	•
9. Build relationships with developers to learn from their perspective the ways to encourage housing development, especially affordable housing.	•
10. Develop SKHHP Executive Board briefings on key housing and homelessness topics, especially as they relate to the goals of the work plan.	•
Indicators	
○ Number of subregional housing preservation strategies facilitated or supported	
○ Successful progress on update to the Affordable Housing Inventory Dashboard	
○ Number of relationships fostered with developers	
○ Number of Executive Board briefings on key housing and homelessness topics	



Goal 3

Serve as an advocate for South King County.

Actions	Priority of Actions ••• = Higher •• = Medium • = Lower
11. Work collaboratively with public funders at the state and local levels to increase alignment and promote shared affordable housing goals and equitable geographic distribution of resources.	••
12. Coordinate with the Advisory Board in collaboration with housing organizations and stakeholder groups to provide education and engagement opportunities for elected officials and community members.	•
13. Represent SKHHP at relevant local and regional meetings and forums that help advance SKHHP's mission and provide a voice for increasing access to safe, healthy, and affordable housing in South King County.	•
14. Connect affordable housing developers with property owners who intend to sell naturally occurring affordable housing in coordination with member cities.	•
15. Meet with legislators as opportunities arise to inform about SKHHP's mission, goals, and the Housing Capital Fund and host a legislative forum (odd numbered years).	•
16. Organize a tour of affordable housing sites in South King County with priority given to visiting Housing Capital Fund supported projects (even numbered years).	•
Indicators	
○ Number of collaborative work sessions held with public funders	
○ Number of events or engagement opportunities Advisory Board members organize or support	
○ Number of meetings, forums, or events attended that advance SKHHP's mission	
○ Number of meetings with legislators that promote SKHHP and South King County	
○ Number of affordable housing developers connected with property owners intending to sell naturally occurring affordable housing	
○ South King County legislative forum or affordable housing tour successfully executed	



Goal 4

Manage operations and administration.

Actions	Priority of Actions ••• = Higher •• = Medium • = Lower
17. Develop annual work plan and budget.	•••
18. Generate and distribute quarterly progress reports to SKHHP Executive Board and member jurisdictions.	•••
19. Work with administering agency to maintain records and produce regular financial reports for the SKHHP Housing Capital Fund and SKHHP Operating Account.	•••
20. Organize and host monthly Executive and Advisory Board public meetings.	•••
21. Establish and implement monitoring and compliance process to ensure Housing Capital Fund projects maintain affordability for tenants.	•••
22. Maintain and update the SKHHP website.	••
Indicators	
○ Work plan and budget adopted	
○ Quarterly progress reports prepared and presented to Executive Board	
○ Financial reports and public records maintained	
○ Monthly Executive and Advisory Board meetings held	
○ Process established for monitoring and compliance of Housing Capital Fund projects	
○ Website maintained	

RESOLUTION 2025-01 – ATTACHMENT B

2026 SKHHP Operating Budget

Estimated beginning fund balance - January 1, 2026 \$ 337,293

Estimated ending fund balance - December 31, 2026 \$ 293,417

REVENUES

Auburn	\$ 52,295
Burien	\$ 30,171
Covington	\$ 15,086
Des Moines	\$ 15,086
Federal Way	\$ 68,386
Kent	\$ 68,386
Maple Valley	\$ 15,086
Normandy Park	\$ 8,045
Renton	\$ 68,386
SeaTac	\$ 15,086
Tukwila	\$ 15,086
King County*	\$ 68,386
Additional King County*	\$ 6,614
Office space (in-kind donation)	\$ 12,000
TOTAL REVENUES	\$ 458,099
Spend down balance	\$ 43,876
TOTAL	\$ 501,975

EXPENSES

Salaries & Wages	\$ 253,191
Benefits	\$ 68,296
Professional Services	\$ 81,945
Interfund Allocations	\$ 40,000
Office Space (in-kind donation)	\$ 12,000
Supplies	\$ 2,000
Subtotal	\$ 457,432
Administering agency - 10% admin fee**	\$ 44,543
TOTAL	\$ 501,975

RESERVE

TOTAL	\$ 501,975
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*King County contribution based on the population of unincorporated King County is shown as increasing at the same rate as other partner jurisdictions and the additional allocation decreasing to maintain a total contribution of \$75,000 per year.

**10% administrative fee is calculated as a percentage of operating costs which excludes in-kind donations and carry-forwards.

Resolution No. 2025-01

May 16, 2025

Page 7 of 7



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: June 9, 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

Staff is requesting that Planning and Community Development committee forward the item to the June 9, 2025, COW meeting for discussion with a recommendation for approval, and to adopt this proposal at the subsequent June 16, 2025, Regular meeting.

ATTACHMENTS

- A. Presentation
- B. Draft Ordinance: Rezone to Community Residential (CR)
- C. Draft Ordinance: Parking Regulations Residential Zones
- D. Draft Ordinance: Title 17 Updated Standards
- E. Draft Ordinance: Title 18 Middle Housing



Middle Housing Ordinances

City Council

June 9, 2025



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



Ordinances

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



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)
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

Middle Housing Types



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, plus 1 unit per 1,500 SF of parcel area over 5,000 SF, whichever is greater, up to 5 units	(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
	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

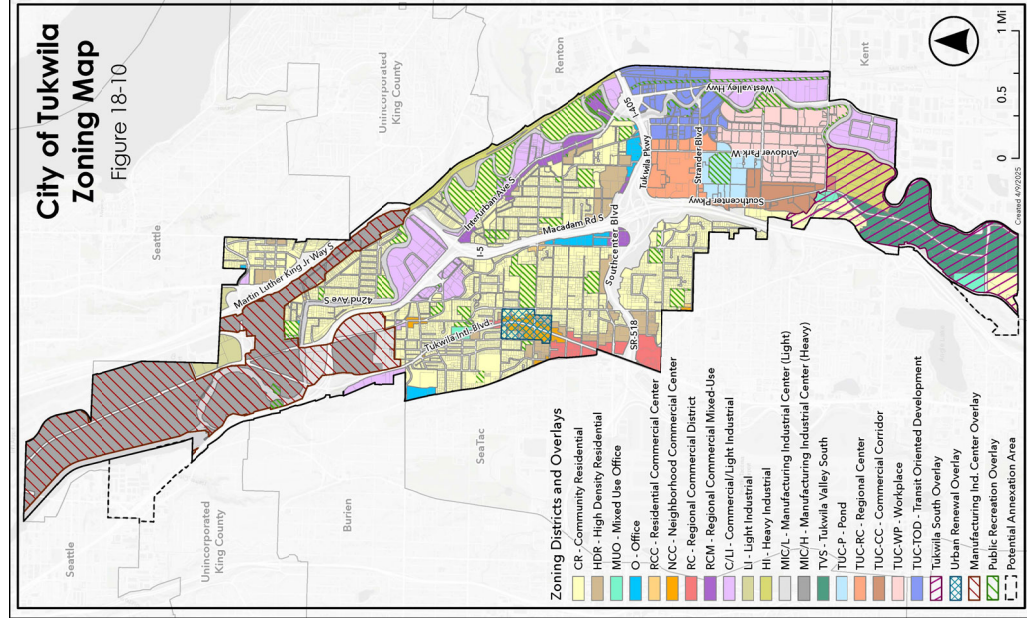
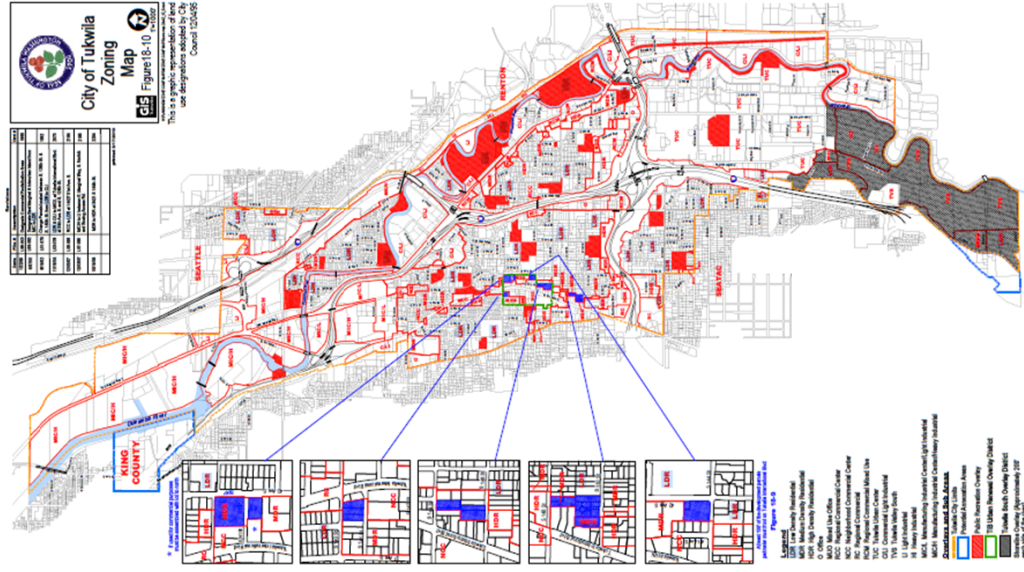


L25-0030, Community Residential Rezone

- 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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, CONSOLIDATING LOW DENSITY RESIDENTIAL (LDR) AND MEDIUM DENSITY RESIDENTIAL (MDR) ZONES INTO A NEW COMMUNITY RESIDENTIAL (CR) ZONE; AMENDING ORDINANCE NO. 2741 §3 (PART), AS CODIFIED AT TUKWILA MUNICIPAL CODE (TMC) CHAPTER 18.08, “DISTRICTS ESTABLISHED - MAP”, AND FIGURE 18-10, “ZONING MAP”; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, RCW 36.70A.635 requires jurisdictions to adopt compliant regulations regarding residential density allowances for middle housing no later than six months after the periodic update of the comprehensive plan; and

WHEREAS, on December 16, 2024, the Tukwila City Council adopted Ordinance No. 2753, adopting the City’s 2024 Comprehensive Plan; and

WHEREAS, the adoption of the 2024 Comprehensive Plan included an update of the comprehensive plan zoning designations to consolidate land currently zoned Low Density Residential and Medium Density Residential to Community Residential zones; and

WHEREAS, a rezone of land currently zoned Low Density Residential and Medium Density Residential to Community Residential zone ensures the City’s overall alignment and compliance with updates in state law and adopted housing goals; and

WHEREAS, City staff have prepared the included code amendments to reflect this rezone designation of Low Density Residential and Medium Density Residential to Community Residential; and

WHEREAS, on May 13, 2025, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

WHEREAS, the Tukwila Planning Commission held a property noticed public hearing on April 24, 2025 to solicit and receive public comment; and

WHEREAS, on June 16, 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. Ordinance No. 2741 §3 (part), as codified at TMC 18.08.010, “Use Districts,” is hereby amended to read as follows:

18.08.010 Use Districts

A. In order to classify, segregate and regulate the uses of land, buildings, and structures, the City is divided into the following use districts:

LDR	Low Density Residential
MDR	Medium Density Residential
<u>CR</u>	<u>Community Residential</u>
HDR	High Density Residential
MUO	Mixed Use Office
O	Office
RCC	Residential Commercial Center
NCC	Neighborhood Commercial Center
RC	Regional Commercial
RCM	Regional Commercial Mixed-use
TUC	Tukwila Urban Center
C/LI	Commercial/Light Industrial
LI	Light Industrial
HI	Heavy Industrial
MIC/L	Manufacturing Industrial Center/Light
MIC/H	Manufacturing Industrial Center/Heavy
TSO	Tukwila South Overlay
TVS	Tukwila Valley South
PRO	Public Recreation Overlay
SOD	Shoreline Overlay
SAOD	Sensitive Areas Overlay
UROD	Urban Renewal Overlay

Section 3. Ordinance No. 2741 §3 (part), as codified at TMC 18.08.020, “Unclassified Areas,” is hereby amended to read as follows:

18.08.020 Unclassified Areas

A. All lands not classified according to the classification in TMC 18.08.010 on the official zoning map, and all lands, if any, of the City not shown on the official zoning map, shall be considered unclassified and, pending future classification, shall be subject to the restrictions and regulations of the ~~LDR-CR~~ District.

Section 4. Ordinance No. 2741 §3 (part), as codified at TMC Figure 18-10, “City of Tukwila Zoning Map,” is hereby amended to appear as depicted in Exhibit A.

Section 5. 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 6. 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 7. 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:

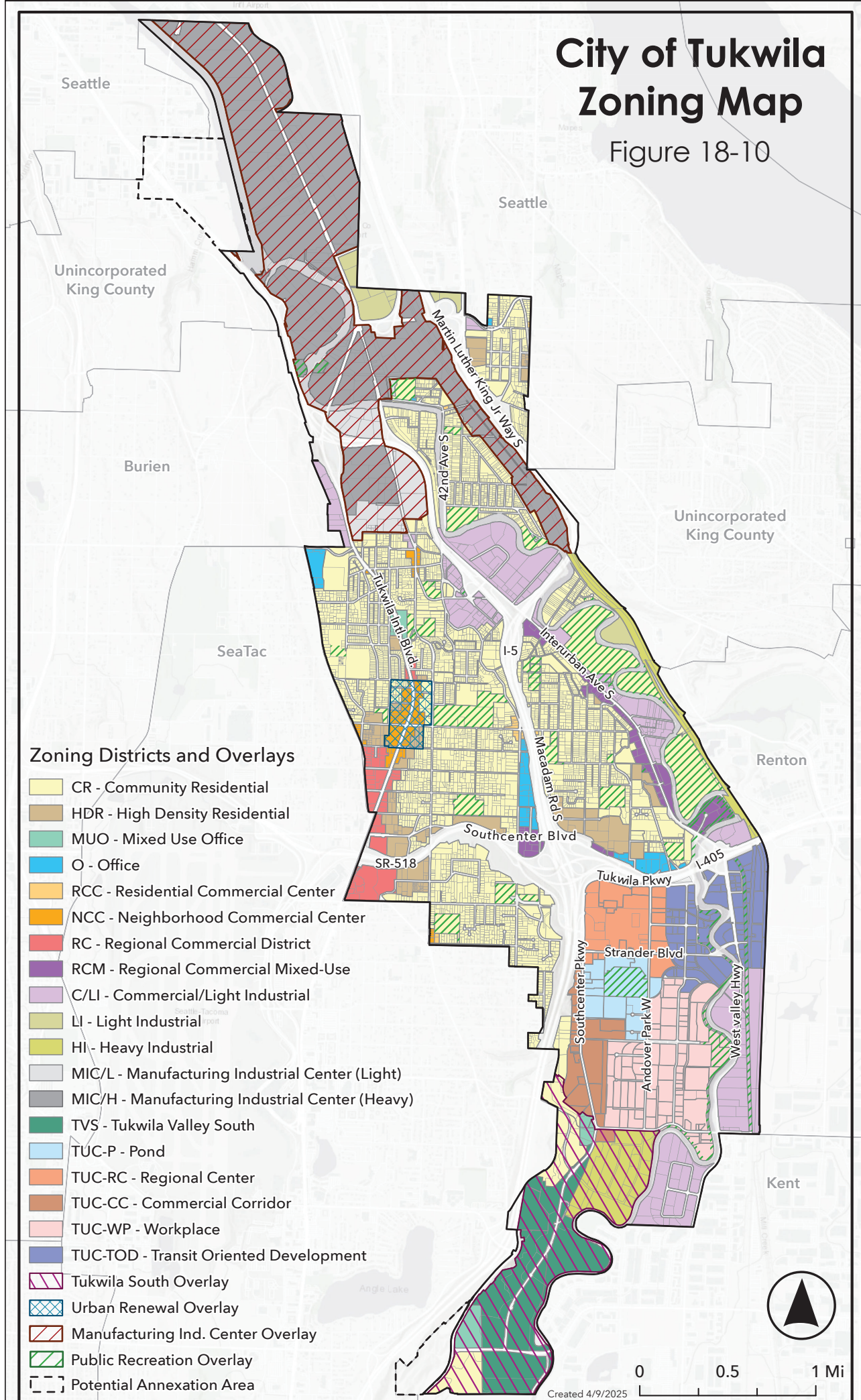
Filed with the City Clerk: _____
Passed by the City Council: _____
Published: _____
Effective Date: _____
Ordinance Number: _____

Office of the City Attorney

Exhibit A: Figure 18-10, “City of Tukwila Zoning Map”

City of Tukwila Zoning Map

Figure 18-10



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 2494 §12, AS CODIFIED AT TUKWILA MUNICIPAL CODE (TMC) SECTION 9.20.080; “PARKING CLASS 3 AND CLASS 4 VEHICLES IN RESIDENTIAL ZONES”; TO UPDATE REFERENCES PURSUANT TO CHANGES IN ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Tukwila Municipal Code (“TMC”) Title 9, “Vehicles and Traffic,” regulates vehicles and traffic in the City of Tukwila; and

WHEREAS, on June 16, 2025, the Tukwila City Council passed Ordinance No. _____ rezoning the Low Density Residential (LDR) and Medium Density Residential (MDR) zoning districts to Community Residential (CR); and

WHEREAS, the City desires to ensure consistency through the Tukwila Municipal Code; and

WHEREAS, City staff have prepared the included code amendments to reflect this rezone designation of Low Density Residential and Medium Density Residential to Community Residential; and

WHEREAS, on May 13, 2025, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

WHEREAS, the Tukwila Planning Commission held a property noticed public hearing on April 24, 2025 to solicit and receive public comment; and

WHEREAS, on June 16, 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. Ordinance No. 2494 §12, as codified at TMC Section 9.20.080, “Parking Class 3 and Class 4 vehicles in residential zones,” is hereby amended to read as follows:

A. **Application.** This section shall apply to Class 3 vehicles and Class 4 vehicles.

B. No person shall park any vehicle subject to this section on or along any street, alley or public right-of-way in a residential zoning district of the City; provided that this restriction shall not apply to pick-up trucks falling within the Class 3 vehicle rating.

C. As used in this section, a street, alley or public right-of-way in a residential zoning district of the City shall be as defined and described in TMC Chapter 18.08, including the ~~Low Density Community Residential (LDCR) zone, the Medium Density Residential (MDR) zone,~~ and the High Density Residential (HDR) zone. Mixed-use zoning districts shall not constitute a residential zoning district of the City for the purposes hereof. In order for a street, alley or public right-of-way to be considered in a residential zoning district of the City, the property on both sides of the roadway shall be zoned ~~LDR, MDCR,~~ and/or HDR.

D. **Exceptions.** The parking prohibitions outlined in this section do not apply to the following:

1. Pick-up trucks falling within the Class 3 vehicle rating.
2. Stopping or parking recreational vehicles in residential areas as regulated by TMC Section 9.20.090.

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

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

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

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 2740 §3 (PART), AS CODIFIED THROUGHOUT VARIOUS CHAPTERS OF TUKWILA MUNICIPAL CODE (TMC) TITLE 17; “SUBDIVISIONS AND PLATS”; TO UPDATE STANDARDS RELATING TO LAND DIVISION, FRONTAGE IMPROVEMENTS, AND STREETS, AND TO UPDATE REFERENCES PURSUANT TO CHANGES IN ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Tukwila Municipal Code (“TMC”) Title 17 regulates the division of land in the City of Tukwila; and

WHEREAS, TMC Title 18, “Zoning,” regulates zoning standards; and

WHEREAS, RCW 36.70A.635 requires jurisdictions to adopt compliant regulations regarding residential density allowances for middle housing 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, City staff recommend updating portions of the TMC related to middle housing, accessory dwellings and design review to align with state law as proposed herein; and

WHEREAS, an update of housing regulations and streamlining of standards support’s the City’s overall alignment with updates in state law and adopted housing goals; and

WHEREAS, ordinance ____ consolidated the Low Density Residential (LDR) and Medium Density Residential (MDR) zoning districts into a new zoning district referred to as Community Residential (CR); and

WHEREAS, Ordinance No. _____ amended TMC Title 18 to establish development standards and permitted uses within the CR zoning district; and

WHEREAS, the City desires to ensure consistency through the TMC; and

WHEREAS, the City desires to ensure standards relating to land division reflect and compliment amendments to TMC Title 18; and

WHEREAS, on May 13, 2025, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

WHEREAS, on April 24, 2025, the Planning Commission unanimously recommended that the City Council approve the proposed amendments after holding a duly noticed public hearing to solicit and receive public comment; and

WHEREAS, on June 16, 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. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.04.050, "Dedications," is hereby amended to read as follows:

17.04.050 Dedications

A. **Act of Dedication:** The intention to dedicate real property to the public shall be evidenced by showing the dedication on the plat prepared for approval. All dedications, including easements, rights-of-way and real property shall be clearly and precisely indicated on the face of the plat. Unless specifically noted otherwise on the plat, approval of the plat for recording shall constitute acceptance of the dedications.

B. **Public Streets:** All portions ~~streets and parcels~~ of land shown on the final plat ~~and that are~~ intended for public use shall be ~~offered for dedication for public use~~ dedicated to the public, except ~~for those the approving entity may allow the conveyance of certain~~ public improvements approved by the City to be located in easements that provide for permanent public use ~~conveyed to a homeowner's association or similar non-profit corporation.~~

C. **Certificate:** If the ~~subdivision~~-project includes a dedication, the final plat-~~map~~ shall include a certificate of dedication or reference to a separate written instrument which dedicates all required streets and other areas to the public. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by every person having any ownership interest in the lands divided and recorded as part of the final plat.

D. **Title Report:** Every proposed final plat containing a dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the certificate of dedication.

Section 3. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.04.060, "Survey Content," is hereby amended to read as follows:

17.04.060 Survey Content

A. **Information:** All surveys submitted for boundary line adjustments, lot consolidations, short subdivisions, long subdivisions, binding site improvement plans, or any other permits, shall include the following information:

1. The name of the plat, City of Tukwila file number, graphic scale and north arrow. The survey shall be done to a scale of one inch equals 100 feet unless otherwise approved by the Department, and shall be drawn with black drawing ink in record of survey format.

2. Existing features such as rivers, streets, railroads and structures.

3. The lines and names of all existing or platted streets or other public ways, parks, playgrounds, and easements adjacent to the final plat, subdivision or dedication, including municipal boundaries, township lines, and section lines.

4. In the event the plat constitutes a replat, the lots, blocks, streets, etc., of the previous plat shall be shown by dotted lines in their proper positions in relation to the new arrangement of the plat, the new plat being shown in solid lines so as to avoid ambiguity.

5. Legal description of the subdivision boundaries.

6. A complete survey of the section or sections in which the plat or replat is located, if necessary, including:

- a. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed subdivision. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title.

- b. City ~~or County~~ boundary lines when crossing or adjacent to the subdivision.

- c. The location and width of streets and easements intersecting the boundary of the tract.

- d. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings, radii, arcs and central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest

second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.

e. The width and location of existing and proposed easements and rights-of-way.

7. Lot and block numbers beginning with the number one (1) and numbered consecutively without omission or duplication.

8. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.

B. Statements: The plat shall include the following statements:

1. A statement to be signed by the Director of Public Works approving the survey data, the layout of the streets, alleys and other rights-of-way, design of bridges, sewage and water systems, drainage systems and other structures.

2. A certificate bearing the printed names of all persons having an interest in the subdivided land, signed by the persons and acknowledged by them before a notary public, consenting to the subdivision of the land and reciting a dedication by them of all land shown on the plat to be dedicated for public uses, and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the subdivision.

3. A certificate with the seal of and signature of the surveyor responsible for the survey and final plat with the following statement:

"I, _____, registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision; that the distances, courses and angles are shown thereon correctly; and that monuments other than those monuments approved for setting at a later date, have been set and lot corners staked on the ground as depicted on the plat."

4. Certification from the King County Treasurer that all taxes and assessments for which the property may be liable have been duly paid, satisfied or discharged as of the date of certification.

5. Certification of examination and approval by the County Assessor.

6. Recording Certificate for completion by the King County [Recorder's Office](#) ~~Department of Executive Services~~.

7. Certification of Examination and Approval by the Seattle-King County Health Department when the lot(s) are served by septic system(s).

8. City of Tukwila Finance Director Certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.

9. Certification by the Director of Public Works that the applicant has complied with one of the following:

a. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval, and that original and reproducible records in a format approved by Public Works and meeting current Public Works drawing standards for road, utility and drainage construction plans certified by the designing engineer as being “as constructed” have been submitted for city records.

b. An agreement and bond or other financial security have been executed in accordance with TMC 17.24.030 sufficient to assure completion of required improvements and construction plans.

10. Certificate of dedication pursuant to TMC 17.04.050.C.

11. For short subdivisions, binding site improvement plans, boundary line adjustments, and lot consolidations, a certificate of approval to be signed by the Director of the Department of Community Development, the Director of the Public Works Department, and the Fire Marshal.

12. For long subdivisions, a certificate of final approval to be signed by the Director of the Department of Community Development, consistent with the preliminary long subdivision approval issued by the Hearing Examiner. ~~Mayor and City Clerk.~~

Section 4. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.04.070, “Notification of Other Agencies,” is hereby amended to read as follows:

17.04.070 Notification of Other Agencies

A. Notice of the filing of an application for a preliminary ~~long~~ subdivision within 1,000 feet of the municipal boundaries, or which contemplates the use of special use districts or other city’s or town’s utilities, shall be given to the appropriate special districts, county, city or town authorities. Notice of the filing of an application for a preliminary ~~long~~ subdivision located adjacent to the right-of-way of a State highway shall be given to the State Department of ~~Highways~~ Transportation. In addition, notice of all applications for preliminary ~~long~~ subdivisions shall be submitted to the appropriate school district. All such notices shall include the hour, location, and purpose of the hearing and a description of the property to be divided.

Section 5. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.08.040, “Preliminary Applications,” **subparagraph C**, is hereby amended to read as follows:

17.08.040 Preliminary Applications

C. ~~Minor and Major~~ Modifications to a Preliminary Approval:

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 1 decision, based on review and recommendations of the Short Subdivision Committee. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

a. Do not increase or decrease the number of lots beyond the number previously approved.

b. Do not ~~decrease the aggregate area of open space, or the~~ require a change in the design or location of stormwater systems or roadways ~~in the project by 10% or more.~~

c. May realign ~~internal roadways and~~ lot lines, but do not relocate any roadway access point to an exterior street.

d. Do not alter the exterior boundaries of the project.

e. Are consistent with applicable development standards and will not cause the boundary line adjustment or lot consolidation to violate any applicable City policy or regulation.

f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.08.0430.D.a-e.

2. ~~Major m~~Modifications proposed by the applicant ~~are those~~ which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision require the applicant to withdraw the current application and submit a new application. ~~If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.~~

Section 6. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.08.060, “Final Applications,” is hereby amended to read as follows:

17.08.060 Final Applications

A. Application Requirements: Applications for final boundary line adjustments and lot consolidations shall meet the permit submittal requirements ~~found at~~ set forth in TMC 18.104.060.

~~—B. Review Procedures: Upon receiving approval from the City, the applicant will be responsible for picking up the documents from the Department and recording them with King County Department of Executive Services. A notification of recording that includes the filed recording number must be provided to the Department in order to deem the application finalized.—~~

BC. **Criteria for Approval:** To grant final approval of a boundary line adjustment or lot consolidation, the Director must determine that it meets the following decision criteria:

1. All requirements for boundary line adjustments or lot consolidations as set forth in the Subdivision Code are met.

2. All terms of the preliminary boundary line adjustment or lot consolidation approval have been met.

3. The requirements of all applicable state laws and any City ordinances have been met.

4. All required improvements have been installed in accordance with City standards or an improvement agreement with financial guarantee pursuant to TMC 17.24.030 has been entered into by the applicant and accepted by the City.

5. The boundary line adjustment or lot consolidation is technically correct and accurate as certified by the land surveyor responsible for the plat.

~~C. B. Review~~ **Filing Procedures:** Upon receiving approval from the City, the applicant will be responsible for picking up the documents from the Department and recording them with King County Recorder's Office. A notification of recording that includes the filed recording number must be provided to the Department in order to deem the application finalized.

Section 7. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.12.030, "Preliminary Applications," is hereby amended to read as follows:

17.12.030 Preliminary Applications

A. Application Requirements: Applications for preliminary short subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. Review Procedures:

1. Referral to Other Departments: Upon receipt of an application for a short subdivision, the Director shall route the application to each member of the Short Subdivision Committee and any other department or agency deemed necessary.

2. Short Subdivision Committee Decision: The Short Subdivision Committee may approve, approve with modifications, or deny the application. No formal meeting of the Committee is required so long as the Chair obtains the recommendations and consent of the other members of the Committee before issuing a decision.

C. Criteria for Preliminary Short Subdivision Approval: The Short Subdivision Committee shall base its decision on an application on the following criteria:

1. The proposed Short Subdivision is in conformance with the Tukwila Comprehensive Plan, and any other such adopted plans.

2. Appropriate provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal ~~for the short plat~~ that are consistent with current standards and plans.

3. Appropriate provisions have been made for ~~road~~access, utilities and other improvements that are consistent with current standards and plans.

4. Appropriate provisions have been made for dedications, easements and reservations.

5. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended and are compatible with the area in which they are located.

6. Appropriate provisions for the maintenance of commonly owned private facilities have been made.

7. The short subdivision complies with the relevant requirements of the Tukwila Subdivision Ordinance.

8. The short subdivision complies with the requirements of the Tukwila Zoning Ordinance and other relevant local regulations.

D. ~~Minor and Major~~ Modifications to a Preliminary Short Subdivision Approval:

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 2 decision, based on review and recommendations of the Short Subdivision Committee. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

a. Do not increase or decrease the number of lots beyond the number previously approved.

b. Do not ~~decrease the aggregate area of open space, or the~~ require changes to the design or location of stormwater systems or roadways in the project ~~by 10% or more.~~

c. May realign internal ~~roadways and~~ lot lines, but do not relocate any roadway access point to an exterior street.

d. Do not alter the exterior boundaries of the project.

e. Are consistent with applicable development standards and will not cause the short ~~plat~~ subdivision to violate any applicable City policy or regulation.

f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.12.020.D.a - e.

2. ~~Major m~~Modifications proposed by the applicant ~~are those~~ which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision require the applicant to withdraw the current application and submit a new application. ~~If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.~~

Section 8. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.12.050, "Final Applications," **subparagraph B.2**, is hereby amended to read as follows:

2. Upon final approval of the short subdivision, the applicant shall record the plat and all other relevant documents with the King County ~~Department of Executive Services~~ Recorder's Office. The applicant is responsible for paying the recording fee(s). Upon completion of recording, the applicant shall provide the Department with a copy of the recorded documents. The short plat shall not be considered final until these documents have been provided to the Department.

Section 9. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.12.080, “Unit Lot Short Subdivisions” is hereby amended to read as follows:

17.12.080 Unit Lot Short Subdivisions

A. Sites developed or proposed to be developed with ~~townhouses, cottage housing, compact single family, or zero lot line units~~ residential units may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. ~~Any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit that it serves.~~

B. Subsequent divisions of the land, or additions or modifications to the structure(s), may not create or increase any nonconformity of the parent lot.

C. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common play areas), and other similar features, as recorded with the King County ~~Department of Executive Services~~ Recorder's Office.

D. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is ~~formalized~~ reflected by an easement on the plat, as recorded with the King County Recorder's Office ~~Department of Executive Services~~.

E. The fact that ~~the unit lot is not a separate buildable lot, and that additional~~ development of the individual unit lots may be limited as a result of the application of development standards to the parent lot, shall be noted on the plat, as recorded with the King County ~~Department of Executive Services~~ Recorder's Office.

F. Construction of ~~townhouse~~ dwelling foundations may commence prior to final unit lot short subdivision approval, provided that:

1. The proposed unit lot short subdivision has received preliminary approval, and the necessary financial sureties have been filed to assure construction of required public improvements;

2. Partial or complete construction of structures shall not relieve the applicant from, nor impair City enforcement of, conditions of ~~subdivision~~ approval;

3. Construction shall not proceed beyond foundations, and units shall not be rented or sold, nor occupancy permits issued, until final unit lot short ~~plat subdivision~~ approval is granted.

Section 10. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.14.030, “Preliminary Applications,” is hereby amended to read as follows:

17.14.030 Preliminary Applications

A. **Application Requirements:** Applications for preliminary long subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. Review Procedures:

1. **Referral to Other Offices:** Upon receipt of a complete preliminary long subdivision application, the Director shall transmit a notice of application and the preliminary long subdivision application materials to each of the following offices, where appropriate: Public Works, Building Division, Fire ~~Marshal~~Department, Police Department, King County Health Department, the appropriate school district, and each public utility agency serving the area in which the property proposed for long subdivision is located.

2. **Departmental Review:** The other interested departments and agencies shall review the preliminary long subdivision and may submit to the Department written comments with respect to the preliminary long subdivision decision criteria.

3. **Public Notice and Public Hearing:** The process for public notice, hearings, decisions and appeals shall be as provided for Type 3 decisions ~~(or Type 4 decisions if the plat is combined with an associated design review)~~ as identified in TMC Title 18, "Zoning Code."

C. **Criteria for Preliminary Long Subdivision Approval:** The decision-maker shall base its decision on an application for preliminary long subdivision on the following criteria:

1. The proposed long subdivision is in conformance with the Tukwila Comprehensive Plan and any other City adopted plans.

2. Appropriate provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal ~~for the long subdivision~~ that are consistent with current standards and plans.

3. Appropriate provisions have been made for ~~road~~access, utilities and other improvements that are consistent with current standards and plans.

4. Appropriate provisions have been made for dedications, easements and reservations.

5. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended and are compatible with the area in which they are located.

6. The proposed long subdivision complies with the relevant requirements of the Tukwila Subdivision and Zoning Ordinances, and all other relevant local regulations.

7. Appropriate provisions for maintenance of privately owned common facilities have been made.

8. The proposed long subdivision complies with RCW 58.17.110.

D. ~~Minor and Major~~ **Modifications to an Approved Preliminary Long Subdivision:**

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 2 decision, based on review and recommendations of City departments including Public Works, Fire, Building, and Planning. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

a. Do not increase or decrease the number of lots beyond the number previously approved.

b. Do not ~~decrease the aggregate area of open space, or~~ require changes to the design or location of stormwater systems or roadways in the project. ~~long subdivision by 10% or more.~~

c. May realign internal ~~roadways and~~ lot lines, but do not relocate any roadway access point to an exterior street. ~~from the plat.~~

d. Do not alter the exterior boundaries of the long subdivision.

e. Are consistent with applicable development standards and will not cause the long subdivision to violate any applicable City policy or regulation.

f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.14.020.E.a-e.

2. ~~Major m~~ Modifications proposed by the applicant ~~are those~~ which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision require the applicant to withdraw the current application and submit a new application. ~~If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.~~

Section 11. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.14.040, "Expiration of Preliminary Approval," is hereby amended to read as follows:

17.14.040 Expiration of Preliminary Approval

A. Expiration Period: The preliminary long subdivision application shall expire unless a complete application for final long subdivision meeting all requirements of this chapter is submitted to the Director within five (5) years of the date of preliminary long subdivision approval; provided that the Director may extend a preliminary long subdivision pursuant to this section.

B. ~~Time Limitations~~ Extensions: Extension(s) shall be requested in writing and are subject to the criteria set forth in TMC 17.14.050.C. The extension(s) shall be subject to the following time limitations:

1. Preliminary long subdivisions ~~less than 100 acres that receive approval after the effective date of this ordinance~~ shall expire within five (5) years from the date of the

preliminary approval; provided that the applicant has the option of requesting a single 1-year extension, for a maximum of six (6) years from the date of the preliminary approval to the date of recording of the final phase.

~~2. Preliminary long subdivisions greater than 100 acres and that received approval prior to the effective date of this ordinance no. 2649 shall expire within five (5) years from the date of the preliminary long subdivision approval; provided that the applicant has the option of requesting up to three (3) extensions as follows: the first extension may be for three (3) years, and each subsequent extension for not exceeding two (2) years each. This allows for a maximum of twelve (12) years between the date of the preliminary approval and the date of recording of the final phase.~~

C. Criteria for Granting Extensions: The following criteria shall be used to review an extension request for a preliminary long subdivision:

1. A written request for extension is filed at least 30 days before the expiration of the preliminary long subdivision; and

2. Unforeseen circumstances or conditions that are not the result of voluntary actions of the applicant necessitate the extension of the preliminary long subdivision; and

3. Conditions within the subject property or immediately adjacent to the subject property have not changed substantially since the preliminary long subdivision was first approved; and

4. An extension of the preliminary long subdivision will not cause substantial detriment to existing uses in the immediate vicinity of the subject property or to the community as a whole; and

5. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed; and

6. The preliminary long subdivision complies with applicable City code provisions in effect on the date the application for extension was made.

D. Process for Granting Extensions: Applicant shall request the extension in writing prior to the expiration of the preliminary long subdivision approval. The request shall include discussion of how it complies with the criteria listed under TMC 17.40.050.C. The Director shall review and approve requests for an extension of a preliminary long subdivision. The Director shall provide 14-day notice to all parties of record for the preliminary long subdivision approval prior to making the decision on the extension. The Director's decision will also be provided to all parties of record.

Section 12. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.14.050, "Final Applications," **subparagraph B.3.b**, is hereby amended to read as follows:

b. The applicant shall file the final long subdivision with the King County ~~Department of Executive Services~~ Recorder's Office. The long subdivision will be considered complete when a copy of the recorded documents is returned to the Director.

Section 13. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.14.060, “Phasing,” **subparagraph A.5.**, is hereby amended to read as follows:

5. The first phase submitted for final long subdivision approval must be recorded within five (5) years of the date of preliminary ~~plat~~ approval, unless an extension is granted pursuant to TMC 17.14.0450.B, TMC 17.14.0450.C and TMC 17.14.0450.D.

Section 14. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.14.070, “Unit Lot Long Subdivisions” is hereby amended to read as follows:

17.14.070 Unit Lot Long Subdivisions

A. Sites developed or proposed to be developed with ~~townhouses, cottage housing, compact single-family, accessory dwelling units, or zero-lot line units~~ residential uses may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. ~~Any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.~~

B. Subsequent subdivision actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

C. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common play areas), and other similar features, as recorded with the King County ~~Department of Executive Services~~ Recorder's Office.

D. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the King County ~~Department of Executive Services~~ Recorder's Office.

E. The fact that ~~the unit lot is not a separate buildable lot, and that additional~~ development of the individual unit lots may be limited as a result of the application of development standards to the parent lot, shall be noted on the plat, as recorded with the King County ~~Department of Executive Services~~ Recorder's Office.

F. Construction of ~~townhouse~~ dwelling foundations may commence prior to final ~~plat~~ unit lot long subdivision approval, provided:

1. The proposed unit lot long subdivision has received preliminary approval, and the necessary financial sureties have been filed to assure construction of required public improvements;

2. Partial or complete construction of structures shall not relieve the applicant from, nor impair City enforcement of conditions of, long subdivision approval;

3. Construction shall not proceed beyond foundations, and units shall not be rented or sold, nor occupancy permits issued, until final unit lot long subdivision approval is granted.

Section 15. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.16.060, “Final Applications,” **subparagraph B.2.**, is hereby amended to read as follows:

2. Upon final approval of the BSIP, the applicant shall record the plat and all other relevant documents with the King County ~~Department of Executive Services~~Recorder's Office. The applicant is responsible for paying the recording fee(s). Upon completion of recording, the applicant shall provide the Department with a copy of the recorded documents. The BSIP shall not be considered final until these documents have been provided to the Department.

Section 16. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.16.070, “Improvements,” is hereby amended to read as follows:

17.16.070 Improvements

A. **Improvements Applicability:** The following requirements shall be met for each BSIP prior to the issuance of a building permit for construction within a BSIP. Sites that have already been fully improved with existing streets, alleys, sidewalks, utilities, and other required infrastructure are exempt from these improvement requirements. However, if a site includes unimproved streets or infrastructure elements that do not meet current standards, staff may require certain improvements as necessary.

1. **Improvements Required:** Consistent with TMC 17.20, and subject to any applicable development agreement, the following tangible improvements shall be provided, either by actual construction or a construction schedule approved by the City and bonded by the applicant, before a BSIP may be recorded:

- a. grading and paving of streets and alleys;
- b. installation of curbs, gutters, sidewalks, monuments, sanitary and storm sewers, street lights, water mains and street name signs; together with all related appurtenances to the specifications and standards of this code, approved by the Short Subdivision Committee, and in accordance with other standards of the City.

2. **Permits:** A separate construction permit will be required for ~~any such improvements, along with associated engineering plans prepared per the City Drafting Standards.~~

23. **Modifications:** Proposals that contain commercial uses, industrial uses, or mixed-uses (commercial and residential), and that meet the definition of “integrated site” in TMC 18.06, are not required to submit a modification request.

B. **Phasing of Improvements:** To satisfy improvement requirements, the Short Subdivision Committee is authorized to impose conditions and limitations on the BSIP. If the Short Subdivision Committee determines that any delay in satisfying requirements will not adversely impact the public health, safety or welfare, the Committee may allow requirements to be satisfied prior to:

1. Issuing the first building permit for the site; or
2. Prior to issuing the first building permit for any phase; or

3. Prior to issuing a specific building's certificate of occupancy; or
4. In accordance with an approved phasing plan; or
5. In accordance with plans established by a development agreement or as otherwise permitted or required by the TMC.

Section 17. Ordinance No. 2740 §3 (part), as codified at TMC Chapter 17.20, "Design and Improvement Standards for the Subdivision of Land" is hereby repealed, thereby eliminating TMC Chapter 17.20.

~~**CHAPTER 17.20**~~
~~**DESIGN AND IMPROVEMENT STANDARDS**~~
~~**FOR THE SUBDIVISION OF LAND**~~

~~**Sections:**~~

- ~~17.20.010 — Applicability~~
~~17.20.020 — Improvements, Supervision, Inspections and Permits Required~~
~~17.20.030 — General Standards~~

Section 18. TMC Chapter 17.20 Reenacted. TMC Chapter 17.20 is hereby re-enacted to read as follows:

CHAPTER 17.20
DESIGN AND IMPROVEMENT STANDARDS
FOR THE SUBDIVISION OF LAND

Sections:

- 17.20.010 Applicability
17.20.020 Improvements, Supervision, Inspections and Permits Required
17.20.030 General Standards
17.20.040 Street Standards Applicable to All Streets
17.20.050 Street Types and Type Specific Standards

17.20.010 Applicability

A. The standards contained in this chapter are to be used as the basic standards for addressing the approval criteria for subdivisions, boundary line adjustments, lot consolidations, and BSIPs. The decision making entity may require additional standards be met if it is determined necessary to meet the approval criteria for a particular application.

17.20.020 Improvements, Supervision, Inspections and Permits Required

A. **Required Improvements:** Every applicant may be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and name signs, together with all appurtenances in accordance with specifications and standards of this code, approved by the Public Works Department, and in accordance with other standards of the City.

B. **Supervision and Inspection:** A licensed engineer or engineering firm, acceptable to the Department of Public Works, shall be responsible for the supervision and inspection of all subdivision improvements. All improvements shall be certified in writing as completed in accordance with plans and specifications as approved by the Department of Public Works.

C. **Permits:** Prior to proceeding with any improvements, the applicant shall obtain those permits from the City as are necessary. The applicant is also responsible for complying with all applicable permit requirements of other Federal, State and local agencies.

17.20.030 General Standards

A. Environmental Considerations:

1. Critical Areas:

a. Land that contains a critical area or its buffer as defined in TMC Title 18, or is subject to the flood zone control ordinance as defined in TMC 16.52, shall be subdivided to reflect the standards and requirements of TMC 18.45 (Environmentally Critical Areas), and/or TMC 18.46 (PRD - Planned Residential Development), and/or TMC 16.52 (Flood Plain Management).

b. No lot shall be created that does not contain an adequate building site, given the environmental considerations of the lot and current development standards.

2. **Trees:** In addition to meeting all applicable requirements of TMC Title 18, every reasonable effort shall be made to preserve existing trees and vegetation and integrate them into the subdivision's design. Unless impractical for reasons not the fault of the applicant, property lines shall be designed such that all existing significant trees are located on a single parcel. Any existing significant trees for which ownership will be shared between more than one property owner shall have a tree maintenance agreement placed on the face of the plat.

B. Compatibility with Existing Land Use and Plans:

1. **Buffer Between Uses:** Where residential or mixed-use subdivisions are proposed adjacent to land use districts which permit exclusively commercial or industrial uses, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for screening shall be provided.

2. **Conformity with Existing Plans:** The location of all streets shall conform to any adopted plans for streets in the City. If a subdivision is located in the area of an officially designated trail, provisions shall be made for reservation of the right-of-way or for easements to the City for trail purposes. The proposed subdivision shall respond to and complement City ordinances, resolutions, and comprehensive plans.

3. **Other City Regulations:** All subdivisions shall comply with all adopted City regulations. In the event of a conflict, the more restrictive regulation shall apply.

4. **Accessory Structures:** If a subdivision, short subdivision, or boundary line adjustment in a residential zone would result in an accessory structure remaining alone on a lot, the structure must be demolished before preliminary approval, or the owner must provide a bond or other financial guarantee acceptable to the Director in the amount of 150% of the cost of demolition and assurance that the accessory structure will be demolished if a primary use is not established on the lot within 12 months of final approval.

C. **Utilities:**

1. **Generally:** All utilities designed to serve the subdivision shall be placed underground and, if located within a critical area, shall be designed to meet the standards of the critical areas overlay zone. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the Department of Public Works; such installation shall be completed and approved prior to application of any surface materials. Easements may be required for the maintenance and operation of utilities as specified by the Public Works Department.

2. **Sanitary Sewers:** Sanitary sewers shall be provided to each lot at no cost to the City and designed in accordance with City standards. Septic systems may be installed when approved by the Seattle-King County Department of Public Health and when the existing sewer system will not be available to the lot within the life of the preliminary approval.

