



INFORMATIONAL MEMORANDUM

TO: Planning and Economic Development Committee

FROM: Jack Pace, Director Community Development

BY: Minnie Dhaliwal, Deputy DCD Director

CC: Mayor Ekberg

DATE: January 28, 2020

SUBJECT: Accessory Dwelling Unit (ADU) Amnesty Program Update

ISSUE

What revisions are needed to the ADU regulations that were adopted in July 2018?

BACKGROUND

Ordinance 2581 adopted by the City Council on July 2, 2018 updated Tukwila's ADU regulations. The updated regulations allow for detached ADUs and require new and existing ADUs to apply for registration. A one-year amnesty period adopted under Ordinance 2581 allowed for property owners with ADUs that were created illegally or which were in existence prior to an area's annexation to come forward to register their ADUs under more flexible zoning rules, provided the units met building code's life safety standards.

Zoning flexibility given to existing ADUs applying for registration during the amnesty period included the following:

- Exceeding the permitted height for a detached ADU
- Exceeding the permitted area for an attached or detached ADU, up to 1,200 square feet
- Not providing a second parking space for a two bedroom ADU
- Roof pitch of less than 5:12
- Location of the ADU on the lot.

Owner occupancy, providing at least one parking space per ADU, and meeting the minimum lot size for a detached ADU were conditions that could not be waived per Council direction. The one-year amnesty registration period ended on July 1, 2019.

The Committee of the Whole was provided an update on the ADU Amnesty Program on September 23, 2019. At that meeting the City Council directed staff to bring this item to the Committee for further discussion. The City Council's direction was to focus on zoning related amendments. Additionally, full compliance with building code/life safety codes was desired.

DISCUSSION

A total of 30 ADU Registration Applications have been received since the city adopted the new ADU regulations. A total 21 were received during the Amnesty program and only four asked for relief from zoning standards under the Program. See attached map for the location of these ADUs. Here is the current review status of these applications:

Approved: 7

Denied: 1

Withdrawn: 2

Under construction (not pre-existing but new): 8

Pending: 12 (waiting for the applicant to fix items identified during construction or record owner occupancy affidavit)

Issues that came to light as we started implementing the ADU amnesty program:**A. Zoning related issues:**

- **ADU vs main house size limitations:** Many basement ADUs in one-story homes are the same size as the main floor of the primary home, so it's difficult for them to meet the size limit of 40% of the primary dwelling. Meeting this requirement either involves increasing the size of the primary dwelling or reducing the size of the basement unit by making some of the square footage unusable.
- **Owner Occupancy requirement:** Owner occupancy is hard to enforce and the property owners that are currently renting out both units on a property did not want to apply under the amnesty program if they had to meet the owner occupancy requirement. However, units in these circumstances are discovered in the process of rental registration process. It is difficult for the city's code enforcement team to do any enforcement if one of the units is not occupied by the homeowner.
- **Pre-existing duplexes:** There are existing duplexes (both legal non-conforming and illegal) in the LDR zone. It can be difficult to determine whether a property was originally developed with a duplex vs. a single-family home with an attached ADU. No owner occupancy requirements apply to duplexes. Policy direction is needed on how to enforce or legalize pre-existing duplexes. Additionally, one application that was denied was for the property with a pre-existing duplex and a detached ADU in the LDR zone. Ordinance 2581 allows a detached ADU on the same lot as the primary *single-family dwelling*, but not if there is already a duplex on the lot.
- **Amnesty:** Few of the ADUs actually needed amnesty from the zoning requirements. Only four of the 21 applications submitted needed amnesty, due to the ADU exceeding the permitted area. Two of the detached ADUs were over 800 square feet (810 square feet; 1,000 square feet). Two attached ADUs had a basement size of the same size as the primary dwelling unit (870 square feet; 1,000 square feet).