3. **Storm Drainage:** The storm drainage collection system shall meet the requirements of the City's stormwater ordinance standards found at TMC Chapter 14.28 and TMC Chapter 14.30.

4. **Water System:** Each lot within a proposed subdivision shall be served by a water distribution system designed and installed in accordance with City standards. Locations of fire hydrants and flow rates shall be in accordance with City standards and the Uniform Fire Code.

D. **Blocks:**

1. **Length:** Residential blocks shall not be less than 300 feet nor more than 1,000 feet in length, (600 - 2,000 feet for commercial and industrial areas). Where circumstances warrant for the purpose of implementing the Comprehensive Plan, the Director may require one or more public pathways of not less than six feet nor more than 15 feet in width, either by dedication or easement, to extend entirely across the width of the block to connect public rights-of-way.

2. **Width:** Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the Director may approve a single tier.

3. **Pedestrian Considerations:** Blocks, roads, and pedestrian improvements, shall be designed to provide a safe and convenient pedestrian network.

E. **Lots:**

1. **Arrangement:** Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Each proposed lot shall have access to a public street. New flag lots shall not be permitted. Access requirements may be met by establishing common drive easements.

2. **Lot Design:** The lot area, width, shape, and orientation, shall be appropriate for the location of the subdivision, for the type of development and land use contemplated, and shall conform with the requirements of the zoning ordinance.

3. **Corner Lots:** Corner lots may be required to be designed with additional width to allow for the additional side yard requirements.

F. Landscaping:

1. Landscaping shall conform with Public Works standards and the requirements of TMC Title 18.

G. **Street Signs:** The applicant shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, that Public Works finds necessary for the subdivision.

H. **Lighting:** Street lighting shall conform to the Department of Public Works standards unless the Director of Public Works requires alternative fixtures, poles, and/or spacing to contribute to an overall design concept of the subdivision.

I. Monumentation:

1. **Imprinted Monument:** All monuments set in subdivisions shall be at least 1/2 inch x 24-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

2. **Centerline Monument:** After paving, except as provided in TMC 17.20.030.I.5, monuments shall be driven flush with the finished road surface at the following intersections:

a. Centerline intersections.

b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves.

c. Intersections of the plat boundaries and street center lines.

3. **Property Line Monumentation:** All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in TMC 17.20.030.I.5. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.

4. **Post-Monumentation:** All monuments for exterior boundaries of the subdivision shall be set and referenced on the plat prior to plat recording. Interior

monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final subdivision construction inspection by the Department of Public Works, and if the developer guarantees such interior monumentation.

5. **Post-Monumentation Bonds:** In lieu of setting interior monuments prior to final plat recording as provided in TMC 17.20.030.I.3, the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to the Director, or other secure method as the Director of Public Works may require, providing for and securing the actual setting of the interior monuments.

17.20.040 Streets Standards Applicable to All Streets

A. **Extension:** Proposed street systems shall extend existing streets at the same or greater width, unless otherwise approved by the Department of Public Works and authorized by the Director in approval of the subdivision. Where appropriate, streets shall be extended to the boundaries of the subdivision to ensure access to neighboring properties. The City's goal is to have an integrated system of local streets whenever practical. Grading of steep topography may be necessary to achieve this objective. However, in critical areas, the layout and construction of streets shall follow the standards and procedures of TMC 18.45.

B. **Frontage Dedication:** Dedication of property as right-of-way along frontages may be required when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.

C. **Names:** All proposed street names or numbers shall be subject to approval by the Department of Community Development.

D. **Intersections:** Any intersection of streets, whatever the classification, shall be at right angles as nearly as possible and not be offset insofar as practical.

E. **Street Layout:** Street layout shall provide for the most advantageous development of the subdivision, adjoining areas, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal. Where critical areas are impacted, the standards and procedures for rights-of-way in TMC 18.45 shall be followed.

F. Privately Owned Streets:

1. Privately owned streets shall only be authorized when they meet the following criteria:

a. Allowing privately owned streets in the area being subdivided will not adversely affect future circulation or access to neighboring properties; and

b. Adequate and reasonable provisions are made for the future maintenance and repair of the proposed privately owned streets; and

c. The proposed privately owned streets can accommodate potential full (future) development on the lots created; and

d. The City of Tukwila determines that dedication of the proposed street as right-of-way is unnecessary due to potential traffic volume, street patterns, land use, lot patterns, or any other metric.

2. Privately owned streets shall meet the minimum requirements of the appropriate street type for the proposed project. See TMC 17.20.050 for street types. An applicant may choose a smaller width for a privately owned street, provided the width meets all life safety requirements. The Department of Community Development shall establish alternative widths when necessary to meet the minimum requirements of life safety standards, or if the City determines additional street components are needed due to site circumstances, including but not limited to: topography, traffic volume, street patterns, on-street parking, lot patterns, land use, or the need for additional pedestrian, bicycle, or transit facilities.

3. **Public Access:** Privately owned streets shall provide permanent public access for non-motorized travel via easements. Access to privately owned streets by pedestrians or bicyclists shall not be blocked by any physical obstructions. Sidewalks installed on privately owned streets shall connect to any existing sidewalk network on adjacent streets. Terms of the public access may be established; however, terms may not include restrictions on bicycle usage of vehicle lanes or prohibitions of usage by the public after 6:00 AM or before 10:00 PM.

a. **Exceptions:** Requirements for providing public access may be waived by the Department if the applicant can demonstrate one or of the following:

(1) Allowing public access would expose the public to unavoidable health or safety hazards, such as active railroad tracks or hazardous chemicals related to the primary use, that cannot be prevented by any practical means; or

(2) The area is limited to authorized personnel and inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions; or

(3) Allowing public access would cause unavoidable environmental harm, that cannot be adequately mitigated; or

(4) Public access is not feasible due to the configuration of existing parcels, structures, or streets, such that potential access areas are blocked in a way that cannot be remedied reasonably by the proposed development; or

(5) Significant undue and unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.

G. **Public Streets:**

1. Streets that do not meet the criteria found at TMC 17.20.040.F.1 shall be designated as public streets.

2. The minimum total width of the right-of-way and the minimum width of the street components for public streets shall be as shown in TMC 17.20.050. The City shall establish the appropriate street type for all existing and proposed new streets. The Department of Community Development shall require alternative widths when necessary to meet the minimum requirements of life safety standards, or if the City determines additional street components are needed due to site circumstances, including but not limited to: topography, traffic volume, street patterns, on-street parking, lot patterns, land use, or the need for additional pedestrian, bicycle, or transit facilities.

H. Street Components and Improvement Requirements: All new streets, all streets interior to a subdivision, and the half of all streets that abut the perimeter of a subdivision, shall use the following general component standards. These standards shall also be used for improvements to the frontages of parcels undergoing development, when required by TMC Title 18. Standards specific to each of the street types may be found at TMC 17.20.050.B, or in the Tukwila Infrastructure Design and Construction Standards. Alternative designs may be considered provided they meet the goals of the comprehensive plan and this chapter and comply with all life-safety requirements. In areas of conflict between this section and any other adopted standard, including the Tukwila Infrastructure Design and Construction Standards, the standards of this section shall be used.

1. Sidewalks:

- a. All new sidewalks shall be a minimum of 6 feet in width.
- b. No obstacle, including utilities or street furniture, shall be placed within the required sidewalk space.

2. On-Street Parking: Streets may provide parallel on-street parking.

- a. On-street parking lanes may not exceed 9 feet in width.
- b. On-street parking spaces may be counted toward minimum parking requirements for proposed uses within the associated project.
- c. All streets with on-street parking lanes shall feature, at a minimum, a 6 foot wide buffer zone adjacent to the curb. The buffer zone shall be installed between the sidewalk and the parking lane.

3. Intersections and Crossings:

- a. Pedestrian crossings at intersections and driveway entrances shall be raised to curb height.
- b. On-street parking lanes shall end at least 20 feet from each intersection.
- c. New streets with on-street parking shall feature curb bulbs at intersections to shorten pedestrian crossing distances.
- d. All intersections shall feature crosswalks, and, if determined necessary by the Department, pedestrian crossing signage.

I. **Street Design:** The design and alignment of all new streets shall conform to the following standards unless otherwise approved by the Department:

1. **Cul-de-sacs:** New cul-de-sacs shall not be permitted.
2. **Curbs and Gutters:** All new streets shall have permanent concrete curbs and gutters according to Department of Public Works standards.
3. **Storm Drains:** All new streets shall have storm drains consisting of the proper size pipe and catch basins.
4. **Street Grades:** Street grades shall not exceed 15%. However, provided there are no vehicular access points, grades may be allowed up to 18%, for not more than 200 feet when:
 - a. Exceeding the grades would facilitate a through street and connection with the larger neighborhood; and
 - b. The greater grade would minimize disturbance of critical slopes; and
 - c. The Fire Marshal grants approval of the grade transition; and
 - d. Tangents, horizontal curves, vertical curves, and right-of-way improvements conform to Department of Public Works standards.

J. **Street Improvements:** The half of all streets that abut the perimeter of a subdivision or development project identified in TMC Title 18 shall be improved to comply with all requirements of this chapter and the Tukwila Infrastructure Design and Construction Standards for new streets. Additional paving may be required to ensure safe and efficient roads exist to serve the subdivision.

17.20.050 Street Types and Type Specific Standards

A. The following table shows minimum standards for street types. Alternative standards may be considered provided they meet the goals of the comprehensive plan and this chapter and comply with all life-safety requirements. In areas of conflict between this section and any other adopted standard, including the Tukwila Infrastructure Design and Construction Standards, these standards shall be used unless otherwise approved by the Director of Community Development and the Director of Public Works.

<u>Type of Street</u>	<u>Total Width</u>	<u>Roadway Pavement Width</u>	<u>Component Requirements</u>		
<u>Principal Arterial</u>	<u>80'-100'</u>	<u>48'-84'</u>	<u>The width of components of these street types shall be determined by TMC 17.20.040.H, as well as the requirements of the Department of Public Works, including the Tukwila Infrastructure Design and Construction Standards.</u>		
<u>Minor Arterial</u>	<u>60'-80'</u>	<u>36'-64'</u>			
<u>Collector Arterial</u>	<u>60'-80'</u>	<u>24'-48'</u>			
<u>Access Road</u>	<u>50'-60'</u>	<u>28'-36'</u>			
<u>Alley</u>	<u>20'</u>	<u>15'</u>			
<u>Neighborhood Yield Street - Single Side Parking (See TMC 17.20.050.B.1)</u>	<u>40'</u>	<u>Vehicle Lane Width</u>	<u>Sidewalks</u>	<u>Landscaping / Buffer Zone Width</u>	<u>Parking / Flex Zone Width</u>
		<u>11'</u>	<u>6'+6' = 12' Total</u>	<u>5'+5' = 10' Total</u>	<u>7'</u>
<u>Neighborhood Yield Street - Parking on Both Sides (See TMC 17.20.050.B.1)</u>	<u>50'</u>	<u>12'</u>	<u>6'+6' = 12' Total</u>	<u>6'+6' = 12' Total</u>	<u>7'+7' = 14' Total</u>
<u>Living Street - Through (See TMC 17.20.050.B.2)</u>	<u>20' Minimum</u>	<u>Vehicle Clear Zone</u>	<u>Landscaping/ Furniture Islands/ Clear Zones</u>	<u>Parking Area Widths (optional)</u>	
		<u>10'</u>	<u>10'</u>	<u>7'</u>	
<u>Living Street - Dead End (See TMC 17.20.050.B.2)</u>	<u>20' Minimum</u>	<u>16'</u>	<u>4'</u>		
<u>Private Access Lane</u>	<u>Less than 20'</u>	<u>For private access lanes of less than 20 feet of width, see TMC 17.20.040.F.2.</u>			

B. Street Specific Standards:

1. Neighborhood Yield Streets: Neighborhood Yield Streets are designed as low speed and low volume streets. These streets allow for single-direction vehicle travel at a time and require vehicles to pass each other by pulling over into loading areas, empty street parking spaces, curb cuts, or other gaps. Neighborhood Yield Streets always feature sidewalks, landscaping strips, and at least one on-street parking lane.

(a) Applicability: Neighborhood Yield Streets are appropriate in areas where the majority of the street's uses are residential or are community amenities such as parks, schools, and gathering spaces. They are not appropriate where the street would serve as a major transportation corridor for regional travel.

2. Living Streets: Living Streets are shared streets where the design enforces that the street is shared by all users, including pedestrians, bicyclists, and vehicle drivers.

These streets do not feature curbs and instead utilize other design features and traffic calming devices to compel drivers to drive slowly.

(a) **Sidewalks:** On Living Streets (TMC 17.20.050), no sidewalk is required, as the street design shall reinforce pedestrian right-of-way within the entire street.

(b) **Materials:** Living Streets shall be paved with textured or pervious pavement, pavers, or other similar materials that reinforce the pedestrian-priority nature of the street.

(b) **Improvements:** Streets on the perimeter of a subdivision that are designated as Living Streets but that are subject only to partial improvement shall establish a portion of the 20' wide street pavement as a pedestrian walkway with a minimum width of 5 feet. The street shall meet all other requirements established by this chapter and the requirements of the Department of Public Works and the Fire Department.

Section 19. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.24.010, "Purpose," is hereby amended to read as follows:

17.24.010 Purpose

A. It is the intent to have all ~~required~~ infrastructure improvements ~~required by a subdivision, BSIP, boundary line adjustment, or lot consolidation,~~ completed prior to final approval of the proposed land action, ~~while allowing some minor improvements, such as finishing street work, to be completed after final approval if financial assurances that meet the requirements of TMC 17.24.040 are provided.~~ ~~The City realizes that there may be instances where the completion of the improvement may not be the best course of action, including, but not limited to: final lift for the roadway, completing sidewalks while development construction is ongoing, minor punch list items, etc. In those instances, the Director of Public Works may accept a bond or other financial security in lieu of the completion of the infrastructure improvements.~~

Section 20. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.24.030, "Process for Installing Public Improvements," is hereby amended to read as follows:

17.24.030 Process for Installing Public Improvements

A. All ~~required and not required~~ improvements installed ~~by~~ shall conform to the requirements of this title and the improvement standards, specifications, inspections and procedures as set forth by the Department of Public Works, and shall be installed in accordance with the following procedures:

1. Work shall not ~~be commenced~~commence until plans have been checked for adequacy and approved by the Department of Public Works to the extent necessary for the evaluation of the ~~subdivision or short plat~~ proposal. Plans shall be prepared in accordance with the requirements of the City.

2. Work shall not commence until the Department of Public Works has been notified in advance and, if work has been discontinued for any reason, it shall not be resumed until the Department of Public Works has been notified.

3. Public improvements shall be constructed under the inspection and to the satisfaction of the Director of Public Works. The Director of Public Works may require changes in typical sections and details if unusual conditions arise during construction to warrant the change.

4. All underground utilities, sanitary sewers and storm drains installed in the streets ~~by the developer of the subdivision or short plat~~ shall be constructed prior to ~~the surfacing of streets~~ street surfacing. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length obviating the necessity for disturbing the street improvements when surface connections are made.

5. Plans showing all improvements as built shall be filed with the City upon completion of the improvements.

Section 21. Ordinance No. 2740 §3 (part), as codified at TMC Section 17.24.040, "Improvement Agreements and Financial Guarantees," **subparagraphs A & B**, is hereby amended to read as follows:

17.24.040 Improvement Agreements and Financial Guarantees

A. Required Improvements: Before any final subdivision, BSIP, boundary line adjustment, or lot consolidation is approved, the applicant shall install all required improvements and replace or repair any such improvements which are damaged in the development of the subdivision. In lieu of the completion of the actual construction of all required improvements (public and private), the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to the Director of Public Works, or other secure method, providing for and securing to the City the actual construction and installation of all required improvements. This is in addition to the requirements of TMC 11.08 requiring a performance bond for all work being done in the public right-of-way. If the Director of Public Works accepts a bond for the completion of the work, the applicant shall execute and file with the City an agreement guaranteeing completion of such improvements together with any needed replacement or repair. The agreement shall:

1. Specify the period of time within which all work required shall be completed. The time for completion shall not exceed one year from the date of final approval ~~of the subdivision~~. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the Director of Public Works, and properly secured in advance of the required initial completion date.

2. Require notice by the applicant to the Director of Public Works promptly upon completion of all required improvements.

3. Provide for notice of approval or disapproval by the Director of Public Works of the improvement within a reasonable time after receiving notice of completion.

4. Require financial security to be provided by the applicant pursuant to TMC 17.24.040.C ~~30.G.~~

5. Provide that, if the applicant fails to complete all required work within the period specified, the City may take steps to demand performance of the developer's obligation within a reasonable time not to exceed 90 days from the date of demand.

6. Provide that, if the required improvements are not completed within that time, the City may take action to require the applicant to forfeit the financial security.

7. Provide that the City shall be entitled to recover all costs of such action including reasonable attorney's fees.

8. Provide that, following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred.

9. Provide that, should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the City shall be entitled to recover the deficiency from the applicant.

B. Maintenance Agreement: Regardless of whether all required improvements are completed prior to final approval ~~of any subdivision of land~~, as a condition of such approval the applicant shall execute an agreement to assure successful operation of said improvements. [Note: See TMC 11.08.110 for details.] The agreement shall:

1. Require the applicant to post a bond or other financial security to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following approval of installation of all required improvements.

2. Require the applicant to perform maintenance functions on drainage improvements for a period of time not to exceed two years from approval of their completion or final plat approval, whichever is later. Such maintenance functions shall be specified by the Director of Public Works, and shall be reasonably related to the burdens that the subdivision will impose on drainage facilities during the time maintenance is required. The City may agree to accept and perform maintenance of the improvements, in which case the applicant's obligation to perform maintenance functions shall terminate.

3. Not relieve the applicant of liability for the defective condition of any required improvements discovered following the effective term of the security given.

4. Provide a waiver by the applicant of all claims for damages against any governmental authority, which may occur to the adjacent land as a result of construction, drainage, and maintenance of the streets and other improvements.

Section 22. 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 23. 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 24. 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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 2741 §3 (PART), AS CODIFIED THROUGHOUT VARIOUS SECTIONS OF TUKWILA MUNICIPAL CODE (TMC) TITLE 18, “ZONING”; AMENDING ORDINANCE NO. 2758 §3, 4, 5, 6, 7, & 8, AS CODIFIED THROUGHOUT TITLE 18; AMENDING ORDINANCE NO. 2756 §3, AS CODIFIED AT TMC 18.50.260; AMENDING ORDINANCE NOS. 2745 §7 & 2759 §3, AS CODIFIED AT TMC 18.104.010; ELIMINATING TMC 18.12; AMENDING TABLE 18-5, TABLE 18-6, & FIGURE 18-7; TO AMEND & ESTABLISH NEW REGULATIONS TO SUPPORT MIDDLE HOUSING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, RCW 36.70A.635 requires jurisdictions to adopt compliant regulations regarding residential density allowances for middle housing 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, City staff recommend updating portions of the TMC related to middle housing, accessory dwellings and design review to align with state law as proposed herein; and

WHEREAS, an update of housing regulations and streamlining of standards support’s the City’s overall alignment with updates in state law and adopted housing goals; and

WHEREAS, on May 13, 2025, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on the proposed amendments; and

WHEREAS, the Tukwila Planning Commission held a property noticed public hearing on April 24, 2025 to solicit and receive public comment; and

WHEREAS, on June 16, 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. Ordinance No. 2741 §3 (part), as codified throughout Title 18, “Zoning,” is hereby amended to renumber/reformat various sections as subsection A throughout the Title for greater clarity and consistency.

Section 3. Ordinance No. 2741 §3 (part), as codified throughout Title 18, “Zoning,” is hereby amended to renumber/reformat various Chapters with the format of .010 “Purpose”, .020 “Land Uses Allowed”, .030 “Design Review”, and .040 “Basic Development Standards” for greater clarity and consistency.

Section 4. Ordinance No. 2741 §3 (part), as codified throughout Title 18, “Zoning,” is hereby amended to renumber/reformat various Chapters with the format of .010 “Purpose”, .020 “Land Uses Allowed”, .030 “On-Site Hazardous Substances”, .040 “Design Review”, and .050 “Basic Development Standards” for greater clarity and consistency.

Section 5. Ordinance No. 2741 §3 (part), as codified throughout Title 18, “Zoning,” is hereby amended to renumber/reformat various Chapters with the format of .010 “Purpose”, .020 “Land Uses Allowed”, .030 “Recreation Space Requirements”, .040 “Design Review”, and .050 “Basic Development Standards” for greater clarity and consistency.

Section 6. Regulations Established. TMC 18.04.030, “Performance Standards for All Uses,” is hereby established to read as follows:

18.04.030 Performance Standards for All Uses

A. In addition to all the standards found in this Title, all uses, activities and operations within a structure or a site shall comply with the following:

1. Standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants.

2. TMC 8.22, "Noise".

3. All adopted State and Federal standards for water quality and hazardous materials.

4. All other applicable local, State, and Federal standards.

Section 7. Ordinance No. 2741 §3 (part), as codified at various sections of TMC Chapter 18.06, "Definitions," is hereby amended to read as follows:

18.06.17~~8~~7 Correctional Institution

"Correctional institution" means public and private facilities providing for:

1. the confinement of adult offenders; or
2. the incarceration, confinement or detention of individuals arrested for or convicted of crimes whose freedom is partially or completely restricted other than a jail owned and operated by the City of Tukwila; or
3. the confinement of persons undergoing treatment for drug or alcohol addictions whose freedom is partially or completely restricted; or
4. transitional housing, such as halfway houses, for offenders who are required to live in such facilities as a condition of sentence or release from a correctional facility, except secure community transitional facilities as defined under RCW 71.09.020.

18.06.24~~7~~6 Dwelling, Mobile Home

~~"Dwelling, mobile home"~~Mobile home dwelling means a factory-built dwelling constructed before June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act of 1974 and acceptable under applicable State codes in effect at the time of construction or introduction of the home into this state.

18.06.24~~8~~7 Dwelling, Multi-Family

"Multi-family dwelling" means a building designed to contain two or more dwelling units, and not meeting the definition of a middle housing dwelling. Duration of tenancy in multi-family dwellings is not less than one month.

18.06.24~~9~~8 Dwelling, Single-Family

"Single-family dwelling" means a building, modular home or new manufactured home, designed to contain no more than one dwelling unit plus two accessory dwelling units.

18.06.2~~50~~49 Dwelling Unit

"Dwelling unit" means the whole of a building or a portion thereof providing complete housekeeping facilities for a group of individuals living together as a single residential community, with common cooking, eating and bathroom facilities, other than transitory housing or correctional facilities as defined in this code, which is physically separated from any other dwelling units which may be in the same structure.

18.06.25~~10~~ **Ecological/Ecosystem Functions (or Shoreline Functions)**

“Ecological/ecosystem functions (or shoreline functions)” means the work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem. See WAC 173-26-200 (2)(c).

18.06.55~~7~~6 **Marijuana-infused Products**

"Marijuana-infused products" means products that contain marijuana or marijuana extracts; are intended for human use, whether medical or recreational; and have a THC concentration within the limits set forth in RCW 69.50.101. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

18.06.55~~8~~7 **Marijuana Concentrates**

“Marijuana concentrates” is as defined under RCW 69.50.101.

18.06.589 **Nonconforming ~~Use, Shoreline~~** **(004)** **Use, Shoreline**

“Nonconforming use, shoreline” means a use or development that was lawfully constructed or established prior to the effective date of the Shoreline Management Act or the Shoreline Master Program or amendments thereto, but which does not conform to present regulations or standards of the program.

18.06.708 **Senior Citizen Housing**

“Senior citizen housing” is housing in a building or group of buildings with two or more dwelling ~~and/or sleeping~~ units, restricted to occupancy by at least one senior citizen, as defined herein, per unit, and may include Food Preparation and Dining activities, Group Activity areas, Medical Supervision or other similar activities. Such housing is further distinguished by the use of funding restrictions, covenants between the developer, tenants, operators and/or the City or other agreements that restrict the development to those individuals over 60 years of age. Senior Citizen Housing strategies may include provisions for units dedicated to persons under 60 years of age that have medical conditions consistent with definitions in the Americans with Disabilities Act; however, the percentage of such units may not exceed 20% of the total units. These facilities may not include populations requiring convalescent or chronic care, as defined under RCW 18.51.

18.06.829 **Townhouse~~s~~**

“Townhouse~~s~~” means ~~a form of ground-related housing in which individual dwelling units are attached along at least one common wall to at least one other dwelling unit. Each dwelling unit occupies space from the ground to the roof and has direct access to private open space. No portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.~~ buildings that contain three or more attached single-family dwelling units that extend from the foundation to roof and that have a yard or public way on not less than two sides.

Section 8. Regulations Established. The following sections are hereby established in TMC 18.06, “Definitions,” to read as follows:

18.06.178 Cottage Housing

“Cottage housing” means residential units on a lot with common open space that either: (a) is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

18.06.179 Courtyard Apartments

“Courtyard apartments” means attached dwelling units arranged on two or three sides of a yard.

18.06.246 Dwelling, Middle Housing

“Middle housing dwelling,” means a building or buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

18.06.295 Façade

“Façade” means the exterior elevation of a structure or building as viewed from a single vantage point.

18.06.556 Major Transit Stop

“Major transit stop” means a stop on a high capacity transportation system funded or expanded under the provisions of RCW 81.104; commuter rail stops; stops on rail or fixed guideway systems; or stops on bus rapid transit routes, including those stops that are under construction.

18.06.589(001) Structure

“Nonconforming Structure” means a structure legally established prior to the effective date of this zoning code, but which does not conform to present regulations.

18.06.589 (002) Structure, Shoreline

“Nonconforming Structure, Shoreline” means a structure legally established prior to the effective date of the Shoreline Master Program, but which does not conform to present regulations.

18.06.589(003) Use

“Nonconforming use” means the use of land which does not conform to the use regulations of the district in which the use exists.

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.

18.06.785 Stacked Flat

“Stacked flat” means a dwelling unit(s) in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

Section 9. Ordinance No. 2741 §3 (part), as codified at various sections of TMC Chapter 18.06, “Definitions,” is hereby repealed, thereby removing the following sections:

~~**18.06.590 Nonconforming Use**~~

~~**(001) Nonconforming Structure, Shoreline**~~

Section 10. Ordinance No. 2741 §3 (part), as codified at TMC 18.10, “Low Density Residential (LDR) District,” is hereby repealed, thereby eliminating Chapter 18.10:

~~**CHAPTER 18.10 LOW DENSITY RESIDENTIAL (LDR) DISTRICT**~~

~~**Sections:**~~

~~18.10.010 Purpose~~

~~18.10.020 Land Uses Allowed~~

~~18.10.055 Design Review~~

~~18.10.057 Maximum Building Footprint~~

~~18.10.060 Basic Development Standards~~

Section 11. TMC 18.10 Reenacted. TMC Chapter 18.10 is hereby reenacted to read as follows:

CHAPTER 18.10 COMMUNITY RESIDENTIAL (CR) DISTRICT

Sections:

18.10.010 Purpose

18.10.020 Land Uses Allowed

18.10.030 Design Review

18.10.040 Basic Development Standards

18.10.010 Purpose

A. This district implements the Community Residential Comprehensive Plan (“CR”) designation. It is intended to provide low-density and medium-density residential areas together with a full range of urban infrastructure services in order to maintain stable residential neighborhoods.

B. Certain CR properties are identified as Commercial Redevelopment Areas (**see Figures 18-9 or 18-10**) to encourage aggregation with commercial properties that front on Tukwila International Boulevard. Aggregation and commercial redevelopment of these

sites support implementation of the Pacific Highway Revitalization Plan and provide opportunities to redefine and create more uniform borders between the commercial corridor and the adjacent residential neighborhoods.

C. Certain CR properties are located in the Urban Renewal Overlay (*see Figure 18-15*). Existing zoning and development standards will remain in place, although multi-family buildings are permitted. The overlay provides additional alternate development standards that may be applied to development within the Urban Renewal Overlay upon request of the property owner, and if the development meets certain qualifying criteria. Urban Renewal Overlay district standards support implementation of the Tukwila International Boulevard Revitalization Plan through more intensive development.

18.10.020 Land Uses Allowed

A. Refer to TMC 18.09, "Land Uses Allowed by District."

18.10.030 Design Review

A. See TMC 18.60 for all requirements for Design Review.

18.10.040 Basic Development Standards

A. Development within the CR District shall conform to the following listed and referenced standards:

CR BASIC DEVELOPMENT STANDARDS

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

Second Front	10 feet
Side	5 feet
Rear	5 feet
Rear (Alley DADU)	0 feet
Building Height	35 feet
Parking	See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles

Section 12. Ordinance No. 2741 §3 (part), as codified at TMC 18.12, “Medium Density Residential (MDR) District,” is hereby repealed, thereby eliminating Chapter 18.12.

CHAPTER 18.12 MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICT

Sections:

- ~~18.12.010 — Purpose~~
- ~~18.12.020 — Land Uses Allowed~~
- ~~18.12.030 — Recreation Space Requirements~~
- ~~18.12.060 — Design Review~~
- ~~18.12.070 — Basic Development Standards~~

Section 13. Ordinance No. 2741 §3 (part), as codified at TMC 18.14.010, “Purpose,” **subparagraph A**, is hereby amended to read as follows:

A. This district implements the High-Density Residential ([HDR](#)) Comprehensive Plan designation, ~~which allows up to 22.0 dwelling units per net acre. Senior citizen housing is allowed up to 60 dwelling units per acre, subject to additional restrictions.~~ It is intended to provide a high-density, multiple-family district which is also compatible with commercial and office areas. Certain HDR properties are identified as Commercial Redevelopment Areas (*see Figures 18-9 or 18-10*) to encourage aggregation and redevelopment of properties that front on Tukwila International Boulevard. Aggregation and commercial redevelopment of these sites would implement the Pacific Highway Revitalization Plan and provide opportunities to redefine and create more uniform borders between the commercial corridor and adjacent residential neighborhoods.

Section 14. Ordinance No. 2741 §3 (part), as codified at TMC 18.14.030, “Recreation Space Requirements,” is hereby amended to read as follows:

18.14.030 Recreation Space Requirements

A. In the HDR zoning district, any proposed multiple-family structure, complex or development shall provide, on the premises and for the use of the occupants, a minimum amount of recreation space according to the provisions of TMC 18.14.030, subparagraphs 1 through 4. In the TSO zone with underlying ~~LDR~~[CR](#) zoning on land that adjoins the City of SeaTac, recreation space shall meet the provisions of TMC 18.14.030,

subparagraphs 2 through 4, in addition to the minimum required area as specified in TMC 18.41.090.A.1.

1. **Required Area.**

a. For each proposed dwelling unit in the multiple-family development and detached zero-lot-line type of development, a minimum of 400 square feet (100 square feet for senior citizen housing) of recreation space shall be provided. Any multiple-family ~~structure, complex or~~ development shall provide a minimum of 1,000 square feet of total recreation space.

~~b. Townhouse units shall provide at least 250 square feet of the 400 square feet of recreation space as private, ground level open space measuring not less than 10 feet in any dimension.~~

~~cb.~~ The front, side and rear yard setback areas required by the applicable zoning district shall not qualify as recreation space. However, these setback areas can qualify as recreation space for townhouses if they are incorporated into private open space with a minimum dimension of 10 feet on all sides.

2. **Indoor or Covered Space.**

a. No more than 50% of the required recreation space may be indoor or covered space in standard multi-family developments. Senior citizen housing must have at least 20% indoor or covered space.

b. The Director may grant a maximum of two square feet of recreation space for each one square foot of extensively improved indoor recreation space provided. Interior facility improvements would include a full range of weight machines, sauna, hot tub, large screen television and the like.

3. **Uncovered Space.**

a. A minimum of 50% of the total required recreation space shall be open or uncovered; up to 100% of the total requirement may be in open or uncovered recreation space in standard multi-family developments. Senior citizen housing allows up to 80% of recreation space to be outdoors and has no minimum outdoor space requirement.

b. Recreation space shall not exceed a 4% slope in any direction unless it is determined that the proposed space design clearly facilitates and encourages the anticipated.

c. The Director may grant a maximum credit of two square feet of recreation space for each one square foot of outdoor pool and surrounding deck area.

4. **General Requirements.**

a. Multiple-family complexes (except senior citizen housing, ~~and~~ detached zero-lot-line ~~and townhouses with nine or fewer units~~), which provide dwelling units with two or more bedrooms, shall provide adequate recreation space for children with at least one space for the 5- to 12-year-old group. Such space shall be at least 25% but not more

than 50% of the total recreation space required under TMC Section 18.14.030 (1), and shall be designated, located and maintained in a safe condition.

b. Adequate fencing, plant screening or other buffer shall separate the recreation space from parking areas, driveways or public streets.

c. The anticipated use of all required recreation areas shall be specified and designed to clearly accommodate that use.

Section 15. Ordinance No. 2741 §3 (part), as codified at TMC 18.14.060, “Design Review,” is hereby renumbered as TMC 18.14.040 and amended to read as follows:

18.14.060040 Design Review

A. See TMC 18.60 for all requirements for Design Review.~~Design review is required for:~~

~~1. Multi-family structures.~~

~~2. Mobile or manufactured home parks.~~

~~3. Developments in a Commercial Redevelopment Area that propose the uses and standards of an adjacent commercial zone.~~

~~4. Developments located within the shoreline jurisdiction, if new building construction or exterior changes are involved and the cost of the exterior work equals or exceeds 10% of the building’s assessed valuation.~~

~~(See TMC 18.60, Design Review)~~

Section 16. Ordinance Nos. 2741 §3 (part) and 2758 §3, as codified at TMC 18.14.070, “Basic Development Standards,” is hereby renumbered as TMC 18.14.050 and amended to read as follows:

18.14.0750 Basic Development Standards

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

HDR BASIC DEVELOPMENT STANDARDS

<u>Lot area, minimum</u>	<u>8,000 sq. ft. (Applied to parent lot for townhouse subdivisions)</u>
<u>Lot area per unit (multi-family, except senior citizen housing)</u>	<u>2,000 sq. ft. (For townhouses the density shall be calculated based on one dwelling unit per 2000 sq. ft. of parent lot area. The “unit lot” area shall be allowed to include the common access easements.)</u>
(multi-family, except senior citizen housing)	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.)
<u>Average lot width (min. 20 ft. street frontage width), minimum</u>	<u>60 feet (Applied to parent lot for townhouse subdivisions)</u>

(min. 20 ft. street frontage width), minimum	(Applied to parent lot for townhouse subdivisions)
=	
<u>Setbacks, minimum: Applied to parent lot for townhouse subdivisions</u>	
<u>• Front</u>	<u>15 feet</u>
<u>• Second front</u>	<u>7.5 feet</u>
<u>• Sides</u>	<u>10 feet</u>
<u>• Rear</u>	<u>10 feet</u>
<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>	
<u>Townhouse building separation, minimum</u>	<u>10 feet</u>
<u>Height, maximum</u>	<u>45 feet</u>
<u>Development area coverage</u>	<u>50% maximum (except senior citizen housing). (75% for townhouses)</u>
<u>Recreation space</u>	<u>400 sq. ft. per dwelling unit (1,000 sq. ft. min.) (Not required for middle housing dwellings)</u>
<u>Recreation space, senior citizen housing</u>	<u>100 sq. ft. per dwelling unit</u>
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>

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: Applied to parent lot for townhouse subdivisions	
• 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
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 17. Ordinance No. 2741 §3 (part), as codified at TMC 18.16.010, "Purpose," is hereby amended to read as follows:

18.16.010 Purpose

A. This district implements the Mixed-Use Office (MUO) Comprehensive Plan designation ~~which allows up to 14.5 dwelling units per net acre. Senior citizen housing is allowed up to 60 dwelling units per acre, subject to additional restrictions.~~ It is intended to create and maintain areas characterized by professional and commercial office structures, mixed with ~~certain~~ complementary retail and residential uses.

Section 18. Ordinance No. 2741 §3 (part), as codified at TMC 18.16.60, "On-Site Hazardous Substances," is hereby renumbered as TMC 18.16.030 and amended to read as follows:

18.16.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See TMC 21.08.)

Section 19. Ordinance No. 2741 §3 (part), as codified at TMC 18.16.070, “Design Review,” is hereby renumbered as TMC 18.16.040 and amended to read as follows:

18.16.0740 Design Review

A. See TMC 18.60, for all requirements for Design Review. ~~Design review is required for:~~

- ~~1. Projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building’s assessed valuation.~~
- ~~2. Commercial structures 1,500 square feet or larger outside the shoreline jurisdiction.~~
- ~~3. Structures containing multi-family dwellings.~~
- ~~4. Structures in the Tukwila International Boulevard corridor. (See TMC Figure 18-9)~~
- ~~5. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet.~~
- ~~(See TMC 18.60, Design Review)~~

Section 20. Ordinance Nos. 2741 §3 (part) and 2758 §4, as codified at TMC 18.16.080, “Basic Development Standards,” is hereby renumbered as TMC 18.16.050 and amended to read as follows:

18.16.0850 Basic Development Standards

A. Development within the MUO ~~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 development standards may be waived (see TMC 18.60.020).

MUO BASIC DEVELOPMENT STANDARDS

<u>Minimum Lot Area:</u>	<u>None</u>			
<u>Residential Density:</u>	<u>Standard:</u>		<u>Transit or Affordability Bonus:</u>	
	<u>Baseline:</u>		<u>Baseline:</u>	
	<u>3 homes</u> dwelling units per parcel		<u>4 homes</u> dwelling units per parcel	
<u>Setbacks:</u>	<u>Additionally:</u>		<u>Additionally:</u>	
	<u>1 home</u> dwelling unit/-3,000 sf of lot area		<u>1 home</u> dwelling unit/-3,000 sf of lot area	
	<u>Front</u>	<u>Second Front</u>	<u>Sides</u>	<u>Rear</u>
	<u>15 feet</u>	<u>12.5 feet</u>	<u>10 feet</u>	<u>10 feet</u>

<u>Landscaping:</u>	<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>
<u>Maximum Height</u>	<u>45 feet</u>
<u>Recreation Space¹</u>	<u>200 square feet per homedwelling unit (1,000 square feet minimum)</u> <u>100 square feet per dwelling unit home for senior citizen housing</u> <u>(Not required for middle housing dwellings)</u>
<u>Off-street parking:</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>

Lot area per unit, multi-family (except senior citizen housing), minimum	3,000 sq. ft.
Setbacks to yards, minimum:	
▪Front	25 feet
▪Second front	12.5 feet
▪Sides	10 feet
▪Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 30 feet
▪Rear	10 feet
▪Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR	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
Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	4 stories or 45 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:	
▪Residential (except senior citizen housing)	See TMC 18.56, Off street Parking & Loading Regulations
▪Office, minimum	3 per 1,000 sq. ft. usable floor area
▪Retail, minimum	2.5 per 1,000 sq. ft. usable floor area
▪Other uses, including senior citizen housing	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.	

Section 21. Ordinance No. 2741 §3 (part), as codified at TMC 18.18.010, "Purpose," is hereby amended to read as follows:

18.18.010 Purpose

A. This district implements the Office (O) Comprehensive Plan designation. It is intended to provide for areas appropriate for professional and administrative offices, mixed with certain retail uses. Because of the generally light environmental and traffic impacts and daytime use characteristics of offices, it is further intended that such districts may serve as buffers between residential districts and commercial and/or industrial areas.

Section 22. Ordinance No. 2741 §3 (part), as codified at TMC 18.18.060, “On-Site Hazardous Substances,” is hereby renumbered as TMC 18.18.030 and amended to read as follows:

18.18.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105).

~~(See TMC 21.08.)~~

Section 23. Ordinance No. 2741 §3 (part), as codified at TMC 18.18.070, “Design Review,” is hereby renumbered as TMC 18.18.040 and amended to read as follows:

18.18.0740 Design Review

A. See TMC 18.60 for all requirements for Design Review.

~~—Design review is required for:~~

~~—1. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building’s assessed valuation.~~

~~—2. Commercial structures 1,500 square feet or larger outside the shoreline jurisdiction.~~

~~—3. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet.~~

~~—(See TMC 18.60, Design Review)~~

Section 24. Ordinance No. 2741 §3 (part), as codified at TMC 18.18.080, “Basic Development Standards,” is hereby renumbered as TMC 18.18.050 and amended to read as follows:

18.18.0850 Basic Development Standards

A. Development within the ~~Office~~ (O) District shall conform to the following listed and referenced standards:

OFFICE BASIC DEVELOPMENT STANDARDS

<u>Setbacks:</u>	<u>Front</u>	<u>Second Front</u>	<u>Sides</u>	<u>Rear</u>
	<u>25 feet</u>	<u>12.5 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Landscaping:</u>	<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>			
<u>Maximum Height:</u>	<u>35 feet</u>			
<u>Off-street parking:</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>			

Setbacks to yards, minimum:	
▪ Front	25 feet
▪ Second front	12.5 feet
▪ Sides	10 feet
▪ Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	
– 1st Floor	10 feet
– 2nd Floor	20 feet
– 3rd Floor	30 feet
▪ Rear	10 feet
▪ Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR	
– 1st Floor	10 feet
– 2nd Floor	20 feet
– 3rd Floor	30 feet
Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	3 stories or 35 feet
Off-street parking:	
▪ Residential	See TMC 18.56, Off-street Parking/Loading Regulations
▪ Office, minimum	3 per 1,000 sq. ft. usable floor area
▪ Retail, minimum	2.5 per 1,000 sq. ft. usable floor area
▪ Other uses	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 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 25. Ordinance No. 2741 §3 (part), as codified at TMC 18.20.010, "Purpose," is hereby amended to read as follows:

18.20.010 Purpose

A. This district implements the Residential Commercial Center (RCC) Comprehensive Plan designation ~~which allows a maximum of 14.5 dwelling units per net acre.~~ It is intended to create and maintain pedestrian-friendly commercial areas characterized and scaled to serve a local neighborhood, with a diverse mix of residential, retail, service, office, recreational and community facility uses.

Section 26. Ordinance No. 2741 §3 (part), as codified at TMC 18.20.060, “On-Site Hazardous Substances,” is hereby renumbered as TMC 18.20.030 and amended to read as follows:

18.20.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105).

~~(See TMC 21.08.)~~

Section 27. Ordinance No. 2741 §3 (part), as codified at TMC 18.20.070, “Design Review,” is hereby renumbered as TMC 18.20.040 and amended to read as follows:

18.20.070040 Design Review

A. See TMC 18.60 for all requirements for Design Review.

~~Design review is required for:~~

- ~~— 1. All new commercial and multifamily structures and~~
- ~~— 2. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building’s assessed valuation.~~
- ~~— 3. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet.~~
- ~~— (See TMC 18.60, Design Review)~~

Section 28. Ordinance Nos. 2741 §3 (part) and 2758 §5, as codified at TMC 18.20.080, “Basic Development Standards,” is hereby renumbered as TMC 18.20.050 and amended to read as follows:

18.20.0850 Basic Development Standards

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

RCC BASIC DEVELOPMENT STANDARDS

<u>Minimum Lot Area:</u>	<u>5,000 sq. ft.</u>				
<u>Residential Density:</u>	<u>Standard:</u>			<u>Transit or Affordability Bonus:</u>	
	<u>3 homesdwelling units per parcel, plus 1 dwelling unithome per 2,500 sq. f.t of lot area over 5,000 SF</u>			<u>4 homesdwelling units per parcel, plus 1 dwelling unithome per 2,500 sq. ft. of lot area over 5,000 sq. ft.</u>	
<u>Setbacks:</u>	<u>Front</u>	<u>Porch</u>	<u>Second Front</u>	<u>Sides</u>	<u>Rear</u>
	<u>15 ft</u>	<u>8 ft</u>	<u>10 ft</u>	<u>5 feet</u>	<u>10 feet; 5 feet for DADUs</u>

<u>Landscaping:</u>	<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>
<u>Maximum Height</u>	<u>35 feet</u>
<u>Off-street parking:</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>

Lot area, minimum	5,000 sq. ft.
Lot area per unit (multi-family), minimum	3,000 sq. ft.
Setbacks to yards, minimum:	
▪ Front	20 feet
▪ Second front	10 feet
▪ Sides	5 feet
▪ Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	10 feet
▪ Rear	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:	
▪ Residential	See TMC Chapter 18.56, Off-street Parking & Loading Regulations
▪ Office, minimum	3 per 1,000 sq. ft. usable floor area
▪ Retail, minimum	2.5 per 1,000 sq. ft. usable floor area
▪ Other uses	See TMC Chapter 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC Chapter 8.22, "Noise", and (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.	

Section 29. Ordinance No. 2741 §3 (part), as codified at TMC 18.22.010, "Purpose," subparagraph A, is hereby amended to read as follows:

18.22.010 Purpose

A. This district implements the Neighborhood Commercial Center (NCC) Comprehensive Plan designation. ~~Senior citizen housing is allowed up to 60 dwelling units per acre, subject to additional restrictions.~~ It is intended to provide for pedestrian-friendly areas characterized and scaled to serve multiple residential areas, with a diverse mix of uses. Permitted uses include residential, ~~uses at second story or above when~~

~~mixed with certain~~ retail, service, office, recreational and community facilities, generally along a transportation corridor.

Section 30. Ordinance No. 2741 §3 (part), as codified at TMC 18.22.060, “On-Site Hazardous Substances,” is hereby renumbered as TMC 18.22.030 and amended to read as follows:

18.22.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105).

(See TMC 21.08.)

Section 31. Ordinance No. 2741 §3 (part), as codified at TMC 18.22.070, “Design Review,” is hereby renumbered as TMC 18.22.040 and amended to read as follows:

18.22.0740 Design Review

~~Design review is required for:~~

~~1. All commercial structures.~~

~~2. All multi-family structures.~~

~~3. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.~~

~~4. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet or in the Tukwila International Boulevard corridor.~~

~~(A. See TMC 18.60 for all requirements for Design Review, Design Review)~~

Section 32. Ordinance Nos. 2741 §3 (part) and 2758 §6, as codified at TMC 18.22.080 “Basic Development Standards,” is hereby renumbered as TMC 18.22.050 and amended to read as follows:

18.22.0580 Basic Development Standards

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

NCC BASIC DEVELOPMENT STANDARDS

<u>Minimum Lot Area</u>	<u>None</u>			
<u>Residential Density</u>	<u>No Maximum</u>			
<u>Setbacks</u>	<u>Front</u> <u>6 feet</u>	<u>Second Front</u> <u>5 feet</u>	<u>Sides</u> <u>5 feet</u>	<u>Rear</u> <u>10 feet</u>
<u>Landscaping</u>	<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>			
<u>Maximum Height</u>	<u>45 feet</u>			
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>			
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>			

Lot area per unit for senior citizen housing, minimum	726 sq. ft. (senior housing)
Setbacks to yards, minimum:	
▪ Front	6 feet (12 feet if located along Tukwila International Blvd. S.)
▪ Second front	5 feet
▪ Sides	10 feet
▪ Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 20 feet
▪ Rear	10 feet
▪ Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR	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:	
▪ Residential (except senior citizen housing)	See TMC 18.56, Off-street Parking/Loading Regulations
▪ Office	3 per 1,000 sq. ft. usable floor area
▪ Retail	2.5 per 1,000 sq. ft. usable floor area
▪ Manufacturing	1 per 1,000 sq. ft. usable floor area minimum
▪ Warehousing	1 per 2,000 sq. ft. usable floor area minimum
▪ Other uses, including senior citizen housing	See TMC 18.56, Off-street Parking & Loading Regulations

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

Section 33. Ordinance No. 2741 §3 (part), as codified at TMC 18.24.010 "Purpose", is hereby amended to read as follows:

18.24.010 Purpose

A. This district implements the Regional Commercial (RC) Comprehensive Plan designation. It is intended to provide for areas characterized by commercial services, offices, lodging, entertainment, and retail activities with associated warehousing, and accessory light industrial uses, along a transportation corridor and intended for high-intensity regional uses. ~~Where the area and streetscape is more residential than commercial in character, residential or mixed use residential is also allowed in order to provide redevelopment options and additional households, which would support the surrounding commercial district. In areas where residential uses are permitted, senior citizen housing is allowed up to 60 dwelling units per acre, subject to additional restrictions. The zone's standards are intended to promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas.~~

Section 34. Ordinance No. 2741 §3 (part), as codified at TMC 18.24.060, "On-Site Hazardous Substances," is hereby renumbered as TMC 18.24.030 and amended to read as follows:

18.24.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). ~~(See TMC 21.08.)~~

Section 35. Ordinance No. 2741 §3 (part), as codified at TMC 18.24.070, "Design Review," is hereby renumbered as TMC 18.24.040 and amended to read as follows:

18.24.0740 Design Review

~~Design review is required for:~~

- ~~1. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.~~
- ~~2. All hotels and motels.~~
- ~~3. All other commercial structures 1,500 square feet or larger outside the shoreline jurisdiction.~~

~~4. Within the Tukwila International Boulevard corridor (see TMC Figure 18-9), design review is required for all new development as well as certain exterior repairs, reconstructions, alterations or improvements.~~

~~(See TMC 18.60, Design Review)~~A. See TMC 18.60 for all requirements for Design Review.

Section 36. Ordinance Nos. 2741 §3 (part) and 2758 §7, as codified at TMC 18.24.080, “Basic Development Standards,” is hereby renumbered as TMC 18.24.050 and amended to read as follows:

18.24.050 Basic Development Standards

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

RC BASIC DEVELOPMENT STANDARDS

<u>Minimum Lot Area:</u>	<u>None</u>	
<u>Residential Density:</u>	<u>Where Height Limit is 3 Stories:</u> <u>4 dwelling units + 1 dwelling unit / 2000 sf of lot area</u> <u>Where Height Limit is 6 Stories:</u> <u>4 dwelling units + 1 dwelling unit / 622 sf of lot area</u> <u>Where Height Limit is 10 Stories:</u> <u>4 dwelling units + 1 dwelling unit / 512 sf of lot area</u>	
<u>Setbacks:</u>	<u>Front</u>	<u>Second Front / Sides / Rear</u>
	<u>20 feet</u>	<u>10 feet</u>
<u>Landscaping:</u>	<u>Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.</u>	
<u>Maximum Height</u>	<u>35 feet,</u> <u>unless within Building Height Exception Area (See Figure 18-3)</u>	
<u>Recreation Space</u>	<u>200 square feet per dwelling unit (1,000 square feet minimum)</u> <u>100 square feet per dwelling unit for senior citizen housing</u> <u>(Not required for middle housing dwellings)</u>	
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>	
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>	

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:	

• Front	20 feet
• Second front	10 feet
• Sides	10 feet
• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	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
• Rear	10 feet
• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR	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:	
• Residential (except senior citizen housing)	See TMC 18.56, Off-street Parking/Loading Regulations
• Office	3 per 1,000 sq. ft. usable floor area minimum
• Retail	2.5 per 1,000 sq. ft. usable floor area minimum
• Manufacturing	1 per 1,000 sq. ft. usable floor area minimum
• Warehousing	1 per 2,000 sq. ft. usable floor area minimum
• Other uses, including senior citizen housing	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22, "Noise", and, (3) adopted State and Federal standards for water quality and hazardous materials. In addition, all development subject to the requirements of the State Environmental Policy Act, RCW 43.21C, shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.	

Section 37. Ordinance No. 2741 §3 (part), as codified at TMC 18.26.010, "Purpose," is hereby amended to read as follows:

18.26.010 Purpose

A. This district implements the Regional Commercial Mixed Use (RCM) Comprehensive Plan designation, ~~which allows up to 14.5 dwelling units per net acre. Senior citizen housing is allowed up to 60 dwelling units per acre, subject to additional restrictions.~~ It is intended to provide for areas characterized by commercial services, offices, lodging, entertainment, and retail activities with associated warehousing, and accessory light industrial uses, along a transportation corridor and intended for high-intensity regional uses. Residential uses mixed with certain commercial uses are allowed

at second story or above. The zone's standards are intended to promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas.

Section 38. Ordinance No. 2741 §3 (part), as codified at TMC 18.26.060, "On-Site Hazardous Substances," is hereby amended to read as follows:

18.26.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105).

~~—(See TMC 21.08.)~~

Section 39. Ordinance No. 2741 §3 (part), as codified at TMC 18.26.070, "Design Review," is hereby renumbered as TMC 18.26.040 and amended to read as follows:

18.26.070040 Design Review

A. See TMC 18.60 for all requirements for Design Review. ~~Design review is required for:~~

~~—1. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.~~

~~—2. Commercial structures 1,500 square feet or larger.~~

~~—3. All structures containing multi-family dwellings outside the shoreline jurisdiction.~~

~~—4. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet.~~

~~—(See TMC 18.60, Design Review)~~

Section 40. Ordinance Nos. 2741 §3 (part) and 2758 §8, as codified at TMC 18.26.080, "Basic Development Standards," is hereby renumbered as TMC 18.26.050 and amended to read as follows:

18.26.0850 Basic Development Standards

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

RCM BASIC DEVELOPMENT STANDARDS

<u>Minimum Lot Area:</u>	<u>None</u>	
	<u>Standard:</u>	<u>Transit or Affordability Bonus:</u>

<u>Residential Density:</u>	<u>3 dwelling units per parcel, plus 1 dwelling unit per 3,000 sq. ft. of lot area over 3,000 sq. ft.</u>		<u>4 dwelling units per parcel, plus 1 dwelling unit per 3,000 SF of lot area over 3,000 sq. ft.</u>		
<u>Setbacks:</u>	<u>Front</u>	<u>Second Front / Sides / Rear</u>			
	<u>20 feet</u>	<u>10 feet</u>			
<u>Setbacks (if any portion of subject yard is within 50' of CR or HDR):</u>	<u>Front</u>	<u>Second Front</u>	<u>Sides (Per Floor) / Rear (Per Floor)</u>		
	<u>20 feet</u>	<u>10 feet</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>
			<u>10 feet</u>	<u>20 feet</u>	<u>30 feet</u>
<u>Landscaping:</u>	<u>Refer to TMC 18.52, "Landscape Requirements," Table A, for perimeter and parking lot landscaping requirements.</u>				
<u>Maximum Height</u>	<u>35 feet,</u> <u>unless within Building Height Exception Area (See Figure 18-3)</u>				
<u>Recreation Space</u>	<u>200 square feet per dwelling unit (1000 square feet minimum)</u> <u>100 square feet per dwelling unit for senior citizen housing</u> <u>(Not required for middle housing dwelling units)</u>				
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>				
<u>Conversion to Residential</u>	<u>See TMC 18.50.230, Residential Conversions</u>				

Lot area per unit (multifamily, except senior citizen housing), minimum	3,000 ft
Setbacks to yards, minimum:	
• Front	20 feet
• Second front	10 feet
• Sides	10 feet
• Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR	
1st Floor	10 feet
2nd Floor	20 feet
3rd Floor	30 feet
• Rear	10 feet
• Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR	
1st Floor	10 feet
2nd Floor	20 feet
3rd Floor	30 feet
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:	
• Residential (except senior citizen housing)	See TMC 18.56, Off street Parking/Loading Regulations
• Office	3 per 1,000 sq. ft. usable floor area minimum
• Retail	2.5 per 1,000 sq. ft. usable floor area minimum

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

Section 41. Ordinance No. 2741 §3 (part), as codified at TMC 18.30.010, "Purpose," is hereby amended to read as follows:

18.30.010 Purpose

A. This district implements the Commercial/Light Industrial (CLI) Comprehensive Plan designation. It is intended to provide for areas characterized by a mix of commercial, office, or light industrial uses. The standards are intended to promote ~~viable and attractive~~ commercial and industrial areas.

Section 42. Ordinance No. 2741 §3 (part), as codified at TMC 18.30.060, "On-Site Hazardous Substances," is hereby renumbered as TMC 18.30.030 and amended to read as follows:

18.30.~~060~~030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See *TMC 21.08*.)

Section 43. Ordinance No. 2741 §3 (part), as codified at TMC 18.30.070, "Design Review," is hereby renumbered as TMC 18.30.040 and amended to read as follows:

18.30.~~070~~040 Design Review

Design review is required for:

1. New developments within 300 feet of residential districts.
2. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.
3. Developments larger than 1,500 square feet outside the shoreline jurisdiction.
4. Certain exterior repairs, reconstructions, alterations or improvements to buildings over 10,000 square feet.

(See TMC 18.60, Design Review)

Section 44. Ordinance No. 2741 §3 (part), as codified at TMC 18.30.080, "Basic Development Standards," is hereby renumbered to TMC 18.30.050 and amended to read as follows:

18.30.080050 Basic Development Standards

A. Development within the Commercial Light Industrial District shall conform to the following listed and referenced standards:

C/LI BASIC DEVELOPMENT STANDARDS

Setbacks to yards, minimum:	
• <i>Front</i>	25 feet
• <i>Second front</i>	12.5 feet
• <i>Second front, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	15 feet
• <i>Sides</i>	10 feet
• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	
1st Floor	15 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, MDRCR, HDR</i>	
1st Floor	15 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	4 stories or 45 feet
Off-street parking	See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles
Off-street parking:	
• Warehousing	1 per 2,000 sq. ft. usable floor area min.
• Office	3 per 1,000 sq. ft. usable floor area min.
• Retail	2.5 per 1,000 sq. ft. usable floor area min.
• Manufacturing	1 per 1,000 sq. ft. usable floor area min.
• Other Uses	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 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 45. Ordinance No. 2741 §3 (part), as codified at TMC 18.32.010, “Purpose,” is hereby amended to read as follows:

18.32.010 Purpose

A. This district implements the Light Industrial (LI) Use Comprehensive Plan designation. It is intended to provide areas characterized by distributive and light manufacturing uses, with supportive commercial and office uses.

Section 46. Ordinance No. 2741 §3 (part), as codified at TMC 18.32.060, “On-Site Hazardous Substances,” is hereby renumbered as TMC 18.32.030 and amended to read as follows:

18.32.060030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See TMC 21.08.)

Section 47. Ordinance No. 2741 §3 (part), as codified at TMC 18.32.070, “Design Review” is hereby renumbered as TMC 18.32.040 and amended to read as follows:

18.32.070040 Design Review

Design review is required for:

1. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building’s assessed valuation.

2. New developments within 300 feet of residential districts.

(See TMC 18.60, *Design Review*)

Section 48. Ordinance No. 2741 §3 (part), as codified at TMC 18.32.080, “Basic Development Standards,” is hereby renumbered as TMC 18.32.050 and amended to read as follows:

18.32.0850 Basic Development Standards

A. Development within the Light Industrial District shall conform to the following listed and referenced standards:

LI BASIC DEVELOPMENT STANDARDS

Setbacks to yards, minimum:	
• <i>Front</i>	25 feet
• <i>Second front</i>	12.5 feet
• <i>Sides</i>	5 feet

• Sides, if any portion of the yard is within 50 feet of LDR, MDR CR, HDR	
1st Floor	10 feet
2nd Floor	20 feet
3rd Floor	30 feet
• Rear	5 feet
• Rear, if any portion of the yard is within 50 feet of LDR, MDR CR, HDR	
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	4 stories or 45 feet
Off-street parking	See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles
Off-street parking:	
• Warehousing	1 per 2,000 sq. ft. usable floor area min.
• Office	3 per 1,000 sq. ft. usable floor area min.
• Retail	2.5 per 1,000 sq. ft. usable floor area min.
• Manufacturing	1 per 1,000 sq. ft. usable floor area min.
• Other Uses	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 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 49. Ordinance No. 2741 §3 (part), as codified at TMC 18.34.010, "Purpose," is hereby amended to read as follows:

18.34.010 Purpose

A. This district implements the Heavy Industrial (HI) Comprehensive Plan designation. It is intended to provide areas characterized by heavy or bulk manufacturing uses and distributive and light manufacturing uses, with supportive commercial and office uses. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development.

Section 50. Ordinance No. 2741 §3 (part), as codified at TMC 18.34.060, "On-Site Hazardous Substances," is hereby renumbered as TMC 18.34.030 and amended to read as follows:

18.34.~~060~~030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See TMC 21.08.)

Section 51. Ordinance No. 2741 §3 (part), as codified at TMC 18.34.070, “Design Review,” is hereby renumbered as TMC 18.34.040 and amended to read as follows:

18.34.070040 Design Review

Design review is required for:

1. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building’s assessed valuation.
2. New developments within 300 feet of residential developments.
3. New developments that are outside the shoreline jurisdiction and over 45 feet in height.

(See TMC 18.60, Design Review)

Section 52. Ordinance No. 2741 §3 (part), as codified at TMC 18.34.080, “Basic Development Standards,” is hereby renumbered as TMC 18.34.050 and amended to read as follows:

18.34.0850 Basic Development Standards

A. Development within the Heavy Industrial District shall conform to the following listed and referenced standards:

HI BASIC DEVELOPMENT STANDARDS

Setbacks to yards, minimum:	
• <i>Front</i>	25 feet
• <i>Second front</i>	12.5 feet
• <i>Sides</i>	5 feet
• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	
<i>1st Floor</i>	10 feet
<i>2nd Floor</i>	20 feet
<i>3rd Floor</i>	30 feet
• <i>Rear</i>	5 feet
• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	
<i>1st Floor</i>	10 feet
<i>2nd Floor</i>	20 feet
<i>3rd Floor</i>	30 feet
Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	115 feet
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 –</u>

	Required Number of Parking Spaces for Automobiles & Bicycles
Off-street parking:	
• Warehousing	1 per 2,000 sq. ft. usable floor area min.
• Office	3 per 1,000 sq. ft. usable floor area min.
• Retail	2.5 per 1,000 sq. ft. usable floor area min.
• Manufacturing	1 per 1,000 sq. ft. usable floor area min.
• Other Uses	See TMC 18.56, Off-street Parking & Loading Regulations

Section 53. Ordinance No. 2741 §3 (part), as codified at TMC 18.36.010 “Purpose”, is hereby amended to read as follows:

18.36.010 Purpose

A. This district implements the Manufacturing Industrial Center/Light Industrial (MIC/L) Comprehensive Plan designation. It is intended to provide a major employment area containing distributive light manufacturing and industrial uses and other uses that support those industries. ~~This district's MIC/L's~~ uses and standards are intended to enhance the redevelopment of the Duwamish Corridor.

Section 54. Ordinance No. 2741 §3 (part), as codified at TMC 18.36.060, “On-Site Hazardous Substances”, is hereby renumbered as TMC 18.36.030 and amended to read as follows:

18.36.~~060~~030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See TMC 21.08.)

Section 55. Ordinance No. 2741 §3 (part), as codified at TMC 18.36.070, “Design Review”, is hereby renumbered as TMC 18.36.040 and amended to read as follows:

18.36.~~070~~040 Design Review

Design review is required for:

1. All new office development.
2. All new developments within 300 feet of residential districts.
3. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.

(See TMC 18.60, Design Review)

Section 56. Ordinance No. 2741 §3 (part), as codified at TMC 18.36.080, “Basic Development Standards,” is hereby renumbered as TMC 18.36.050 and amended to read as follows:

18.36.050 Basic Development Standards

A. Development within the Manufacturing Industrial Center/Light Industrial District shall conform to the following listed and referenced standards:

MIC/L BASIC DEVELOPMENT STANDARDS

Setbacks to yards, minimum:	
• <i>Front</i>	20 feet
• <i>Second front</i>	10 feet
• <i>Second front, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	15 feet
• <i>Sides</i>	None
• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	
<i>1st Floor</i>	15 feet
<i>2nd Floor</i>	20 feet
<i>3rd Floor</i>	30 feet
• <i>Rear</i>	None
• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDRCR, HDR</i>	
<i>1st Floor</i>	15 feet
<i>2nd Floor</i>	20 feet
<i>3rd Floor</i>	30 feet
Refer to TMC 18.52, “Landscape Requirements,” Table A, for perimeter and parking lot landscaping requirements.	
Height, maximum	4 stories or 45 feet
<u>Off-street parking</u>	<u>See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles</u>
Off-street parking:	
• Warehousing	1 per 2,000 sq. ft. usable floor area min.
• Office	3 per 1,000 sq. ft. usable floor area min.
• Retail	2.5 per 1,000 sq. ft. usable floor area min.
• Manufacturing	1 per 1,000 sq. ft. usable floor area min.
• Other Uses	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 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 57. Ordinance No. 2741 §3 (part), as codified at TMC 18.38.010, “Purpose,” is hereby amended to read as follows:

18.38.010 Purpose

A. This district implements the Manufacturing Industrial Center/Heavy Industrial (MIC/H) Comprehensive Plan designation. It is intended to provide a major employment area containing heavy or bulk manufacturing and industrial uses, distributive and light manufacturing and industrial uses, and other uses that support those industries. ~~This district's~~ MIC/H's uses and standards are intended to enhance the redevelopment of the Duwamish Corridor.

Section 58. Ordinance No. 2741 §3 (part), as codified at TMC 18.38.060, "On-Site Hazardous Substances," is hereby renumbered as TMC 18.38.030 and amended to read as follows:

18.38.~~060~~030 On-Site Hazardous Substances

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the State siting criteria (RCW 70.105). (See TMC 21.08.)

Section 59. Ordinance No. 2741 §3 (part), as codified at TMC 18.38.070, "Design Review," is hereby renumbered as TMC 18.38.040 and amended to read as follows:

18.38.~~070~~040 Design Review

Design review is required for:

1. All new office development.
2. All development within 300 feet of residential districts.
3. All projects located within the shoreline jurisdiction that involve new building construction or exterior changes if the cost of the exterior changes equals or exceeds 10% of the building's assessed valuation.

(See TMC 18.60, Design Review)

Section 60. Ordinance No. 2741 §3 (part), as codified at TMC 18.38.080, "Basic Development Standards," is hereby renumbered as TMC 18.38.050 and amended to read as follows:

18.38.0~~8~~50 Basic Development Standards

A. Development within the Manufacturing Industrial Center/Heavy Industrial District shall conform to the following listed and referenced standards:

MIC/H BASIC DEVELOPMENT STANDARDS

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

• Sides, if any portion of the yard is within 50 feet of LDR , MDR CR , HDR	
1st Floor	15 feet
2nd Floor	20 feet
3rd Floor	30 feet
• Rear	None
• Rear, if any portion of the yard is within 50 feet of LDR , MDR CR , HDR	
1st Floor	15 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	125 feet
Off-street parking	See TMC 18.56, Off-street Parking & Loading Regulations & Figure 18-7 – Required Number of Parking Spaces for Automobiles & Bicycles
Off-street parking:	
• Warehousing	1 per 2,000 sq. ft. usable floor area min.
• Office	2.5 per 1,000 sq. ft. usable floor area min.
• Retail	2.5 per 1,000 sq. ft. usable floor area min.
• Manufacturing	1 per 1,000 sq. ft. usable floor area min.
• Other Uses	See TMC 18.56, Off-street Parking & Loading Regulations

Section 61. Ordinance No. 2741 §3 (part), as codified at TMC 18.42.010, "Purpose," is hereby amended to read as follows:

18.42.010 Purpose

A. This district implements the Public Recreation [Overlay \(PRO\)](#) Comprehensive Plan designation, which is intended to reserve certain areas owned or controlled by a public or quasi-public agency for either passive or active public recreation use. As an overlay district, the PRO District may be combined with any other district established by this Title, and the provisions of this chapter shall be in addition to the provision for the underlying district.

Section 62. Ordinance No. 2741 §3 (part), as codified at TMC 18.42.030, "Basic Development Standards," is hereby amended to read as follows:

18.42.030 Basic Development Standards

A. Development standards for the PRO District shall be as specified by TMC 18 for the underlying district. However, when the underlying district is the ~~LDCR~~ (~~Low-Density Community~~ Residential) District, structures may be granted a height bonus of one additional foot of height for every four feet of excess setback (i.e., setback over and above the ~~LDR~~-~~CR~~ minimum standard), up to a maximum height of 50 feet. Ancillary facilities customarily installed in conjunction with a permitted recreational use, including light standards and safety netting, shall not be subject to the height restrictions of the underlying district. Structures for which a height bonus is requested and any ancillary facilities taller than the underlying height restrictions shall be subject to Design Review

approval under the “Commercial and Light Industrial Design Review Criteria” provisions of TMC 18.60.

Section 63. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.010, “Purpose”, is hereby amended to read as follows:

18.43.010 Purpose

A. This chapter implements the Urban Renewal Overlay ~~Urban Renewal Overlay~~ URO District, which applies the adopted Tukwila International Boulevard Revitalization and Urban Renewal Plan. The intent is to promote community redevelopment and revitalization, and to encourage investment that supports well-designed, compact, transit-oriented and pedestrian-friendly residential and business developments to activate the community along Tukwila International Boulevard. ~~Urban Renewal Overlay~~ URO District Boundaries are shown in (Figure 18-15.) This overlay may be applied in combination with the Commercial Redevelopment Areas procedures as described in TMC 18.60.060.

Section 64. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.020, “Principally Permitted Uses,” is hereby amended to read as follows:

18.43.020 Principally Permitted Uses

A. The ~~Urban Renewal Overlay~~ URO District is an overlay zone which allows the uses permitted in the underlying zoning district, while being consistent with all additional requirements of this chapter. In addition, larger scale multi-family buildings are permitted in the ~~LDR and MDR~~ CR districts within the ~~Urban Renewal Overlay~~ URO District.

Section 65. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.030, “Accessory Uses,” is hereby amended to read as follows:

18.43.030 Accessory Uses

A. The ~~Urban Renewal Overlay~~ URO District is an overlay zone which allows the accessory uses permitted in the underlying zone district, while being consistent with all additional requirements of this chapter.

Section 66. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.060, “Application Regulations,” is hereby amended to read as follows:

18.43.060 Application Regulations

A. ~~Property~~ Parcels located within the ~~Urban Renewal Overlay~~ URO District ~~are~~ is identified on the official Zoning Map, as well as in TMC 18, Figure 18.15, and ~~are~~ is subject both to its zone classification regulations and to additional requirements imposed for the ~~overlay~~ URO ~~D~~ district. The ~~URO overlay~~ D district provisions shall apply in any case where the provisions of the ~~overlay district~~ URO District conflict with the provisions of the underlying zone.

Section 67. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.070, “Specific Urban Renewal Overlay Development Standards and Criteria,” is hereby amended to read as follows:

18.43.070 Specific Urban Renewal Overlay Development Standards and Criteria

A. The ~~Urban Renewal Overlay~~URO District’s supplemental development standards are as follows, provided certain criteria are met:

1. Building heights shall be permitted up to 65 feet;
2. Existing ~~Neighborhood Commercial Center (NCC)~~ setback standards shall be followed per TMC 18.22.080 ~~as amended~~. (See Urban Renewal Basic Development Standards.)
3. Multi-family parking standards shall be one parking space per each dwelling unit that contains up to one bedroom, plus 0.5 spaces for every bedroom in excess of one bedroom in a dwelling unit.
4. The maximum number of dwelling units shall be determined by the building envelope, rather than a numeric density. The ~~developer~~applicant shall determine the unit mix with the limitation that studio units contain an average size of at least 500 square feet of interior floor space with no units smaller than 450 square feet and allow no more than 40% of the dwelling units to be studios.
5. Allow live/work space on the ground floor to meet the NCC requirement for ground floor retail or office space if the live/work space is built to commercial building code standards with a typical retail storefront appearance.
6. Allow ground floor residential uses in the NCC zone in buildings or portions of buildings that do not front on an arterial.

B. The ~~Urban Renewal Overlay~~URO District’s development standards apply if the ~~owner/developer~~applicant requests, and if all the following criteria are met:

1. At least 100 feet of the ~~development~~ parcel’s perimeter fronts on Tukwila International Boulevard.
2. At least 75% of required residential parking is provided in an enclosed structure (garage or podium). The structure must be screened from view from public rights-of-way.
3. The ground floor along Tukwila International Boulevard must contain active uses (except for the width of the garage access) when site conditions allow. Active uses comprise uses such as retail, restaurant, office, live-work or other uses of a similar nature that encourage pedestrian activity, and feature a combination of design and amenities to create a sense in interest with features such as doors, windows, clear glass display windows, wide sidewalks, etc.
4. Development must provide amenities such as some of the following to enable a high-quality pedestrian experience, including retail windows, pedestrian scale design

along sidewalks, wide sidewalks, pedestrian access through site, benches, art, landscaping and lighting, quality of materials, and street furniture.

5. The ~~property owner/manager~~applicant shall prepare a Transportation Management Plan to encourage alternatives to automobile use, and that provides each residential and commercial tenant with materials that may range from offering information about transit and bicycle options to providing transit tickets and passes.

6. Residential development shall provide opportunities for tenants to use a car-sharing program and make one space available at no charge to a car-sharing program (if available) for every 50 to 200 residential units on site. An additional space shall be provided for developments with over 200 units. All car share spaces are in addition to required residential parking. If car-sharing programs are not available when the building is constructed, an equivalent number of guest parking spaces shall be provided. These shall be converted to dedicated car-sharing spaces when the program becomes available.

7. One secure, covered, ground-level bicycle parking space shall be provided for every four residential units in a mixed-use or multi-family development.

Section 68. Ordinance No. 2741 §3 (part), as codified at TMC 18.43.080, “Basic Development Standards,” is hereby amended to read as follows:

18.43.080 Basic Development Standards

A. If requested by the ~~developer~~applicant and if the specific requirements and criteria of TMC 18.43.070a and 18.43.070b are met, development within the ~~Urban Renewal Overlay~~URO District shall conform to the following listed and referenced standards.

B. In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see TMC 18.60.020). Certain setback and landscaping standards may be waived by the Director when an applicant can demonstrate that:

- (i) shared parking is provided, or
- (ii) the number of driveways is reduced, or
- (iii) efficiency of the site is increased, or
- (iv) joint use of parking facilities is allowed, or
- (v) pedestrian space is provided.

Landscaping and setback standards may not be waived on commercial property sides adjacent to residential districts.

(See the Tukwila International Boulevard Design Manual for more detailed directions.)

Urban Renewal Overlay Basic Development Standards

Unit density	The maximum number of dwelling units to be determined by the building envelope as in the NCC zone, rather than a numeric density.
Unit size and maximum percentage for studio dwellings	The developer applicant shall determine the unit mix with the limitation that the studio units contain an average size of at least 500 square feet of interior floor space with no units smaller than 450 square feet and allow no more than 40% of the dwelling units to be studios.
Setbacks to yards, minimum (unless noted)	
Front	6 feet (12 feet if located along Tukwila International Boulevard South)
Front if any portion of the yard is adjacent to, or across the street from, LDR zoning that is developed with a single-family dwelling and that is outside of the Urban Renewal Overlay District	1st floor—10 ft. min/max 2nd floor—10 ft. to 30 ft. 3rd floor and higher—30 ft. Note: Buildings over two floors must have at least one tier. To achieve tiers, setbacks will be both minimum and maximum
Second front, if any portion of the yard is within 50 feet of MDR CR, HDR	1 st floor - 10 feet 2nd floor and above 20 feet
Second front	5 feet
Front Second front, if any portion of the yard is adjacent to, or across the street from, LDR zoning that is developed with a single-family dwelling and that is outside of the Urban Renewal Overlay District	1st floor—10 ft. min/max 2nd floor—10 ft. to 30 ft. 3rd floor and higher—30 ft. Note: Buildings over two floors must have at least one tier. To achieve tiers, setbacks will be both minimum and maximum
Second front, if any portion of the yard is within 50 feet of MD CR, HDR	1 st floor - 10 feet 2 nd floor and above 20 feet
Sides	10 feet
Sides, if any portion of the yard is adjacent to, or across the street from, LDR zoning that is developed with a single-family dwelling and that is outside of the Urban Renewal Overlay District	1st floor—10 ft. min/max 2nd floor—10 ft. to 30 ft. 3rd floor and higher—30 ft. Note: Buildings over two floors must have at least one tier. To achieve tiers, setbacks will be both minimum and maximum
Sides, if any portion of the yard is within 50 feet of MD CR, HDR	1 st floor - 10 feet 2 nd floor - 20 feet 3 rd floor and higher - 20 feet
Rear, if any portion of the yard is adjacent to, or across the street from, LDR zoning that is developed with a single-family dwelling and that is outside of the Urban Renewal Overlay District	1st floor—10 feet min/max 2nd floor—10 to 30 feet 3rd floor and higher—30 feet Note: Buildings over two floors must have at least one tier. To achieve tiers, setbacks will be both minimum and maximum
Rear, if any portion of the yard is within 50 feet of, MD CR, HDR	1 st floor - 10 feet 2 nd floor and above - 20 feet
Height, maximum – 65 feet (if all criteria are met)	
Landscape requirements (minimum): See Landscape requirements of specific underlying zone. Also see Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements	
Front(s)	All building setback areas must be landscaped or developed with pedestrian improvements per the width of the setback, rather than the landscape standards of the underlying zone.
Front if any portion of the yard is adjacent to, or across the street from, LDR zoning that is	All building setback areas must be landscaped or developed with pedestrian

<i>developed with a single-family dwelling and that is outside of the Urban Renewal Overlay District</i>	improvements per the width of the setback, rather than the landscape standards of the underlying zone.
<i>Front(s), if any portion of the yard is within 50 feet of MDR, HDR</i>	All building setback areas shall be landscaped or developed with pedestrian improvements per the width of the setback, rather than the landscape standards of the underlying zone.
<i>Sides</i>	None
<i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	10 feet
<i>Rear</i>	None
<i>Rear, if any portion of the yard is within 50 feet of MDR, HDR</i>	10 feet
<i>Recreation space</i>	See underlying zoning
<i>Recreation space, senior citizen housing</i>	See underlying zoning
Off-street parking:	
Residential (except senior citizen housing)	<p>One automobile parking space per each dwelling unit that contains up to one bedroom plus 0.5 spaces for every bedroom in excess of one bedroom in a multi-family dwelling unit. At least 75% of required residential parking is provided in an enclosed structure (garage or podium). The structure must be screened from view from public rights of way.</p> <p>One automobile space at no charge to a car sharing program (if available) for every 50 to 200 residential units on site. An additional space shall be provided for developments with over 200 units. All car share spaces are in addition to required residential parking. If car sharing programs are not available when the building is constructed, an equivalent number of guest parking spaces shall be provided. These shall be converted to dedicated car-sharing spaces when the program becomes available.</p> <p>One secure, covered, ground-level bicycle parking space shall be provided for every four residential units in a mixed-use or multi-family development.</p>
<i>Other uses, including senior citizen housing</i>	See TMC 18.56, Off-street Parking & Loading Regulations
Performance Standards: Use, activity and operations within a structure or a site shall comply with (1) standards adopted by the Puget Sound Air Pollution Control Agency for odor, dust, smoke and other airborne pollutants, (2) TMC 8.22 "Noise" and (3) adopted State and Federal standards for water quality and hazardous materials. In addition all development subject to the requirements of the State Environmental Policy Act, RCW 43.21.C shall be evaluated to determine whether adverse environmental impacts have been adequately mitigated.	

Section 69. Ordinance No. 2741 §3 (part), as codified at TMC 18.44.010, "Purpose and Applicability," is hereby amended to read as follows:

18.44.010 Purpose and Applicability

A. The purpose of this chapter is to implement the Shoreline Management Act of 1971, as amended, and the rules and regulations thereunder as codified in the Washington Administrative Code; and to provide for the regulation of development that affects those areas of the City under the jurisdiction of the Shoreline Management Act. In particular, the purpose of this chapter is to:

- ____ 1. Recognize and protect shorelines of State-wide significance;
- ____ 2. Preserve the natural character of the shoreline;
- ____ 3. Protect the resources and ecology of the shoreline;
- ____ 4. Increase public access to publicly-owned areas of the shoreline;
- ____ 5. Increase recreational opportunities for the public in the shoreline;
- ____ 6. Protect and create critical Chinook salmon habitat in the Transition Zone of the Green River.

B. ~~Applicability of Amended Zoning Code:~~ After the effective date of this ordinance, TMC 18.44, as hereby amended, shall apply to all properties subject to the shoreline overlay, provided that nothing contained herein shall be deemed to override any vested rights or require any alteration of a non-conforming use or non-conforming structure, except as specifically provided in TMC 18.44.

C. Pursuant to WAC 173-26-191 (2)(c), this chapter, together with the Shoreline Element of the Comprehensive Plan, constitutes the City of Tukwila's Shoreline Master Program. Any modifications to these documents will be processed as a Shoreline Master Program Amendment and require approval by the Department of Ecology.

Section 70. Ordinance No. 2741 §3 (part), as codified at TMC 18.44.050, "Development Standards," **subparagraph K.1**, is hereby amended to read as follows:

K. Marinas, Boat Yards, Dry Docks, Boat Launches, Piers, Docks and Other Over-water Structures:

____ 1. **General Requirements:**

____ a. A dock may be allowed when the applicant has demonstrated a need for moorage to the satisfaction of the Director of Community Development and that the following alternatives have been investigated and are not available or feasible:

- ____ (1) commercial or marina moorage;
- ____ (2) floating moorage buoys;
- ____ (3) joint use moorage pier/dock.

~~b.~~ The Director shall use the following criteria to determine if the applicant has demonstrated a need for moorage in accordance with TMC 18.44.050K.1.a:

____ ~~(1a)~~ Applicant has provided adequate documentation from a commercial marina within 5 river miles that moorage is not available.

(2**b**) Floating moorage buoy is technically infeasible as determined by a professional hydrologist.

(3**e**) Applicant has provided adequate documentation from any existing moorage pier/dock owner within 5 river miles that joint use is not possible.

~~_____c~~**b**. Prior to issuance of a Shoreline Substantial Development Permit for construction of piers, docks, wharves or other over-water structures, the applicant shall present proof of application submittal to State or Federal agencies, as applicable.

~~_____d~~**e**. ~~_____~~ Structures must be designed by a qualified engineer and must demonstrate the project will result in no net loss of shoreline ecological function and will be stable against the forces of flowing water, wave action and the wakes of passing vessels.

~~_____e~~**d**. In-water structures shall be designed and located to minimize shading of native aquatic vegetation and fish passage areas. Removal of shoreline, riparian and aquatic vegetation shall be limited to the minimum extent necessary to construct the project. All areas disturbed by construction shall be replanted with native vegetation as part of the project.

~~_____f~~**e**. New or replacement in-water structures shall be designed and located such that natural hydraulic and geologic processes, such as erosion, wave action or floods will not necessitate the following:

~~_____~~(1) reinforcement of the shoreline or stream bank with new bulkheads or similar artificial structures to protect the in-water structure; or

~~_____~~(2) dredging.

~~_____g~~**f**. No structures are allowed on top of over-water structures except for properties located north of the Turning Basin.

~~_____h~~~~_____g~~. Pilings or other associated structures in direct contact with water shall not be treated with preservatives unless the applicant can demonstrate that no feasible alternative to protect the materials exists and that non-wood alternatives are not economically feasible. In that case, only compounds approved for marine use may be used and must be applied by the manufacturer per current best management practices of the Western Wood Preservers Institute. The applicant must present verification that the best management practices were followed. The preservatives must also be approved by the Washington Department of Fish and Wildlife.

~~_____i~~**h**. All over-water structures shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe over-water structures shall be removed or repaired promptly by the owner. Accumulated debris shall be regularly removed and disposed of properly so as not to jeopardize the integrity of the structure. Replacement of in-water structures shall include proper removal of abandoned or other man-made structures and debris.

~~_____j~~**i**. Boat owners who store motorized boats on-site are encouraged to use best management practices to avoid fuel and other fluid spills.

Section 71. Ordinance No. 2741 §3 (part), as codified at TMC 18.44.060, “Vegetation Protection and Landscaping,” **subparagraphs B.1 and D**, is hereby amended to read as follows:

B. Applicability:

1. This chapter sets forth rules and regulations to control maintenance and clearing of trees and other vegetation within the City of Tukwila for properties located within the shoreline jurisdiction. For properties located within a critical area or its associated buffer, the maintenance and removal of trees shall be governed by TMC 18.45. TMC 18.54, “Urban Forestry and Tree Regulations”, shall govern tree removal on all undeveloped properties, and all developed properties that contain exclusively residential uses that do not meet the definition of 'Multi-Family'. ~~TMC 18.54, “Urban Forestry and Tree Regulations” chapter, shall govern tree removal on any undeveloped land and any land zoned Low Density Residential (LDR) that is developed with a single family residence.~~ TMC 18.52, “Landscape Requirements,” shall govern the maintenance and removal of trees on all developed properties that contain commercial, industrial, multi-family, and mixed uses. ~~shall govern the maintenance and removal of trees on developed properties that are zoned commercial, industrial, or multifamily, and on properties located in the LDR zone that are developed with a non-single family residential use.~~ The most stringent regulations shall apply in case of a conflict.

D. Tree Retention and Replacement:

1. Retention:

a. As many significant trees and as much native vegetation as possible are to be retained on a site proposed for development or re-development, taking into account the condition and age of the trees. As part of a land use application such as but not limited to subdivision, design review, or development permit review, the Director may require alterations in the arrangement of buildings, parking or other elements of proposed development in order to retain significant non-invasive trees, particularly those that provide shading to the river.

b. Topping of trees is prohibited and will be regulated as removal with tree replacement required.

c. Trees may only be pruned to prevent interference with an overhead utility line with prior approval by the Director. The pruning must be carried out under the direction of a Qualified Tree Professional or performed by the utility provider under the direction of a Qualified Tree Professional. The crown shall be maintained to at least 2/3 the height of the tree prior to pruning. Pruning more than 25% of the canopy in a 36 month period shall be regulated as removal with tree replacement required.

2. Permit Requirements: Prior to any tree removal or site clearing, a Type 2 Shoreline Tree Removal and Vegetation Clearing Permit application must be submitted to the Department containing the following information:

a. A vegetation survey on a site plan that shows the diameter, species and location of all significant trees and all existing native vegetation.

____ b. A site plan that shows trees and native vegetation to be retained and trees to be removed and provides a table showing the number of significant trees to be removed and the number of replacement trees required.

____ c. Tree protection zones and other measures to protect any trees or native vegetation that are to be retained for sites undergoing development or re-development.

____ d. Location of the OHWM, shoreline buffer, Shoreline Jurisdiction boundary and any critical areas with their buffers.

____ e. A landscape plan that shows diameter, species name, spacing and planting location for any required replacement trees and other proposed vegetation.

____ f. An arborist evaluation justifying the removal of hazardous trees if required by ~~DCD~~[the Department](#).

____ g. An application fee per the current Land Use Permit Fee resolution.

____ 3. **Criteria for Shoreline Tree Removal**:- A Type 2 Shoreline Tree Removal and Vegetation Clearing Permit shall only be approved by the Director if the proposal complies with the following:

____ a. ____ The site is undergoing development or redevelopment; [or](#)

____ b. ____ The proposal complies with tree retention, replacement, maintenance, and monitoring requirements of this chapter; and

____ c. Either:

____ (1) Tree poses a risk to structures; [or](#)

____ (2) There is imminent potential for root or canopy interference with utilities; [or](#)

____ (3) Trees interfere with the access and passage on public trails; [or](#)

____ (4) Tree condition and health is poor; the City may require an evaluation by an International Society of Arborists (ISA) certified arborist; or

____ (5) Trees present an imminent hazard to the public. If the hazard is not readily apparent, the City may require an evaluation by an International Society of Arborists (ISA) certified arborist. ~~;-and~~

____ 4. **Tree Replacement Requirements**:-

a. Significant trees that are removed, illegally topped, or pruned by more than 25 percent in 36 month period within the shoreline jurisdiction shall be replaced pursuant to the tree replacement requirements shown below, up to a density of 100 trees per acre (including existing trees).

b. Significant trees that are removed as part of an approved landscape plan on a developed site are subject to replacement per TMC 18.52. Dead or dying trees

removed from developed or landscaped areas shall be replaced 1:1 in the next appropriate season for planting.

c. Dead or dying trees located within the buffer or undeveloped upland portion of the Shoreline Jurisdiction shall be left in place as wildlife snags, unless they present a hazard to structures, facilities or the public. Removal of non-hazardous trees as defined by TMC 18.06 in non-developed areas are subject to the tree replacement requirements listed in the table below.

d. The Director ~~or Planning Commission~~ may require additional trees or shrubs to be installed to mitigate any potential impact from the loss of this vegetation as a result of new development.

Tree Replacement Requirements

Diameter* of Tree Removed (*measured at height of 4.5 feet from the ground)	Number of Replacement Trees Required
4 - 6 inches (single trunk); 2 inches (any trunk of a multi-trunk tree)	3
Over 6 - 8 inches	4
Over 8 - 20 inches	6
Over 20 inches	8

e. The property owner is required to ensure the viability and long-term health of trees planted for replacement through proper care and maintenance for the life of the project. Replaced trees that do not survive must be replanted in the next appropriate season for planting.

f. If all required replacement trees cannot be reasonably accommodated on the site, off-site tree replacement within the shoreline jurisdiction may be allowed at a site approved by the City. Priority for off-site tree planting will be at locations within the Transition Zone. If no suitable off-site location is available, the applicant shall pay a fee into a tree replacement fund per the adopted fee resolution.

5. **Large Woody Debris (LWD):** When a tree suitable for use as LWD is permitted to be removed from the shoreline buffer, the tree trunk and root ball (where possible) will be saved for use in a restoration project elsewhere in the shoreline jurisdiction. The applicant will be responsible for the cost of moving the removed tree(s) to a location designated by the City. If no restoration project or storage location is available at the time, the Director may waive this requirement. Trees removed in the shoreline jurisdiction outside the buffer shall be placed as LWD in the buffer (not on the bank), if feasible. Priority for LWD placement projects will be in the Transition Zone.

Section 72. Ordinance No. 2741 §3 (part), as codified at TMC 18.44.090, "Shoreline Design Guidelines," **subparagraph A.1**, is hereby amended to read as follows:

18.44.090 Shoreline Design Guidelines

A. The Green/Duwamish River is an amenity that should be valued and celebrated when designing projects that will be located along its length. If any portion of a project falls within the shoreline jurisdiction, then the entire project will be reviewed under these

guidelines as well as the relevant sections of the Design Review Chapter of the Zoning Code (TMC 18.60).

~~—A.~~ The following standards apply to development, uses and activities in the Urban Conservancy and High Intensity Environments and non-residential development in the Shoreline Residential Environment.

1. **Relationship of Structure to Site.** Development within the shoreline jurisdiction shall demonstrate compliance with the following:

- a. Reflect the shape of the shoreline;
- b. Orient building elements to site such that public river access, both visual and physical is enhanced;
- c. Orient buildings to allow for casual observation of pedestrian and trail activity from interior spaces;
- d. Site and orient buildings to provide maximum views from building interiors toward the river and the shoreline;
- e. Orient public use areas and private amenities towards the river;
- f. Clearly allocate spaces, accommodating parking, vehicular circulation and buildings to preserve existing stands of vegetation or trees so that natural areas can be set aside, improved, or integrated into site organization and planning;
- g. Clearly define and separate public from non-public spaces with the use of paving, signage, and landscaping.

Section 73. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.040, “Critical Area Special Studies,” **subparagraph B**, is hereby amended to read as follows:

B. Standards for Wetland and Watercourse Critical Area Studies: Wetland and watercourse special studies are valid for five years following the date of the study, unless otherwise determined by the Director. The critical area study shall contain the following information, as applicable:

- 1. The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
- 2. A copy of the site plan for the development proposal showing: critical areas and buffers and the development proposal with dimensions, clearing limits, proposed storm water management plan, and mitigation plan for impacts due to drainage alterations;
- 3. The dates, names and qualifications of the persons preparing the study and documentation of any fieldwork performed on the site;
- 4. Identification and characterization of all critical areas, water bodies, and buffers on or adjacent to the proposed project area or potentially impacted by the proposed project as described in the following sections:

____ a. Characterization of wetlands must include:

____(1) A wetland delineation report that includes methods used, field indicators evaluated and the results. Wetland delineation must be performed in accordance with approved federal wetland delineation manual and current applicable regional supplements. Field data forms are to be included in the report. Data collection points are to be shown on the site plan with their corresponding numbers indicated. After the City of Tukwila confirms the boundaries, they are to be professionally surveyed to the nearest square foot and the site plan modified as necessary to incorporate the survey data. Exact wetland acreage will be calculated after the boundaries have been surveyed. Applicant must submit electronic survey data in Autocad, GIS or similar format at the time of as-built submittal.