B. Construction related issues:

- Units are difficult to inspect after the fact, especially elements that are covered up.
- Life safety issues found so far during inspections have included repairing stairs, handrails, and landings for staircases up to second story units; fixing decks; widening or changing the height of rescue windows; adding smoke and/or carbon monoxide detectors; proper installation of utilities; replacing unrated heating equipment; and installation of fire walls between garages/workshops and ADUs. ADUs applying for amnesty were not required to install fire suppression systems.
- If major issues come up during inspection the homeowners are reluctant to complete and go through the approval process. For example, if there are no windows in bedrooms, they do not pass the initial inspection and have to make changes which many homeowners are reluctant to complete.

C. Cost of obtaining approval:

- ADUs located in the Valley View Sewer District must pay a General Facility Charge of \$3,226.00. Additionally, all ADUs constructed after Feb. 1, 1990 are subject to a King County sewer capacity charge that is either a monthly charge of approximately \$65 for 15 years or a lump sum payment of approximately \$10,000. Both attached and detached ADUs are subject to these fees.

- City of Tukwila impact fees (parks, fire and transportation) apply for detached ADUs but not attached ADUs. Parks impact fees are \$2,859; Fire impact fees are \$1,790 (1,683 if sprinkler system is installed); Transportation impact fees range from \$350 to \$550 depending on the location.
- There are some ADU owners with unoccupied units who do not want to pay for or deal with the hassle of making the necessary changes to their units to bring them into life safety compliance due to costs.

FINANCIAL IMPACT

None.

RECOMMENDATION

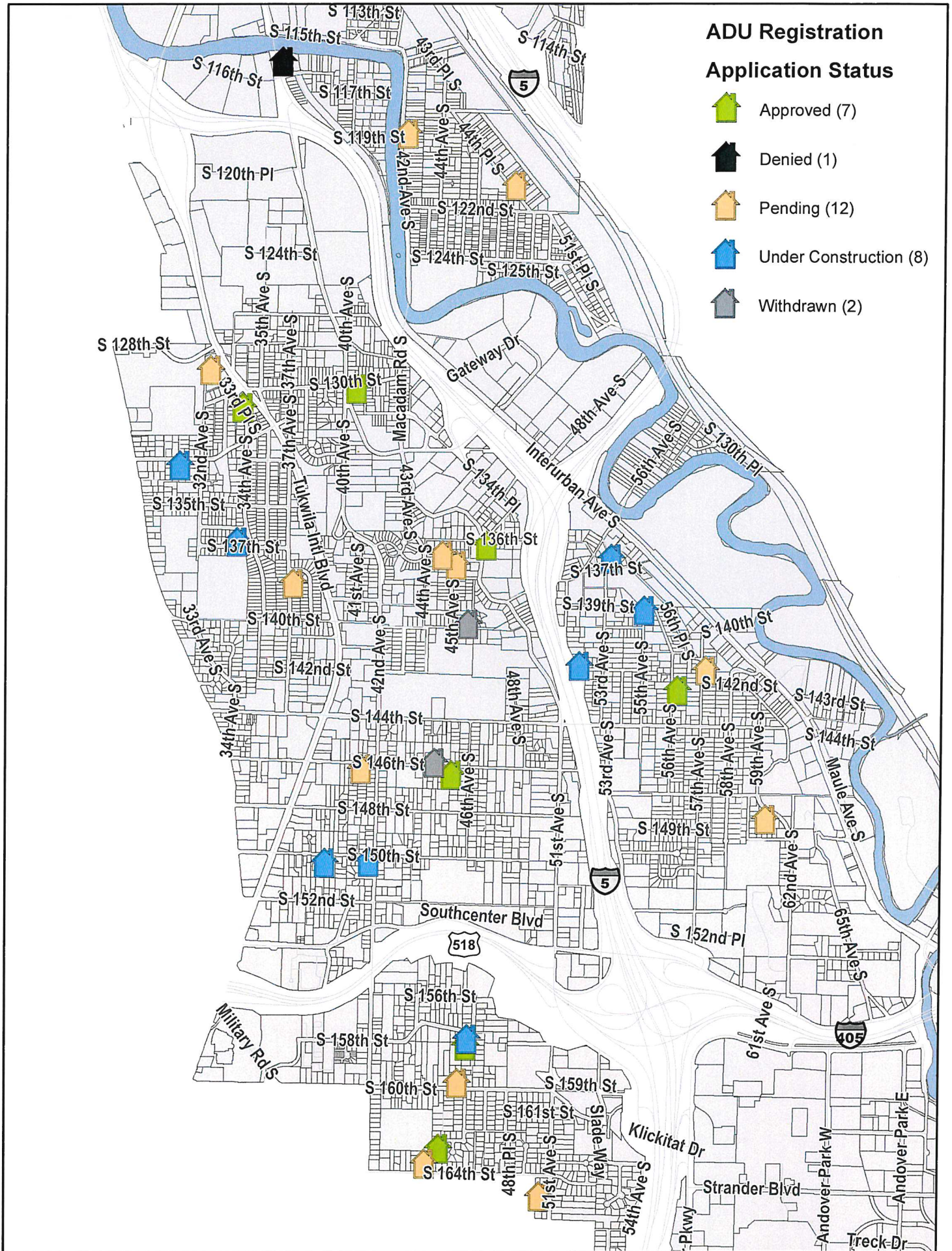
Staff is seeking direction on which Zoning Code items listed below to include in the amendment process:

- 1)ADU vs main house size limitation
- 2)Owner occupancy requirement
- 3)Pre-existing duplex regulations and enforcement
- 4)Extension of the Amnesty Program

Based on the Committee's direction staff will prepare policy options for the identified issues for the Planning Commission's consideration. The Planning Commission will then hold a public hearing on the proposed changes before finalizing their recommendation to the City Council. The City Council will then hold a public hearing before final adoption.

ATTACHMENTS

Map of ADU Registrations received during amnesty program
Ordinance 2581





City of Tukwila

Washington

Ordinance No. 2581

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING VARIOUS ORDINANCES AND TABLE 18-6, "LAND USES ALLOWED BY DISTRICT," AS CODIFIED IN TITLE 18, "ZONING," OF THE TUKWILA MUNICIPAL CODE, AND ADDING NEW SECTIONS TO TITLE 18, PERTAINING TO ACCESSORY DWELLING UNIT REGULATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Tukwila's Zoning Code, codified at the Tukwila Municipal Code, Title 18, contains provisions pertaining to accessory dwelling units ("ADU"); and

WHEREAS, the Tukwila City Council desires to update the Zoning Code to make modifications to the City's regulations for ADUs; and

WHEREAS, the City wishes to provide more affordable housing for its residents; and

WHEREAS, the City wishes to minimize impact on surrounding single family homes by limiting attached ADUs and detached ADUs to one per lot and requiring documented homeowner occupancy of at least one of the units 100% of the time; and

WHEREAS, the Zoning Code includes a "Definitions" section and the City wishes to update it to include a definition of accessory dwelling unit; and

WHEREAS, the Zoning Code includes standards for the design of single family dwellings and the City wishes to update them to address accessory dwelling units; and

WHEREAS, the City wishes to provide exceptions to the single family design standards for high quality, innovatively designed ADUs; and

WHEREAS, the City wishes to adopt a new section of the Zoning Code with standards for the location, size, height, and use of accessory dwelling units; and

WHEREAS, the City wishes to adopt a new section of the Zoning Code with new requirements for the registration of accessory dwelling units; and

WHEREAS, the City wishes to encourage the registration of existing accessory dwelling units by offering additional flexibility during a one-year amnesty period; and

WHEREAS, the City wishes to remove accessory dwelling units as accessory uses in non-residential zones; and

WHEREAS, on October 18, 2017, the City was informed by the Washington State Department of Commerce that it had met the Growth Management Act notice requirements under RCW 36.70A.106; and

WHEREAS, on October 26, 2017, the Tukwila Planning Commission, following adequate public notice, including notice mailed to all owners and tenants of Low Density Residential-zoned parcels, held a public hearing to receive testimony concerning amending the Tukwila Municipal Code as described herein; and

WHEREAS, on January 24, 2018, the City's State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Non-Significance on these proposed amendments; and

WHEREAS, on February 15, 2018, the Tukwila Planning Commission adopted a motion recommending the proposed amendments; and

WHEREAS, on April 9, 2017 the Tukwila City Council, following adequate public notice, held a public hearing to receive a testimony concerning the recommendations of the Planning Commission; and