____(2) Cowardin (Classification of Wetlands and Deepwater Habitats of the U.S. – U.S. Department of Interior) classification of the wetland(s).

____(3) Hydrogeomorphic classification of the wetland(s).

____(4) Hydroperiod.

____(5) Brief landscape assessment of the wetland (identify hydrologic basin/sub-basin; inlets, outlets; surrounding land use; habitat quality and connectivity; ultimate point of discharge; presence of culverts or other constraints to flow; relationship to other wetlands/watercourses adjacent to or potentially impacted by the proposed project).

____(6) Description of buffer size per this chapter, conditions (topographic considerations, existing vegetation types and density, habitat features, watercourse edges, presence of invasive species, etc.) and functions.

____(7) ~~Assessment~~: For proposed wetland filling or proposed projects that will impact buffers, the most current Washington Wetland Classification System shall be used as a functional assessment.

____ b. Characterization of the watercourses on site, adjacent to or potentially impacted by the proposed project must include:

____(1) Description of: flow regime, physical characteristics of streambed, banks, dimensions and bank-full width, stream gradient, stream and buffer vegetation conditions, habitat conditions, and existing modifications.

____(2) Brief landscape assessment of the watercourse (identify hydrologic basin/sub-basin, and contributing basin area acreage, outlets, surrounding land use, habitat quality and connectivity, ultimate point of discharge, presence of culverts or other constraints to flow, presence of man-made or natural barriers to fish passage, relationship to wetlands or other watercourses adjacent to or potentially impacted by the proposed project, flow regime).

____(3) Classification of the watercourse under Tukwila's rating system.

____(4) Description of buffer size per this chapter, conditions (topographic considerations, existing vegetation types and density, habitat features, watercourse edges, presence of invasive species, etc.) and functions.

____(5) Description of habitat conditions, wildlife/fish use of the watercourse, including sensitive, threatened or endangered species.

____c. Citation of any literature or other resources utilized in preparation of the report.

____5. A statement specifying the accuracy of the study and assumptions used in the study.

____6. Determination of the degree of hazard and risk from the proposal both on the site and on adjacent properties.

____7. An assessment of the probable cumulative impacts to critical areas, their buffers and other properties resulting from the proposal.

____8. A description of reasonable efforts made to apply mitigation sequencing to avoid, minimize and mitigate impacts to critical areas.

____9. Plans for adequate mitigation to offset any impacts.

____10. Recommendations for maintenance, short-term and long-term monitoring, contingency plans and bonding measures.

____11. Any technical information required by the Director to assist in determining compliance with this chapter.

Section 74. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.080, "Wetlands Designations, Ratings and Buffers," **subparagraph F.2**, is hereby amended to read as follows:

2. **Interrupted Buffer:** Waiver for interrupted buffer may be allowed by the Director as a Type 2 permit if it complies with the following:

____a. The buffer is interrupted by a paved public or private road; existing or future levee legally constructed adjacent to an off-channel habitat; legally constructed buildings or parking lots. ~~This waiver~~A buffer shall not be determined to be interrupted due to the presence of~~-does not apply to~~ accessory structures such as sheds and garages;

____b. The existing legal improvement creates a substantial barrier to the buffer function;

____c. The interrupted buffer does not provide additional protection of the critical area from the proposed development;~~and~~

____d. The interrupted buffer does not provide significant hydrological, water quality and wildlife functions,~~and~~~~This waiver does not apply if~~ large trees or other significant native vegetation do not exist;~~and~~.

____ e. The project proposes to eEnhancement of the remaining buffer is required as much as if is feasible.

Section 75. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.090, “Wetlands Uses, Alterations and Mitigation,” **subparagraph A**, is hereby amended to read as follows:

A. Use or development in a wetland or its buffer: No use or development may occur in a wetland or its buffer except as specifically allowed by TMC 18.45. Any use or development allowed is subject to review and approval by the Director. Where required, a mitigation plan must be developed and must comply with the standards of mitigation required in this chapter. Where unauthorized alterations occur within a critical area or its buffer, the City will require the applicant to submit a critical area study, that includes mitigation, subject to approval. The applicant shall be responsible for implementing the mitigation and for additional penalties as determined by the Director. In addition, federal and/or state authorization is required for direct impacts to waters of the United States or the State of Washington.

Section 76. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.100, “Watercourse Designations, Ratings and Buffers,” **subparagraph E**, is hereby amended to read as follows:

E. Variation of Standard Watercourse Buffer Width:

____ 1. Buffer Averaging: Buffer averaging may be allowed by the Director as a Type 2 Critical Area Permit if the total area of the buffer after averaging is equal to the area required without averaging and the buffer at its narrowest point is never less than either 3/4 of the required width; and the following criteria is met:

____ a. The watercourse has significant differences in characteristics that affect its habitat functions, and the buffer is increased adjacent to the higher-functioning area of habitat or more-sensitive portion of the watercourse and decreased adjacent to the lower-functioning or less-sensitive portion as demonstrated by a critical areas report from a qualified professional.

____ b. There are no feasible alternatives to the site design that could be accomplished without buffer averaging, and the averaged buffer will not result in degradation of the watercourse’s functions and values as demonstrated by a critical areas report.

____ c. Compliance with mitigation sequencing requirements (TMC 18.45.075).

____ d. Compliance with TMC 18.45.158, “Vegetation Protection and Management.”

____ e. Submittal of buffer enhancement plan, mitigation monitoring and maintenance plan, along with financial guarantee in accordance with this chapter.

____ f. Buffer averaging shall not adversely affect water quality.

____g. No adverse affect to water temperature or shade potential will occur to the watercourse using methodology per 2011 Washington State Department of Ecology's Green River Temperature Total Maximum Daily Load (TMDL) assessment or as amended.

____2. **Interrupted Buffer:** Waiver for interrupted buffer may be allowed by the Director as a Type 2 Critical Area Permit if it complies with the following:

____a. The buffer is interrupted by a paved public or private road, legally constructed buildings, or parking lots. A buffer shall not be determined to be interrupted due to the presence of accessory structures such as sheds and garages; and ~~This waiver does not apply to accessory structures such as sheds and garages;~~

____b. The existing legal improvement creates a substantial barrier to the buffer function; and

____c. The interrupted buffer does not provide additional protection of the critical area from the proposed development; and

____d. The interrupted buffer does not provide significant hydrological, water quality and wildlife functions, and large trees or other significant native vegetation do not exist; and

____e. The project proposes to enhance the remaining buffer as much as is feasible.

~~. This waiver does not apply if large trees or other significant native vegetation exists.~~

~~____e. Enhancement of remaining buffer is required if feasible.~~

____3. Buffers for all types of watercourses will be increased when they are determined to be particularly sensitive to disturbance or the proposed development will create unusually adverse impacts. Any increase in the width of the buffer shall be required only after completion of a watercourse study by a qualified professional or expert that documents the basis for such increased width. An increase in buffer width may be appropriate when:

____a. The development proposal has the demonstrated potential for significant adverse impacts upon the watercourse that can be mitigated by an increased buffer width; or

____b. The area serves as habitat for endangered, threatened, sensitive or monitor species listed by the federal government or the State.

Section 77. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.110, "Watercourse Alterations and Mitigation," **subparagraph D**, is hereby amended to read as follows:

D. Mitigation Timing: ~~Department of Community Development approved plans are Type 2 Critical Area Permit decisions and must have the m~~ Mitigation construction shall be completed before the modification of the existing watercourse ~~can be modified.~~

The Director may allow activities that permanently disturb a watercourse prior to implementation of the mitigation plan under the following circumstances:

- ____ 1. To allow planting or re-vegetation to occur during optimal weather conditions; or
- ____ 2. To avoid disturbance during critical wildlife periods; or
- ____ 3. To account for unique site constraints that dictate construction timing or phasing.

Section 78. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.120, “Areas of Potential Geologic Instability Designations, Ratings and Buffers,” **subparagraph D**, is hereby amended to read as follows:

D. **Geotechnical Reports:** Each development proposal containing or threatened by an area of potential geologic instability Class 2 or higher shall be subject to a geotechnical report pursuant to the requirements of TMC 18.45.040.C. The geotechnical report shall analyze and make recommendations on the need for and width of any setbacks or buffers necessary to achieve the goals and requirements of this chapter. Development proposals shall then include the buffer distances as defined within the geotechnical report.

Section 79. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.155, “Special Hazard Flood Areas,” is hereby amended to read as follows:

A. **Additional Regulations:** Regulations governing Special Hazard Flood Areas are found in TMC 16.52, “Flood Plain Management,” and TMC 18.45.155.B.

B. Floodplain Habitat Assessment:

____ 1. When development is proposed within a Special Hazard Flood area, a floodplain habitat assessment shall be prepared pursuant to the requirements of TMC 18.45.040.B.

____ 2. The floodplain habitat assessment shall address the effects of the development on federally listed salmon, including, but not limited to the following:

- ____ a. Impervious surfaces,
- ____ b. Floodplain storage and conveyance,
- ____ c. Floodplain and riparian vegetation, and
- ____ d. Stormwater drainage.

____ 3. If the floodplain habitat assessment concludes that the project is expected to have an adverse effect on listed species as evaluated under the guidance issued for ESA compliance under the National Flood Insurance Program in Puget Sound, the applicant shall mitigate those impacts. Such mitigation shall be consistent with, or in addition to, any mitigation required by this chapter and shall be incorporated into the approved project plans.

C.—4. Activities Exempt from Floodplain Habitat Assessment: A floodplain habitat assessment is not required under the following circumstances:

1a. Projects that are undergoing or have undergone consultation with the National Marine Fisheries Service under the Endangered Species Act.

2b. Repair or remodeling of an existing structure, if the repair or remodeling is not a substantial improvement.

3c.— Expansion of an existing structure that is no greater than 10 percent beyond its existing footprint; provided that the repairs or remodeling are not a substantial improvement, or a repair of substantial damage. This measurement is counted cumulatively from September 22, 2011. If the structure is in the floodway, there shall be no change in the dimensions perpendicular to flow.

4d. Activities with the sole purpose of creating, restoring, or enhancing natural functions provided the activities do not include construction of structures, grading, fill, or impervious surfaces.

5e. Development of open space and recreational facilities, such as parks and trails, that do not include structures, fill, impervious surfaces or removal of more than 5 percent of the native vegetation on that portion of the property in the regulatory floodplain.

6f.— Repair to on-site septic systems provided the ground disturbance is the minimum necessary.

7g. Other minor activities considered to have no effect on listed species, as interpreted using ESA guidance issued by the National Flood Insurance Program in Puget Sound and confirmed through City review of the development proposal.

Section 78. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.158, “Vegetation Protection and Management,” **subparagraphs B and E.1**, is hereby amended to read as follows:

B. Applicability: This chapter sets forth rules and regulations to control maintenance and clearing of trees within the City of Tukwila for properties located within a critical area or its associated buffer. For properties located within the Shoreline jurisdiction, the maintenance and removal of vegetation shall be governed by TMC 18.44, “Shoreline Overlay.” TMC 18.54, “Urban Forestry and Tree Regulations,” shall govern tree removal on any undeveloped land and any land zoned ~~Low-Density Residential~~Community Residential (~~LDR~~CR) that is developed with a ~~single-family residence~~residential use. TMC 18.52, “Landscape Requirements,” shall govern the maintenance and removal of landscaping on developed properties zoned commercial, industrial, or multifamily, and on properties located in the ~~LDR-CR~~ zone that are developed with a non-~~single-family~~ residential use. The most stringent regulations shall apply in case of a conflict.

E. Plant Materials Standards:

—For any new development, redevelopment or restoration in a Critical Area, invasive vegetation must be removed, and native vegetation planted and maintained in the Critical Area and its buffer.

1. A planting plan prepared by a qualified biologist shall be submitted to the City for approval that shows plant species, size, number, spacing, soil preparation irrigation, and invasive species removal. The requirement for a biologist may be waived by the Director ~~for single family property owners~~ when the mitigation area is less than 1,500 square feet.

Section 79. Ordinance No. 2741 §3 (part), as codified at TMC 18.45.0190, “Time Limitation, Appeals and Vesting,” **subparagraph D**, is hereby amended to read as follows:

D. **Vesting:** Projects are vested to the critical areas ordinance in effect at the time a complete permit is submitted except for subdivisions, binding site plans, and shoreline permits. Subdivisions or binding site plans are vested to the critical area ordinance in effect at the time complete application is submitted for preliminary subdivision or for the binding site plan. The final subdivision and all future building permits on the lots remain vested to that same critical areas ordinance in effect for the preliminary subdivision or preliminary binding site plan application, so long as building permits are applied for within five (5) years of the final subdivision. ~~For single family residential subdivisions that received preliminary approval prior to the adoption of this ordinance, building permits on the lots shall be considered under the critical areas ordinance in effect on the date of the preliminary subdivision application provided complete building or construction permits are submitted within five years of the final subdivision approval.~~ Vesting provisions for shoreline permits are provided in TMC 18.44.

Section 80. Ordinance No. 2741 §3 (part), as codified at TMC 18.46, “PRD - Planned Residential Development,” is hereby repealed, thereby eliminating Chapter 18.46:

~~CHAPTER 18.46~~ ~~PRD - PLANNED RESIDENTIAL DEVELOPMENT~~

Sections:

18.46.010	Purpose
18.46.020	Permitted Districts
18.46.030	Permitted Uses
18.46.040	Relationship of this Chapter to Other Sections and Other Ordinances
18.46.050	Multi-Family Density Standards
18.46.060	Open Space
18.46.070	Relationship to Adjacent Areas
18.46.080	Application Procedure Required for PRD Approval
18.46.092	Review Criteria
18.46.100	Restrictive Covenants Subject to Approval by City Council and City Attorney
18.46.110	Application Procedures for Building Permit

~~18.46.120 Minor and Major Adjustments~~
~~18.46.130 Expiration of Time Limits~~

Section 81. TMC 18.46 Reenacted. TMC Chapter 18.46 is hereby reenacted to read as follows:

CHAPTER 18.46
PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Sections:

<u>18.46.010</u>	<u>Purpose</u>
<u>18.46.020</u>	<u>Applicability</u>
<u>18.46.030</u>	<u>Permitted Uses</u>
<u>18.46.040</u>	<u>Relationship to Other Standards</u>
<u>18.46.050</u>	<u>Density Standards</u>
<u>18.46.060</u>	<u>Open Space</u>
<u>18.46.070</u>	<u>Application Procedures</u>
<u>18.46.080</u>	<u>Review Criteria</u>
<u>18.46.090</u>	<u>Restrictive Covenants</u>
<u>18.46.100</u>	<u>Construction Application</u>
<u>18.46.110</u>	<u>Minor and Major Adjustments</u>
<u>18.46.120</u>	<u>Expiration of PRD After Building Permit Issuance</u>

18.46.010 Purpose

A. It is the purpose of this chapter to encourage imaginative site and building design on parcels with environmentally critical areas by permitting greater flexibility in zoning requirements than is permitted by other sections of this title. Furthermore, it is the purpose of this chapter to:

1. Promote the retention of significant features of the natural environment, including topography, vegetation, waterways, wetlands and views;
2. Encourage a variety or mixture of housing types;
3. Encourage maximum efficiency in the layout of streets, utility networks, and other public improvements; and
4. Create and/or preserve usable open space for the enjoyment of the occupants and the general public.

18.46.020 Applicability

A. Planned residential development (PRD) may be permitted in the CR and HDR zoning districts and in the TSO overlay, on parcels that contain environmentally critical areas and/or their associated buffers.

18.46.030 Permitted Uses

A. Only residential uses, and any associated accessory uses, that are permitted in the underlying zoning district are permitted in a PRD.

18.46.040 Relationship to Other Standards

A. Lot Size, Building Height and Setbacks:

1. **Lot Size and Setbacks:** A maximum reduction of 30% for lot areas and setbacks shall be permitted, provided that the following are also substantially provided:

a. At least 15% of the natural vegetation is retained (in cases where significant stands exist).

b. Advantage is taken or enhancement is achieved of unusual or significant site features such as views, watercourses, or other natural characteristics.

c. Separation of auto and pedestrian movement is provided, especially in or near areas of recreation.

d. Development aspects of the PRD complement the land use policies of the Comprehensive Plan.

2. **Building Height:** Building heights may be modified within a PRD when the modification would assist the preservation of natural resources and significant vegetation and enhance views within the site.

B. **Off-street Parking:** Off-street parking shall be provided in a PRD in the same ratio for types of buildings and uses as required in the Off-street Parking and Loading Regulations chapter of this title. However, up to 50% of the stalls may be permitted to be compact stalls allowance, and parking stalls in front of carports or garages will be allowed if the design does not affect circulation. If the applicant can demonstrate that installation of required parking necessitates tree removal, the parking requirements may be waived.

C. **Subdivision Requirements:** The standards of the subdivision code for residential subdivisions shall apply to planned residential developments if such standards are not in conflict with the provisions of this chapter. Upon final approval of the PRD, filing of the PRD shall be in accordance with procedures of the subdivision code if any lots are to be transferred.

D. **Recreation Space Requirements.** Environmentally critical areas, and stands of significant trees, may be counted as area required to meet the recreation space minimums, if usable passive recreation opportunities within these areas are demonstrated. Opportunities could include connection and continuation of area-wide trail systems, wildlife or scenic viewing opportunities, or picnic areas.

E. Landscape and Site Treatment for Sites with Class 2, Class 3 and Class 4 Geologic Hazard Areas:

1. **Downslope and Side Yard Buffers:** Photomontage or computer-generated perspectives, taken from the nearest downslope off-site privately-owned property, shall show minimum landscape coverage of 25% of the structures at the time of

project completion with anticipated 40% coverage within 15 years. This standard may supplement or be in lieu of the applicable landscape yard requirement.

2. **Roads and Access Drives:** Any road or access drive which cuts approximately perpendicular to a slope to the ridge line of a hill shall have minimum five-foot planted medians. Trees shall be a species that provides a branch pattern sufficient to provide, at maturity, 50% coverage of the pavement area. Roads or drives which require retaining walls parallel to the topographic line shall plant roadside buffers of Northwest native plant species.

18.46.050 Density Standards

A. The City Council may authorize a dwelling-unit density not more than 50% greater than permitted by the underlying zones, after entry of findings that the following are substantially provided:

1. A variety of housing types is offered.
2. At least 15% of the natural vegetation is retained (in cases where significant stands exist).
3. Advantage is taken or enhancement is achieved of unusual or significant site features such as views, watercourses, wetlands or other natural characteristics.
4. Separation of auto and pedestrian movement is provided, especially in or near areas of recreation.
5. Developmental aspects of the PRD complement the land use policies of the Comprehensive Plan.

18.46.060 Open Space

A. Planned residential developments shall set aside sensitive areas and their buffers in a sensitive areas tract as required by TMC 18.45.090, and will be exempted from other open space requirements of this section.

18.46.070 Application Procedures

A. **Filing of Application.** Application for approval of the PRD shall be made on forms prescribed by the Department and shall be accompanied by a filing fee as required in the Application Fees chapter of this title and by the following:

1. Justification for the density increases, or lot size and setback reductions, if requested by the applicant;
2. Program for development including staging or timing of development;
3. Proposed ownership pattern upon completion of the project;
4. Basic content of any restrictive covenants;

5. Provisions to assure permanence and maintenance of common open space through a homeowners' association, or similar association, condominium development or other means acceptable to the City;

6. An application for rezone may be submitted with the PRD application if rezoning is necessary for proposed density. Fees for rezone request shall be in addition to those of the PRD application;

7. An application for preliminary subdivision may be submitted with the PRD application, if necessary. Fees for the subdivision shall be in addition to those of the PRD application;

8. Graphic images of development in any sensitive area or buffer, including photomontage or computer-generated perspectives in a standardized format required by the Director;

9. Every reasonable effort shall be made to preserve existing trees and vegetation and integrate them into the subdivision's design by preparing a tree inventory of the significant vegetation on-site as part of the preliminary subdivision application. A tree and vegetation retention/removal plan shall be part of any preliminary subdivision application. Such tree and vegetation retention/removal plan shall assure the preservation of significant trees and vegetation.

B. Application Review.

1. PRD applications shall be processed pursuant to TMC 18.104.

2. The PRD shall be an exception to the regulations of the underlying zoning district. The PRD shall constitute a limitation on the use and design of the site unless modified by ordinance.

18.46.080 Review Criteria

A. The City Council shall find that the proposed development plans meet all of the following criteria in their decision making:

1. Requirements of the subdivision code for the proposed development have been met, if appropriate;

2. Reasons for density increases, or lot size and setback reductions, meet the criteria as listed in the Planned Residential Development District chapter of this title;

3. Adverse environmental impacts have been mitigated;

4. Compliance of the proposed PRD to the provisions of this chapter and the Sensitive Areas Overlay District chapter of this title;

5. Time limitations, if any, for the entire development and specified stages have been documented in the application;

6. Development in accordance with the Comprehensive Land Use Policy Plan and other relevant plans;

7. Compliance with design review requirements (see TMC 18.60); and
8. Appropriate retention and preservation of existing trees and vegetation recommended by the Director.

18.46.090 Restrictive Covenants

A. The restrictive covenants intended to be used by the applicant in a planned residential development (PRD), which purport to restrict the use of land or the location or character of buildings or other structures thereon, must be approved by the City Council and the City Attorney before the issuance of any building permit.

18.46.100 Construction Application

A. The following procedures are required for approval of construction for the proposed planned residential development:

1. **Time Limitation:** A complete application for the initial building permit shall be filed by the applicant within twelve months of the date on which the City Council approved the PRD. An extension of time for submitting an application may be requested in writing by the applicant, and an extension not exceeding six months may be granted by the Director. If application for the initial building permit is not made within twelve months or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the requirements and limitations of the underlying zone and the subdivision code.

2. **Application:** Application for building permit shall be made on forms prescribed by the Department and shall be accompanied by a fee as prescribed by the building code.

3. **Documentation Required:** All schematic plans either presented or required in the approved PRD plans shall be included in the building permit application presented in finalized, detailed form. These plans shall include but are not limited to landscape, utility, open space, circulation, and site or subdivision plans. Final subdivisions and public dedication documents must be approved by the City Council before the issuance of any building permits.

4. **Sureties Required for Staging:** If the PRD is to be developed in stages, sureties or other security device as shall be approved by the City Attorney shall be required for the complete PRD. The various stages or parts of the PRD shall provide the same proportion of open space and the same overall dwelling unit density as provided in the final plan.

5. **Department Action:** The Department shall determine whether the project plans submitted with the building permit are in compliance with and carry out the objectives of the approved PRD.

18.46.110 Minor and Major Adjustments

A. If minor adjustments or changes are proposed following the approval of the PRD, such adjustments shall be approved by the Department prior to the issuance of a

building permit. Minor adjustments are those which may affect the precise dimensions or siting of structures, but which do not affect the basic character or arrangement of structures approved in the final plan, or substantially alter the density of the development. Major adjustments are those which, as determined by the Department, substantially change the basic design, density, open space, or other substantive requirement or provision. If the applicant wishes to make one or more major changes, a revised plan must be approved pursuant to the Planned Residential Development District chapter of this title.

18.46.120 Expiration of PRD After Building Permit Issuance

A. Construction of improvements in the PRD shall begin within six months from the date of the issuance of the building/development permit. An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six months may be granted by the Department upon showing of good cause. If construction does not occur within 12 months from the date of permit issuance or if this permit expires the plan shall be considered abandoned, and the development of the property shall be subject to the requirements and limitations of the underlying zone and TMC Title 17.

Section 82. Ordinance No. 2741 §3 (part), as codified at various sections of TMC Chapter 18.50, “Supplemental Development Standards,” is hereby repealed, thereby removing the following sections:

~~18.50.050 Single-Family Dwelling Design Standards~~
~~18.50.055 Single-Family Design Standard Exceptions~~
~~18.50.083 Maximum Building Length~~
~~18.50.085 Maximum Percent Development Area Coverage~~
~~18.50.140 Charging Station Locations~~

Section 83. Regulations Established. TMC 18.50.050, “Frontage Improvement Requirement Thresholds,” is hereby established to read as follows:

18.50.050 Frontage Improvement Thresholds

A. Frontage improvements that meet the requirements of TMC 17.20 are required for all new development that exceeds the following thresholds:

1. In the Community Residential zoning district:
 - a. Any new residential structure, other than an ADU, that exceeds \$700,000 in valuation, in 2025 dollars.
 - b. Any new structure that establishes a new primary non-residential use on the subject site.
2. In all other zones:
 - a. Any new residential structure, other than an ADU, that exceeds \$700,000 in valuation, in 2025 dollars.

b. Any proposed new structure that establishes a new primary use on the subject site.

Section 84. Ordinance No. 2741 §3 (part), as codified at TMC 18.50.060, “Cargo Containers as Accessory Structures,” **subparagraph B**, is hereby amended to read as follows:

B. New containers may be allowed as accessory structures in ~~LDR, MDR~~CR, and HDR for institutional uses, and in RC, RCM, TUC, TSO and C/LI for any permitted or conditional use. All new containers are subject to a Type 2 special permission decision and the restrictions in the various zoning districts.

Section 85. Ordinance No. 2741 §3 (part), as codified at TMC 18.50.150, “Retaining Wall Setback Waiver,” is hereby amended to read as follows:

18.50.150 Retaining Wall Setback Waiver

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

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

Section 86. Ordinance No. 2741 §3 (part), as codified at TMC 18.150.170, “Lighting Standards,” **subparagraph B**, is hereby amended to read as follows:

B. In ~~the MDR and HDR~~residential zones, porches, alcoves and pedestrian circulation walkways shall be provided with low level safety lighting. Pedestrian walkways and sidewalks may be lighted with lighting bollards.

Section 87. Ordinance No. 2741 §3 (part), as codified at TMC 18.50.210, “Marijuana Related Uses,” is hereby amended to read as follows:

18.50.210 Marijuana Related Uses

A. Applicable Regulations: The production, processing and retailing of marijuana is and remains illegal under federal law. Nothing herein or as provided elsewhere in the ordinances of the City of Tukwila is an authorization to circumvent federal law or provide permission to any person or entity to violate federal law. Only state-licensed marijuana producers, marijuana processors, and marijuana retailers may locate in the City of Tukwila and then only pursuant to a license issued by the State of Washington. The purposes of these provisions is solely to acknowledge the enactment by the state Liquor and Cannabis Board of a state licensing procedure and to permit, but only to the

extent required by state law, marijuana producers, processors, and retailers to operate in designated zones of the City.

B. Prohibited zones: ~~Marijuana production, processing, selling or delivery.~~

~~1.~~ The production, processing, selling, or delivery of marijuana, marijuana-infused products, or useable marijuana may not be conducted in association with any business establishment, dwelling unit, or home occupation located in any of the following areas:

~~Low Density Residential~~

~~Medium Density Residential~~ Community Residential

High Density Residential

Mixed Use Office

Office

Residential Commercial Center

Neighborhood Commercial Center

Regional Commercial

Regional Commercial Mixed Use

Tukwila Urban Center

Commercial/Light Industrial

Light Industrial

Manufacturing Industrial Center/Light

Manufacturing Industrial Center/Heavy

C. ~~2.~~ **Violations.**

1a. Any violation of this section is declared to be a public nuisance per se, and, in addition to any other remedy provided by law or equity, may be abated by the City under the applicable provisions of this code or state law. Such violations shall be enforced and appealed with the procedures set forth in TMC 8.45. Each day any violation of this section occurs or continues shall constitute a separate offense.

2. Any person violating or failing to comply with the provisions of this section of the Tukwila Municipal Code shall be subject to enforcement as prescribed in TMC 8.45 and the issuance of a Notice of Violation and Order, in accordance with TMC 8.45.070, that shall carry with it a cumulative monetary penalty of \$1,000.00 per day for each violation from the date set for compliance until compliance with the Notice of Violation and Order is achieved.

3b. In addition to any penalty that may be imposed by the City, any person violating or failing to comply with this section shall be liable for all damage to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to the violation.

4e. ~~Any~~ Any penalties imposed under this section may be doubled should the violation(s) occur within 1,000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade to which admission is not restricted to persons aged 21 years or older, as such terms are defined in WAC 314-55-010 as now enacted or hereafter amended.

C. **Medical marijuana:** Growth of medical marijuana for the personal medical use of an individual qualifying patient as defined in RCW 69.51A.010 is subject to strict compliance with all state regulations, procedures and restrictions as set forth or hereafter adopted at RCW 69.51A.

D. **Cooperative prohibited:** The establishment, location, operation, licensing, maintenance or continuation of a cooperative, as described in RCW 69.51, or medical cannabis collective gardens or dispensaries as described in RCW 69.51A.085, is prohibited in all zones of the City. Any person who violates this subsection (TMC 18.50.210.D) shall be guilty of a gross misdemeanor and shall be punished by a fine not to exceed \$5,000.00, or by imprisonment in jail for a term not exceeding one year, or by both such fine and imprisonment.

~~E. Any violation of this section is declared to be a public nuisance per se, and, in addition to any other remedy provided by law or equity, may be abated by the City under the applicable provisions of this code or state law. Such violations shall be enforced and appealed with the procedures set forth in TMC 8.45. Each day any violation of this section occurs or continues shall constitute a separate offense.~~

~~F.~~ **Additional Relief.** The City may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this section of the TMC. The remedies and penalties provided herein are cumulative and shall be in addition to any other remedy provided by law.

Section 88. Ordinance No. 2741 §3 (part), as codified at TMC 18.50.220, "Accessory Dwelling Unit (ADU) Standards," is hereby amended to read as follows:

18.50.220 Accessory Dwelling Unit (ADU) Standards

A. For the purposes of this section, ~~"terms p~~Principal uUnit" shall mean t-be defined as follows:

~~1. "Major transit stop" means a stop on a high-capacity transportation system funded or expanded under the provisions of RCW 81.104, including but not limited to: commuter rail stops, stops on rail or fixed guideway systems, including transitways, stops on bus rapid transit routes, or routes that run on high-occupancy vehicle lanes, stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.~~

~~21. "Principal Unit" means the single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit.~~

B. General Standards.

1. Two (2) ADUs may be created per lot. The lot shall contain one (1) principal unit and a maximum of two (2) ADUs. These ADUs may be either attached to the principal unit or detached from the principal unit.

~~2. Attached ADUs may occupy a maximum of 40% of the square footage of the principal unit (excluding the area of any attached garage) or up to 1,000 square feet, whichever is greater.~~

23. ~~Detached~~ ADUs may be a maximum of 1,400 square feet. If built over a detached garage, the detached garage would not count toward the area limit for the ADU.

34. Detached ADUs may be up to 285 feet in height.

45. ADUs are subject to the development standards of the zoning district they are located within. Development standards relating to setbacks and development ~~coverage~~ area maximum do not apply to conversions of existing non-conforming structures that are proposed for ADU conversion. New ADUs are not subject to rear yard setbacks on parcels where the rear yard abuts an alley.

56. ADUs may not be rented for periods of less than 30 days.

~~C. Parking.~~

~~1. See Figure 18-7 for parking requirements.~~

~~2. Tandem spaces are permitted.~~

Section 89. Ordinance No. 2741 §3 (part), as codified at TMC 18.50.240, "Home Occupations," is hereby amended to read as follows:

18.50.240 Home Occupations

A. Home occupations shall meet the following standards:

1. There shall be no change in the outside appearance of the surrounding residential development.

2. No home occupation shall be conducted in any accessory building. This provision shall not apply to adult family homes as defined in RCW 70.128.010 or community facilities as defined in RCW 72.05.020.

3. Traffic generated by a home occupation shall not exceed two (2) visitors at any given time, and no more than eight (8) total two-way visitor and non-resident employee trips per day.

4. The number of vehicles associated with a home-occupation shall not exceed two (2) vehicles and must be parked on-site. Vehicles associated with the business shall not exceed:

a. A gross vehicle weight of 10,000 pounds;

b. A height of ten (10) feet; or

c. A length of 22 feet.

5. An off-street parking space shall be made available for any non-resident employee. All parking spaces shall meet all development standards.

6. The business shall not involve more than one person who is not a resident of the dwelling. This provision shall not apply to adult family homes as defined in RCW 70.128.010 or community facilities as defined in RCW 72.05.020. ~~and~~

7. Outdoor storage of materials associated with a home occupation is prohibited.

Section 90. Ordinance Nos. 2741 §3 (part) and 2756 §3, as codified at TMC 18.50.260, "Permanent Supportive Housing and Transitional Housing Criteria," is hereby amended to read as follows:

18.50.260 Permanent Supportive Housing and Transitional Housing Criteria

A. Permanent supportive housing and transitional housing facilities are allowed subject to the following criteria:

1. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the residents of the facility and not available for drop-in use by non-residents.

2. The facility must be located within a half mile walking distance of a bus or rail transit stop.

3. Facilities with a capacity of 50 persons or greater must be at least 500 feet from any other permanent supportive housing or transitional housing, calculated as a radius from the property lines of the site. This distance may be reduced upon the applicant submitting documentation that there is a barrier such as a river or freeway preventing access between the facilities, and the path of travel between them on public roads or trails is at 500 feet.

4. The maximum number of residents in a facility is limited to the general capacity of the building but in no case more than 45 in ~~LDR and MDR~~ CR, and 75 in HDR or other zones.

5. Facilities must have secure entrances, or a secure site, staffed 24/7.

Section 91. Ordinance No. 2741 §3 (part), as codified at TMC 18.52.020, "Applicability," is hereby amended to read as follows:

18.52.020 Applicability

A. This chapter sets forth rules and regulations to control maintenance, clearing and planting of landscaping and vegetation within the City of Tukwila on any developed properties that are zoned commercial, industrial, or multifamily; and on properties that are zoned ~~LD~~ CR and developed with a non-single-family or middle housing dwellings. For properties located within the Shoreline jurisdiction, the maintenance and removal of vegetation shall be governed by TMC 18.44, "Shoreline Overlay." For properties located within a critical area or its associated buffer, the maintenance and removal of vegetation shall be governed by TMC 18.45, "Critical Areas." Clearing and removal of trees on undeveloped land and any land zoned ~~LDR~~ CR that is developed with a single-family or middle housing dwelling is regulated by TMC 18.54, "Urban Forestry and Tree Regulations." In case of conflict the most stringent regulations apply.

Section 92. Ordinance No. 2741 §3 (part), as codified at TMC 18.52.030, “Landscaping Types,” subsection E.1, is hereby amended to read as follows:

E. Parking Lot Landscaping. This landscaping is required to mitigate adverse impacts created by parking lots such as noise, glare, stormwater run-off, and increased heat and to improve their physical appearance.

1. **General regulations.** Trees shall be evenly distributed throughout the parking lot. Planting in continuous, landscaped planting strips between rows of parking is encouraged. Surface water management design may also be combined with landscaping in parking lots. In industrial districts (C/LI, LI, HI, MIC/L, MIC/H), clustering of interior parking lot landscaping may be permitted to accommodate site usage.

Section 93. Ordinance No. 2741 §3 (part), as codified at TMC 18.52.040, “Perimeter and Parking Lot Landscaping Requirements by Zone District,” is hereby amended to read as follows:

18.52.040 Perimeter and Parking Lot Landscaping Requirements by Zone District

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

TABLE A

ZONING DISTRICTS	FRONT YARD (SECOND FRONT) (linear feet)	LANDSCAPE TYPE FOR FRONTS	LANDSCAPE FOR SIDE YARD (linear feet)	LANDSCAPE FOR REAR YARD (linear feet)	LANDSCAPE TYPE FOR SIDE/REAR	LANDSCAPING FOR PARKING LOTS (square feet)
LDCR (for uses other than residential)	15 ^{1, 2, 11} 45 ²	Type I	10	10	Type I	20 per stall for non-residential uses; 15 per stall if parking is placed behind building
MDR15 ^{1, 2, 11} Type I H010 Type I Same as LDR HDR	15 ^{1, 2, 11}	Type I	10	10	Type I	Same as LDCR
MUO	15 (12.5) ^{2, 11}	Type I ⁷	6 ⁴	6 ^{4, 11}	Type I ⁷	20 per stall adjacent to street; 15 per stall if parking is placed behind building
O	15 (12.5) ²	Type I ⁷	6	6 ⁴	Type I ⁷	Same as MUO
RCC	20 (10) ^{2, 3}	Type I ⁷	5; 10 if near LDCR, MDR, HDR ⁴	10 ¹¹	Type II	Same as MUO

NCC	6 ^{4, 11}	Type I ^{7, 13}	0 ⁴	0 ^{4, 11}	Type II	Same as MUO
RC	10	Type I ¹³	5 ⁴	0 ⁴	Type II ⁸	Same as MUO
RCM	10	Type I	5 ⁴	0 ⁴	Type II ⁸	Same as MUO
C/LI	15 Second Front: 12.5; 15 if near LDCR, MDR, HDR	Type I ⁶	5 ^{5, 12}	0 ^{5, 12}	Type II ⁸	15 per stall; 10 per stall for parking placed behind building
LI	15 ² Second Front: 12.5	Type II	0 ^{4, 12}	0 ^{4, 12}	Type III	15 per stall; 10 per stall for parking placed behind building
HI	15 ² Second Front: 12.5	Type II	0 ^{4, 12}	0 ^{4, 12}	Type III	15 per stall
MIC/L	10 ⁵	Type II	0 ^{5, 12}	0 ^{5, 12}	Type III	10 per stall
MIC/H	10 ⁵	Type II	0 ^{5, 12}	0 ^{5, 12}	Type III	10 per stall
TUC – See TMC 18.28						
TVS – See TMC 18.40						
TSO – See TMC 18.41						

Notes:

1. Minimum required front yard landscaped areas in the ~~MDR~~ and HDR zones may have up to 20% of their required landscape area developed for pedestrian and transit facilities subject to the approval criteria in TMC 18.52.120.C.
2. In order to provide flexibility of the site design while still providing the full amount of landscaping required by code, the front yard landscape width may be divided into a perimeter strip and one or more other landscape areas between the building and the front property line if the perimeter strip is a minimum of 10 feet and the landscape materials are sufficient to provide landscaping along the perimeter and screening of the building mass.
3. Required landscaping may include a mix of plant materials, pedestrian amenities and features, outdoor café-type seating and similar features, subject to the approval criteria in TMC 18.52.120.C. Bioretention may also be used as required landscaping subject to the approval criteria in TMC 18.52.120.E. Required plant materials will be reduced in proportion to the amount of perimeter area devoted to pedestrian-oriented space.
4. Increased to 10 feet if any portion of the yard is within 50 feet of ~~LD~~CR, ~~MDR~~ or HDR.
5. Increased to 15 feet if any portion of the yard is within 50 feet of ~~LD~~CR, ~~MDR~~ or HDR.
6. Increased to Type II if the front yard contains truck loading bays, service areas or outdoor storage.
7. Increased to Type II if any portion of the yard is within 50 feet of ~~LD~~CR, ~~MDR~~ or HDR.
8. Increased to Type III if any portion of the yard is within 50 feet of ~~LD~~CR, ~~MDR~~ or HDR.
9. Minimum required front yard landscaped areas in the ~~MD~~CR and HDR zones may have up to 20% of their required landscape area
10. Only required along public streets.
11. Increased to 10 feet for residential uses; or if adjacent to residential uses or non-TSO zoning.
12. In the ~~MD~~CR and HDR districts and other districts where multifamily development is permitted, a community garden may be substituted for some or all of the landscaping. In order to qualify, a partnership with a nonprofit (501(c)(3)) with community garden expertise is required to provide training, tools and assistance to apartment residents. Partnership with the nonprofit with gardening expertise is required throughout the life of the garden. If the community garden is abandoned, the required landscaping must be installed. If the garden is located in the front landscaping, a minimum of 5 feet of landscaping must be placed between the garden and the street.
13. To accommodate the types of uses found in the C/LI, LI, HI and MIC districts, landscaping may be clustered to permit truck movements or to accommodate other uses commonly found in these districts if the criteria in TMC 18.52.120.D are met.
14. For NCC and RC zoned parcels in the Tukwila International Boulevard District, the front landscaping may be reduced or eliminated if buildings are brought out to the street edge to form a continuous building wall, and if a primary entrance from the front sidewalk as well as from off-street parking areas is provided.

Section 94. Ordinance No. 2741 §3 (part), as codified at TMC 18.52.120, “Request for Landscape Modifications,” **subparagraph B.2**, is hereby amended to read as follows:

 2. Clustering and/or averaging of required landscaping. The landscape perimeter may be clustered if the total required square footage is achieved, unless the landscaping requirement has been increased due to proximity to ~~LDR, MDR~~CR or HDR. In addition, up to 50% of the perimeter landscaping may be relocated to the interior parking to provide more flexibility for site organization.

Section 95. Ordinance No. 2741 §3 (part), as codified at TMC 18.52.130, “Violations,” **subparagraph E**, is hereby amended to read as follows:

E. Inspection Access.

 1. For the purposes of inspection for compliance with the provisions of a permit or this chapter, the Director or designee may enter all sites for which a permit has been issued, consistent with TMC 8.45.

____ 2. Upon completion of all requirements of a permit, the permittee shall request a final inspection by contacting the planner of record. The permit process is complete upon final approval by the Director or designee.

Section 96. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.020, “Applicability,” is hereby amended to read as follows:

18.54.020 Applicability

A. This chapter sets forth rules and regulations to control maintenance and clearing of trees within the City of Tukwila on any undeveloped land and any land zoned ~~Low-DensityCommunity~~ Residential (~~LDCR~~) that is developed with a single family ~~residence~~or middle housing dwelling. For properties located within the Shoreline jurisdiction, maintenance and removal of vegetation shall be governed by TMC 18.44, “Shoreline Overlay.” For properties located within a critical area or its associated buffer, the maintenance and removal of vegetation shall be governed by TMC 18.45, “Environmentally Critical Areas”. TMC 18.52, “Landscape Requirements,” shall govern the maintenance and removal of landscaping on developed properties that are zoned commercial, industrial, or multifamily; and on properties located in the ~~LDCR~~ zone that are developed with a non-single family or middle housing residential use. The most stringent regulations shall apply in case of a conflict.

Section 97. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.030, Tree Permits,” **subparagraph C**, is hereby amended to read as follows:

C. Permit Exemptions: The following activities are exempt from the permit requirements of this chapter except as noted below:

____ 1. The removal of trees that are less than 6 inches in Diameter at Breast Height (DBH) on a property zoned ~~Low-DensityCommunity~~ Residential and improved with a single-family or middle housing dwelling.

____ 2. Removal of no more than four trees that are 6-8” DBH on a property zoned ~~Low-DensityCommunity~~ -Residential and improved with a single-family or middle housing dwelling in any 36-month period, as long as the property owner submits a tree inventory survey that includes the following:

- ____ a. Number of and size of trees to be removed;
- ____ b. The location of any affected utility lines within the overhead “fall zone” or other built infrastructure;
- ____ c. Photos of the tree(s) to be removed;
- ____ d. The method of removal and identification of contractor; and
- ____ e. Time schedule of tree removal.

____ 3. The removal of Dead Trees outside of the shoreline jurisdiction or a sensitive area or its buffer.

____4. Routine maintenance of trees necessary to maintain the health of cultivated plants, or to contain noxious weeds or invasive species as defined by the City of Tukwila or King County, and routine maintenance within rights-of-way related to Interference, Sight Distance, Emergencies or Topping, as codified in TMC 11.20. Routine maintenance includes the removal of up to 25% of the existing tree crown in a 36-month period.

____5. Emergency actions necessary to remedy an immediate threat to people or property, or public health, safety or welfare by a high-risk or extreme-risk tree may be undertaken in advance of receiving a permit. Any person, utility or public entity undertaking such an action shall submit a Tree Permit application within one week of the emergency action and replace tree(s) if required by this chapter. Additional time to apply for a Tree Permit may be granted at the discretion of the Director.

____6. The removal of trees in the right-of-way related to a capital project that has a landscaping component that includes trees, where there is adequate room in the right-of-way.

____7. Removal of trees as allowed with a Class I-IV forest practices permit issued by the Washington State Department of Natural Resources.

Section 98. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.070, “Tree Replacement,” is hereby amended to read as follows:

18.54.070 Tree Replacement

A. **Replacement Exemption for Single-Family and Middle Housing Tree Removal.** Except for Heritage Trees, the removal of Significant Trees, ~~depending on the size~~ within any 36-month period on a property zoned ~~Low-Density~~ Community Residential and improved with a single-family or middle housing dwelling, is permitted, subject to the requirements of Table A below.

**TABLE A –
Single Family and Middle Housing Tree Removal without Replacement Limits**

Trees (DBH)	# of Trees in 36 month period that can be removed without replacement ⁽¹⁾
>6-8"	4
>8-18"	2
>18"	1 and no other trees

⁽¹⁾A combination of trees of different sizes may be removed without replacement so long as the total number of trees removed does not exceed the number allowed for the largest tree removed in a 36-month period. See Tree Permit Application for additional details.

B. Replacement Standards.

____1. Each existing Significant Tree removed, including removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities, shall be replaced with new tree(s), based on the size of the existing tree as shown below, up to a maximum density of 100 new trees per acre, generally 12-15 feet apart. If the number of required replacement trees exceeds site capacity, payment is required into the City’s Tree Fund.

____ 2. **Tree Replacement Ratios.** Table B (below) establishes tree replacement ratios when Significant, Exceptional or Heritage Trees are removed. For properties zoned **Low-Density Community**-Residential and improved with a single-family dwelling, when the number of trees permitted to be removed in a 36-month period, as shown in Table A, has been exceeded, the replacement ratios set forth in Table B apply. Trees damaged due to natural disasters, such as wind storms, hail, ice or snow storms, and earthquakes, are not required to be replaced. Trees determined to be Defective by the City or a Qualified Tree Professional, are not required to be replaced. Any tree removal on undeveloped properties is subject to replacement ratios in Table B. Illegal topping and pruning more than 25% in a 36-month period is subject to replacement ratios in Table B.

TABLE B – Tree Replacement Requirements

Trees (DBH)	Replacement ratio for trees that are subject to replacement
6-8"	1:1
>8-18"	1:2
>18"	1:3

____ 3. The property owner is required to ensure the viability and long-term health of trees planted for replacement through proper care and maintenance for the life of the site's improvement. Replaced trees that do not survive must be replanted in the next appropriate season for planting.

____ 4. If all required replacement trees cannot be accommodated reasonably on the site, the applicant shall pay into the Tree Fund in accordance with the Consolidated Permit Fee Schedule adopted by resolution of the City Council.

____ 5. Tree replacement shall also meet the standards in TMC 18.54.160.

Section 99. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.090, "Tree Relocation," **subparagraph D**, is hereby amended to read as follows:

D. Tree funds may be used by a single-family **or middle housing** property owner to plant one or more street trees if approved by the Director and by the Public Works Department. The tree species must be approved by the City and be appropriate to the site conditions. The property owner is responsible for the site preparation and maintenance of the street tree, pursuant to TMC 18.54.160.

Section 100. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.100, "Performance Assurance," is hereby amended to read as follows:

18.54.100 Performance Assurance

A. To mitigate potential damages that may result from unauthorized tree removal or maintenance, the Director may require the applicant to submit a bond, letter of credit, or other means of assurance acceptable to the City prior to issuance of a Tree Permit, subject to the following provision:

____ 1. ~~**Tree Protection Assurance.**~~ The applicant may be required to post a three year performance bond or other acceptable security device to ensure the

installation, maintenance and adequate performance of tree protection measures during the construction process. The amount of this bond shall equal 150 percent of the City's estimated cost of replacing each replacement tree. The estimated cost per tree shall be the fair market value of the tree. Prior to the Department's final inspection, any protected tree found to be irreparably damaged, severely stressed or dying shall be replaced according to the standards identified in this chapter. The City may release all or part of the bond prior to the conclusion of the bonding period if the applicant demonstrates that the requirements of this section have been satisfied and there is evidence that the protected trees will survive. If trees designated for retention are damaged, they shall be subject to replacement.

2. ~~**Tree Maintenance Assurance.**~~ Where replacement trees are required, the applicant may be required to post a one-year replacement tree maintenance bond or other acceptable security device to ensure the survival of replacement trees. The amount of the maintenance bond shall equal 150 percent of the cost of plant material, periodic fertilizing and pruning, and labor until tree survival is ensured. In the event a required replacement tree becomes irreparably damaged, severely stressed or dies, the tree shall be replaced according to the standards in this chapter. The City may release all or part of the bond prior to the conclusion of the bonding period if the applicant demonstrates that the requirements of this section have been satisfied and there is evidence that the protected trees will survive. Submission of annual photos for three years documenting that the tree is in good health will satisfy this requirement for properties zoned **Low Density Community** Residential and improved with a single-family or middle housing dwelling. Trees that do not survive the three-year maintenance period shall be replanted and the three year maintenance period shall restart at the time of replanting.

3. The applicant shall provide an estimate of the costs associated with the required performance bond or other security as described above. In lieu of an applicant's estimate, the performance assurance shall be equal to City staff's best estimate of possible costs to meet the above requirements. In no case shall the performance-assurance exceed an amount equal to two and one-half times the current cost of replacing the plants in accordance with the tree replacement provisions of this chapter.

4. The performance assurances shall not be fully released without final inspection and approval of completed work by the City, submittal of any post-construction evaluations or following any prescribed trial maintenance period required in the permit.

5. Performance assurances provided in accordance with this chapter may be enforced in whole or in part by the City upon determination by the Director that the applicant has failed to fully comply with approved plans and/or conditions.

Section 101. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.170, "Violations," is hereby amended to read as follows:

18.54.170 Violations and Penalties.

A. Failure to comply with any requirement of this chapter shall be deemed a violation subject to enforcement pursuant to this chapter and TMC 8.45.

~~B. Penalties.~~

B1. In addition to any other penalties or other enforcement allowed by law, any person who fails to comply with the provisions of this chapter also shall be subject to a civil penalty assessed against the property owner as set forth herein. Each unlawfully removed or damaged tree shall constitute a separate violation.

C2. Removal or damage of tree(s) without applying for and obtaining required City approval is subject to a fine of \$1,000 per tree, or up to the marketable value of each tree removed or damaged as determined by a Qualified Tree Professional, whichever is greater.

D3. Any fines paid as a result of violations of this chapter shall be allocated as follows: 75% paid into the City's Tree Fund; 25% into the General Fund.

E4. The Director may elect not to seek penalties or may reduce the penalties if he/she determines the circumstances do not warrant imposition of any or all of the civil penalties.

F5. Penalties are in addition to the restoration of removed trees through the remedial measures listed in TMC 18.54.200.

G6. It shall not be a defense to the prosecution for a failure to obtain a permit required by this chapter that a contractor, subcontractor, person with responsibility on the site or person authorizing or directing the work erroneously believes a permit was issued to the property owner or any other person.

Section 102. Ordinance No. 2741 §3 (part), as codified at TMC 18.54.190, "Enforcement," **subparagraph A**, is hereby amended to read as follows:

18.54.190 Enforcement

A. **General.** In addition to the ~~Notice of Violation and Order~~enforcement measures prescribed in TMC 8.45, the Director may take any or all of the enforcement actions prescribed in this chapter to ensure compliance with, and/or remedy a violation of this chapter; and/or when immediate danger exists to the public or adjacent property, as determined by the Director.

1. The Director may post the site with a "Stop Work" order directing that all vegetation clearing not authorized under a Tree Permit cease immediately. The issuance of a "Stop Work" order may include conditions or other requirements which must be fulfilled before clearing may resume.

2. The Director may, after written notice is given to the applicant, or after the site has been posted with a "Stop Work" order, suspend or revoke any Tree Permit issued by the City.

3. No person shall continue clearing in an area covered by a "Stop Work" order, or during the suspension or revocation of a Tree Permit, except work required to correct an imminent safety hazard as prescribed by the Director.

Section 103. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.020, “Chapter Application,” is hereby amended to read as follows:

18.56.020 Chapter Application

A. Off-street parking and loading spaces shall be provided as an accessory use in all zones in accordance with the requirements of this chapter, at the time any principal building or structure is erected, enlarged or at the time there is a change in its principal use.

Section 104. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.040, “General Requirements,” is hereby amended to read as follows:

18.56.040 General Requirements

A. R—~~Any~~ required off-street parking and loading facilities shall be developed in accordance with the following standards:

~~1.~~ 1. Adequate ingress to and egress from any required parking space for a commercial use shall be provided without moving another vehicle.

2. ~~Parking Area and Parking Area Entrance and Exit Slopes:~~ -The slope of off-street parking spaces shall not exceed 5%. The slope of entrance and exit driveways providing access for off-street parking areas and internal driveway aisles without parking stalls shall not exceed 15%.

3.- For commercial uses, the Public Works Director or the Community Development Director may require ingress separate from egress for ~~smoother and~~ safer flow of traffic. ~~Paved parking areas shall use paint or similar devices to delineate car stalls and direction of traffic.~~

4.- **Parking Dimensions:** Minimum parking area dimensions for required ~~surface and structured~~ parking facilities shall be as provided in Figure 18-6. Standard and compact parking stalls shall be allowed a two-foot landscaping overhang to count towards the stall length.

5.- **Location:**

a.- All ~~any required~~ off-street parking shall be accessory to a primary use or structure except as allowed by the Land Use Tables 18-2 and 18-6. ;

b.- Additionally, off-premises parking areas shall be subject to compliance with the covenant parking standards in TMC 18.56.070, “Cooperative Parking Facility.”

c.- Wheel stops shall be installed on the periphery of parking lots so cars will not protrude ~~into the public right-of-way, walkways,~~ off the parking lot or strike buildings. Wheel stops shall be two feet from the end of the stall of head-in parking.

6.- **Driveways and Maneuverability:**

a.- Ingress and egress from required parking spaces shall not require reversing a vehicle further than 50 feet.

b.- Turning and maneuvering space shall be located entirely on private property unless specifically approved by the Director of Public Works.

c.- Ingress and egress to any off-street parking lot shall not be located closer than 15 feet from point of tangent to an intersection.

d.- The Director may require areas not designed or approved for parking to be appropriately marked, signed, or blocked to prevent parking. **Location:**

e.- Parking areas shall use paint or similar devices to delineate car stalls and direction of traffic. All traffic-control devices, such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs and other developments shall be installed and completed as shown on the approved plans.

f.- Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed or raised six inches above the lot surface.

7.- Surface:

a.- Off-street parking or loading facilities shall be paved with asphalt, concrete, permeable pavement, or other similar approved material(s) that maintains a durable uniform surface and shall be graded and drained as to dispose of all surface water, but not across sidewalks. ~~Any parking stalls provided in excess of the required minimum shall use permeable pavement where technically feasible in accordance with the Surface Water Design Manual, adopted in accordance with TMC 14.30.~~

~~a.- Any required off-street parking shall be accessory to a primary use except as allowed by the Land Use Tables 18-2 and 18-6;~~

~~b.- Additionally, off-premises parking areas shall be subject to compliance with the covenant parking standards in TMC 18.56.070, "Cooperative Parking Facility."~~

~~2. **Parking Dimensions:** Minimum parking area dimensions for surface and structured parking facilities shall be as provided in Figure 18-6. Standard and compact parking stalls shall be allowed a two-foot landscaping overhang to count towards the stall length.~~

~~3. **Tandem Parking Spaces:** In the MDR and HDR zones, tandem spaces (where one car is parked directly behind another) will be allowed for each three bedroom and 1/3 of all two bedroom units. No more than 1/3 of all project parking spaces may be tandem and all tandem parking spaces will be designed for full size rather than compact size vehicles based on the dimensions in Figure 18-6.~~

~~4. **Parking Area and Parking Area Entrance and Exit Slopes:** The slope of off-street parking spaces shall not exceed 5%. The slope of entrance and exit driveways providing access for off-street parking areas and internal driveway aisles without parking stalls shall not exceed 15%.~~

~~5. **Driveways and Maneuverability:**~~

~~_____ a. Adequate ingress to and egress from each parking space shall be provided without moving another vehicle and without backing more than 50 feet.~~

~~_____ b. Turning and maneuvering space shall be located entirely on private property unless specifically approved by the Public Works Director.~~

~~_____ c. All parking spaces shall be internally accessible to one another without reentering adjoining public streets. This standard does not apply to single family, duplex, triplex, fourplex or townhouse uses or where cooperative parking is approved.~~

~~_____ d. When off-street parking is provided in the rear of a building and a driveway or lane alongside the building provides access to rear parking area, such driveway shall require a minimum width of twelve feet and a sidewalk of at least a three-foot section, adjoining the building, curbed or raised six inches above the driveway surface. This standard does not apply to single family, duplex, triplex, fourplex or townhouse uses.~~

~~_____ e. Ingress and egress to any off-street parking lot shall not be located closer than 20 feet from point of tangent to an intersection.~~

~~_____ f. The Public Works Director or the Community Development Director may require ingress separate from an egress for smoother and safer flow of traffic.~~

~~_____ 6. The Director may require areas not designed or approved for parking to be appropriately marked and/or signed to prevent parking.~~

~~_____ 7. **Surface:**~~

~~_____ a. The surface of any required off-street parking or loading facility shall be paved with permeable pavement, which is the preferred material, or asphalt, concrete or other similar approved material(s) that maintains a durable uniform surface and shall be graded and drained as to dispose of all surface water, but not across sidewalks.~~

~~_____ b. Any parking stalls provided in excess of the required minimum shall use permeable pavement where technically feasible in accordance with the Surface Water Design Manual, adopted in accordance with TMC 14.30.~~

~~_____ c. All traffic-control devices, such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs and other developments shall be installed and completed as shown on the approved plans.~~

~~_____ d. Paved parking areas shall use paint or similar devices to delineate car stalls and direction of traffic.~~

~~_____ e. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed or raised six inches above the lot surface.~~

~~_____ f. Wheel stops shall be required on the periphery of parking lots so cars will not protrude into the public right-of-way, walkways, off the parking lot or strike buildings. Wheel stops shall be two feet from the end of the stall of head-in parking.~~

~~_____ 8. **Parallel Parking Stalls:** Parallel parking stalls shall be designed so that doors of vehicles do not open onto the public right-of-way.~~

~~8.- 9.~~ **Obstructions:** No obstruction that would restrict car door opening shall be permitted within five feet of the centerline of a parking space.

~~9.- 10.~~ **Lighting:** Any lighting on a parking lot shall illuminate only the parking lot, designed to avoid undue glare or reflection on adjoining premises.

~~10.- 11.~~ **Curb-Cuts:** All parking areas shall have specific entrances and/or exits to the street. The width-dimensional standards of ~~access roads~~ streets and curb-cuts shall ~~be determined by the~~ comply with the requirements of TMC Title 17 and the Department of Public Works Director. ~~The edge of the curb-cut or access road shall be as required by the Public Works Director for safe movement of vehicles or pedestrians. Curb-cuts in single family districts shall be limited to a maximum of 20 feet in width and the location shall be approved by the Public Works Director.~~

~~112.~~ **Use of Parking Stalls:** ~~Parking Stall:~~ Parking stalls shall not be used for permanent or semi-permanent parking or storage of trucks or materials.

Section 105. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.050, "Required Number of Parking Spaces," is hereby amended to read as follows:

18.56.050 Required Number of Parking Spaces

A. The minimum number of off-street parking spaces for the listed uses shall be as shown in Figure 18-7 and TMC 18.28.260. Minimum parking requirements shall be maintained over the life of the original or primary use. Any additional uses, either secondary or accessory in nature, must have parking available that does not impact the minimum parking of the original or primary use. This extends to parking spaces used for park-and-fly lots or use of parking for storage or outdoor displays.

B. A development that creates public new on-street parking spaces via frontage improvements or new streets, in accordance with the standards of TMC Title 17 and the Department of Public Works, may count the provided on-street spaces toward the total minimum requirements for the proposed uses of the premise.

~~NOTE: Automobile parking requirements for TUC-RC, TUC-TOD and TUC-Pond Districts are listed in TMC 18.28.260.~~

Section 106. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.060, "Loading Space Requirements," is hereby amended to read as follows:

18.56.060 Off-Street Loading Space Requirements

A. Off-street space for standing, loading and unloading services shall be provided in such a manner as not to obstruct freedom of traffic movement on streets or alleys. For all office, commercial, and industrial uses, each loading space shall consist of at least a 10-foot by 30-foot loading space with 14-foot height clearance for small trucks such as pickup trucks, or a 12-foot by 65-foot loading space with 14-foot height clearance for large trucks, including tractor-trailers. These requirements may be modified if the ~~as a Type 1 decision, where the Community Development~~ Director finds that such reduction will not

result in injury to neighboring property, or obstruction of fire lanes/traffic, and will be in harmony with the purposes and intent of this chapter.

Section 107. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.065, “Residential Parking and Storage Requirements,” is hereby amended to read as follows:

18.56.065 ~~Residential Parking and Storage Requirements~~Access and Parking Standards for Residential Uses in the CR Zone

A. ~~_____ Parking and vehicle storage limitations on properties devoted to single-family residential use shall be as follows:~~

~~_____ 1.~~The following standards shall apply to all residential uses within the CR zone.

1. _____ -A pedestrian path that leads to each door that provides ingress/egress to a ~~residential structure~~ dwelling unit shall be provided. The path shall meet the following minimum standards:

_____ a. The minimum width shall be 6 feet.

_____ b. The pedestrian path shall extend from the exterior door to the nearest abutting public street, or private street for which the inhabitants of the dwelling unit have legal right of use. The path shall connect to any existing or proposed sidewalk that abuts the property.

_____ c. The pedestrian path shall either be paved with a permeable durable uniform surface or with decorative stone, brick, or other similar materials. Gravel shall not be permitted.

_____ d. For residential uses other than townhouses, the pedestrian path shall be separate and distinct from areas of the property used for the parking or loading of motor vehicles.

_____ e. The route of the pedestrian path shall be the shortest efficient and logical route possible, while avoiding impacts to significant trees and critical areas.

_____ f. Pedestrian pathways leading to dwelling units that are accessible to those with disabilities shall not feature inaccessible design elements such as stairs.

_____ 2. Each dwelling unit is permitted a maximum of one vehicular driveway.

_____ 3. Preference shall be given to the following vehicular access point design scenarios, in the order given. The applicant shall demonstrate why each scenario is infeasible for the site, due to site specific circumstances that are not the result of deliberate actions of the applicant or property owner, before proposing the next preferable vehicular access point scenario. For the purposes of this section, vehicular access points include curb cuts.

_____ a. **First:** The project proposes to reduce the total number of vehicular access points to existing streets. This may be accomplished by consolidating existing vehicular access points, both on- and off-site.

b. **Second:** The project proposes the same total number of vehicular access points to existing streets. This may be accomplished by co-locating access with an existing vehicular access point, both on- and off-site.

c. **Third:-** The project proposes no more than one additional vehicular access point to existing streets. This single vehicular access point shall serve all dwelling units on a parcel.

d. **Last:** The project proposes more than one additional vehicular access point to existing streets.

4. Tandem parking spaces shall be permitted to satisfy minimum parking requirements.~~Motor vehicles on property devoted to single-family residential use shall be parked on an approved durable uniform surface that is designed to retain surface water on-site and without causing impacts. If necessary, surface water may drain to street if no other design is feasible. Motor vehicles, other than those specified in TMC 18.56.065.A.2, shall not be parked in setbacks except in front or secondary front yard setbacks from streets, when in an approved driveway that is in conformance with TMC Title 18, as that title currently exists or as it may be subsequently amended. Parking in the rear setback for a single-family home is permitted where the parking is connected to a rear alley.~~

~~52.~~ Recreational vehicles, boats, ~~or~~ and trailers shall be parked, kept or stored on an approved durable uniform surface and shall not be parked, kept or stored in required front yard setbacks, except for a driveway. Recreational vehicle parking in the side or rear yard setbacks is allowed, provided no recreational vehicle is parked so as to prevent access by emergency responders to all sides of a structure.

~~63.~~ For parcels with street frontage: -No more than 50% of the area of the front yard or 800 square feet, whichever is smaller, first 15 feet of the property from the street frontage may be approved durable uniform surface covered with a driveway or surface parking area.~~An approved durable uniform surface exceeding this requirement prior to August 25, 2004 may be maintained, but shall not be expanded.~~ -The Director may approve exceptions to this requirement for ~~an access driveway, particularly on~~ pie-shaped or other odd shaped lots where it is infeasible to meet this requirement.

~~4.~~ Single-family properties on pre-existing, legal lots of record containing less than 6,500 square feet are exempt from the percentages noted in TMC 18.56.065.A.3.

~~75.~~ No more than six (6) motor vehicles shall be parked parked on a surface parking area associated with a single dwelling residential unit on a single-family residential property of 13,000 square feet or less outside of a carport or enclosed garage for a period of more than 48 hours. For purposes of this section, "single-family residential property" means any parcel containing a single-family residence or multiple parcels combined containing one single-family residence, typically identified by a single address located in the LDR zone. The parking limitations in this subsection shall apply to all motor vehicles as defined by state law with the exception of motorcycles and mopeds.

~~B.~~ Each unit in a townhouse development shall have an attached garage with parking for at least one vehicle or a parking space in an underground garage.

~~_____ C. **Waiver from the requirement for number of required stalls:** Via a Type 2 Modification to Certain Parking Standards Permit, the Director shall have the discretion to waive the requirement to construct a portion of the off-street parking requirement if, based on a parking demand study, the property owner establishes that the dwelling will be used primarily to house residents who do not and will not drive due to a factor other than age. Such a study shall ensure that ample parking is provided for residents who can drive, guests, caregivers and other persons who work at the residence. If such a waiver is granted, the property owner shall provide a site plan, which demonstrates that in the event of a change of use that eliminates the reason for the waiver, there is ample room on the site to provide the number of off-street parking spaces required by this Code. In the event that a change of use or type of occupant is proposed that would alter the potential number of drivers living or working at the dwelling, the application for change of use shall be conditioned on construction of any additional off-street parking spaces required to meet the standards of this Code.~~

Section 108. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.070, "Cooperative Parking Facility," is hereby amended to read as follows:

18.56.070 Cooperative Parking Facilities

A. **Shared Parking:** When two or more property owners agree to enter into a shared parking agreement, the setbacks and landscaping requirements on their common property line(s) may be waived with that land used for parking, driveway and/or building.

B. **Covenant Parking:** When ~~off-premises~~required parking is provided on a ~~lot~~parcel other than the ~~lot~~parcel containing the associated primary use, of the use to which it is accessory, the following conditions shall apply:

1. Parking areas are only permitted associated with a primary use or in a zoning district which permits parking areas outright. A covenant parking agreement does not excuse an applicant from compliance with the use restrictions of the zoning district.
~~_____ Required off-street parking may be located off-premises when that parking supply is required to meet the minimum number of off-street parking spaces (TMC 18.56.050) and is provided as secondary to a principal use, except as allowed~~ established by the Land Use Tables 18-2 and 18-6.

2. A covenant shall be executed between the owner or operator of the principal use that the covenant parking will serve, the owner of the parking spaces, and the City stating the responsibilities of the parties. This covenant and accompanying legal descriptions of the principal use and the lot upon which the spaces are to be located shall be recorded with King County, and a copy with the recording number and parking layouts shall be submitted as part of any permit application for development.

3. The covenant lot must be within 800 feet of the primary ~~commercial~~ use or a shuttle service to the use must be provided with its route, service, and operations approved by the Director.

C. When any Shared or Covenant parking agreement between parties, as referenced above, is modified or terminated, the owner of the parking spaces shall be

responsible for notifying the Director. In this event, all affected parties shall provide documentation that a minimum of 50% of the required minimum parking will be available within 90 days following termination of the agreement, with the remainder to be available 365 days following termination of the original agreement. If a variance is sought, the application must be submitted within 14 days of the signed agreement to terminate and the reduction in parking spaces will only be allowed if the variance is approved.

D. **Complementary Parking:** A complementary use is a portion of the development that functions differently than the primary use but is designed to serve or enhance the primary land use without creating additional parking needs for the primary traffic generator. Up to 10% of the usable floor area of a building or facility may be occupied by a complementary use without providing parking spaces in addition to the number of spaces for the principal use. Examples of complementary uses include pharmacies in hospitals or medical offices, food courts or restaurants in a shopping center or retail establishments.

E. Applications for shared, covenant or complementary parking shall be processed as Type 2 decisions, pursuant to TMC 18.108.020.

Section 109. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.080, "Parking for the Handicapped," is hereby amended to read as follows:

18.56.080 ~~Parking for the Handicapped~~Accessible Parking

A. All parking provided for the handicapped, or others meeting definitions of the 1991 Americans with Disabilities Act (ADA), shall meet requirements of the Chapter 11 of the 1994 Uniform Building Code, as amended by WAC 51.30, et seq. (*See Figure 18-8.*)

Section 110. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.090, "Compact Car Allowance," is hereby amended to read as follows:

18.56.090 Compact Car Allowance

A. A maximum of ~~35~~50% of the total off-street parking stalls may be permitted and designated for compact cars.

B. Each compact stall shall be designated as such, with the word COMPACT printed onto the stall, in a minimum of eight -inch letters and maintained as such over the life of the use of both the space and the adjacent structure it serves.

C. Dimensions of compact parking stalls shall conform to the standards as depicted in Figure 18-6 of this chapter.

D. Compact spaces shall be reasonably dispersed throughout the parking lot.

Section 111. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.120, "Filing of Plans," is hereby amended to read as follows:

18.56.120 Filing of Plans

A. Detailed plans of off-street parking areas, indicating the proposed development including the location, size, shape, design, curb-cuts, adjacent streets, circulation of traffic, ingress and egress to parking lots and other features and appurtenances of the proposed parking facility, shall be filed with and reviewed by the ~~Community Development Director~~Department. The parking area shall be developed and completed to the required standards before an occupancy permit for the building may be issued. The parking lot layout shall be reviewed as part of the underlying land use or the construction permit. If the proposal includes only reconfiguring of the parking lot such as adding/deleting parking spaces, making changes to the interior parking lot landscaping, or altering fire lanes, but no other land use permit or other construction permit is required, then the restriping proposal shall be reviewed as a Type 2 decision process as outlined in TMC 18.108.020.

Section 112. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.130, "Development Standards for Bicycle Parking," is hereby amended to read as follows:

18.56.130 Development Standards for Bicycle Parking

A. **Required Number of Bicycle Parking Spaces:** The required number of parking spaces for bicycles are included in TMC 18.56.050, Figure 18-7.

B. ~~Location~~Types of Bicycle Parking:

1. Short-term

~~1. Required bicycle parking: This type of bicycle parking is typically not used for overnight parking or for use longer than 4 hours, is typically unsheltered, and is typically available on a first-come, first-serve basis. The most common users are site visitors. must be located within 50 feet of an entrance to the building or use~~

2. Secure: This type of bicycle parking is typically used for overnight parking or for use longer than 4 hours and is typically available only with prior authorization. The most common users are residents or employees of a site. ~~2. Bicycle parking may be provided within a building, but the location must be accessible for bicycles~~

C. General Standards ~~Safety and Security:~~

1. Access to all bicycle parking spaces shall be step-free and shall not require the use of stairs. ~~Legitimate bicycle spaces are individual units within ribbon racks, inverted 'U' racks, locking wheel racks, lockers, or other similar permanent structures.~~

~~2. If bicycle lockers are used, windows and/or view holes must be included to discourage improper uses.~~

23. Required secure bicycle parking shall be permitted in the following locations:

a. On-site or within 50 feet of the main entrance of the use triggering bicycle parking requirements, within an access controlled and secure dedicated bike

storage space that provides weather protection. This space may take the form of bicycle lockers, rooms, cages, hangars, or any other solution that meets the requirements of this section; or

b. Within a designated space inside of a dwelling~~residential~~ unit or a private residential garage.

~~—If bicycle parking is not visible from the street, a sign must be posted indicating the location of the bicycle parking spaces.~~

34. All bicycle parking not located within a structure ~~must~~ shall be separated from motor vehicle traffic by a barrier, curb, post, bollard or other similar device.

4. Short-term bicycle parking shall be located within 50 feet of the nearest entrance of the building to the use, unless the applicant demonstrates that, due to circumstances outside of the control of the applicant, such a location is infeasible. The applicant shall demonstrate that the location proposed is highly visible, safe, well-lit, accessible, and emphasizes user convenience and deterrence of theft.

5. Bicycle parking may be permitted on public property (such as within flex zones or clear zones of daylighted intersections) with approval of the Department of Community Development and the Department of Public Works.

6. Projects proposing new streets with on-street parking may substitute any area used for on-street parking with short-term or secure bicycle parking that meets the requirements of this section and all requirements of the Department of Public Works and the Department of Community Development.

7. A building shall not prevent the usage by a bicycle of any vehicle garage entrance unless an equivalently accessible entrance is provided for bicycle access.

8. Required bicycle spaces not located within an individual residential dwelling or private residential garage shall feature inverted “U” racks (also called staple racks or loop racks) and/or post-and-ring racks and/or two-tier parking with lift assists. Parking spaces shall not be designed in a manner that requires a user to lift a bicycle without mechanical assistance.

9. Required secure bicycle spaces located within an individual residential dwelling shall be permitted when the dwelling unit is accessible without the use of stairs and the bicycle parking is accessible without rolling the bicycle over carpeting or other porous flooring materials. Floor plans shall indicate the designated bicycle parking space within each dwelling unit. Bicycle parking spaces within dwelling units shall be excluded from the calculations of livable area.

10. Secure bicycle parking for commercial uses and residential uses with greater than 10 attached dwellings shall provide at least 50% of required bicycle parking spaces horizontally on the ground. Bicycle parking spaces shall have a minimum dimension of 3 feet by 6 feet. Individual bicycle parking spaces shall be spaced with racks no less than 30-inches off-center, or 17-inches off-center for high density offset arrangements.

11. Uses requiring greater than 10 bicycle parking spaces shall feature a minimum of one electrical wall outlet per 5 spaces, to be used for bicycle maintenance or electric bike charging.

~~—D. **Process:** Upon application to and review by the Community Development Director, subject to a Type 1 decision process as outlined in TMC 18.108.020, the bicycle parking requirements may be modified or waived, where appropriate.~~

Section 113. Ordinance No. 2741 §3 (part), as codified at TMC 18.56.140, “Administrative Variance from Parking Standards,” **subparagraphs A and B**, is hereby amended to read as follows:

18.56.140 Administrative Variance from Parking Standards

A. General:

1. A Type 2 request for an administrative variance from required parking standards must be received prior to any issuance of building or engineering permits. ~~Administrative variances are only eligible for requests for reductions of required parking between 1% and 10%. Requests for reductions from minimum parking standards in excess of 10% must be made to the Hearing Examiner.~~

2. The project developer shall present all findings to the Director prior to any final approvals, including design review, conditional use permit review, building review or any other permit reviews required by the Director.

B. Criteria:

1. All requests for reductions in parking shall be reviewed under the criteria established in this section.

2. In addition to the following requirements, the Director may require specific measures not listed to ensure that all impacts with reduced parking are mitigated. Any spillover parking which cannot be mitigated to the satisfaction of the Director will serve as the basis for denial. A reduction may be allowed, ~~pursuant to either an administrative variance or requests to the Hearing Examiner~~, after:

a. All shared parking strategies are explored.

b. On-site park and ride opportunities are fully explored.

c. The site is in compliance with the City’s commute trip reduction ordinance or, if not an affected employer as defined by the City’s ordinance, agrees to become affected. ~~d. The site is at least 300 feet away from a single-family residential zone.~~

~~e. A report is submitted providing a basis for less parking and mitigation necessary to offset any negative effects.~~

Section 114. Ordinance No. 2741 §3 (part), as codified at TMC 18.58.060, “Macro Facilities,” **subparagraph E**, is hereby amended to read as follows:

E. **Macro Facility Location Hierarchy:** Macro facilities shall be located in the following prioritized order of preference:

____ 1. Collocated on existing macro facility(ies) or another existing public facility/utility facility (i.e., an existing or replacement utility pole or an existing monopole/tower).

____ 2. Collocated on existing buildings and structures located in nonresidential zones.

____ 3. Collocated on existing building and structures in residential zones not used for ~~single-family~~ residential uses (e.g. religious facility or public facility, ~~or multi-family building~~).

____ 4. New monopole/tower proposed in an industrial, commercial, or business zone district, where the sole purpose is for wireless communication facilities; provided that approval for new monopole/tower is given pursuant to TMC 18.58.070. Said monopole/tower shall be the minimum height necessary to serve the target area but in no event may it exceed the height requirements of the underlying zoning district by more than 10 feet; however, the monopole/tower shall be designed to allow extensions to accommodate the future collocation of additional antennas and support equipment. Further, the monopole/tower shall comply with the setback requirements of the commercial or business zone districts, as applicable. In no case shall the monopole/tower be of a height that requires illumination by the Federal Aviation Administration (FAA).

____ 5. New monopole/tower proposed in a residential zone district, where the sole purpose is for wireless communications, but only if the applicant can establish that the monopole/tower cannot be collocated on an existing facility or structure and receives approval pursuant to TMC 18.58.070. Further, the proposed monopole/tower shall be no higher than the minimum height necessary to serve the target area but in no event may it exceed the height requirements of the underlying zoning district by more than 10 feet; however, the structure shall be designed to allow extensions to accommodate the future collocation of additional antennas and support equipment. In no case shall the antenna be of a height that requires illumination by the FAA.

Section 115. Ordinance No. 2741 §3 (part), as codified at TMC 18.58.160, "Small Wireless Facility Aesthetic, Concealment, and Design Standards," **subparagraph A.1**, is hereby amended to read as follows:

18.58.160 Small Wireless Facility Aesthetic, Concealment, and Design Standards

A. All small wireless facilities shall conform with the following general aesthetic, concealment, and design standards, as applicable:

1. Except for locations in the right-of-way, small wireless facilities are prohibited on any property containing a ~~single-family~~ residential use in a residential zone; provided that where small wireless facilities are intended to be located more than 400 feet from a right-of-way and within an access easement over residential property, the location may be allowed if:

- a. the applicant affirms they have received an access easement from the property owner to locate the facility in the desired location; and
- b. the property owner where the facility will be installed has authority to grant such permission to locate the facility and related equipment at the designated location pursuant to the terms of the access easement; and
- c. the installation is allowed by, and consistent with, the access easement; and
- d. such installation will not frustrate the purpose of the easement or create any access or safety issue; and
- e. the location is in compliance with all land use regulations such as, but not limited to, setback requirements.

Section 116. Ordinance No. 2741 §3 (part), as codified at TMC Chapter 18.60, “Design Review,” is hereby amended to renumber various sections and to read as follows:

CHAPTER 18.60 DESIGN REVIEW

Sections:

18.60.010	Purpose and Objectives
18.60.020	Scope and Applicability
18.60.030	Design Review Applications
18.60.040	Design Review Criteria Applicability
18.60.050	Commercial and Light industrial Design Review Criteria
<u>18.60.060</u>	<u>Single-Family and Middle Housing Design Review Criteria</u>
18.60.06070	Multi-Family, Hotel, and Motel Design Review Criteria
18.60.07080	Tukwila South Design Review Criteria
18.60.08090	Commercial Redevelopment Areas Approval Procedures and Criteria
18.60.09100	Expiration <u>of Design Review Permits</u>

Section 117. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.010, “Purpose and Objectives,” is hereby amended to read as follows:

18.60.010 Purpose and Objectives

A. It is the purpose of this chapter to provide for the review of land development and building design to promote the public health, safety and welfare. ~~Specifically, the Director shall only approve well-designed developments that are creative and harmonious with the natural and manmade environments.~~ The regulations herein provide a review process for evaluating the design and arrangement of development. These architectural and site design regulations are intended to be consistent with and implement the policies of the Tukwila Comprehensive Plan. The purposes of these design review regulations are to:

1. Foster good decision-making for development through architectural and site design within the context of the community's built and natural environmental character, scale and diversity;
2. Promote the use of appropriate scale of buildings and the configuration of open space and parking areas for development to safely and comfortably accommodate pedestrian activities;
3. Coordinate the interrelationship of buildings and public and private open space;
4. Discourage monotony in building design and arrangement, while promoting harmony among distinct building identities; and
5. Mitigate, through design and site plan measures, the visual impact of large building facades, particularly those which have high public visibility (encourage the creative use of architectural and landscape features in order to reduce the actual and perceived scale and bulk of structures).

Section 118. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.020, "Scope and Applicability," is hereby amended to read as follows:

18.60.020 Scope and Applicability

A. The Director shall have the authority to approve, approve with conditions, or deny all ~~plans~~ projects submitted based on a demonstration of compliance with all of adopted guidelines referenced in this chapter, as judged by the preponderance of evidence standard.

~~B.—Design review is required for all developments that meet the thresholds contained in each zoning district.~~

B. The Director is authorized to review projects subject to design standard review. The Director may approve, approve with conditions, modify and approve with conditions, or deny, the application for design standard review. The City shall grant design approval when the Director has determined that the applicable criteria listed in this chapter have been met by the development proposal. The Director may impose specific conditions upon the development proposal, including an increase in the standards of this title. These conditions may include, but are not limited to: restrictions on locations of structures and uses; structural restrictions that address safety, noise, light and glare, vibration, views, aesthetics, and other impacts; and increased buffering requirements, including open space, berms, fencing and landscaping. ~~All developments are subject to the applicable design and development standards required by the TMC. A 'Design Review' permit is required for all developments that meet the thresholds contained in each zoning district. Design review for single-family and middle housing development shall be combined with the respective development permit.~~ ~~C.—Minor Modifications to Design Review Approval are required if modification of a building and/or site had gone through design review within the last 10 yea~~

~~C. A 'Minor Modification – Design' permit is required to modify a building and/or site that received an approved 'Design Review' permit within the last 10 years.~~

~~CD.~~ For development in the NCC, RC, and MUO zones within the Tukwila International Boulevard corridor, identified in TMC **Figure 18-9**, certain landscaping and setback standards may be waived and conditioned in accordance with criteria and guidelines in the Tukwila International Boulevard Design Manual, as currently enacted or hereafter amended. Landscaping and setback standards may not be waived on commercial property sides adjacent to residential districts.

~~DE.~~ No changes shall be made to approved designs without ~~further~~ Director approval and consideration of the change in the context of the entire project.

~~EF.~~ A building permit shall not be issued until the proposed development project has received design approval.

~~FG.~~ Any reference to the term 'Board of Architectural Review' in any adopted design review guidelines or Code shall, unless otherwise stated, be understood to refer exclusively to the Director.

Section 119. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.030, "Design Review Applications," **subparagraph A**, is hereby amended to read as follows:

18.60.030 Design Review Applications

A. Applications for '~~D~~esign ~~R~~eview' permits shall be processed as Type 2 decisions, subject to the provisions of TMC 18.104.

Section 120. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.040, "Design Review Criteria Applicability," is hereby amended to read as follows:

18.60.040 Design Review Criteria Applicability

~~A. **Commercial and Light Industrial Design Review Criteria:** The criteria found at TMC 18.60.050 shall be used in all cases, except for:~~

~~1. Multi-family, hotel, and motel developments, which shall use the multi-family, hotel, and motel design review criteria.~~

~~2. Developments within the MUO, NCC, and RC districts of the Tukwila International Boulevard corridor (see Figure 18-9), which shall use the Tukwila International Boulevard design review criteria of this chapter.~~

~~3. Developments within the TSO district.~~

A. **Commercial and Light Industrial Uses:** All commercial and light industrial uses shall be evaluated using the design review criteria set forth in TMC 18.60.050, with the following exclusions:

1. Hotels; or

2. Developments within the TSO District.

~~— B. **Multi-Family, Hotel, and Motel Design Review Criteria:** The criteria found at TMC 18.60.060 shall be used for the following:~~

~~— 1. Multi family development, hotel development, motel development, and non-residential development in the LDR zoning district.~~

~~— a. These developments shall also be subject to the Multi-Family Design Manual or Townhouse Design Manual.~~

B. **Single-Family and Middle Housing Uses:** All new single-family and middle housing dwellings shall be evaluated using the design review criteria set forth in TMC 18.60.060.

~~— C. **Tukwila International Boulevard Design Review Criteria:** The design criteria and guidelines of the Tukwila International Boulevard Design Manual, as amended, shall be used for the following:~~

~~— 1. Development in the MUO, NCC, and RC Districts within the Tukwila International Boulevard study area (see Figure 18-9).~~

C. **Multi-Family and Hotel Uses:** All multifamily and hotel uses, as well as non-residential development in the CR zoning district, shall be evaluated using the applicable residential design review criteria set forth in TMC 18.60.070.

D. **Parking Structure Design Guidelines:** The Parking Structure Design Guidelines shall be used whenever the provisions of this Title require a design review decision on proposed or modified parking structures.

E. **Tukwila South Design Review Criteria:** The criteria found at TMC 18.60.070080, as well as the guidelines contained in the Tukwila South Overlay District Design Manual or the Tukwila South Residential Design Guidelines, shall be used whenever the provisions of this Title require a design review decision on a proposed or modified development in the Tukwila South Overlay district.

F. **Southcenter Design Criteria:** The criteria contained in the Southcenter Design Manual shall be used whenever the provisions of this title require a design review decision on a proposed or modified development in the Tukwila Urban Center districts.

G. **Shoreline Design Criteria.** The criteria contained in the Shoreline Design Guidelines found at TMC 18.44.090 shall be used whenever the provisions of this title require a design review decision on a proposed or modified development in the Shoreline Overlay District.

Section 121. Regulations Established. TMC 18.60.060, “Single-Family and Middle Housing Design Review Criteria,” is hereby established to read as follows:

18.60.060 Single-Family and Middle Housing Design Review Criteria

A. Entrances.

1. *Purpose:* To ensure that entrances are easily identifiable, clearly visible, and accessible from streets, sidewalks, and common areas, to encourage pedestrian activity and enliven the street.

2. *Applicability:* The following standards apply to all residential building facades that face a public or private street, except those that are separated from the street by another building.

3. *Standard:*

a. Each residential structure must have at least one main entrance fronting a public or private street, or within 10' of street facing building facade.

b. Each unit with individual ground-floor entry and all shared entries must have a covered porch or stoop that is at least 25 square feet with the minimum dimension of 3'.

B. **Windows.**

1. *Purpose:* To maintain a lively and active street face while increasing safety and general visibility to the public realm.

2. *Applicability:* The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

3. *Standard:*

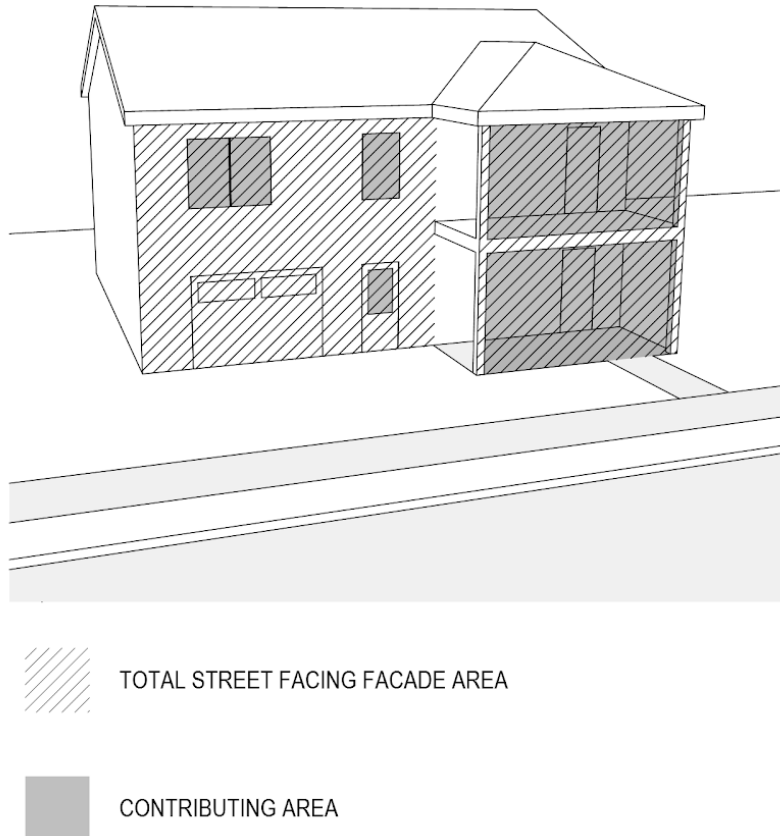
a. Windows shall be provided in façades facing public or private streets, comprising at least **twenty percent** of the façade area.

b. Window area is considered the entire area within, but not including, the window casing, including any interior window grid.

c. Windows in pedestrian doors may be counted toward this standard.

d. Windows in garage doors may not be counted toward this standard.

e. Open areas within covered porches may be counted toward this standard.



C. Building Articulation.

1. Purpose: To ensure that buildings along any public or private street display the greatest amount of visual interest and reinforce the residential scale of the streetscape and neighborhood.

2. Applicability: The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

3. Standard:

a. Horizontal street-facing facades wider than **forty feet** must include at least four of the following design features per façade. At least one of these features must be used every forty feet.

(1) Varied building heights;

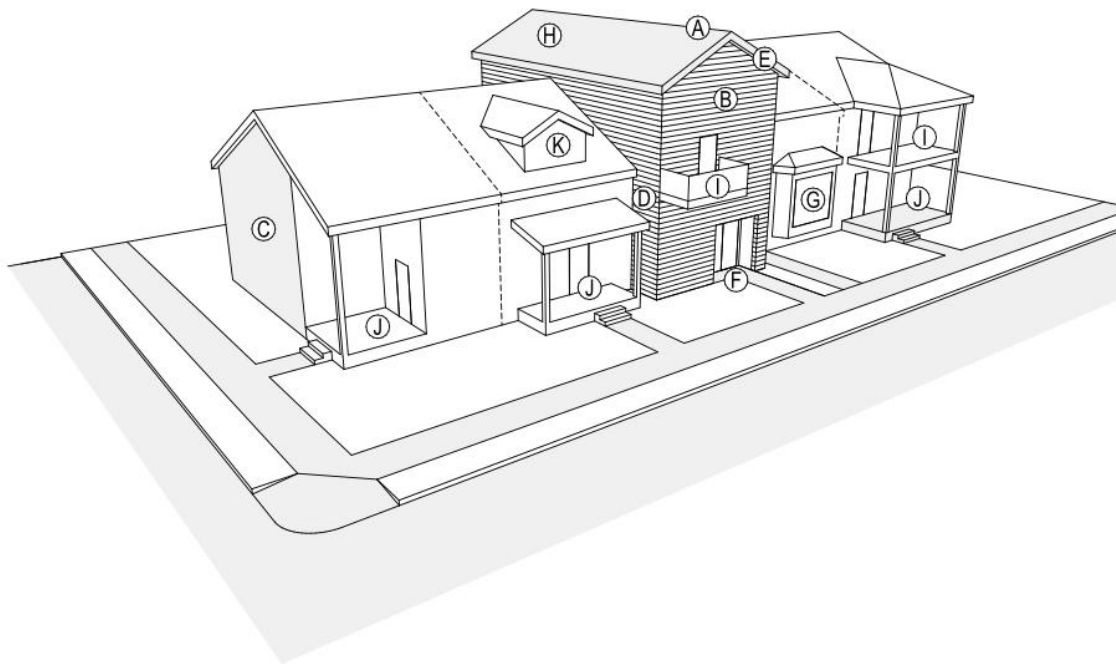
(2) Use of different materials;

(3) Different colors;

(4) Building perimeter offsets minimum of 4';

(5) Projecting roofs (minimum of twelve inches);

- (6) Recesses, minimum of 3';
- (7) Bay windows, must project a minimum of 1' and cover at least 10% of the facade. May project as much as 2', and cover up to 35% of the facade;
- (8) Variation in roof materials, color, pitch, or aspect;
- (9) Balconies, minimum of 25 square feet;
- (10) Covered porch or patio; or
- (11) Dormers



- Ⓐ Varied building heights
- Ⓑ Use of different materials
- Ⓒ Different colors
- Ⓓ Building perimeter offsets minimum of 4'
- Ⓔ Projecting roofs (minimum of twelve inches)
- Ⓕ Recesses, minimum of 3'
- Ⓖ Bay windows. May project as much as 2', up to 35% of the facade
- Ⓗ Variation in roof materials, color, pitch, or aspect
- Ⓘ Balconies
- Ⓙ Covered porch or patio
- Ⓚ Dormers

D. Parking Facilities.

1. *Purpose:* To integrate parking facilities with the building and surrounding residential context, promote pedestrian-oriented environments along streets, reduce impervious surfaces, and preserve on-street parking and street tree opportunities. To minimize the visual impact of garage entrances. Garage entrances are limited as a percentage of the building facade but a single car garage is always allowed. The provision for allowing the garage door to be set back from front porches also incentivizes front porches.