WHEREAS, the City Council finds that the proposed amendments serve to further implement the planning goals of the adopted Comprehensive Plan and the Growth Management Act, bear a substantial relation to the public health, safety or welfare, and promote the best long-term interests of the Tukwila community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. TMC Section Adopted. A new section is hereby added to Tukwila Municipal Code (TMC) Chapter 18.06, "Definitions," to read as follows:

Accessory Dwelling Unit

"Accessory dwelling unit (ADU)" means a dwelling unit that is within or attached to a single-family dwelling or in a detached building on the same lot as the primary single-family dwelling. An ADU is distinguishable from a duplex by being clearly subordinate to the primary dwelling unit, both in use and appearance.

Section 2. Ordinance Nos. 2518 §7, 1971 §4, and 1758 §1 (part), as codified at TMC Section 18.10.060, "Basic Development Standards," are hereby amended to read as follows:

18.10.060 Basic Development Standards

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

LDR BASIC DEVELOPMENT STANDARDS

Lot area, minimum	6,500 sq. ft.
Average lot width (min. 20 ft. street frontage width), minimum	50 feet
Development Area, maximum (only for single family development)	75% on lots less than 13,000 sq. ft. up to a maximum of 5,850 sq. ft.
	45% on lots greater than or equal to 13,000 sq. ft.
Setbacks to yards, minimum:	
• <i>Front</i>	20 feet
• <i>Front, decks or porches</i>	15 feet
• <i>Second front</i>	10 feet
• <i>Sides</i>	5 feet
• <i>Rear</i>	10 feet
Height, maximum	30 feet
Off-street parking:	
• <i>Residential</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations
• <i>Accessory dwelling unit</i>	See TMC Section 18.50.220
• <i>Other uses</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations

Section 3. Ordinance Nos. 2199 §12, 1976 §23, and 1758 §1 (part), as codified at TMC Section 18.12.070, "Basic Development Standards," are hereby amended to read as follows:

18.12.070 Basic Development Standards

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

MDR BASIC DEVELOPMENT STANDARDS

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

Height, maximum	30 feet
Landscape requirements (minimum): <i>See Landscape, Recreation, Recycling/ Solid Waste Space requirements chapter for further requirements</i>	Applied to parent lot for townhouse plats
• <i>Front(s)</i>	15 feet
• <i>Sides</i>	10 feet
• <i>Rear</i>	10 feet
Development area coverage	50% maximum (75% for townhouses)
Recreation space	400 sq. ft. per dwelling unit (1,000 sq. ft. min.)
Off-street parking:	
• <i>Residential</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations.
• <i>Accessory dwelling unit</i>	See TMC Section 18.50.220
• <i>Other uses</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations

Section 4. Ordinance Nos. 2199 §14, 1976 §27, 1830 §3, and 1758 §1 (part), as codified at TMC Section 18.14.070, "Basic Development Standards," are hereby amended to read as follows:

18.14.070 Basic Development Standards

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

HDR BASIC DEVELOPMENT STANDARDS

Lot area, minimum	9,600 sq. ft. (Applied to parent lot for townhouse plats)
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 plats)
Setbacks, minimum:	Applied to parent lot for townhouse plats
• <i>Front - 1st floor</i>	15 feet
• <i>Front - 2nd floor</i>	20 feet
• <i>Front - 3rd floor</i>	30 feet (20 feet for townhouses)
• <i>Front - 4th floor</i>	45 feet (20 feet for townhouses)