2. *Applicability:* The following standards apply to all garage entrances that face a public or private street.

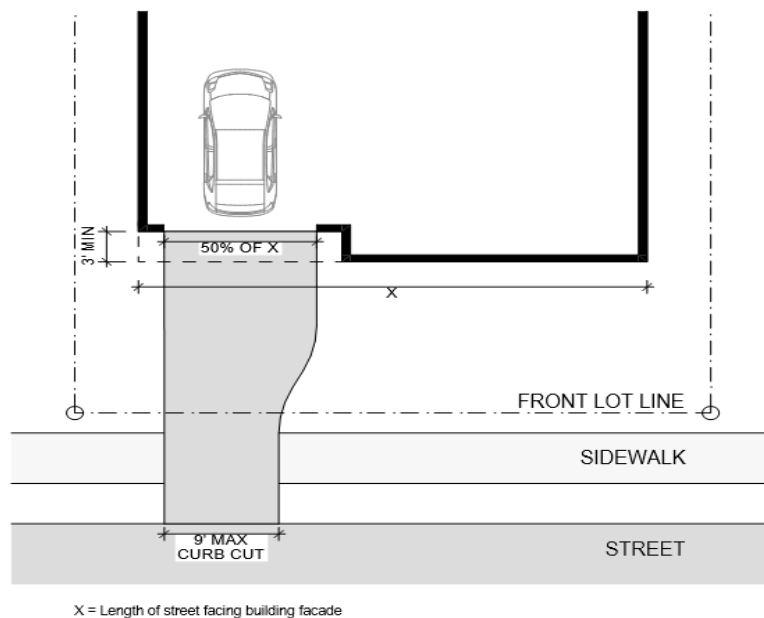
3. *Standard:*

(a) The combined width of all street-facing garage doors may be up to fifty percent (50%) of the length of the street-facing building façade or ten feet per unit, whichever is greater. For attached housing, this standard applies to the combined length of the street-facing façades of all units. For all other lots and structures, the standards apply to the street-facing façade of each individual building.

(b) Street-facing garage walls must be set back at least three feet from the primary street-facing building façade or five feet from a covered porch.

(c) Garage entrances shall use materials and colors that match the residence.

(d) Parking structures, garages, carports, and parking areas other than driveways shall not be located between the principal structure and streets.

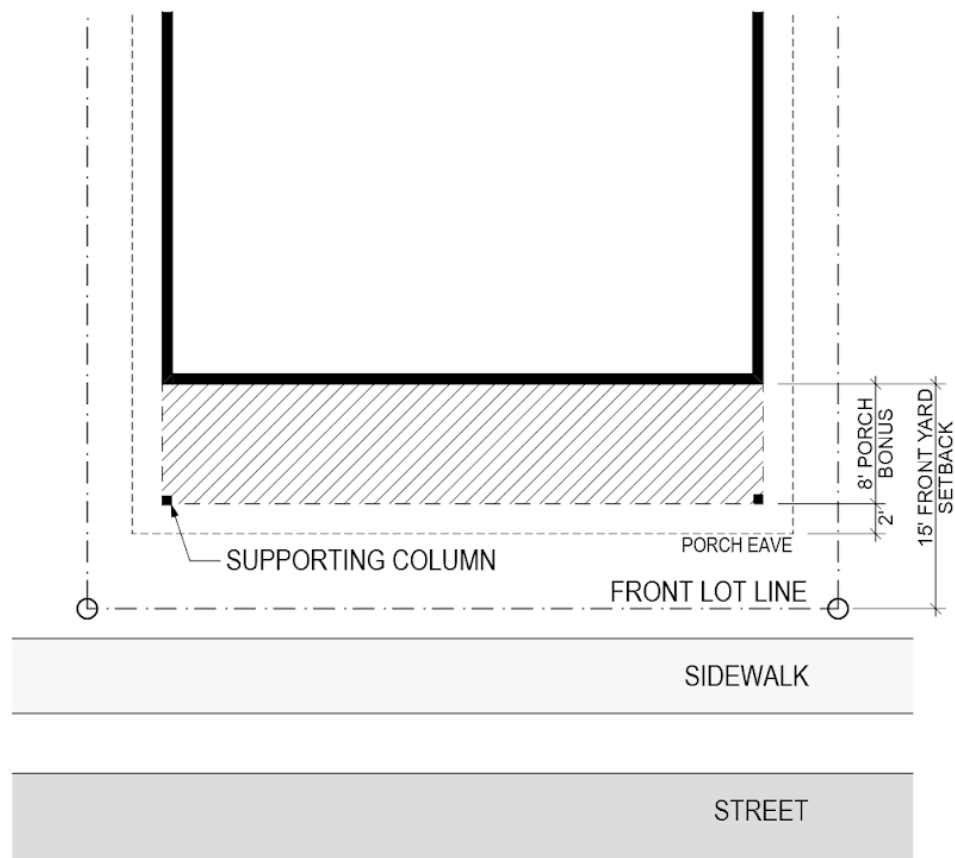


E. Porches.

1. Purpose: To maintain a lively and active street face, reinforce the residential scale of the streetscape and neighborhood, while providing visual interest and community cohesion.

2. Applicability: The following standards apply to all residential building facades that face a public or private street, except those that are separated from the street by another building.

3. Standard: Covered porches may project eight feet into the front yard setback, measured from supporting columns. Covered porch eaves may project an additional two feet.



F. Balconies.

1. Purpose: Ability to stack balconies over porches makes structural logic and provides useful space for stacked flat and townhouse typologies.

2. Applicability: The following standards apply to all balconies in single-family and middle housing development.

3. Standard: Balconies are permitted stack over porches or other balconies.

G. Bay Windows.

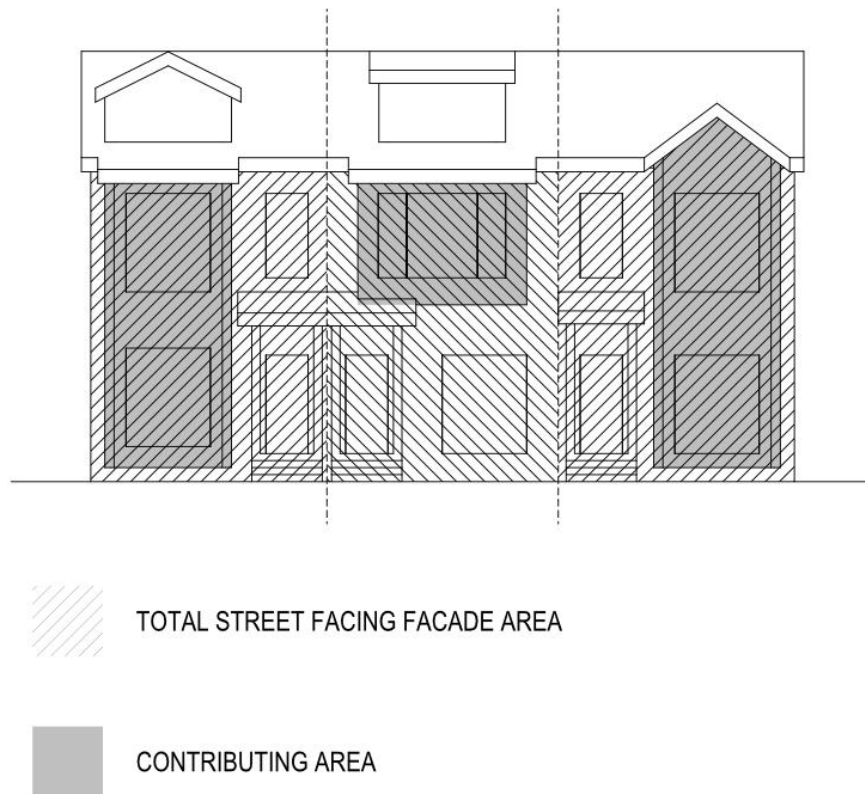
1. Purpose: Bay windows create visual interest and create usable interior square footage without increasing a building's overall street presence.

2. Applicability: The following standards apply to all residential building facades.

3. Standard:

a. Bay windows may project up to two feet into side or front yard setbacks.

b. Each bay window may be up to twelve feet wide and up to sixty percent of the façade.



H. Dormers.

1. Purpose: Dormers create visual interest and create usable interior square footage without enlarging a building's overall street presence.

2. Applicability: The following standards apply to all residential building roofs.

3. Standard: Each dormer may be up to nine feet wide and the total length of all can add up to 40% of the building length.



Section 122. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.060, “Multi-Family, Hotel, and Motel Design Review Criteria,” is hereby renumbered as TMC 18.60.070 per section 116 of this ordinance, and amended to read as follows:

18.60.070 Multi-Family, Hotel, and Motel Design Review Criteria

A. Site Planning:

~~1. Building siting, architecture, and landscaping shall be integrated into and blend harmoniously with the neighborhood building scale, natural environment, and development characteristics as envisioned in the Comprehensive Plan. For instance, a multi-family development's design need not be harmoniously integrated with adjacent single-family structures if that existing single-family use is designated as "Commercial" or "High-Density Residential" in the Comprehensive Plan. However, a "Low-Density Residential" (detached single-family) designation would require such harmonious design integration.~~

~~2. Natural features, which contribute to desirable neighborhood character, shall be preserved to the maximum extent possible. Natural features include, but are not limited to, existing significant trees and stands of trees, wetlands, streams, and significant topographic features.~~

31. The site plan shall use landscaping and building shapes to form an aesthetically pleasing and pedestrian scale streetscape. This shall include, but not be limited to facilitating pedestrian travel along the street, using architecture and landscaping

to provide a desirable transition from streetscape to the building, and providing an integrated linkage from pedestrian and vehicular facilities to building entries.

42. Pedestrian and vehicular entries shall provide a high-quality visual focus using building siting, shapes and landscaping. Such a feature establishes a physical transition between the project and public areas, and establishes the initial sense of high quality development.

53. Vehicular circulation design shall minimize driveway intersections with the street.

64. Site perimeter design (i.e., landscaping, structures, and horizontal width) shall be coordinated with site development ~~to ensure a harmonious transition between adjacent projects.~~

75. Varying degrees of privacy for the individual residents shall be provided, increasing from the public right-of-way, to common areas, to individual residences. This can be accomplished through the use of symbolic and actual physical barriers to define the degrees of privacy appropriate to specific site area functions.

86. Parking and service areas shall be located, designed and screened to interrupt and reduce the visual impact of large paved areas.

~~9. The height, bulk, footprint and scale of each building shall be in harmony with its site and adjacent long-term structures.~~

B. Building Design:

1. ~~Architectural style is not restricted; evaluation of a project shall be based on the quality of its design and its ability to harmonize building texture, shape, lines and mass with the surrounding neighborhood.~~ Attention to building design encourages an aesthetically appealing and safe place to live, while contributing to the pedestrian environment. Residential forms such as porches, gables, bay windows, color and texture add visual interest and provide human scale that contributes to a sense of ownership and comfort.

~~2. Buildings shall be of appropriate height, scale, and design/shape to be in harmony with those existing permanent neighboring developments that are consistent with, or envisioned in, the Comprehensive Plan. This will be especially important for perimeter structures. Adjacent structures that are not in conformance with the Comprehensive Plan should be considered to be transitional. The degree of architectural harmony required should be consistent with the nonconforming structure's anticipated permanence.~~

23. Building components, such as windows, doors, eaves, parapets, stairs and decks shall be integrated into the overall building design. ~~Particular emphasis shall be given to harmonious proportions of these components with those of adjacent developments.~~ Building components and ancillary parts shall be consistent with the anticipated life of the structure.

34. The overall color scheme shall work to reduce building prominence and shall blend in with the natural environment.

45. Monotony of design in single or multiple building projects shall be avoided. Variety of detail, form, and siting shall be used to provide visual interest. Otherwise monotonous flat walls and uniform vertical planes of individual buildings shall be broken up with building modulation, stairs, decks, railings, and focal entries. Multiple building developments shall use siting and additional architectural variety to avoid inappropriate repetition of building designs and appearance to surrounding properties.

C. Landscape and Site Treatment:

1. To the extent possible, Existing natural topographic patterns and significant vegetation shall be reflected in project design when they contribute to the natural beauty of the area or are important to defining neighborhood identity or a sense of place.

2. Landscape treatment shall enhance existing natural and architectural features, help separate public from private spaces, strengthen vistas and important views, provide shade to moderate the effects of large paved areas, and break up visual mass.

3. Walkways, parking spaces, terraces, and other paved areas shall promote safety and provide an inviting and stable appearance. Direct pedestrian linkages to the public street, to on-site recreation areas, and to adjacent public recreation areas shall be provided.

4. Appropriate landscape transition to adjoining properties shall be provided when possible.

D. Miscellaneous Structures:

1. Miscellaneous structures shall be designed as an integral part of the architectural concept and landscape. Materials shall be compatible with other buildings on the site, ~~scale shall be appropriate, colors shall be in harmony with buildings and surroundings, and structure proportions shall be to scale.~~

2. The use of walls, fencing, planting, berms, or combinations of these shall accomplish screening of service yards, ~~and other places that tend to be unsightly.~~ Screening shall be effective in winter and summer.

3. Mechanical equipment or other utility hardware on roof, ground or buildings shall be screened from view. Screening shall be designed as an integral part of the architecture (i.e., raised parapets and fully enclosed under roof) and landscaping.

4. Exterior lighting standards and fixtures shall be of a design and size consistent with safety, building architecture and adjacent area. Lighting shall be shielded and restrained in design with no off-site glare spill-over. Excessive brightness and brilliant colors shall not be used unless clearly demonstrated to be integral to building architecture.

Section 123. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.070, “Tukwila South Design Criteria,” is hereby renumbered as TMC 18.60.080 per section 116 of this ordinance. **Subparagraph A.1** is hereby amended to read as follows:

18.60.080 Tukwila South Design Criteria

A. Site ~~Design~~Planning:

1. Site Design Concept and Site Relationships:

a. Organize site design elements to provide an orderly and easily understood arrangement of buildings, landscaping, and circulation elements that support the functions of the site.

b. Maintain visual and functional continuity between the development and adjacent properties where appropriate.

Section 124. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.080, “Commercial Redevelopment Areas Approval Procedures and Criteria,” is hereby renumbered as TMC 18.60.090 per section 116 of this ordinance:

18.60.090 Commercial Redevelopment Areas Approval Procedures and Criteria

Section 125. Ordinance No. 2741 §3 (part), as codified at TMC 18.60.090, “Expiration,” is hereby renumbered as TMC 18.60.100 per section 116 of this ordinance, and amended to read as follows:

18.60.090100 Expiration of Design Review Permits

A. ~~Expiration of Design Review Approval: Construction permitting~~A complete building permit application for a project which received an approved design review approved permit plans must be received by the Department ~~begin~~ within three (3) years from the ~~date of the Notice of Decision of the Design Review Permit~~, or the approval decision of the Design Review Permit becomes null and void.

Section 126. Ordinance No. 2741 §3 (part), as codified at TMC 18.70.050, “Nonconforming Structures,” is hereby amended to read as follows:

18.70.050 Nonconforming Structures

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

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

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

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

____ 3. Should such structure's ~~be moved~~ physical location be changed, for any reason or any distance whatsoever, it shall thereafter conform to the regulations for the zone in which it is located after it is moved.

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

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

____ 6. Residential structures and uses ~~located in any single-family or multiple-family residential zoning district and~~ in existence at the time of adoption of this title shall not be deemed nonconforming in terms of bulk any dimensional, use, or density provisions of this title. ~~Such buildings may be rebuilt after a fire or other natural disaster to their original dimensions and bulk, but may not be changed except as provided in the non-conforming uses section of this chapter.~~

____ 7. ~~Single-family sResidential structures that meet the definitions of single-family or middle housing in single- or multiple-family residential zone districts that have legally nonconforming building setbacks, shall be allowed to expand the ground floor only along the existing building line(s), so long as the existing distance from the nearest point of the structure to the property line is not reduced, and the square footage of new intrusion into the setback does not exceed 50% of the square footage of the current intrusion.~~

~~8.— In wetlands, watercourses and their buffers, existing structures that do not meet the requirements of the Critical Areas Overlay District chapter of this title may be remodeled, reconstructed or replaced, provided that:~~

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

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

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

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

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

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

~~_____c. The structure otherwise meets the requirements of this chapter.~~

~~9~~ 7. In areas of potential geologic instability, coal mine hazard areas, and buffers, as defined in the Critical Areas Overlay District chapter of this title, existing structures may be remodeled, reconstructed or replaced, provided that:

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

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

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

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

Section 127. Ordinance No. 2741 §3 (part), as codified at TMC 18.70.090, “Nonconforming Landscape Areas,” is hereby amended to read as follows:

18.70.090 Nonconforming Landscape Areas

A. Adoption of the landscaping regulations contained in this title shall not be construed to require a change in the landscape improvements for any legal landscape area which existed on the date of adoption of this title, unless and until a change of use or alteration of the ~~structure-site requiring design review approval is proposed (see TMC 18.60)~~exceeding 50% of the structure's improvement value is proposed.

B. At such time as a change is proposed that requires a change in the landscape improvements in accordance with TMC 18.70.090.A, ~~ing design review approval is proposed for a use or structure, and the associated premises does not comply with the landscape requirements of this title,~~submittal of a landscape plan which conforms to the requirements of this title shall be ~~submitted for approval along with the design review application.~~required. The Director may modify the standards imposed by this title when, in their judgment, strict compliance with the landscaping standards of this code would create substantial practical difficulties, the existing and proposed additional landscaping and screening materials together will adequately screen or buffer possible use incompatibilities, soften the barren appearance of parking or storage areas, and/or adequately enhance the premises appropriate to the use district and location of the site.

Section 128. Ordinance No. 2741 §3 (part), as codified at TMC 18.70.110, "Nonconforming Adult Entertainment Establishments," is hereby amended to read as follows:

18.70.110 Nonconforming Adult Entertainment Establishments

A. Notwithstanding any other provision of this chapter, any adult entertainment use or establishment which is rendered nonconforming by the provisions of any ordinance of the City shall be terminated or discontinued within 90 days from the effective date of that ordinance.

____ 1. The owner or operator of any adult entertainment use or establishment which is rendered nonconforming by the provisions of any ordinance of the City may appeal the 90-day termination provision of this section by filing a notice of appeal with the City Clerk within 60 days of the effective date of this section.

____ 2. Within ten days of receipt of a notice of appeal, the City Clerk shall schedule a hearing on the appeal before a hearing examiner. The hearing shall be no later than 20 days from the date of receipt by the City of the notice of appeal, unless extended by mutual agreement of the parties. The hearing examiner shall be the City Clerk or ~~his/her~~their designee.

____ 3. Within ten days, excluding weekends and holidays recognized by the City, from the date of the hearing on an appeal under this section, the hearing examiner shall issue a written decision, which shall set forth the hearing examiner's findings of fact and conclusions of law. The hearing examiner shall consider the following factors and any other factors that ~~he/she~~they determines to be relevant or helpful in reaching a decision:

____ a. The harm or hardship to the appellant caused by the 90-day termination provision of this section;

____ b. The benefit to the public to be gained from termination of the use;

____c. The nature of the leasehold or other ownership interest that an appellant may have in premises occupied by the adult entertainment use;

____d. Restrictions or lack of same imposed on an appellant's use of such premises by a lease or other binding agreement;

____e. Amounts expended by an appellant for improvements to such premises or for necessary equipment and the extent to which those amounts have been recovered through depreciation, tax savings, or whether such improvements are contemplated to be left as property of the lessor; and

____f. Any clear evidence of substantial economic harm caused by enforcement of the 90-day termination provision of this section.

4. Any appeal of the 90-day termination provision filed pursuant to this section shall be classified as a Type 1 decision to be rendered by the Hearing Examiner pursuant to the provisions of TMC 18.104 and 18.108.

Section 129. Ordinance No. 2741 §3 (part), as codified at TMC 18.70.120, "Sidewalk Dedication," is hereby amended to read as follows:

18.70.120 ~~Sidewalk Dedication~~ of Property to the Public

A. No existing or proposed building ~~setback or landscape area on the subject lot at the time of donation or easement to the City for sidewalk purposes~~ shall become nonconforming relating to setbacks or landscaping requirements because portions of the property are dedicated to the City for frontage improvements. ~~by reasons of such donation or easement.~~

Section 130. Ordinance Nos. 2741 §3 (part), 2745 §7, and 2759 §3, as codified at TMC 18.104.010, "Classification of Project Permit Applications," **subparagraphs A.1 and A.2**, is hereby amended to read as follows:

18.104.010 Classification of Project Permit Applications

A. Project permit decisions are classified into five types, based on the degree of discretion associated with each decision, as set forth in this section. Procedures for the five different types are distinguished according to who makes the decision, whether public notice is required, whether a public meeting and/or a public hearing is required before a decision is made, and whether administrative appeals are provided.

____1. **Type 1 Decisions** are made by City administrators who have technical expertise, as designated by ordinance. Type 1 decisions may be appealed to the Hearing Examiner who will hold a closed record appeal hearing based on the information presented to the City administrator who made the decision.

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 Section 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 Chapter 17.08)	Director
Critical Area Designation Permit (TMC 18.45.050)	Director
Minor Modification of a Boundary Line Adjustment or Lot Consolidation Preliminary Approval (TMC Section 17.08.030)	Director
Development Permit	Building Official
Minor Modification to Design Review Approval (TMC Section 18.60.030)	Director
Minor Modification to PRD (TMC Section 18.46.130)	Director
Signs (TMC Section 19.12.020)	Director
Tree Permit (TMC Chapter 18.54)	Director
Wireless Communication Facility, Eligible Facilities (TMC Chapter 18.58)	Director

2. **Type 2 Decisions** are decisions that are initially made by the Director or, in certain cases, other City administrators or committees, but which are subject to an open record appeal to the Hearing Examiner, or, in the case of shoreline permits, an appeal to the State Shorelines Hearings Board pursuant to RCW 90.58.

TYPE 2 DECISIONS

TYPE OF PERMIT	DECISION MAKER	NOTICING REQUIREMENTS
Cargo Container Placement (TMC 18.50.060)	Director	Noticing not required.
Code Interpretation (TMC 18.90.010)	Director	
Exception from Single Family Design (TMC 18.50.050)	Director	
Modification to Development Standards (TMC 18.41.100)	Director	
Parking standard for use not specified (TMC 18.56.100), and modifications to certain parking standards (TMC 18.56.065, .070, .120, 140)	Director	
Request for Landscape Modification (TMC 18.52.120)	Director	
Critical Area Tree Removal and Vegetation Clearing (TMC 18.45.158)	Director	
Shoreline Tree Permit (TMC 18.44.060)	Director	
Master Sign Program (TMC 19.32.030)	Director	
Minor Modification of a Preliminary Short Subdivision (TMC 17.12.030)	Director	

Minor Modification of a Preliminary Long Subdivision (TMC 17.14.030)	Director	<p>Type: Notice of Application (TMC 18.104.080)</p> <p>Method of Notice: Posted (TMC 18.104.110)</p> <p>*Additional Notice Requirements for Shoreline Applications (TMC 18.104.090(2))</p>
Final Long Subdivision (TMC 17.14.050)	Director	
Modification to TUC Corridor Standards (TMC 18.28.110.C)	Director	
Modification to TUC Open Space Standards (TMC 18.28.250.D.4.d)	Director	
Transit Reduction to Parking Requirements (TMC 18.28.260.B.5.b)	Director	
Wireless Communication Facility, Macro Facilities – No New Tower (TMC 18.58.060)	Director	
Temporary Encampment Permit (TMC 18.48)	Director	
Critical Areas (except Reasonable Use Exception) (TMC 18.45)	Director	
Shoreline Substantial Development Permit* (TMC 18.44)	Director	
Design Review (TMC 18.60.020)	Director	
Short Subdivisions (TMC 17.12)	Short Subdivision Committee	
Administrative Planned Residential Development (TMC 18.46.110)	Short Subdivision Committee	
Binding Site Improvement Plan (TMC Chapter 17.16)	Short Subdivision Committee	

Section 131. Ordinance No. 2741 §3 (part), as codified at TMC Table 18-5, “Provision of Parking,” is hereby amended to read as referenced in Exhibit A.

Section 132. Ordinance No. 2741 §3 (part), as codified at TMC Table 18-6, “Land Uses Allowed by District,” is hereby amended to read as referenced in Exhibit B.

Section 133. Ordinance No. 2741 §3 (part), as codified at TMC Figure 18-7, “Required Number of Parking Spaces for Automobiles and Bicycles,” is hereby amended to read as referenced in Exhibit D.

Section 134. 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 135. 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 136. 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: Table 18-5, "Provision of Parking"
Exhibit B: Table 18-6, "Land Uses Allowed by District"
Exhibit C: Figure 18-7, "Required Number of Parking Spaces for Automobiles and Bicycles,"

Exhibit A: Table 18-5 Provision of Parking

Districts	Regional Center, TOD Neighborhood & Pond District	Commercial Corridor & Workplace	All Districts
Use	Required Minimum Vehicular Parking	Required Minimum Vehicular Parking	Required Minimum Bicycle Parking
Retail, except as listed below	3.3 spaces/1,000 sf of ufa	See TMC Figure 18-7 Required Number of Parking Spaces for Automobiles and Bicycles	See TMC Figure 18-7 Required Number of Parking Spaces for Automobiles and Bicycles
Eating & Drinking Establishments	6 spaces/1,000 sf of ufa		
Planned Shopping Center 100,000 - 500,000 sf of ufa	4 spaces/1,000 sf of ufa		
Planned Shopping Center 500,000 - 1,000,000 sf of ufa	5 spaces/1,000 sf of ufa		
Planned Shopping Center over 1 million square feet gross leasable floor area including pad buildings ¹	4 spaces/1,000 sf of gross leasable floor area		
Entertainment & Recreation	6 spaces/1,000 sf of ufa, or as determined by DCD Director		
Business & Personal Services	3 spaces/1,000 sf of ufa		
Civic & Institutional	As determined by DCD Director		
Office	3 spaces/1,000 sf of ufa		
Lodging	1 space/guest room		
Residential			
4 bedroom unit or studio <u>Studio</u>	4 <u>0.75</u> spaces/unit		
2 <u>1</u> + bedroom unit	1.5 plus .5 space/unit for each additional bedroom over 2		
Home occupation	1 space/employee in addition to spaces otherwise required		
Senior citizen housing	1 space per unit for the first 15 units, .5 space per unit for additional units		
<u>Senior citizen housing and housing for persons with disabilities within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day</u>	<u>1 for 15 beds with a minimum of 2, to accommodate staff and visitors</u>		
<u>*See RCW 36.70A.620(2)</u>			
Industrial, Manufacturing & Warehouse	Not permitted		
Essential Public Facilities	As determined by DCD Director		

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

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

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

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO
P = Permitted outright; A = Accessory (customarily appurtenant and incidental to a permitted use) ; C = Conditional (subject to TMC 18.64); U = Unclassified (subject to TMC 18.66); S = Special Permission (Administrative approval by the Director)																	
Adult day care	A	A	A	A	A			A	A							P	
Adult entertainment (subject to location restrictions ¹)										P	P	P	P	P	P	P	
Airports, landing fields and heliports (except emergency sites)										U	U	U	U	U	U	U	
Amusement Parks								C	C	C	C	C			C	P	
Animal rendering											U					P	
Animal shelters and kennels, subject to additional State and local regulations (less than 4 cats/dogs = no permit)								C	C	C	C	C			C		
Animal Veterinary, including associated temporary indoor boarding; access to an arterial required	P	P	P	P		P	P	P	P	P					P		
Bed and breakfast lodging for not more than twelve guests ⁵	C	C	C														
Bed and breakfast lodging (no size limit specified)				C												P	
Bicycle repair shops				P	P	P	P	P	P	P	P	P	P	P	P	P	
Boarding Homes		C															
Brew Pubs				P	P	C	P	P	P	P	P	P	P	P	P	P	
Bus stations							P	P	P	P	P	P	P	P	P	P	
Cargo containers (*see also TMC 18.50.060)	A&S	A&S	A&S					A&S	A&S	A&S	P	P	P	P	P		
Cement manufacturing										U	U	U	U	U	U		
Cemeteries and crematories	C	C	C	C	C			C	C	C	C	C			C	C	
Colleges and universities				C	C		C	C	C	C	C	C	C6	C6	C6	P	
Commercial laundries								P	P	P	P	P	P		P		
Commercial Parking (Commercial parking is a use of land or structure for the parking of motor vehicles as a commercial enterprise for which hourly, daily, or weekly fees are charged. TMC Section 18.06.613)				P7	P7			P7	P7	P7	P8	P8			P8		

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Contractor storage yards										P	P	P	P	P	P		
Continuing care retirement facility				C	C		C	C	C	C					C	P	
Convalescent & nursing homes & assisted living facility for not more than twelve patients		€	P	P	P	C	P	P	P	P					P	P	
Convalescent & nursing homes & assisted living facility for more than twelve patients				C	C		C	C	C	C					C	P	
Convention facilities								P	P	P	P	P			P	P	
Correctional institutes					U11						U	U		U			
Daycare Centers (not home-based)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Daycare Family Home (Family Child Care Home) ¹²	A	A	A	A	A	A	A	A	A						A	A	
Diversion facilities and diversion interim services facilities south of Strander Blvd										U							
Domestic Shelter	P	P	P	P	P												
Dormitory	C	€	C	A13	A13	A13	A13	A13	A13	A13	A13	A13			A13	A13	
Drive-in theatres								C	C	C	C	C			C		
Dwelling – Cottage Housing	P		P	P		P	P										
Dwelling – Courtyard Apartments	P		P	P		P	P										
Dwelling – Detached single family (Includes site built, modular home or new manufactured home). One detached single family dwelling per existing lot permitted in MUO, O, RCC, NCC, TVS.	P	P	P	P	P	P	P	P							P	P	
Dwelling- Detached Zero-Lot Line Units	P	P	P	P		P	P										
Dwelling- Duplex, triplex or fourplex, fiveplex or townhouse ¹⁰ up to four attached units	P	P	P	P		P	P									P	
Dwelling- Townhouses	P		P	P		P	P									P	
Dwelling –Multi-family			P					P14								P	
Dwelling – Multi-family units above office and retail uses				P		P	P		P						C15 22/ ac	P	
Dwelling – Senior citizen housing, including assisted living facility for seniors *see purpose section of chapter, uses sections, and development standards		P meeting density and all other MDR standards	P 60/ac	P 60/ac			P 60/ ac	P 60/ac	P 60/ac						C15 100/ ac	P	
Dwelling – Stacked Flat	P		P	P		P	P										
Dwelling unit – Accessory ¹⁶	A	A	A	A		A	A										

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Electrical Substation – Distribution	C	€	C	C	C		C	C	C	C	C	C	C	C	C	P	
Electrical Substation – Transmission/Switching												U		U	U	U	
Electric Vehicle Charging Station – Level 1 and Level 2	A	A	A	P	P	P	P	P	P	P	P	P	P	P	P	P	
Electric Vehicle Charging Station – Level 3, battery exchange stations, and rapid charging stations. (TMC 18.50.140)	A	A	A	A	A	A	P	P	P	P	P	P	P	P	P	P	
Emergency Housing								P37	P37	P37	P37	P37	P37	P37	P37	P37	
Emergency Shelter								P37	P37	P37	P37	P37	P37	P37	P37	P37	
Essential public facilities, except those uses listed separately in any of the other zones								U	U	U	U	U	U	U	U	U	
Extended-stay hotel								P34	P	P	P	P			P	P	
Farming and farm-related activities															P	P	
Fire & Police Stations	C	€	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Fraternal organizations				P	P	C	P	P	P	P	P	P			P	P	
Garage or carport (private) not exceeding 1,500 sq. ft. on same lot as residence and is subject to the regulations affecting the main building	A	A															
Greenhouses (noncommercial) and storage sheds not exceeding 1,000 sq./ft	A	A	A	A													
Greenhouses or nurseries (commercial)						P	P	P	P	P	P	P			P	P	
Hazardous waste treatment and storage facilities (off-site) subject to compliance with state siting criteria (RCW Chapter 70.105) (See TMC 21.08)												C		C			
Heavy equipment repair and salvage										P	P	P	P	P	P		
Helipads, accessory																C	
Home Occupation (Permitted in dwellings as covered in TMC Section 18.06.430.)	A	A	A	A	A	A	A		A						A	A	
Hospitals				C	C			C	C	C	C	C			C	P	
Hotels								P34	P	P	P	P	C	C	P	P	
Hydroelectric and private utility power generating plants								U	U	U	U	U	U	U	U		
Industries involved with etching, film processing, lithography, printing and publishing								P	P	P	P	P	P	P	P	P	
Internet Data/Telecommunication Centers								C		P	P	P	P	P	P	P	
Landfills and excavations which the responsible official, acting pursuant to the State Environmental Policy Act, determines are significant environmental actions	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U		
Laundries; self-serve, dry cleaning, tailor, dyeing				P	P	P	P	P	P	P	P	P	P	P	P	P	
Libraries, museums, or art galleries (public)	C	€	P	P	P	C	P	P	P	P	P	P	P	P	P	P	

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LD_R	ADR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO
Manuf./Mobile home park ¹⁷	€	P														
Manufacturing and industrial uses that have little potential for creating off-site noise, smoke, dust, vibration or other external environmental impacts or pollution:																
A) Manufacturing, processing and/or packaging pharmaceuticals and related products, such as cosmetics and drugs						P18	P	P	P	P	P	P	P	P	P	
B) Manufacturing, processing and/or packaging previously prepared materials including, but not limited to, bags, brooms, brushes, canvas, clay, clothing, fur, furniture, glass, ink, paint, paper, plastics, rubber, tile, and wood						P18	P	P	P	P	P	P	P	P	P	
C) Manufacturing, processing, assembling, packaging and/or repairing electronic, mechanical or precision instruments such as medical and dental equipment; photographic goods, measurement and control devices, and recording equipment						P18	P	P	P	P	P	P	P	P	P	
D) Manufacturing, processing, packaging of foods, such as baked goods, beverages, candy, canned or preserved foods, dairy products and byproducts, frozen foods, instant foods, and meats (no slaughtering)										P	P	P	P			
i) Fermenting and distilling included																
ii) No fermenting and distilling						P18	P	P	P					P	P	
Manufacturing and industrial uses that have moderate to substantial potential for creating off-site noise, smoke, dust, vibration or other external environmental impacts:																
A) Manufacturing, processing and/or assembling chemicals, light metals, plastics, solvents, soaps, wood, coal, glass, enamels, textiles, fabrics, plaster, agricultural products or animal products (no rendering or slaughtering)									C	C	P	C	P	C		
B) Manufacturing, processing and/or assembling of previously manufactured metals, such as iron and steel fabrication; steel production by electric arc melting, argon oxygen refining, and consumable electrode melting; and similar heavy industrial uses									C	C	P	C	P	C		
C) Manufacturing, processing and/or assembling of previously prepared metals including, but not limited to, stamping, dyeing, shearing or punching of metal, engraving, galvanizing and hand forging							C	C	C	P	P	P	P	C		
D) Manufacturing, processing, assembling and/or packaging of electrical or mechanical equipment, vehicles and machines including, but not limited to, heavy and light machinery, tools, airplanes, boats or other transportation vehicles and equipment									P	P	P	P	P	C		
E) Heavy metal processes such as smelting, blast furnaces, drop forging or drop hammering												C	P			

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Manufacturing that includes rock crushing, asphalt or concrete batching or mixing, stone cutting, brick manufacture, marble works, and the assembly of products from the above materials										C	C	P	C	P	C	C	
Manufacturing, refining or storing highly volatile noxious or explosive products (less than tank car lots) such as acids, petroleum products, oil or gas, matches, fertilizer or insecticides; except for accessory storage of such materials												U		U	U	U	
Marijuana producers, processors, or retailers (with state issued license)												P			P	P19	
Mass transit facilities	U	↓	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Medical and dental laboratories				P	P			P	P	P	P	P			P	P	
Minor expansion of an existing warehouse ²⁰																S	
Mortician and funeral homes								P	P	P	P	P			P	C	
Motels								P	P	P	P	P	C	C	P	P	
Offices including: medical, dental, government (excluding fire & police stations), professional, administrative, computer software development, business, e.g. travel, real estate & commercial				P22	P	P22	P23	P	P	P	P	P	P9 C10	P24 C25	P	P	
Office or sample room for wholesale or retail sales, with less than 50% storage or warehousing							P										
Park & ride lots				C	C		C	C	C	C	C	C	C	C	C	C	
Parking areas	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Parking areas, for municipal uses and police stations	C	€	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Parks, trails, picnic areas and playgrounds (public), but not including amusement parks, golf courses, or commercial recreation	P	¢	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pawnbroker/Payday lender								C	C	P	P	P			P	P	
Permanent Supportive Housing	P38	P38-	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	
Planned Shopping Center (mall)								P	P	P	P	P			P	P26	
Radio, television, microwave, or observation stations and towers	C	€	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Railroad freight or classification yards												U	U	U	U		
Railroad tracks (including lead, spur, loading or storage)										P	P	P	P	P	P		
Recreation facilities (commercial – indoor) – athletic or health clubs				P	P		P	P	P	P	P	P	C3	P	P	P	
Recreation facilities (commercial – indoor), including bowling alleys, skating rinks, shooting ranges							C	P	P	P	P				P	P	
Recreation facilities (commercial – outdoor), including golf courses, golf driving ranges, fairgrounds, animal race tracks, sports fields										C	C	C			C	C	

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Recreation facilities (public), including, but not limited to sports fields, community centers and golf courses	C	€	C	C	C		C	C	C	C	C	C	C	C	C	C	P
Recreational area and facilities for employees				A	A	A	A	A	A	A	A	A	A	A	A	A	
Religious facilities with an assembly area less than 750 sq.ft.	C	€	C	P	P	P	P	P	P	P	P	P			P	P	
Religious facilities with an assembly area greater than 750 sq.ft. and associated community center buildings	C	€	C	C	C	C	C	C	C	C	C	C			C	C	
Removal and processing of sand, gravel, rock, peat, black soil and other natural deposits together with associated structures										U	U	U	U	U	U		
Rental of vehicles not requiring a commercial driver's license								P36	P	P	P	P	P	P	P	P	
Rental of commercial trucks and fleet rentals requiring a commercial driver's license										P	P	P	P	P	P	P	
Research and development facilities															P	P	
Residences for security or maintenance personnel				A	A	A	A	A	A	A	A	A	A	A	A	A	
Restaurants, drive-through permitted								P35	P	P	P	P	P	P	P	P	
Restaurants, drive-through not permitted				P	P	C	P										
Retail, General				P	P4	P	P35	P35	P	P	P	P	C3	C3	P	P	
Sales and rental of heavy machinery and equipment subject to landscaping requirements of TMC Chapter 18.52*										P	P	P	P	P	P	P	
Salvage and wrecking operations												P		P	C		
Salvage and wrecking operations which are entirely enclosed within a building										P	P		P		P		
Sanitariums, or similar institutes															C		
Schools and studios for education or self-improvement				P	P	P	P	P	P	P	P	P	P9 C10	P27	P	P	
Schools, preschool, elementary, junior & senior high schools (public), and equivalent private schools	C	€	C	C	C	C	C	C	C						C	C	P (public only)
Secure community transition facility ²⁸														U			
Self-storage facilities								P	P	P	P	P	P	P	P	P	
Sewage lift station	U	⚡	U	U	U	U	U									P	
Shelter	P	⚡	P	P	P												
Stable (private)	A29	A29	A29													P	

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Storage (outdoor) of materials allowed to be manufactured or handled within facilities conforming to uses under this chapter; and screened pursuant to TMC Chapter 18.52								P	P	P	P	P	P	P	P	P	
Storage (outdoor) of materials is permitted up to a height of 20 feet with a front yard setback of 25 feet, and to a height of 50 feet with a front yard setback of 100 feet; security required												P	P	P	C	C	
Storm water - neighborhood detention + treatment facilities	U	U	U	U	U	U	U									P	
Storm water pump station	U	U	U	U	U	U	U										
Studios – Art, photography, music, voice and dance				P	P	P	P	P	P	P					P	P	
Taverns, nightclubs								P	P	P	P	P	P30	P30	P	P	
Telephone exchanges				P	P		P	P	P	P	P	P	P	P	P	P	
Theaters, except those theaters which constitute "adult entertainment establishments" as defined by this Zoning Code							P	P	P	P	P	P			P	P31	
Tiny Home Villages ³⁹	P	P	P	P	P	P	P	P	P	P	P				P	P	
Tow-truck operations, subject to all additional State and local regulations										P	P	P	P	P	P	P	
Transfer stations (refuse and garbage) when operated by a public agency												U	U	U	U		
Transitional Housing	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	
Truck terminals										P	P	P	P	P	P		
Utilities, regional																C	
Vehicle sales lot ²								P32	P	P	P	P			P	P	
Vehicle service station							P33	P33	P	P	P	P	P	P	P	P	
Vehicle storage (no customers onsite, does not include park-and-fly operations)																P	
Warehouse storage and/or wholesale distribution facilities								P	P	P	P	P	P	P	P		
Water pump station	U	U	U	U	U	U	U									P	
Water utility reservoir and related facilities	U	U	U	U	U	U	U										
Wireless Telecommunications Facilities (* see TMC Ch. 18.58)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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

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

1. Adult entertainment establishments are permitted, subject to the following location restrictions:
 - a. No adult entertainment establishment shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - (1) In or within 1,000 feet of any LDR, MDR, HDR, MUO, O, NCC, RC, RCM or TUC zone districts or any other residentially-zoned property;
 - (2) In or within one-half mile of:
 - (a) Public or private school with curricula equivalent to elementary, junior or senior high schools, or any facility owned or operated by such schools; and
 - (b) Care centers, preschools, nursery schools or other child care facilities;
 - (3) In or within 1,000 feet of:
 - (a) public park, trail or public recreational facility; or
 - (b) church, temple, synagogue or chapel; or
 - (c) public library.
 - b. The distances specified in TMC Section 18.30.020.1.a shall be measured by following a straight line from the nearest point of the property parcel upon which the proposed use is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
 - c. No adult entertainment establishment shall be allowed to locate within 1,000 feet of an existing adult entertainment establishment. The distance specified in this section shall be measured by following a straight line between the nearest points of public entry into each establishment.
2. No dismantling of cars or travel trailers or sale of used parts allowed.
3. Retail sales and services are limited to uses of a type and size that clearly intend to serve other permitted uses and/or the employees of those uses.
4. Retail sales as part of a planned mixed-use development where at least 50% of gross leasable floor area development is for office use; no auto-oriented retail sales (e.g. drive-ins, service stations).
5. Bed and breakfast facilities, provided:
 - a. the manager/owner must live on-site,
 - b. the maximum number of residents, either permanent or temporary, at any one time is twelve,
 - c. two on-site parking spaces for the owner and permanent residents and one additional on-site parking space is provided for each bedroom rented to customers,
 - d. the maximum length of continuous stay by a guest is 14 days,
 - e. breakfast must be offered on-site to customers, and
 - f. all necessary permits or approvals are obtained from the Health Department.
6. Colleges and universities with primarily vocational curriculum if associated with an established aviation, manufacturing or industrial use.
7. Commercial parking; provided it is:
 - a. a structured parking facility located within a structure having substantial ground floor retail or commercial activities and designed such that the pedestrian and commercial environments are not negatively impacted by the parking use; or
 - b. a surface parking facility located at least 175 feet from adjacent arterial streets and behind a building that, combined with appropriate Type III landscaping, provides effective visual screening from adjacent streets.
8. Commercial parking subject to TMC Chapter 18.56, Off-Street Parking and Loading Regulations.

9. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, less than 20,000 square feet. This category does not include outpatient medical and dental clinics.
10. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, 20,000 square feet and over.
11. Correctional institution operated by the City of Tukwila.
12. Family child care homes, provided the facility shall be licensed by the Department of Early Learning or its successor agency and shall provide a safe passenger loading zone.
13. Dormitory as an accessory use to other uses that are otherwise permitted or approved conditional uses such as churches, universities, colleges or schools.
14. Dwelling - multi-family units on a lot that does not front on Tukwila International Boulevard South, subject to the HDR requirements of TMC Section 18.50.083, Maximum Building Length, and TMC Section 18.52.060, 2-4, Recreation Space Requirements.
15. Dwelling - Multi-family units (Max. 22.0 units/acre except senior citizen housing which is allowed to 100 units/acre, as a mixed-use development that is non-industrial in nature); must be located on property adjacent to and not greater than 500 feet from the Green River, Tukwila Pond, or Minkler Pond.
16. See TMC Section 18.50.220 for accessory dwelling unit standards.
17. Manufactured/mobile home park, meeting the following requirements:
 - a. the development site shall comprise not less than two contiguous acres;
 - b. overall development density shall not exceed eight dwelling units per acre;
 - c. vehicular access to individual dwelling units shall be from the interior of the park; and
 - d. emergency access shall be subject to the approval of the Tukwila Fire Department.
18. NCC allows businesses that include a retail component in conjunction with their manufacturing operation and meeting other performance standards of Chapter 18.22. These businesses may manufacture, process, assemble and/or package the following:
 - a. foods, including but not limited to baked goods, beverages, candy, canned or preserved foods, dairy products and by products, frozen foods, instant foods and meats (no slaughtering);
 - b. pharmaceuticals and related products such as cosmetics and drugs;
 - c. bags, brooms, brushes, canvas, clay, clothing, fur, furniture, glass, ink, paints, paper, plastics, rubber, tile and wood;
 - d. electronic, mechanical, or precision instruments;
 - e. other manufacturing and assembly of a similar light industrial character;
 - f. industries involved with etching, lithography, printing, and publishing, meeting the City's performance standards and offering their services to the local populace on a walk-in basis;
 - g. businesses that service and repair the above products, that are entirely enclosed within a building, offering their services to the local populace on a walk-in basis and meeting the City's performance standards.
19. Where the underlying zoning is HI or TVS.

20. Minor expansion of an existing warehouse if the following criteria are met:
 - a. The area of the proposed expansion may not exceed 5% of the floor area of the existing warehouse;
 - b. The proposed expansion will not increase any building dimension that is legally non-conforming;
 - c. Only one minor expansion may be permitted per warehouse in existence as of the date of adoption of the Tukwila South Project Development Agreement;
 - d. The proposed expansion must be constructed within two years of the date of approval;
 - e. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
 - f. All measures have been taken to minimize the possible adverse impacts the proposed expansion may have on the area in which it is located.
21. Movie theaters with more than three screens if the following criteria are met:
 - a. The applicant must demonstrate through an economic analysis that the theater will not have a significant financial impact on any other theater in Tukwila;
 - b. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
 - c. The proposed theater must demonstrate substantial conformance with the goals and policies of the Comprehensive Land Use Policy Plan and the Tukwila South Master Plan;
 - d. All measures have been taken to minimize the possible adverse impacts the proposed theater may have on the area in which it is located.
22. Offices, when such offices occupy no more than the first two stories of the building or basement and floor above.
23. Offices, when such offices occupy no more than the first two stories of the building, or basement and floor above, or three stories, in the Urban Redevelopment Area along Tukwila International Boulevard.
24. Offices; must be associated with another permitted use (e.g., administrative offices for a manufacturing company present within the MIC).
25. Offices not associated with other permitted uses and excluding medical/dental clinics, subject to the following location and size restrictions:
 - a. New Office Developments:
 - (1) New office developments shall not exceed 100,000 square feet of gross floor area per lot that was legally established prior to 09/20/2003.
 - (2) No new offices shall be allowed on lots that abut the Duwamish River and are north of the turning basin. The parcels that are ineligible for stand-alone office uses are shown in Figure 18-12.
 - b. An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) that exceeds the maximum size limitations may be recognized as a conforming Conditional Use under the provisions of this code. An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) may convert to a stand-alone office use subject to the provisions of this code.
26. Planned shopping center (mall) up to 500,000 square feet.
27. Schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use.
28. Secure community transition facility, subject to the following location restrictions:
 - a. No secure community transition facility shall be allowed within the specified distances from the following uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - (1) In or within 1,000 feet of any residential zone.
 - (2) Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity/facility" as defined in RCW 71.09.020 as amended, that include:
 - (a) Public and private schools;
 - (b) School bus stops;

- (c) Licensed day care and licensed preschool facilities;
 - (d) Public parks, publicly dedicated trails, and sports fields;
 - (e) Recreational and community centers;
 - (f) Churches, synagogues, temples and mosques; and
 - (g) Public libraries.
- (3) One mile from any existing secure community transitional facility or correctional institution.
 - b. No secure community transition facility shall be allowed on any isolated parcel which is otherwise considered eligible by applying the criteria listed under TMC 18.38.050-12.a, but is completely surrounded by parcels ineligible for the location of such facilities.
 - c. The distances specified in TMC 18.38.050-12.a shall be measured as specified under Department of Social and Health Services guidelines established pursuant to RCW 71.09.285, which is by following a straight line from the nearest point of the property parcel upon which the secure community transitional facility is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
 - d. The parcels eligible for the location of secure community transition facilities by applying the siting criteria listed above and information available as of August 19, 2002, are shown in Figure 18-11, "Eligible Parcels for Location of Secure Community Transition Facilities." Any changes in the development pattern and the location of risk sites/facilities over time shall be taken into consideration to determine if the proposed site meets the siting criteria at the time of the permit application.
29. Private stable, if located not less than 60 feet from front lot line nor less than 30 feet from a side or rear lot line. It shall provide capacity for not more than one horse, mule or pony for each 20,000 square feet of stable and pasture area, but not more than a total of two of the above mentioned animals shall be allowed on the same lot.
30. No night clubs.
31. Theaters for live performances, not including adult entertainment establishments and movie theaters with three or fewer screens are permitted. Movie theaters with more than three screens will require a Special Permission Permit.
32. Automotive sales must have an enclosed showroom with no outdoor storage of vehicles. Pre-existing legally established uses in the TIB Study Area, as set forth in Figure 18-60, on December 15, 2020, are exempt from the enclosed showroom requirement, provided the use is limited to the existing parcel(s) currently occupied on that date. Pre-existing legally established automotive sales where existing parking lots abut the public frontage must provide effective visual screening of the parking lot from sidewalks (or street if no sidewalk currently exists) using Type II landscaping when any of the following occurs: an expansion or alteration of the structure, a change of ownership, or when the business is vacated or abandoned for more than 24 consecutive months and a new business is proposed.
33. Allowed; however, if in the TIB Study Area, as set forth in Figure 18-60, the following conditions apply: Outdoor storage of vehicles, tires, or other materials used for service is not permitted. Gas stations are permitted if the pumps and parking are located behind the building, the pumps meet the setback requirements, and the pumps comply with building and fire codes. Queuing lanes are not permitted between buildings and back of sidewalk. Wholesale distribution and storage of fuel (e.g. natural gas, propane, gasoline) are not permitted in the TIB Study Area. Pre-existing legally established automotive service uses with outdoor storage or parking abutting the public frontage must provide effective visual screening of the parking and outdoor stored materials from sidewalks (or street if no sidewalk currently exists) using Type II landscaping when any of the following occurs: an expansion or alteration of the structure, a change of ownership, or when the business is vacated or abandoned for more than 24 consecutive months and a new business is proposed.
34. Allow if the following are provided: a full-service restaurant and a Class A liquor license, 24-hour staffed reception, all rooms accessed off interior hallways or lobby, and a minimum 90 rooms.
35. Allowed, however if in the TIB Study area, as set forth in Figure 18-60, the following conditions apply: Drive-through facilities are permitted when located behind a building. Queuing lanes are not permitted between buildings and public frontage sidewalks. Where the use is located on a corner or with access to an alley, drive-throughs must exit to a side street or an alley that connects to a side street, where feasible.
36. Automotive rentals must have an enclosed showroom with no outdoor storage of vehicles. Pre-existing legally established uses in the TIB Study Area, as set forth in Figure 18-60, on December 15, 2020, are exempt from the enclosed showroom requirement, provided the use is limited to the existing parcel(s) currently occupied on that date.

-
37. Subject to the criteria and conditions at TMC 18.50.250 and 18.50.270.
 38. Subject to the criteria and conditions at TMC 18.50.260 and 18.50.270.
 39. Tiny Home Villages are permitted, subject to the criteria and conditions at TMC Sections 18.50.240 and 18.50.270.
 40. [Subject to meeting underlying density allowances for unit type.](#)

Exhibit C

Figure 18-7 – Required Number of Parking Spaces for Automobiles and Bicycles

NOTE: Automobile parking requirements for TUC-RC, TUC-TOD and TUC-Pond Districts are listed in TMC Section 18.28.260.

Use	Automobile Standard	Bicycle Standard
Single-family and multi-family dwellings	2 for each dwelling unit that contains up to 3 bedrooms. 1 additional space for every 2 bedrooms in excess of 3 bedrooms in a dwelling unit. Additional parking may be required for home occupations as otherwise proved by this title.	For multi-family, 1 space per 10 parking stalls, with a minimum of 2 spaces. No requirement for single family. <u>N/A</u>
<u>Middle Housing dwellings within one-half mile of a major transit stop</u>	<u>No parking required</u>	<u>N/A</u>
<u>Middle Housing dwellings not within one-half mile of a major transit stop</u>	<u>1 for each dwelling unit</u>	<u>N/A</u>
Multi-family dwellings s within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day. *See RCW 36.70A.620(3)	0.75 for each studio 1 for each one bedroom unit <u>or larger</u> 2 for each unit two bedrooms or larger	For multi-family, 1 space per 10 parking stalls, with a minimum of 2 spaces.
Accessory dwelling units	1 for each unit	N/A
Accessory dwelling units within one-quarter mile of a major transit stop *See TMC 18.50.220(A)(1)	No parking required	N/A
Single-family and multi-family dwellings affordable to 0-50% area median income within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day. *See RCW 36.70A.620(1)	0.75 for each studio 1 for each one bedroom unit 2 for each unit two bedrooms or larger	For multi-family, 1 space per 10 parking stalls, with a minimum of 2 spaces. No requirement for single family.

Multi-family and mixed-use residential (in the Urban Renewal Overlay (URO))	<p>One for each dwelling unit that contains up to one bedroom. 0.5 additional spaces for every bedroom in excess of one bedroom in a multi-family dwelling unit.</p> <p>At least 75% of required residential parking is provided in an enclosed structure (garage or podium). The structure must be screened from view from public rights of way.</p> <p>One automobile space at no charge to a car sharing program (if available) for every 50 to 200 residential spaces on site. An additional space shall be provided for developments with over 200 parking spaces. All car share spaces are in addition to required residential parking. If car sharing programs are not available when the building is constructed, an equivalent number of guest parking spaces shall be provided. These shall be converted to dedicated car-sharing spaces when the program becomes available</p>	One secure, covered, ground-level bicycle parking space shall be provided for every four residential units in a mixed-use or multi-family development.
Senior citizen housing	For 15 units or less, 1 space per dwelling unit. For dwellings with more than 15 units, a minimum of 15 spaces are required, plus 1 space per 2 dwelling units.	1 space per 50 parking stalls, with a minimum of 2 spaces.
<p>Senior citizen housing and housing for persons with disabilities within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day.</p> <p>*See RCW 36.70A.620(2)</p>	1 for 15 beds with a minimum of 2, to accommodate staff and visitors	1 space per 50 parking stalls, with a minimum of 2 spaces.
Religious facilities, mortuaries and funeral homes	1 for each 4 fixed seats	1 space per 50 parking stalls, with a minimum of 2 spaces.
Convalescent/nursing/rest homes	1 for every 4 beds with a minimum of 10 stalls	1 space per 50 parking stalls, with a minimum of 2 spaces.
Food stores and markets	1 for each 300 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.
High schools	1 for each staff member plus 2 for every 5 students or visitors	1 space per 50 parking stalls, with a minimum of 2 spaces
Hospitals	1 for each bed	1 space per 50 parking stalls, with a minimum of 2 spaces.
Hotels, motels and extended stay	1 for each room, plus one employee space for each 20 rooms, rounded to the next highest figure	1 space per 50 parking stalls, with a minimum of 2 spaces.
Manufacturing	1 for each 1,000 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.

Office, commercial and professional buildings, banks, dental and medical clinics	3.0 for each 1,000 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.
Places of public assembly, including auditoriums, exhibition halls, community clubs, community centers, and private clubs	The Director shall determine the number of required parking spaces, with a minimum of 1 space for every 100 square feet of assembly area. To ensure parking adequacy for each proposal, the Director may consider the following: a. A parking study or documentation paid for by the applicant and administered by the City regarding the actual parking demand for the proposed use, or b. Evidence in available planning and technical studies relating to the proposed use.	1 space per 50 parking stalls, with a minimum of 2 spaces.
Post offices	3 for each 1,000 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.
Restaurant	1 for each 100 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.
Restaurant, fast food	1 for each 50 square feet of usable floor area. Fifty percent of any outdoor seating area will be added to the usable floor area for parking requirement calculations.	1 space per 50 parking stalls, with a minimum of 2 spaces.
Retail sales, bulk	2.5 for each 1,000 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.
Retail sales, general	4 for each 1,000 square feet of usable floor area if located within the TVS zoning district; 2.5 for each 1,000 square feet of usable floor area if located in any other zoning district. NOTE: Reference TMC Section 18.28.260 for TUC Districts.	1 space per 50 parking stalls, with a minimum of 2 spaces.
Schools, elementary & junior high	1.5 for each staff member	1 space per classroom
Shopping center (mall), planned, per usable floor area size, as listed below:		
500,000 sq. ft. or larger	5 for every 1,000 square feet	1 space per 50 parking stalls, with a minimum of 2 spaces.
25,000 – 499,999 sq. ft.	4 for every 1,000 square feet	1 space per 50 parking stalls, with a minimum of 2 spaces.
Taverns	1 for every 4 persons based on occupancy load.	1 space per 50 parking stalls, with a minimum of 2 spaces.
Theaters	1 for every 4 fixed seats. If seats are not fixed, 1 per 3 seats, with concurrence of Fire Chief, consistent with maximum allowed occupancy	1 space per 100 seats, with a minimum of 2 spaces.
Warehousing	1 for every 2,000 square feet of usable floor area	1 space per 50 parking stalls, with a minimum of 2 spaces.



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

FROM: Nora Gierloff, AICP, DCD Director

BY: Neil Tabor, AICP, Senior Planner

CC: Mayor Thomas McLeod

DATE: June 9, 2025

SUBJECT: 2025 Co-Living Housing and PC Zoning Code Amendment Workplan

ISSUE

As an update of the Planning Commission Workplan presented at the February 10, 2025 Planning and Community Development (PCD) Committee meeting, staff has additional items it is proposing to add to the Planning Commission Workplan.

BACKGROUND

In the interest of efficiently using the PCD's time and moving items through the review process, staff proposed to establish an annual workplan for the Planning Commission as a list of anticipated items, rather than seeking PCD's approval to pursue an item on an individual basis. As a continuation of the original list of items presented at the [February PCD meeting](#) staff has a few proposed additions based on overlooked or developing items.

Staff is seeking approval of taking up the topics for consideration, whether the topic should be forwarded to Planning Commission, and if PCD members wish for the public hearing for the code amendments to be held at Planning Commission, City Council, or at both bodies.

DISCUSSION

Additional Items for the 2025 Planning Commission Workplan

State Mandates

Co-Living Housing

HB 1998 passed the Washington State Legislature and was signed into law effective June 6, 2024, now codified as [RCW 36.70A.535](#). Co-living, defined as "a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building." Intended to provide opportunities for housing development affordable to households with lower area median income (AMI) levels, the changes in state law require qualifying jurisdictions to permit co-living on any lot which allows at least six multifamily residential units. In Tukwila, this use would not be permitted in the proposed Community Residential (CR) zone with a proposed maximum of five units per parcel, but would be permitted in many other zoning districts which permitted multifamily uses.

INFORMATIONAL MEMO

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Co-living housing, sometimes referred to as single-room occupancy (SROs), rooming houses, boarding houses, residential suites or congregate living facilities, offer individual sleeping units, while features such as bathroom and cooking facilities may be shared, allowing smaller unit sizes. Updates to state law require co-living housing facilities to be allowed four times the density of units of the underlying multifamily density standard in a zone, and require no more than one parking space per four sleeping units if more than half a mile from a major transit stop, or no parking requirement if within half a mile of a major transit stop. Jurisdictions are restricted from applying additional regulations both in permitting and site or building features that exceed those required for multifamily developments. Sewer connection fees are also limited to 50% of those charged for multifamily units. Jurisdictions are required to adopt compliant regulations by no later than December 31, 2025, or state law supersedes.

Staff is requesting for this topic to be forwarded to the Planning Commission for review, and to hold the public hearing with the Planning Commission.

Zoning Code Organization and Streamlining

Miscellaneous Updates

Within code amendments and further staff and legal review of the zoning code, numerous areas have been identified as benefitting from reorganization, clarification or further amendment. Some of the areas for future proposed amendments include Wireless Communication Facility standards, Nonconforming Parking Lot standards and differentiation of privately initiated versus staff initiated amendments to comprehensive plan. Proposed amendments may be grouped with other topics previously introduced on the workplan or be brought concurrently to use Committee and Council time most efficiently.

Staff is requesting for this topic to be forwarded to the Planning Commission for review, and to hold the public hearing with the Planning Commission.

FINANCIAL IMPACT

N/A

RECOMMENDATION

The Planning and Community Development Committee is requested to forward these items to the Planning Commission for consideration and to conduct a public hearing for a recommendation with the Planning Commission, after which the topics will be returned to a future PCD meeting.

ATTACHMENTS

- A. HB 1998
- B. February 10, 2025 PCD 2025 Zoning Code Amendment Workplan Info Memo
- C. Department of Commerce Co-Living Guidance

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1998

Chapter 180, Laws of 2024

68th Legislature
2024 Regular Session

CO-LIVING HOUSING

EFFECTIVE DATE: June 6, 2024

Passed by the House March 4, 2024
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 22,
2024
Yeas 44 Nays 4

DENNY HECK

President of the Senate

Approved March 19, 2024 9:46 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1998** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 19, 2024

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1998

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington

68th Legislature

2024 Regular Session

By House Housing (originally sponsored by Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby, Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet, and Davis)

READ FIRST TIME 01/15/24.

1 AN ACT Relating to legalizing inexpensive housing choices through
2 co-living housing; adding a new section to chapter 36.70A RCW; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature makes the following
6 findings:

7 (a) Washington state is experiencing a housing affordability
8 crisis;

9 (b) Co-living housing is a type of housing that can provide
10 rental homes affordable to people with moderate to low incomes
11 without requiring any public funding, and rents in newly constructed,
12 market-rate co-living housing in the Puget Sound region can be
13 affordable to people with incomes as low as 50 percent of area median
14 income;

15 (c) Co-living housing is a residential development with sleeping
16 units that are independently rented and provide living and sleeping
17 space, in which residents share kitchen facilities with residents of
18 other units in the building;

19 (d) Co-living housing historically provided a healthy inventory
20 of rental homes on the lowest rung of the private housing market,
21 comprising up to 10 percent of housing in some cities;

1 (e) Starting in the mid-20th century, local governments began
2 adopting restrictive zoning and other rules that increasingly
3 prohibited co-living housing, or made it impractical to build or
4 operate, and its numbers plummeted;

5 (f) Today, many cities and counties outright prohibit co-living
6 housing on most of their residential land, or they enforce any number
7 of restrictions that make it effectively impossible to build new co-
8 living housing or to convert existing buildings into co-living
9 housing;

10 (g) Co-living housing provides options for people who:

11 (i) Wish to lower their housing expenses by paying less for a
12 smaller home;

13 (ii) Prefer a living arrangement with shared community spaces
14 that facilitate social connections;

15 (iii) Wish to trade off location for space and, by living in a
16 small home, also get to live in a high opportunity neighborhood they
17 could not otherwise afford; or

18 (iv) Want a low-cost, more private alternative to having a
19 roommate in a traditional rental;

20 (h) Many communities throughout Washington face a severe shortage
21 of workforce housing, and co-living housing provides housing
22 affordable to that income range and below, without public funding;

23 (i) Co-living housing reduces pressure on the limited amount of
24 publicly funded affordable housing by providing housing that is
25 affordable to lower income residents who might otherwise wait years
26 for subsidized housing;

27 (j) Co-living housing works best for single-person households,
28 but the housing for singles that it provides reduces demand for
29 family-sized rentals from singles who would otherwise group together
30 to rent large homes;

31 (k) Co-living housing provides a good option for seniors,
32 especially those who want to downsize, or those who desire a living
33 arrangement that is more social than a standard apartment. When
34 located in walkable neighborhoods, co-living housing gives mobility
35 options to seniors who can no longer drive;

36 (l) Co-living housing is well-suited for the conversion of office
37 buildings to housing, because it typically requires less plumbing and
38 fixtures for kitchens and bathrooms;

(m) Co-living housing is well-suited for very low-income people, supportive and recovery housing, and "housing first" homes for the formerly homeless;

(n) State building codes have established minimum sizes and other standards to ensure that co-living housing meets modern health and safety standards;

(o) Creating co-living housing near transit hubs, employment centers, and public amenities can help the state achieve its greenhouse gas reduction goals by increasing walkability, shortening household commutes, curtailing sprawl, and reducing the pressure to develop natural and working lands; and

(p) Co-living housing, because the units are small, is inherently more energy efficient than standard apartments, both saving residents money and reducing the state's energy demand.

(2) Therefore, the legislature intends to allow the creation of co-living housing as a means to address the need for additional affordable housing options for a diversity of Washington residents.

NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Cities and counties planning under this chapter must allow co-living housing as a permitted use on any lot located within an urban growth area that allows at least six multifamily residential units, including on a lot zoned for mixed use development.

(2) A city or county subject to the provisions of this section may not require co-living housing to:

(a) Contain room dimensional standards larger than that required by the state building code, including dwelling unit size, sleeping unit size, room area, and habitable space;

(b) Provide a mix of unit sizes or number of bedrooms; or

(c) Include other uses.

(3)(a) A city or county subject to the provisions of this section also may not require co-living housing to:

(i) Provide off-street parking within one-half mile walking distance of a major transit stop; or

(ii) Provide more than 0.25 off-street parking spaces per sleeping unit.

(b) The provisions of (a) of this subsection do not apply:

(i) If a city or county submits to the department an empirical study prepared by a credentialed transportation or land use planning

1 expert that clearly demonstrates, and the department finds and
2 certifies, that the application of the parking limitations of (a) of
3 this subsection will be significantly less safe for vehicle drivers
4 or passengers, pedestrians, or bicyclists than if the jurisdiction's
5 parking requirements were applied to the same location. The
6 department must develop guidance to assist cities and counties on
7 items to include in the study; or

8 (ii) To portions of cities within a one-mile radius of a
9 commercial airport in Washington with at least 9,000,000 annual
10 enplanements.

11 (4) A city or county may not require through development
12 regulations any standards for co-living housing that are more
13 restrictive than those that are required for other types of
14 multifamily residential uses in the same zone.

15 (5) A city or county may only require a review, notice, or public
16 meeting for co-living housing that is required for other types of
17 residential uses in the same location, unless otherwise required by
18 state law including, but not limited to, shoreline regulations under
19 chapter 90.58 RCW.

20 (6) A city or county may not exclude co-living housing from
21 participating in affordable housing incentive programs under RCW
22 36.70A.540.

23 (7) A city or county may not treat a sleeping unit in co-living
24 housing as more than one-quarter of a dwelling unit for purposes of
25 calculating dwelling unit density.

26 (8) A city or county may not treat a sleeping unit in co-living
27 housing as more than one-half of a dwelling unit for purposes of
28 calculating fees for sewer connections, unless the city or county
29 makes a finding, based on facts, that the connection fees should
30 exceed the one-half threshold.

31 (9)(a) A city or county subject to the requirements of this
32 section must adopt or amend by ordinance and incorporate into their
33 development regulations, zoning regulations, and other official
34 controls the requirements of this section to take effect no later
35 than December 31, 2025.

36 (b) In any city or county that has not adopted or amended
37 ordinances, regulations, or other official controls as required under
38 this section, the requirements of this section supersede, preempt,
39 and invalidate any conflicting local development regulations.

1 (10) Any action taken by a city or county to comply with the
2 requirements of this section is not subject to legal challenge under
3 this chapter or chapter 43.21C RCW.

4 (11) For the purposes of this section, the following definitions
5 apply:

6 (a) "Co-living housing" means a residential development with
7 sleeping units that are independently rented and lockable and provide
8 living and sleeping space, and residents share kitchen facilities
9 with other sleeping units in the building. Local governments may use
10 other names to refer to co-living housing including, but not limited
11 to, congregate living facilities, single room occupancy, rooming
12 house, boarding house, lodging house, and residential suites.

13 (b) "Major transit stop" means:

14 (i) A stop on a high capacity transportation system funded or
15 expanded under the provisions of chapter 81.104 RCW;

16 (ii) Commuter rail stops;

17 (iii) Stops on rail or fixed guideway systems, including
18 transitways;

19 (iv) Stops on bus rapid transit routes or routes that run on high
20 occupancy vehicle lanes; or

21 (v) Stops for a bus or other transit mode providing actual fixed
22 route service at intervals of at least 15 minutes for at least five
23 hours during the peak hours of operation on weekdays.

Passed by the House March 4, 2024.

Passed by the Senate February 22, 2024.

Approved by the Governor March 19, 2024.

Filed in Office of Secretary of State March 19, 2024.

--- END ---



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

FROM: Nora Gierloff, AICP, DCD Director

BY: Nancy Eklund, AICP, Long Range Planning Supervisor

CC: Mayor Thomas McLeod

DATE: February 3, 2025

SUBJECT: 2025 Zoning Code Amendment Workplan

ISSUE

In the interest of streamlining items for a busy 2025 Planning and Community Development (PCD) Committee calendar and keeping the PCD apprised of upcoming items, staff is requesting direction on the review process for the 2025 Zoning code amendment workplan items.

BACKGROUND

Per TMC 18.82.040 the Planning Commission's workplan, including review of code amendments, is delegated to them by the Planning and Community Development Committee, or full City Council. Such potential code amendments do not require Planning Commission review before being considered by the City Council; however, the Council may elect to have amendment issues reviewed more extensively by the Commission before the Council renders its final decision.

The shift of City Council Committee meetings from twice a month to once a month has reduced available committee dates, thus lengthening the lead time needed to process a code amendment. Typically, code amendments are presented to the PCD Committee as single amendments or a small package of amendment topics.

DISCUSSION

The following list of topics includes those placed by the Council on DCD's workplan, those mandated by new state regulations, and those proposed by staff for permit streamlining. Staff would like direction on which items the Committee would like to forward to the PC for a hearing and recommendation, and which, if any, the Council would prefer to expedite by addressing themselves. This consolidated approach will reduce staff and Committee member time, provide a more comprehensive view on proposed Planning Commission Workplan topics, and preserve more Committee time for discussion, updates, and any unanticipated items. Additional items not included in this Workplan would still need authorization from the PCD Committee to proceed to the Planning Commission.

2025 Workplan Items

City Priorities

Tukwila International Boulevard Subarea Planning

The City has undertaken significant planning efforts within the Tukwila International Boulevard Study Area. Over the last 25+ years, efforts or documents created include:

- Pacific Highway Revitalization Plan (1997)

- Tukwila International Boulevard Design Manual (1999)
- Tukwila International Boulevard Plan (2000)
- Transfer of SR 99 to the City (2003)
- Establishment of the Urban Renewal Overlay (2009)
- Tukwila Village Development (2015-2021)
- Justice Center Development (2020)
- TIB Rising (2017-2020)
- Transit-Oriented Development Housing Strategies Plan (2021)

Though great effort has been made by residents, community members, stakeholders, and staff to advance the six original goals of the Pacific Highway Revitalization Plan, current development standards do not align with market realities in supporting new investment in further advancing these goals and supporting the City's overall priorities.

As affirmed by market studies conducted as part of the Housing Strategies Plan and discussed within the most recent comprehensive plan update, development standards for housing have not kept pace with construction type realities and increases in development costs. The existing development regulations are not competitive with many comparable development sites in South King County.

Low height allowances of three to four stories, high requirements for parking and recreation space, restrictive upper story stepbacks, limited permitted uses, and other outdated standards have forced recent desirable developments to go through negotiated and one-off development agreements or contract rezones to achieve viability. This creates a permitting bottleneck and introduces a large amount of ambiguity in the development process, which creates significant unpredictability for potential projects and discourages private investment. This situation results in this area lagging similar peer locations and reduces the city's capacity for growth. It also increases the risks of gradual displacement among residents of un-subsidized affordable housing as area housing costs naturally increase, and the affordable homes are not replaced with new affordable housing.

In the interest of furthering the goals for the TIB District and benefitting all current and future residents in this area, staff is proposing to undertake significant code amendments to zoning and development regulations within this district. Areas of expected code amendment proposals could include:

- Anti-displacement provisions
- Affordability requirements
- Modification of the TIB study area
- Changes to the zoning districts
- Changes to development regulations including height, density, and massing
- Changes to the parking and recreation space requirements
- Modifications to the design standards

Parking and Use Chart Consistency

The municipal code contains separate tables that list permitted uses for zoning districts outside of and within the Tukwila Urban Center (TUC). The same is true for parking requirement tables. In many cases, the uses listed in these tables do not match, making it difficult to pair parking requirements with the established use type and compare uses across different zoning districts. This creates confusion for applicants and is difficult for staff to administer.

Through permitting experience and applicant feedback, the Department has also identified parking requirements which are out of step with realistic parking needs. These requirements raise costs of development by mandating largely unused parking areas, limit reuse and

redevelopment potential, frequently force projects to undertake extra processes to reduce parking requirements, or prevent the project from moving forward altogether. Staff proposes to revisit the amount of parking required across uses as part of this update to the parking and use tables.

Station Area Planning (SRO)

Property owners south of SR 518 and the Tukwila International Boulevard Link Station have expressed interest in undertaking a transit-oriented and mixed-use high-density development, capitalizing on the future connections provided by a new pedestrian bridge across the highway. Sound Transit's documents indicate the bridge will provide direct access from the site to Link Light Rail and the under-development Stride bus rapid transit line, which will allow travel from Tukwila to Bellevue in less than 40 minutes. In the interest of supporting development at this site, staff suggests exploring further subarea planning of this area in conjunction with property owners and adjacent stakeholders.

Cannabis Businesses

The Council has expressed an interest in revisiting the Zoning regulations for cannabis businesses. TMC 18.50.210, last amended in 2017, addresses the production, processing, and retailing of marijuana. These uses are permitted (if a state license has been issued) in Heavy Industrial, Tukwila Valley South, and in the Tukwila South Overlay zone (where the underlying zoning is HI or TVS). In addition, the Tukwila code requires separation from various common community uses, making it difficult to site such a business, given the limited zones in which cannabis businesses are allowed. The code also references compliance with sections of the Revised Code of Washington (RCW) that are no longer defined in the RCW. Staff would present the current standards and provide alternatives.

Permit Streamlining***Critical Area Permit***

As readily available development sites become scarcer within both Tukwila and the broader region, sites containing environmentally critical areas such as wetlands, streams, and steep slopes become more attractive for potential development. Ambiguity over the presence of critical areas on a site and associated restrictions on development potential can introduce significant uncertainty as to whether site development is viable or not. Confirming the presence of critical areas and their boundaries at the beginning of the development process can better clarify project viability and save costly revisions.

Staff proposes establishing a new critical area permit to determine the presence, categorization, and location of critical areas and their associated buffers on a site. The permit, undertaken at the beginning of a project, would grant assurance of developable areas on a site and be valid for a five-year period. Other jurisdictions, such as King County and the City of Kent, currently offer similar permits.

State Mandates and Recommendations***Critical Area Code Update***

The growth management act (GMA) requires jurisdictions to update their critical area standards within 12 months of the adoption of the periodic update of the comprehensive plan, or no later than December 31, 2025. Critical area updates should incorporate best available science (BAS) and create standards that reflect changes directed by the Department of Ecology, such as modifications to the methodology of how wetlands are rated. These changes are reviewed for compliance at the state level and may impact characteristics such as buffer distances required for certain critical areas. The City's Critical Areas Ordinance was last updated in 2020.

Affordable Housing Bonuses for Religious Facilities

RCW 36.70A.545 requires fully planning cities to “allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization”.

The Tukwila Municipal Code currently contains no such provision for increased density on property owned or controlled by a religious organization. To comply with state law and provide transparency for potential developers, a code amendment addressing these requirements is advised.

Safe Parking Standards

As a response to the ongoing housing crisis and need to provide safe options for unhoused individuals, safe parking sites have been established in several cities, including Bellevue, Kirkland and Tacoma. Safe parking sites can help provide stability for persons and families living out of their vehicles by offering a legal, secure location to sleep. Many sites also offer wraparound services such as showers, case workers and health services on-site.

Cities are required to allow religious organizations to host unhoused individuals in a number of temporary housing configurations, including “vehicle resident safe parking”, per RCW 35A.21.360. Staff suggests exploring a code amendment to establish regulations specific to safe parking sites, compliant with RCW 35A.21.360.

FINANCIAL IMPACT

N/A

RECOMMENDATION

The Planning and Community Development Committee is requested to determine which code amendments should be forwarded to the Planning Commission for a recommendation and which, if any, will be directly addressed by Council and return to a future PCD meeting.

ATTACHMENTS

N/A



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Commerce

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Co-Living Guidance

GROWTH MANAGEMENT SERVICES

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1.0 Introduction

1.1 Purpose and Legal Background

Guidance Purpose

This guidance is intended to support planners, advisory bodies, elected officials and interested parties in implementing code amendments related to RCW 36.70A.535, and to help readers understand best zoning practices for co-living housing. This guidance uses diagrams, references to public informational documents, and real-world examples to offer recommendations and best practices for the development of co-living housing.

State Law

The Washington Legislature passed Engrossed 2nd Substitute House Bill 1998 (“E2SHB 1998”, commonly referred to as “HB 1998”) in 2024. The provisions of [HB 1998](#) are codified in [RCW 36.70A.535](#). HB 1998 requires cities and counties planning under the Growth Management Act to adopt development regulations allowing co-living as a permitted use on any lot located within an urban growth area that allows at least six multifamily residential units, including on a lot zoned for mixed-use development. The bill provides standards for unit size, parking, density, fees, and other development regulations.

1.2 Applicability to Jurisdictions

The requirements of co-living are applicable to all “fully planning” counties and the cities and towns within those counties. To know if your community is in a fully planning county, visit the Commerce [interactive map](#).¹

Statutory Deadlines

Requirements for co-living take effect December 31, 2025.² By this date, subject cities and counties must adopt or amend co-living housing standards, consistent with RCW 36.70A.535, by ordinance and incorporate co-living housing into their development regulations, zoning regulations, and other official controls. If updates to bring co-living standards into alignment with statutory requirements are not completed by this date, the requirements of RCW 36.70A.535 will “supersede, preempt, and invalidate any conflicting local development regulations.”

Under this statute, any action taken by a city or county to comply with the requirements of the co-living housing law is not subject to legal challenge under the Growth Management Act or the State Environmental Policy Act.³

¹ Department of Commerce. “The Growth Management Act status of Washington counties and cities.” April 2017. <https://deptofcommerce.app.box.com/s/z8ygn0ifeimybnlh4j6v8cl1wxkp1jfa>

² RCW 36.70A.535(9)(a)

³ RCW 36.70A.535(10)

1.3 Co-Living Background

What is Co-Living?

State law provides a definition of co-living housing:

"Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Local governments may use other names to refer to co-living housing including, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.⁴

Many terms are used to refer to co-living housing. In addition to those noted in the statute, co-living housing may be referred to as micro-units, dormitories, or another term. More information on the different types of co-living housing is included in "Overlapping Names and Use Types" on page 7.

Benefits

Co-living housing has many benefits, including:

- Providing market-rate, non-subsidized rental homes affordable to people in the workforce earning as low as 50% of area median income (older co-living units in Spokane area cost \$350 per month, and in the Puget Sound suburbs some new co-living units are renting for \$1,000 per month)
- Offering housing options for people who want a low-cost, private alternative to living with roommates
- Creating a living arrangement with shared community spaces that facilitate social connections
- Increasing affordable housing options in high opportunity neighborhoods with transportation access
- Reducing sprawl and vehicle miles traveled through infill development. This may in turn reduce auto emissions, energy use, and pollution

Stakeholders note that co-living is a great option for seniors looking to downsize their living arrangements and that co-living helps build communities and reduce loneliness for people of all ages. Co-living may be an attractive housing option for many community members and is an effective way to help accommodate housing needs for the state's growing population. More information on benefits of co-living is included in the Legislature's findings in the notes section of [RCW 36.70A.535](#) under "Intent—Findings—2024 c 180."

History

Co-living housing types have a long history in America. Co-living housing was common in the pre-Revolutionary era and represented a larger share of urban housing stock by the turn of the 20th century. As norms and cultural values shifted in the post-WWII period, co-living buildings became stigmatized and new co-living developments were prohibited in many cities.

In Washington, co-living development had a resurgence in the Puget Sound region beginning in the 2000's, as the need for new low-cost apartments in desirable neighborhoods sparked interest in co-living housing among

⁴ RCW 36.70A.535(11)(a)

local developers. These modern co-living buildings improved on the design quality and amenities of twentieth century models. For examples and more history on co-living housing, see Appendix A.

2.0 Development Regulations

This section provides recommendations and considerations for meeting the co-living development regulation requirements of RCW 36.70A.535.

Implementing regulations should respond to each jurisdiction's code framework. In addition to zoning code, cities and counties should review potential barriers in other regulatory areas which may result in conflicts that prohibit co-living housing development and may be preempted by state law. This may include Public Works standards, design standards, fire and tree code, and more.

2.1 Applicability and Permitting

Applicability to Lots and Zones

Per RCW 36.70A.535(1), "Cities and counties planning under this chapter must allow co-living housing as a permitted use on **any lot located within an urban growth area that allows at least six multifamily residential units**, including on a lot zoned for mixed-use development."

The term "multifamily" is not defined by the Growth Management Act. For the purposes of co-living, Commerce interprets "multifamily residential units" to mean any type of housing which allows at least six units on a lot, excluding manufactured home parks, group homes (such as assisted living for seniors or people with disabilities), emergency housing, or emergency shelters.

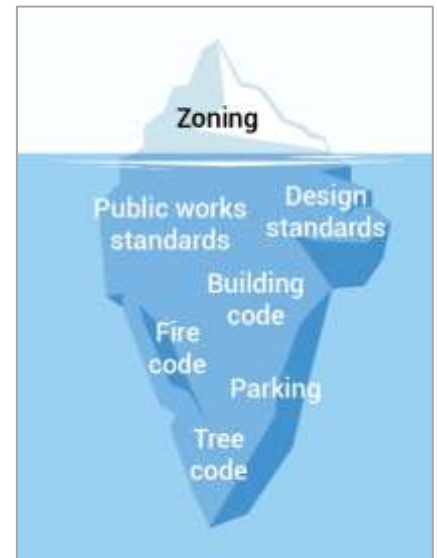
Co-living housing must be a permitted use on any lot if:

- Six or more multifamily residential units are permitted under both the land use permissions and density or lot size standards. This includes lots where multifamily use is permitted to be mixed with non-residential uses (i.e. mixed-use development).
- A lot is subject to the minimum residential density and transit proximity requirements of RCW 36.70A.635(1)(b)(ii).

Cities are not required to allow co-living housing on lots where six units are permitted only through an affordable housing density bonus, such as under RCW 36.70A.635(1)(b)(iii).

Permit Type and Public Notice

Standards for permitting co-living housing must be no more restrictive than permitting standards for other types of multifamily housing in the same zone, per RCW 36.70A.535(4). For example, if multifamily housing is permitted outright, co-living housing must be permitted outright. Commerce recommends local governments consider updating land use matrices and allowable use tables to eliminate conditional use permits and administrative conditional use permits for all housing types— including multifamily housing, low-income



Zoning is just the tip of the regulatory iceberg. Source: MAKERS

housing, and senior housing— to reduce barriers to housing that has traditionally been more difficult to permit.

Per RCW 36.70A.535(5), co-living housing may only be subject to the review, notice, and public meeting requirements that are applied to other types of residential uses in the same location, unless otherwise required by state law, such as shoreline permit regulations under Chapter 90.58 RCW.

Overlapping Names and Use Types

Some jurisdictions already define and regulate co-living uses by different names. Jurisdictions should review their codes for terms identified in RCW 36.70A.535— *congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites*— as well as micro-units and dormitories. Regardless of the name, uses meeting the statutory definition of co-living housing are subject to the requirements of RCW 36.70A.535. Where appropriate, consolidating related co-living uses in zones where they must be allowed under RCW 36.70A.535, may provide clarity of land uses, ease of administration, and demonstrating consistency with the law.

Uses that should not be regulated as co-living housing include group living uses that fall under another state law framework with regard to licensing, occupancy and/or zoning standards, such as assisted living facilities (Chapter 18.20 RCW), adult family homes (Chapter 70.128 RCW), or group homes ([which are overseen by the Department of Social and Health Services \(DSHS\)](#)). Emergency shelters, transitional housing, emergency housing, and permanent supportive housing (STEP) should not be combined with co-living or similar housing types ([RCW 35.21.683](#) and [RCW 36A.21.430](#)). As a residential use, co-living differs from short-term rentals and should not be grouped with these uses.

Co-living is also different than co-housing, which is a type of ownership model that features fully equipped dwelling units that share common spaces. Co-housing is a community where people live in their own homes while sharing some facilities and spaces.

For more on non-overlapping housing types, see Commerce’s [“STEP and Other Housing Definition Fact Sheet.”](#)

Where Co-Living Allowance is Not Required

In some cases, jurisdictions may define uses which fall under the broader co-living definition, and which are allowed in areas where consistency with RCW 36.70A.535 is not required (i.e. zones where less than six multifamily residential units are allowed per lot). In these cases, retaining the more specific definitions is recommended when they provide a different type of housing option, provide for few sleeping units, or housing in other zoning districts. A common example may be boarding house.

2.2 Mix of Uses

RCW 36.70A.535(2)(c) prohibits jurisdictions from requiring co-living housing to “include other uses.”

This means that the co-living use cannot be singled out in a general zone-wide or citywide requirement to contain other uses, such as ground-floor commercial uses. However, under RCW 36.70A.535(4), location-specific requirements for ground-floor non-residential uses that apply to multifamily housing can apply to co-living housing. Many larger co-living buildings have historically included a mix of retail and service uses to serve the upstairs residents and surrounding neighborhood.

2.3 Definitions, density and room dimensions

Co-Living Definition

The co-living definition in RCW 36.70.535(11)(a) states: *“Co-living housing” means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building.*”

Because dwelling units can also be *“independently rented and lockable and provide living and sleeping space,”* jurisdictions should adopt clear standards to distinguish co-living sleeping units from dwelling units. Guidance is provided in the following sections.

Co-Living Density

RCW 36.70A.535(7) states: *“A city or county may not treat a sleeping unit in co-living housing as more than one-quarter of a dwelling unit for purposes of calculating dwelling unit density.”*

This means that in a zone with a maximum density of 30 dwelling units per acre, a co-living housing development on a one-acre site must be permitted to build co-living housing with up to 120 sleeping units, as long as all other development regulations are met. In zones where there is no density limit for multifamily housing, there should also be no density limit for co-living housing.

Limits On Number of Units

A cap on the number of co-living sleeping units allowed per building is invalid when there are no equivalent limits on the number of units permitted in a multifamily building in the same zone, per RCW 36.70A.535(5). This requirement does not apply to zones where co-living is permitted beyond the locational requirements of RCW 36.70S.535(1). In those areas, the number of sleeping units per co-living building may be limited to less than the maximum for multifamily housing.

Jurisdictions should carefully review limitations on the number of sleeping units in co-living buildings, whether under the name “co-living” or another term. For example, one Washington jurisdiction defines “rooming house” as “a dwelling, with a central kitchen and with more than one but fewer than nine boarders, with no more than nine sleeping rooms.” Since multifamily uses do not have an equivalent limit on the number of units in zones that allow rooming houses (using the 4:1 ratio), this definition should be amended, replaced or clearly defined as a use in zoning areas which would not be subject to RCW 36.70A.535.

Sleeping Units

Sleeping Unit Definition

The International Building Code (IBC) defines a “sleeping unit” as “A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.”⁵

A sleeping unit is a standalone bedroom and does not have the full features of a dwelling unit. Unlike dwelling units, sleeping units are not required to have closets, bathrooms or kitchens. However, most new co-living

⁵ 2021 International Building Code, Section 202 Definitions.

developments include private bathrooms and kitchenettes because they are popular with tenants and some building managers find shared bathrooms challenging to manage.

Sleeping units are different from “efficiency dwelling units” under the IBC. These units, which are also known as “studio apartments”, are required to have a closet, full bathroom, kitchen sink, cooking appliance, and refrigerator. Efficiency dwelling units have a defined minimum size of 190 square feet.

The IBC does not limit the number of sleeping units that may share a kitchen and sanitation facilities (bathrooms). Any local limits on the number of unrelated people who share a co-living sleeping unit should be based on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code or city ordinance, per RCWs [35.21.682](#), [35A.21.314](#), and [36.01.227](#).



Sleeping unit interiors. Left. Courtesy of Natural and Built Environments, LLC. Right. Courtesy of Neiman Taber Architects.

Room Dimensional Standards

RCW 36.70A.535(2)(a) prohibits jurisdictions from requiring co-living housing to “Contain room dimensional standards larger than that required by the state building code, including dwelling unit size, sleeping unit size, room area, and habitable space.”⁶

The 2024 IBC definitions and minimum dimensions are as follows:^{7, 8}

- Habitable space means “A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.” Habitable spaces other than kitchens must not be less than seven feet in any plan dimension.
- Dwelling unit means “A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.” Dwelling units have a total minimum size of 190 square feet of habitable space and must have at least one room that is a minimum of 120 square feet. Kitchens are not required to be of a minimum floor area.
- Sleeping units must have a minimum size of 70 square feet. For reference, this comfortably fits a twin-size bed.