• <i>Second front - 1st floor</i>	7.5 feet
• <i>Second front - 2nd floor</i>	10 feet
• <i>Second front - 3rd floor</i>	15 feet (10 feet for townhouses)
• <i>Second front – 4th floor</i>	22.5 feet (10 feet for townhouses)
• <i>Sides - 1st floor</i>	10 feet
• <i>Sides - 2nd floor</i>	20 feet (10 feet for townhouses unless adjacent to LDR)
• <i>Sides - 3rd floor</i>	20 feet (30 feet if adjacent to LDR) (10 feet for townhouses unless adjacent to LDR)
• <i>Sides – 4th floor</i>	30 feet (20 feet for townhouses unless adjacent to LDR)
• <i>Rear - 1st floor</i>	10 feet
• <i>Rear - 2nd floor</i>	20 feet (10 feet for townhouses unless adjacent to LDR)
• <i>Rear - 3rd floor</i>	20 feet (30 feet if adjacent to LDR; 10 feet for townhouses unless adjacent to LDR)
• <i>Rear – 4th floor</i>	30 feet (20 feet for townhouses unless adjacent to LDR)
Townhouse building separation, minimum	
• <i>1 and 2 story buildings</i>	10 feet
• <i>3 and 4 story buildings</i>	20 feet
Height, maximum	45 feet
Development area coverage	50% maximum (except senior citizen housing), (75% for townhouses)
Landscape requirements (minimum): <i>See Landscape, Recreation, Recycling/ Solid Waste Space requirements chapter for further requirements</i>	Applied to parent lot for townhouse plats
• <i>Front(s)</i>	15 feet
• <i>Sides</i>	10 feet
• <i>Rear</i>	10 feet
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 Chapter 18.56, Off-street Parking & Loading Regulations.
• Accessory dwelling unit	See TMC Section 18.50.220
• Other uses, including senior citizen housing	See TMC Chapter 18.56, 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 5. Ordinance Nos. 2251 §22, 1976 §30, 1872 §1, 1865 §18, 1830 §7, and 1758 §1 (part), as codified at TMC Section 18.16.080, "Basic Development Standards," are hereby amended to read as follows:

18.16.080 Basic Development Standards

Development within the Mixed Use Office District shall conform to the following listed and referenced standards. In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see TMC 18.60.030). Certain setback and landscaping standards may be waived by the Director of Community Development as a Type 2 decision when an applicant can demonstrate that shared parking is provided. If a project requires a Type 4 approval process, certain setbacks and landscaping may be waived by the BAR when an applicant can demonstrate that the number of driveways is reduced, efficiency of the site is increased, joint use of parking facilities is allowed or pedestrian oriented 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.)

MUO BASIC DEVELOPMENT STANDARDS

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

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

Section 6. Ordinance Nos. 1976 §35, 1872 §2, and 1758 §1 (part), as codified at TMC Section 18.18.080, "Basic Development Standards," are hereby amended to read as follows:

18.18.080 Basic Development Standards

Development within the Office District shall conform to the following listed and referenced standards:

OFFICE BASIC DEVELOPMENT STANDARDS

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

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

Section 7. Ordinance Nos. 2518 §8, 1976 §39, 1872 §3, and 1758 §1 (part), as codified at TMC Section 18.20.080, "Basic Development Standards," are hereby amended to read as follows:

18.20.080 Basic Development Standards

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

RCC BASIC DEVELOPMENT STANDARDS

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

Off-street parking:	
• <i>Residential</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations
• <i>Office, minimum</i>	3 per 1,000 sq. ft. usable floor area
• <i>Retail, minimum</i>	2.5 per 1,000 sq. ft. usable floor area
• <i>Other uses</i>	See TMC Chapter 18.56, Off-street Parking & Loading Regulations
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 8. Ordinance Nos. 1976 §42, 1872 §4, 1865 §25, 1830 §13, and 1758 §1 (part), as codified at TMC Section 18.22.080, "Basic Development Standards," are hereby amended to read as follows:

18.22.080 Basic Development Standards

Development within the Neighborhood Commercial Center District shall conform to the following listed and referenced standards: In the Tukwila International Boulevard corridor, there are circumstances under which these basic standards may be waived (see TMC Section 18.60.030). Certain setback and landscaping standards may be waived by the director of Community Development as a Type 2 decision when an applicant can demonstrate that shared parking is provided. If a project requires a Type 4 approval process, certain setbacks and landscaping may be waived by the BAR when an applicant can demonstrate that the number of driveways is reduced, efficiency of the site is increased, joint use of parking facilities is allowed or 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.