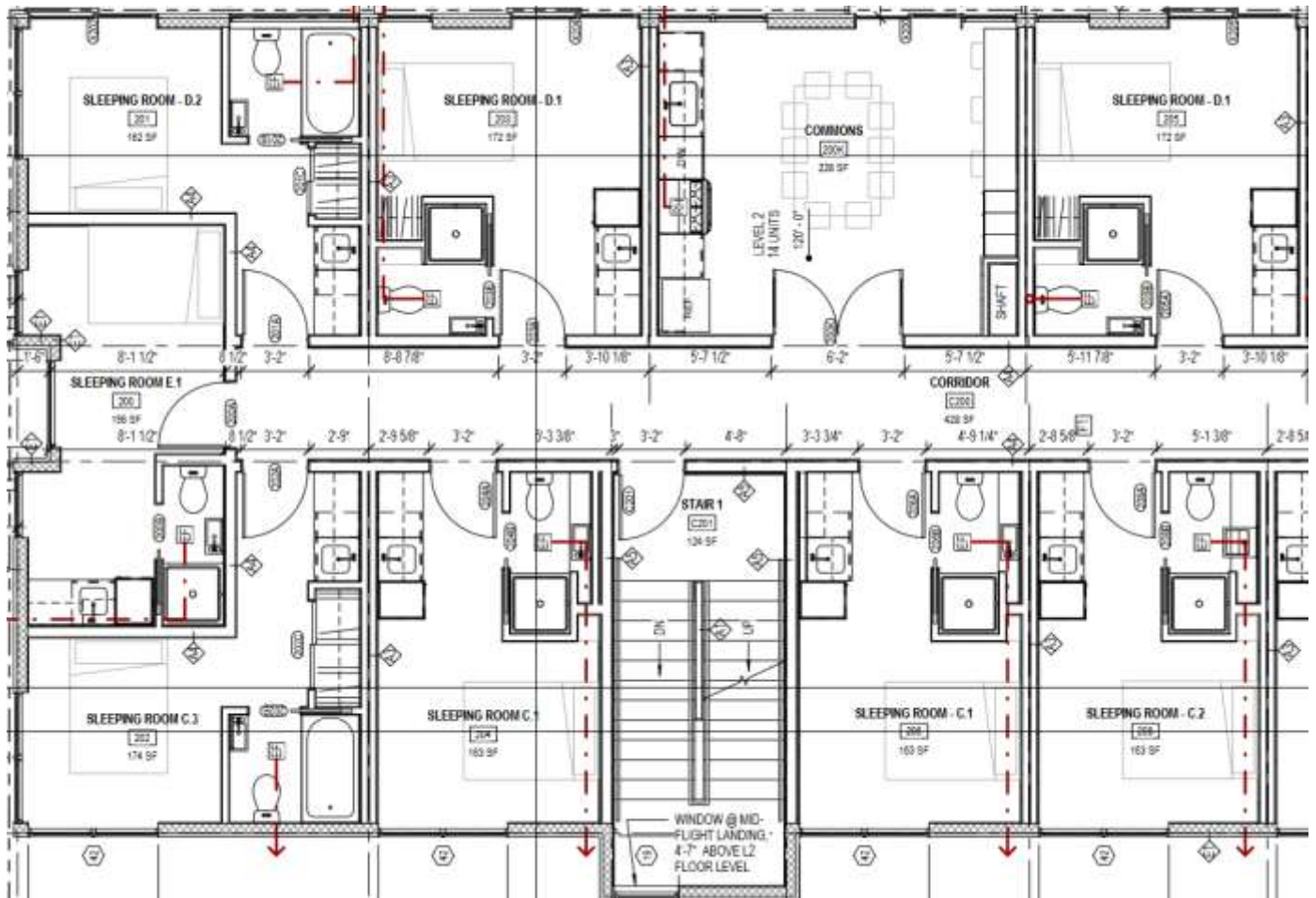
⁶ As of this writing the state building code has the same minimum dimensions as the 2024 International Building Code. See Washington Administrative Code 51-50-1208, Section 1208-Interior space dimensions. <https://app.leg.wa.gov/WAC/default.aspx?cite=51-50-1208>.

⁷ 2024 International Building Code, Section 202 Definitions.

⁸ 2024 International Building Code, Section 1208 Interior Space Dimensions.

- Bedroom means “Any room or space used or intended to be used for sleeping purposes in either a dwelling unit or a sleeping unit.”⁹ A bedroom has a minimum size of 70 square feet when intended for use by one occupant and 100 square feet when intended for use by two occupants, plus another 50 square feet per additional occupant.¹⁰

The building code has no maximum size for sleeping units. A unit larger than 190 square feet may be considered a sleeping unit if it conforms to the definitions noted above. Cities and counties may adopt a maximum size for sleeping units. A maximum sleeping unit size of 300 square feet would reflect typical sleeping unit sizes in co-living buildings, with a bathroom, closet and/or kitchenette (see co-living examples in Appendix A).



Excerpt of a floor plan from The Kärsti co-living housing development in Seattle, showing sleeping units with private sanitation facilities and kitchenettes and a common kitchen and dining room. Image courtesy of Neiman Taber Architects.

Sleeping Units vs. Dwelling Units

The density and parking calculations provided by RCW 36.70A.535 apply to sleeping units, not small dwelling units such as studio apartments. The table below is an example of how a local jurisdiction can distinguish between sleeping units and dwelling units based on the unit size and the inclusion of certain features.

⁹ 2021 International Property Maintenance Code, Section 202 General Definitions.

¹⁰ 2021 International Property Maintenance Code, Section 404.4.1 Room area.

Sanitation (bathroom) and kitchen facilities are not defined by the IBC and the definitions noted in the table are provided as examples. There must be at least one shared kitchen facility for sleeping units to be considered co-living housing, per RCW 36.70A.535(11)(a).

Example definitions:

- Sanitation facilities consist of at least a sink (not shared with kitchen), toilet, and shower and/or tub.
- Kitchen facilities are a room or space used for cooking or the preparation of food with all of the following: sink (not shared with sanitation facilities), 220-volt or natural gas stovetop with ventilation, refrigerator, and food preparation area. Portable or countertop appliances are not part of kitchen facilities.

In the Puget Sound area, many new co-living developments include private bathrooms and kitchenettes. A kitchenette does not meet the definition of a kitchen. It has limited cooking facilities such as a sink, small one- or two-burner electric stove, microwave, and mini-fridge. It might also include adequate counter space for plug-in electric cooking appliances.

Jurisdictions should review their zoning and building codes and may develop local interpretations, provided local interpretations and regulations are consistent with the requirements of RCW 36.70A.535 and the Washington State Building Code.

	Minimum size under state building code	Sanitation facilities (i.e. bathroom)	Kitchen facilities
Sleeping unit	70 square feet	In-unit bathroom optional.* Must have access to shared bathroom if in-unit bathroom is not provided.	In-unit kitchen optional* Must have access to shared kitchen.
Dwelling unit	190 square feet **	In-unit bathroom required.	In-unit kitchen required.
* Sleeping unit may not have both private sanitation and kitchen facilities, however kitchenettes may be allowed. ** Cities and counties may adopt a larger minimum size for dwelling units.			

Mix of Unit Sizes an Option, Not a Requirement

RCW 36.70A.535(2)(b) prohibits jurisdictions from requiring co-living housing to “Provide a mix of unit sizes or number of bedrooms.” Developers may choose to combine co-living sleeping units and full-feature dwelling units in the same building. In such configurations, all residents are typically given access to co-living common areas.

Common Areas

Shared spaces are essential to the concept of co-living. These may include common kitchens, bathrooms, lounge/social rooms, fitness rooms, libraries, workshops, and similar amenities. Only shared kitchens are

required in order to meet the statute’s definition of co-living. When designing common areas, developers consider market demand and how to make their buildings competitive for tenants.

Cities can place standards on the provision of common areas as long as these are not more restrictive than standards for other multifamily development. For instance, a city may require one common area for each eight sleeping units, or ten square feet of common space for each 100 square feet of sleeping unit. Such common areas could be counted towards minimum required open spaces (as some codes allow indoor spaces to qualify for some or all open space requirements). Also see Section 2.5 for more information on open space standards.



Examples of common areas. Clockwise from upper left: lounge and common kitchen in the Kärsti, Seattle WA, courtesy of Neiman Taber Architects. Lounge and laundry room in the Yobi in Seattle, WA, courtesy of Neiman Taber Architects. Common kitchen and lounge in Plaza Apartments in Kirkland, WA, courtesy of Natural and Built Environments, LLC.

Shared Kitchens

Shared kitchens are required in order to meet the statutory definition of co-living. The law has no specific requirements for shared kitchens. In addition to the other co-living requirements described in this section, at least one shared kitchen must be provided in a development for it to be classified as a co-living use under RCW 36.70A.535.

The specific size or quantity of shared kitchens in a co-living development should not be regulated if the same kind of regulation is not applied to multifamily development. Developers have found that tenants can meet their daily needs with in-unit plug-in appliances and kitchenettes. As a result, modern co-living buildings tend to

have only a few shared kitchens that are large enough to host gatherings – for example, one kitchen per 15-20 sleeping units and typically no more than one kitchen per floor. Building owners have found that shared kitchens and other common areas often facilitate social activity like game nights and group dinners.

Utility Functions

Developers report that laundry appliances are typically provided at a ratio of 10-15 sleeping units per set. The building design determines whether laundry appliances are spread throughout a building or centralized in a laundry room. One developer reported that private storage units are lightly used.

2.4 Off-Street Parking Standards

State Law

Basic Requirements

Off-street parking requirements for co-living housing are subject to the following standards:¹¹

- A maximum of 0.25 off-street parking spaces per sleeping unit may be required.
- No off-street parking may be required within one-half mile walking distance of a major transit stop (see Major Transit Stop specifications below).

Co-living residents tend to produce fewer vehicle trips than the general population due to proximity to transit and services, and reduced car ownership.^{12, 13}

Exceptions

The above off-street parking requirements do not apply:

- If a city or county submits to the Department of Commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location.¹⁴
- To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.¹⁵

¹¹ RCW 36.70A.535(3)

¹² A transportation analysis of a mixed apartment and co-living housing project in downtown Kirkland with 290 total units estimated 64 peak hour vehicle trips based on industry standards. A post-occupancy analysis found the project had 33 peak hour vehicle trips. The report concluded this resulted from site management of resident parking and the area's transportation options available to residents.

¹³ Another mixed-use co-living development in Kirkland was approved for reduced minimum parking at 0.5 parking spaces per sleeping unit, for a total of 255 provided parking spaces. This was 155 spaces less than would have been required by previous code, and a one-year post-occupancy analysis found the project was 45 spaces over-supplied.

¹⁴ See the Department of Commerce Empirical Parking Study Guidance: <https://www.commerce.wa.gov/growth-management/housing-planning/middle-housing/>

¹⁵ This only applies to Seattle-Tacoma International Airport. Enplanement data is provided by the Federal Aviation Administration: https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger. Jurisdictions applying this exemption should base the one-mile radius on airport passenger facilities.

Major Transit Stop

Off-street parking cannot be required for co-living housing within one-half mile walking distance of a major transit stop. “Major transit stop” is defined by RCW 36.70A.535(11)(b):

“Major transit stop” means:

- (a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;*
- (b) Commuter rail stops;*
- (c) Stops on rail or fixed guideway systems, including transitways;*
- (d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or*
- (e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays.¹⁶*

This definition is identical to that for accessory dwelling units, under [RCW 36.70A.696](#)(8). This term is slightly different than the general definition of major transit stops under [RCW 36.70A.030](#)(26). For more information on how to identify major transit stops and measure distance, see Appendix B.

Local Policy Choice

Eliminating Off-Street Parking Requirements

The cost of providing surface parking can significantly increase the per-space construction cost of co-living housing, depending on the type of parking, number of stalls required, drive aisle area, and turnaround space.

Eliminating minimum off-street parking requirements may encourage co-living development by reducing the cost and physical complexity of projects. This may be particularly beneficial for infill development. Off-street parking requirements often affect the number of units that can be constructed in a co-living housing project, and can significantly impact a project’s feasibility. Builders can continue to include off-street parking to meet market demand, even without regulatory requirements.

Eliminating off-street parking requirements for co-living housing is particularly appropriate for areas well-served by local transit service, connected to bike and pedestrian infrastructure, and proximate to job centers.

Bicycle Parking Requirements

Bicycle parking is not addressed in RCW 36.70A.535. If a jurisdiction requires bicycle parking based on the number of vehicle parking spaces, the co-living calculation for 0.25 vehicle parking spaces per sleeping unit will reduce the amount of bicycle parking required. However, if bicycle parking is based on number of sleeping units no reduction is required.

References

- City of Olympia, WA [Ordinance 7366](#) (2023) reduces parking minimums for all residential units
- [A Business Case for Dropping Parking Minimums](#), 2022, Planning Magazine
- [Parking Reform Network](#)

¹⁶ RCW 36.70A.535(11)(b)

2.5 Other Standards

Bulk Standards

Co-living buildings can range from the size of a single-family home house to a full-sized apartment building.

RCW 36.70A.535(4) and (5) state:

“(4) A city or county may not require through development regulations any standards for co-living housing that are more restrictive than those that are required for other types of multifamily residential uses in the same zone.”

(5) A city or county may only require a review, notice, or public meeting for co-living housing that is required for other types of residential uses in the same location, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW.

This means that co-living housing must be subject to zoning dimensional standards that are equal or less restrictive than those for multifamily uses in the same zone. This includes, but is not limited to, the following types of standards: building height, setbacks, lot coverage, floor area ratio, lot area and lot dimension, impervious surface, open space, and landscaped area standards.

Jurisdictions should review their codes for any supplemental use standards related to spacing, distribution, buffering, and other location restrictions for co-living housing. Under RCW 36.70A.535(4), such standards should not create a greater restriction on the permitted location of co-living housing compared to multifamily housing in the same zone. For example, a requirement for co-living housing to not be on adjacent lots, or to be separated by 500 feet, is not consistent with the law.

See Section 3.2 Conversion Projects for bulk standards requirements related to conversions.



Bulk, height, coverage, and other standards for co-living housing must be no more restrictive than standards for multifamily housing. Pictured: co-living and multifamily housing in downtown Redmond. Source: MAKERS



Example of multifamily building with facade articulation. Source: MAKERS

Design Standards

Co-living housing should be subject to equal or less restrictive design standards than other multifamily uses, per RCW 36.70A.535(4).

Jurisdictions should give special consideration to design standards based on the size of dwelling units, such as articulation standards or minimum balcony sizes. These standards may need to be adjusted or interpreted differently as they are applied to co-living housing, as sleeping units are smaller and not the same as dwelling units. For example, a façade articulation standard that says, “the maximum façade width without articulation shall be no greater than the width of a

unit”, could be amended to a specific dimension instead. See Section 3.2 Conversion Projects for design standards requirements for conversion projects.

Open Space Standards

Some jurisdictions require a minimum useable open space or amenity area per dwelling unit, often scaled to the size of dwelling unit or number of bedrooms (studio, one-bedroom, two-bedroom, etc.). Stakeholders report that sleeping units typically accommodate a single resident, so applying per-unit open space standards to these units can result in disproportionate requirements which reduce the feasibility of co-living housing development.

RCW 36.70A.535 does not have specific provisions related to open space standards. Jurisdictions have several options for updating multifamily open space standards to support co-living feasibility:

- Create a reduced open space requirement for sleeping units. For example, apply one-quarter or one-half the open space requirement for co-living that apply to studio apartments.
- Apply an alternate open space standard that does not rely on the size or quantity of units. For instance, require a certain amount of open space for each 1,000 square feet of residential net floor area, for multifamily and co-living.

If open space is required, consider allowing indoor common areas to count as open space in addition to traditional outdoor space (courtyards, balconies, roof decks, etc.). Co-living buildings necessarily include a variety of shared indoor spaces and amenity areas, usually including at least shared kitchens and dining rooms. Other shared indoor spaces may include multi-purpose entertainment space, fitness center, movie theater, library, workshop, conference room, and similar amenities that promote shared use and a sense of community. To encourage a balance with outdoor spaces, some jurisdictions allow projects to count only a portion of indoor common area toward minimum open space square footage requirements.

3.0 Additional Considerations

3.1 Affordable Housing

Market-rate co-living housing can provide an affordable housing option without needing to participate in formal affordability programs. Co-living is often the least expensive private market option available in urban markets and can meet the needs of those who might otherwise experience economic displacement or homelessness. Adequate supply of co-living housing may reduce pressure on publicly funded affordable housing and provide housing affordable to lower income residents who might otherwise wait years for subsidized housing.

However, co-living housing must be eligible to participate in formal government programs and receive public funding. RCW 36.70A.535(6) states:

“(6) A city or county may not exclude co-living housing from participating in affordable housing incentive programs under RCW 36.70A.540.”

Where incentive programs are adopted, co-living housing developments can provide affordable housing in exchange for density and height bonuses, fee waivers, expedited permitting, and other benefits that are available to multifamily housing (when consistent with the incentive program requirements). Co-living housing

may also be eligible for multifamily tax exemptions (MFTE) when meeting the local requirements adopted under Chapter 84.14 RCW. It may also be eligible for the use of HUD Housing Choice vouchers.¹⁷

Stakeholders report that even where co-living housing is permitted, some non-profit affordable housing providers do not include it in their portfolio because of operational complexities. There are more shared spaces to maintain and monitor in a co-living building than a traditional apartment building.

3.2 Conversion Projects

Co-living conversions of existing buildings were relatively common in the past when zoning was more flexible. Commerce recommends considering providing flexibility for both commercial-to-residential and residential-to-residential co-living conversion projects. Older office buildings may be particularly good candidates for conversion due to their floor configurations, with pre-existing shared restroom and kitchen facilities. In some communities, developers have found success converting older motels and churches into micro-units and congregate housing.

Another common type of co-living conversion was older large houses converted into small apartments with some shared kitchen or bathroom facilities. Zoning has made conversions of this type largely prohibited in recent decades. Commerce recommends considering these types of conversions.



Left: Co-living may be well suited to office-to-residential conversions. Center: An older converted mansion with a mix of co-living units and dwelling units. Right: Developers have converted older motels into co-living in several eastern Washington cities. Source: MAKERS

New requirement for cities

[RCW 35.21.990](#) and [RCW 35A.21.440](#) require cities (these RCW sections do not apply to counties) to provide regulatory flexibility for conversion projects that are in commercial and mixed-use zones. In summary, these laws state that cities may not:

- Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone.
- Impose parking requirements on the addition of dwelling units or living units added within an existing building.

¹⁷ https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Payment_Standards.pdf see section 2.4.

- Impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone.
- Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone.
- Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building.
- Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the city.

Cities may not require off-street parking for the addition of dwelling units or living units within an existing building.

3.3 Infrastructure Issues

Public works and infrastructure standards that create conditions on development are a “development regulation” subject to RCW 36.70A.535(4) which limits regulations to those no more restrictive than required for other types of multifamily uses. This is supported by the definition of “development regulations” under RCW 36.70A.030.

To comply with RCW 36.70A.535(4), public works and infrastructure development standards cannot be more restrictive for co-living housing than for multifamily residential uses. Co-living sleeping units have been shown to have substantially lower utility use than dwelling units, in part because more than 90 percent of co-living residents are single-person households.¹⁸

Water and Sewer

Water and sewer utility purveyors (cities, special districts, and private purveyors) should adopt specific standards for co-living buildings, or sufficient flexibility in the application of multifamily standards to adequately serve co-living buildings without requiring construction of excess infrastructure.

Regarding sewer connections specifically, RCW 36.70A.535(8) states: “A city or county may not treat a sleeping unit in co-living housing as more than one-half of a dwelling unit for purposes of calculating fees for sewer connections, unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold.” If utility purveyors have several rates for different types of dwelling units, the rate applied for co-living should be no more than one-half the rate for multifamily dwelling units, or the closest applicable category, such as a hotel. Commerce recommends adopting this co-living sewer connection fee in the adopted fee schedule.

State law does not define “connection fee”, but the definition for “connection charge” in RCW [35.92.385](#)(4)(b) may be informative: “...the one-time capital and administrative charges, as authorized in RCW 35.92.025, that are imposed by a utility on a building or facility owner for a new utility service and costs borne or assessed by a utility for the labor, materials, and services necessary to physically connect a designated facility to the respective utility service.”

¹⁸ Reported by a co-living developer and building owner during interviews conducted for this guidance.

Fact-based findings that justify sewer connection fees above the one-half threshold may include information such as:

- Existing co-living sleeping units in the jurisdiction or planning area generate a nearly similar or equal amount of sewer demand as dwelling units in the same area.
- A proposed co-living development for which project-specific fees are being calculated has sleeping units that exceed 300 square feet (meaning the sleeping units are nearly the size of the smallest dwelling units available on the market).
- A sewer utility conducts a financial analysis that demonstrates it does not have sufficient alternative funding to bear the costs of labor, materials, and services necessary to physically connect a co-living development to sewer service under the connection fee rate limitation of RCW 36.70A.535(8).

Reduced monthly rates for co-living units are another way to reduce co-living housing costs. For example, King County treats “microhousing” units as 0.35 of a residential customer equivalent (based on a detached single-family residence) for monthly sewer capacity charges.¹⁹

Cities, counties, and water utilities should consider a similar one-half to one-quarter metric for requirements related to water infrastructure connections and fees.

Impact Fees

RCW 36.70A.535 does not address impact fees. However, jurisdictions must adopt a fee schedule that complies with [RCW 82.02.060](#)(1), which states in part: “...The schedule shall reflect the proportionate impact of new housing units, including multifamily and condominium units, based on the square footage, number of bedrooms, or trips generated, in the housing unit in order to produce a proportionally lower impact fee for smaller housing units...”. This requirement must be adopted no later than six months after the jurisdiction’s next periodic comprehensive plan update required under [RCW 36.70A.130](#).

New guidance by Commerce on impact fees will be published separately.

Some co-living-specific considerations for setting fee rates:

- Co-living sleeping units are smaller than traditional multifamily units, and therefore should have an adjusted fee, depending on the metric for calculating such fees.
- Co-living residents have been found to produce fewer vehicle trips than the general population due to proximity to transit and services and lower rates of car ownership.²⁰
- Given limited access to private open space, co-living residents may desire greater access to public parks, open space, and recreation facilities.
- Co-living residents tend to be single adults without school-aged children.

¹⁹ “About the capacity charge.” King County. <https://kingcounty.gov/en/dept/dnrp/waste-services/wastewater-treatment/sewer-system-services/capacity-charge/about>

²⁰

See a Parking Analysis Memo for 162TEN, a co-living building in Redmond: https://www.sightline.org/wp-content/uploads/2024/01/20140831_162TEN_Parking-Analysis_Deviation.pdf. See similar reports for two Kirkland projects in the footnotes of Section 2.4.

More information on impact fees is available from the Municipal Research and Services Center (MRSC).²¹ Jurisdictions updating impact fees which may affect non-city facility providers (e.g., school districts) should coordinate with those facility providers on impact fee calculations and capital facilities plans.

Electricity

The electricity used per sleeping unit in co-living developments is typically much lower than for dwelling units. Electricity providers and permitting authorities should consider the lower usage needs when requiring installation of infrastructure.

References

- [King County Capacity Charge](#). Example of a utility fee which is graduated based on the size and type of residential dwelling.
- [Department of Ecology municipal stormwater permits](#). Information on what types of stormwater requirements are in place for jurisdictions across the state.

3.4 Design Considerations

There are a few differences and key considerations for co-living design that differentiate it from design for typical multifamily development.

Architectural Finishes

Because co-living sleeping units are compact, each unit can rent at a higher price per square foot than a typical apartment. As a result, developers report being able to include more durable and higher quality finishes, such as stone countertops and better lighting, in units and in shared spaces. Co-living housing's limited space needs create the opportunity to exchange space for quality, while still maintaining affordability.

Common Space Design

Given the limited private space in each unit, the design of shared spaces, especially kitchens and eating areas, takes on increased importance for resident quality of life. Shared space designs that include features such as sound absorbing acoustic panels and well-designed, adjustable lighting will help create spaces that are more comfortable and inviting for residents. Outdoor open spaces should be designed to provide a range of activities and spaces for individuals and small groups to enjoy.



Ceiling installed acoustic panels in a common area. Photo courtesy of Schemata Workshop.

Sound Proofing

With limited private space and many neighbors, stakeholders noted the importance of sound proofing shared walls and ceilings. Developers are encouraged to go beyond minimum sound proofing requirements in the building code. If jurisdictions modify requirements, such standards must apply equally to co-living and multifamily development.

²¹ "Impact Fees." Municipal Research Service Center. <https://mrsc.org/explore-topics/planning/land-use-administration/impact-fees>

3.5 Short Term Rentals

Short term rental is a business model in which individual residences are rented out by the owner to customers using an online platform. Some cities restrict short-term rentals in order to support a greater share of the housing stock available for residences; this is especially common in smaller cities and towns with high levels of tourism. Jurisdictions seeking to increase the supply of housing for low- and very low-income households may consider prohibiting short-term rentals in co-living buildings.

3.6 Homeownership

RCW 36.70A.535(11)(a) describes co-living housing as rental housing, stating “ ‘Co-living housing’ means a residential development with sleeping units that are independently rented...”

Co-living housing with sleeping units that are independently owned are not addressed by RCW 36.70A.535. This means ownership co-living housing can be treated differently than the state law requires and may be subject to more restrictive standards for parking, density, and other development regulations.

Jurisdictions may choose to allow owner-occupied co-living housing to be regulated the same as rented co-living housing. This may reduce regulatory barriers for owner-occupied co-living housing and create opportunities for conversion to cooperative ownership. Ownership of co-living housing may be less common than rental co-living housing, but it can be encouraged as an opportunity to promote homeownership for people with low-to-moderate incomes.

3.8 Comprehensive Plans

Integrating Co-Living into Housing Elements

Co-living housing allowed under RCW 36.70A.535 may meet housing needs for low-income households in the 50-80% Area Median Income (AMI) band, and possibly the 30-50% AMI band²². Each local jurisdiction will need to verify this finding at the local level. This can be done through a housing needs assessment created for a comprehensive plan or through a market analysis.²³ If no examples of co-living housing are available in your region, it may be appropriate to use data on co-living housing costs from the closest comparable jurisdiction and compare that to local affordability levels (AMIs in the county in which the analysis is being performed).

Allowing for co-living housing in areas that have historically been excluded or in areas where there is evidence of racially disparate impacts will increase affordable housing production, helping meet housing element goals to address past practices and policies that have contributed to racially disparate impacts and exclusion.²⁴

Land Use Elements and Land Capacity

For land capacity analysis, consider that assumed densities and potential development outcomes for co-living housing will be different than those that have been observed for multifamily development and mixed-use development. In identifying assumed development rates for land capacity analysis, consider incorporating

²² Per RCW 36.70A.070(2), jurisdictions are required to identify sufficient capacity of land for housing affordable at these income levels, and to make adequate provisions for these populations' housing needs.

²³ See the Department of Commerce's [Guidance for Updating Your Housing Element](#), specifically Steps 3.1 and 3.2 on pages 35-37.

²⁴ See the Department of Commerce's [Guidance to Address Racially Disparate Impacts](#).

information about local market conditions and real estate market dynamics. Additionally, RCW 36.70A.535(8) requires that sleeping units be calculated as not more than one-quarter ($\frac{1}{4}$) for purposes of calculating dwelling unit density. Although co-living housing may yield higher densities of housing units than other housing typologies, tracking any assumptions and rationale used for assumed densities will be helpful.

Not all sites that are zoned for co-living housing will develop or redevelop as co-living housing. In addition to sites needing appropriate zoning for development, co-living housing also needs:

- Physical and financial feasibility
- Developers who are familiar with building co-living housing
- Sites with a willing seller
- Access to financing
- Sufficient demand for co-living housing at a particular location

To determine local viability of co-living, consider researching trends by interviewing developers about the likelihood for developing a co-living product, and evaluating demographics to determine how much demand there is for this housing type. For many communities, it will take a while to identify likely trends in this re-emerging housing typology, so assumptions for co-living development should be modest.

4.0 Resources

Code Examples

- [Seattle Council Bill 120822](#) – Seattle code updates to comply with RCW 36.70A.535, adopted October 2024.

Further Reading

Groth, Paul. *Living Downtown: The History of Residential Hotels in the United States*. Germany: University of California Press, 1994.

New Homeless and Old. Hoch, Charles, and Slayton, Robert A. Temple University Press, 1989.

“Rooming Houses: History’s Affordable Quarters.” Sightline Institute, 2012.

<https://www.sightline.org/2012/11/14/rooming-houses-historys-affordable-quarters/>

“The Hotel Spirt”, Slate, 2022. <https://slate.com/business/2022/07/hotels-rental-market-housing-prices-shortage-solution.html>

“The Rich American Legacy of Shared Housing.” Bloomberg, 2023.

<https://www.bloomberg.com/news/features/2023-05-02/a-visual-history-of-single-room-occupancy-sro-affordable-housing>

“Micro-apartments are back in Seattle after disappearing decades ago”, Seattle Times, 2024.

<https://www.seattletimes.com/seattle-news/micro-apartments-are-back-in-seattle-after-nearly-a-century/>

“Why some Seattle area seniors are choosing dorm-sized apartments”, KUOW, 2024.

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“America Redux Excerpt: The Rich American Legacy of Shared Housing”, Bloomberg Citylab, 2023. <https://www.bloomberg.com/news/features/2023-05-02/a-visual-history-of-single-room-occupancy-sro-affordable-housing>

“Roots of a Crisis,” Real Change, 2016. <https://www.realchangenews.org/news/2016/06/29/roots-crisis>

“Historic South Downtown Oral Histories: Marie Wong Discusses Her Research on Seattle's SRO Hotels and the Men and Women Who Lived in Them”. HistoryLink.org, 2015. <https://www.historylink.org/File/11135>

“Considering SRO Housing in New York City and Beyond.” HUD Office of Policy and Research Development, 2018. <https://www.huduser.gov/portal/pdredge/pdr-edge-trending-062518.html>

Oregon House Bill 3395, Section 17 [\(2023\)](#). Requires local governments within an urban growth boundary to allow the development of single room occupancy (SRO) housing.

APPENDIX A: Co-Living History and Benefits

What is Co-Living?

State law defines co-living housing as:

"Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Local governments may use other names to refer to co-living housing including, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.²⁵

Co-living housing goes by many names. In addition to the congregate living facilities, single room occupancy (SROs), rooming house, boarding house, lodging house, and residential suites, noted in the statute, it may also be referred to as micro-units, dormitories, or some other term.

Co-Living Evolution

Twentieth Century Legacy

Co-living, under various names, has a long history in American cities and towns going back to pre-revolutionary times.^{26,27} By the early 1900's, in some major cities it represented as much as ten percent of the rental housing stock, providing a popular housing and lodging option for industrial workers, travelling salesmen, the elderly, young adults, and writers and artists.²⁸



Left. The historic Wilson Hotel building, built 1890, is now managed by the Anacortes Housing Authority and functions as co-living housing with ground floor commercial businesses (source: MAKERS). Middle: The Upton Hotel in Spokane, built in 1910 and now known as the Grand Coulee Apartments, is listed on the National Register of Historic Places (Source: Will Maupin, [CC BY-SA 4.0](https://creativecommons.org/licenses/by-sa/4.0/)). Right. Milwaukee Hotel is one of several SROs still in operation in Seattle's Chinatown International District neighborhood. (Source: MAKERS)

²⁵ RCW 36.70A.535(11)(a)

²⁶ "The Hotel Spirit", Slate. <https://slate.com/business/2022/07/hotels-rental-market-housing-prices-shortage-solution.html>

²⁷ "Microunits: A Tool to Promote Affordable Housing" in *Retooling Metropolis*. Armlovich, Alex. Manhattan Institute, 2016.

²⁸ "The Rich American Legacy of Shared Housing." Bloomberg, 2023. <https://www.bloomberg.com/news/features/2023-05-02/a-visual-history-of-single-room-occupancy-sro-affordable-housing>

Co-living establishments served people with a wide range of incomes and stages of life. Grander “hotels” offered centralized service perks like cleaning, meals, and laundry at the fraction of a cost of maintaining a larger home. More economical lodging houses, including those run by non-profit operators like the YMCA and Salvation Army, provided basic accommodations affordable to those who had fallen on hard times. With minimal private space available to them, co-living residents relied upon and patronized a rich variety of restaurants, small groceries, music halls, reading rooms, and night clubs, which was foundational to early and mid-20th century American urban culture.²⁹

As Americans’ economic opportunities, travel habits, and values shifted in the post-war period, co-living lost prominence and importance. Identifying safety problems and poverty associated with older co-living properties, urban reformers across the country enacted more stringent regulations that made it more expensive to operate and used zoning to prevent the creation of new co-living buildings.³⁰ Government led-efforts to demolish existing co-living buildings for “slum clearance”, along with gradual decay of older buildings, reduced the number of remaining pre-WWII co-living buildings, now most commonly referred to as single-room occupancy hotels or “SROs”. By the 1980’s, most co-living housing stock in major cities was demolished or converted to other uses, while public housing and subsidized apartments were not built at a large enough scale to replace the gap in affordability left by co-living, contributing to rising urban homelessness. In response, new policies were passed to preserve existing SROs, even as creation of new co-living buildings remained illegal.

New Beginnings

Starting in the 2000’s some developers in the Seattle area noted rising housing costs that created the need for new low-cost apartments in desirable neighborhoods. These developers explored flexibility in Seattle’s zoning regulations for congregate housing, i.e. small sleeping units with shared kitchens. From 2009 to 2015 they built thousands of congregate housing “micro-units”, targeted at young renters, recent arrivals, and students. This new housing option provided an affordable alternative as overall housing prices continued to spike, but also incited a strong backlash concerned about livability and neighborhood impacts. After code changes around 2015 tempered Seattle’s micro housing boom developers continued to seek out opportunities in for new co-living in Redmond, Kirkland, commercial zones in Seattle (where congregate housing was still allowed), and other cities.³¹ Developers have also explored conversions of older motels into micro-units in cities around the state in recent years.



Example of early 2010's congregate housing in Seattle. Source: MAKERS

The design of this new co-living housing has evolved considerably from twentieth century models, with contemporary architectural styles and amenities, as illustrated in the examples below.

²⁹ *New Homeless and Old*. Hoch, Charles, and Slayton, Robert A. Temple University Press, 1989.

³⁰ “Rooming Houses: History’s Affordable Quarters.” Sightline Institute, 2012. <https://www.sightline.org/2012/11/14/rooming-houses-historys-affordable-quarters/>

³¹ “When is Seattle Going to Fix Micro-Housing?” Sightline Institute, 2021. <https://www.sightline.org/2021/02/04/when-is-seattle-going-to-fix-micro-housing/>

Co-living Examples

While some older pre-zoning co-living buildings survive, modern co-living buildings have been built in Washington cities in the past two decades, marketed as micro-studios, micro-units, congregate apartments, eco flats, residential suites, or with the brand name “aPODments”. Examples showing the range of scale and form these buildings take are included below.



The Kärsti

Seattle, 2020

52 co-living units + 334 sf commercial space

Co-living unit size range: 187-276 sf

Lot size: 5,000 SF

Parking: zero off-street parking

Mixed-use income-restricted (MFTE) congregate apartments built in one of Seattle’s mixed-use zones.

Photo courtesy of Neiman Taber Architects



Arete Apartments

Kirkland, 2015

228 co-living units, 52 dwelling units, and 7,200 sf commercial space

Co-living unit size range: 185-286 sf

Lot size: 62,220 SF (two parcels)

Parking: 255 off-street spaces

Large mixed-use complex incorporating both co-living units and traditional one-, two-, and three-bedroom apartments.

Image courtesy of Natural and Build Environments, LLC



Ramiro's Place

Seattle, 2014

22 co-living units

Lot size: 3,200 SF

Parking: zero off-street parking

Co-living unit size range: 131-175 sf

One of many micro-unit buildings built in Seattle between 2012-2015 prior to code changes that increased the minimum unit size.

Image source: MAKERS



Tudor Apartments

Remond, 2011

61 co-living units

Lot size: 14,387 SF (nine parcels)

Parking: 30 off-street parking spaces

Co-living unit size range: 222-301 sf

Micro-suite building designed to mimic appearance of townhouses.

Photo courtesy of Natural and Build Environments, LLC

Benefits of Co-Living Housing

As housing in Washington has become increasingly unaffordable, interest in co-living has grown. Co-living housing has many benefits, including:

- Providing market-rate, non-subsidized rental homes affordable to people in the workforce earning as low as 50 percent of area median income (older co-living units in Spokane area cost \$350 per month, and in the Puget Sound suburbs some new co-living units are renting for \$1,000 per month)
- Offering housing options for people who want a low-cost, private alternative to living with roommates
- Creating a living arrangement with shared community spaces that facilitate social connections
- Increasing affordable housing options in high opportunity neighborhoods with transportation options
- Reducing energy demand since units are small and new housing can reduce commutes and sprawl

Modern co-living buildings are high-quality and can feature desirable amenities. Stakeholders note that co-living is a great option for seniors looking to downsize their living arrangements and that co-living helps build communities and reduce loneliness for people of all ages. They are especially well-suited for urban infill on narrow lots because the rent per square foot tends to be higher than other multifamily building types.³² Like any other development, co-living buildings must comply with all building, fire, and life safety codes.

For these and other reasons, co-living is an effective way to help accommodate housing needs for the state's growing population. For more information, see the Legislature's findings in the notes section of [RCW 36.70A.535](#) under "Intent—Findings—2024 c 180."

Messaging

While once common, it has been decades since co-living uses like SROs and boarding houses were widely permitted in most cities. Planners in jurisdictions implementing RCW 36.70A.535 may encounter members of the public and elected officials with questions about the legislative requirement to re-introduce and allow co-living as a permitted use in on lots that allow at least six multifamily residential units.

RCW 36.70A.535 provides the framework for regulating co-living, including where co-living must be a permitted use and limitations on jurisdictions regarding how certain development standards may be applied. Planners and public officials do have an important role to play in public communication and education about co-living and the residents who may live in co-living units, including why the State legislation was passed. In addition to the benefits of co-living identified above, planners and public officials should review the points below and consider incorporating them in public facing materials on co-living.

Framing Discussion of Co-Living

- Allowing co-living housing implements a state requirement and offers one more housing option to achieve the statewide housing needs projection developed by Commerce for 1.1 million homes over the next 20 years.
- Co-living is a way for the private market to take pressure off publicly-subsidized affordable housing. More than a third of Washington households are housing cost-burdened, meaning they pay more than 30% of

³² "The Macro View on Micro Units," Urban Land Institute, 2014.

their income in housing costs, and there isn't nearly enough income-restricted affordable housing to house everyone who would qualify for it.

- Recently built co-living housing in Kirkland and Redmond is popular with service sector workers, seniors, and young professionals.
- Different types of housing are better suited to people at different stages of life, and in different types of employment. A broad range of housing options can also help people adjust to abrupt changes in income or family status.
- Shared living spaces like common kitchens and dining areas encourage social interaction between residents.
- The building code places well-vetted minimum standards on habitable space.
- Co-living housing is environmentally friendly. Co-living housing is generally located near destinations, allowing residents to drive less. Small units with shared walls require less energy to heat and cool.

The following resources may be shared with members of the public and elected officials who want to learn more about co-living housing.

- [FAQ: Co-living for Washington State, Sightline Institute, 2023](#)
- [America Redux Excerpt: The Rich American Legacy of Shared Housing, Bloomberg Citylab, 2023](#)
- [Cruel Musical Chairs \(or Why Is Rent So High?\), Sightline Institute, 2017](#)
- [Micro-apartments are back in Seattle after disappearing decades ago, Seattle Times, 2024](#)
- [Why some Seattle area seniors are choosing dorm-sized apartments, KUOW, 2024](#)
- Additional videos and informational materials in English, Chinese, and Spanish are available at the [Department of Commerce Housing Planning webpage](#).

Resources for public engagement strategies:

- [STEP Messaging Guide, Department of Commerce, 2024](#). Note: while STEP is different from co-living, the strategies described may also be useful for communicating about co-living.
- ["You Don't Have to Live Here" Why Housing Messages are Backfiring and 10 Things We Can Do About It, Frameworks Institute, 2016](#)
- [Building Support for Affordable Homeownership and Rental Choices, Center for Housing Policy, 2013](#)
- [How Does Affordable Housing Affect Surrounding Property Values? Housing Synthesis Research Project, 2008](#).
- [Myths and Facts about Affordable & High Density Housing, California Planning Roundtable, 2002](#)

Internal Staff Engagement

Co-living regulations touch on multiple departments within a jurisdiction. Staff in other departments whose work involves permitting and development review may be unaware or not well informed about the requirements of RCW 36.70A.535 and benefits of allowing co-living housing in multifamily zones.

It is important to pro-actively communicate with other department staff about the jurisdiction's obligation to incorporate co-living into the multifamily permitting procedures. To help address potential issues, focused staff workshops and mock pre-application meetings can be highly valuable. For example, in anticipation of allowing middle housing (small multiunit buildings like duplexes and townhouses) in low-density residential zones the City of Shoreline held several mock pre-application meetings to daylight questions, confusion, and inconsistencies in permitting procedures. According to staff, the process helped identify the need for more

specific standards related to fire access and utility fee rates, as well as several provisions outside of the zoning code that needed to be updated. A similar process for co-living could be beneficial.

Some potential questions to review with staff and non-city service providers such as water districts and fire districts:

- Are all of those involved in the permit review process aware of the legal requirement to permit co-living buildings?
- What information is needed to review a co-living permit application?
- Are there existing regulations which conflict with co-living, RCW 36.70A.535?
- How does the code address converting dwelling unit-based standards (such as open space square feet per unit) when dealing with much smaller sleeping units?
- Do permit reviewers know if, or how much, parking or usable open space is required?
- Do permit reviewers know the impact fee rate per sleeping unit, and does this accurately reflect likely impacts?
- Are permit reviewers aware that sewer connection fees for co-living are calculated at no more than one-half a dwelling unit, unless findings are made to allow connection fees to exceed the one-half threshold?
- Can the Building Official provide a summary of minimum unit sizes for a sleeping unit?

Do utility providers have the information they need to adequately forecast potential demand from co-living buildings?

APPENDIX B: Parking Near Major Transit Stops

Measuring One-Half Mile Walking Distance

Jurisdictions can measure distances from major transit stops in at least two different ways. Each method comes with advantages and disadvantages. The chosen methodology should be identified in the code, perhaps within a definition of “walking distance”, to ensure the methodology is consistently applied and measured over time. Inclusion of the walking distance area on the zoning map, would offer greater certainty to property owners and others as to which parcels are and are not included in the walking distance requirements of a major transit stop. A potential downside to this approach is the need to go through a procedural process to amend the zoning map should the walking distance need to be amended over time due to physical improvements that change the walking distance or routes.

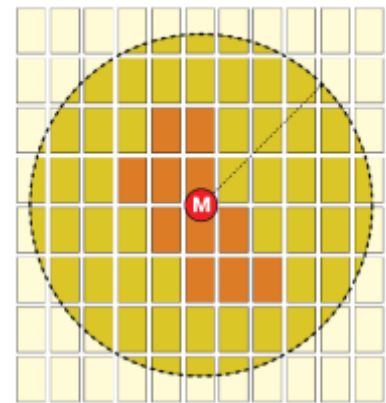
For both methods it is important to consider whether to place a center point of the major transit stop or use the perimeter of the major transit stop. In general, separate radii should be drawn for each boarding and alighting point if they are separated by more than 100 feet, such as a north-bound and a south-bound bus stops that are located at opposite ends of a block. For large major transit stops, such as a rail station, the most straightforward approach is to locate center points in the middle of the station platforms. However, the optimal approach should always be determined using the best judgement of the jurisdiction.

Radius, with Adjustments

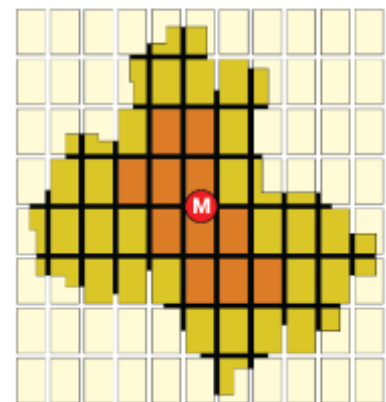
In this approach, a circle is centered on the major transit stop and the radius of the circle is the required distance. All applicable lots which are fully within the circle should be applicable. Lots which are partially within the circle should also be applicable in order to increase housing capacity near major transit stops, though a jurisdiction can also set other criteria such as at least 50 percent of a lot or a minimum amount of lot area is in the circle for the lot to be included.

This method has the advantage of being easy to execute. A consideration is where precisely the circle is centered for large major transit stops, such as a rail station; the approximate center of the stop or platforms is most straightforward and avoids potential complexities with using pedestrian entrances and property boundaries - however, this should be determined on a case-by-case basis using the best judgement of the jurisdiction.

This method has the disadvantage of not accounting for conditions that can constrain walkability and reduce the actual area that is in reasonable walking distance of the major transit stop, such as terrain, water bodies, missing pedestrian routes, or infrastructure barriers. This disadvantage could be overcome by first drawing the



Radius



Path-Finding

Conceptual illustration of different methods for measuring walking distance. Orange on the map represents a multifamily zone and yellow represents a middle housing zone. Source: MAKERS

circle and then customizing and adjusting it to remove areas which are not reasonably in walking distance due to local conditions. Areas which are removed should have documentation explaining why they are exempt.

Path-Finding

In this approach, actual walking paths extending from a major transit stop for the required walking distance are mapped using a geospatial analysis of the local street network and other pedestrian routes such as off-street trails. All lots zoned predominantly for residential use which touch the walking paths are applicable.

This method has the advantage of more accurately capturing lots within actual walking distance of major transit stops.

This method has the disadvantage of requiring access to geospatial analysis software and the skills, funding, and time to employ it. This method also requires that the analysis be repeated from time-to-time to account for changes to pedestrian infrastructure. In some cases, these disadvantages could be overcome by hiring an outside consultant who specializes in geospatial analysis. Network analysis results created for this purpose should be displayed on zoning maps and made available for download on public geographic information system (GIS) databases, if possible.