NCC BASIC DEVELOPMENT STANDARDS

Lot area per unit for senior citizen housing, minimum	726 sq. ft. (senior housing)
Setbacks to yards, minimum:	
• <i>Front</i>	6 feet (12 feet if located along Tukwila International Blvd. S.)
• <i>Second front</i>	5 feet
• <i>Sides</i>	10 feet
• <i>Sides, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 20 feet
• <i>Rear</i>	10 feet
• <i>Rear, if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	Ratio of 1.5:1 setback (for every 1.5 feet of bldg. height, setback 1 foot from property line) min. of 10 feet and a max. of 20 feet
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)
Landscape requirements (minimum): <i>See Landscape, Recreation, Recycling/Solid Waste Space requirements chapter for further requirements</i>	
• <i>Front</i>	5 feet
• <i>Front(s) if any portion of the yard is within 50 feet of LDR, MDR, HDR</i>	10 feet
• <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 LDR, MDR, HDR</i>	10 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
• 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 9. Ordinance Nos. 2500 §23, and 2098 §2, as codified at TMC Section 18.50.050, "Single-Family Dwelling Design Standards," are hereby amended to read as follows:

18.50.050 Single-Family Dwelling Design Standards

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

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

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

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

18.50.055 Single-Family Design Standard Exceptions

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

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

a. The structure exhibits a high degree of design quality, including a mix of exterior materials, detailing, articulation and modulation; and

b. The proposed siding material is durable with an expected life span similar to the structure; and

c. The siding material enhances a unique architectural design.

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

a. The proposed roof pitch is consistent with the style of the house (for example modern, southwestern);

b. If a flat roof is proposed, the top of the parapet may not exceed 25 feet in height;

c. If a sloped roof is proposed, it must have at least 24-inch eaves; and

d. The house exhibits a high degree of design quality, including a mix of exterior materials, detailing, articulation and modulation.

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

a. The topography of the lot is such that pedestrian access is safer or more convenient from the side or rear yard;

b. The house will be set back at least twice the minimum front yard setback;

c. The entrance is oriented to take advantage of a site condition such as a significant view; or

d. The entry feature is integral to a unique architectural design.

B. The design standards required in TMC Section 18.50.050 (5) and (6) may also be modified by the Community Development Director as a Type 2 Special Permission decision if the proposal includes a replacement of a single wide manufactured home with a double wide and newer manufactured home. The property owner can apply for this waiver only one time per property starting from the date of adoption of this ordinance. Additionally, the proposal should result in aesthetic improvement to the neighborhood.

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

Section 11. TMC Section Adopted. TMC Section 18.50.220, "Accessory Dwelling Unit (ADU) Standards," is hereby established to read as follows:

18.50.220 Accessory Dwelling Unit (ADU) Standards

A. General Standards.

1. Detached ADUs may only be built on lots that meet the minimum lot size required in the Zoning District they are located within. Attached ADUs have no minimum lot size requirement.

2. Only one ADU, either attached or detached, is permitted per parcel containing a single-family dwelling.

3. Attached ADUs may occupy a maximum of 40% of the square footage of the primary single-family dwelling (excluding the area of any attached garage) or up to 1,000 square feet, whichever is less.

4. Attached ADUs created through additions to the primary single-family dwelling shall be consistent with the roof pitch, materials and window type of the existing structure.

5. Detached ADUs may be a maximum of 800 square feet. If built over a detached garage, the detached garage would not count toward the area limit for the ADU.

6. Detached ADUs may be up to 20 feet in height, except that an ADU built over a detached garage may be up to 25 feet in total height.

7. Detached ADUs must be set back at least as far from the street as the primary single-family dwelling. This does not apply to the second front of a through or corner lot, where the unit is incorporated into an existing structure, or where there is at least 60 feet between the existing single-family dwelling and the front property line.

8. ADUs should be designed and located in a manner that minimizes the impact on adjacent development. This can be achieved by avoiding window and door placement directly across from openings on neighboring structures or where that is not

practical using clerestory windows or obscure glass. Screening with fences and landscaping can be used to limit visibility of ADUs and enhance privacy.

9. The ADU may not be sold as a condominium or otherwise segregated in ownership from the primary single-family dwelling.

10. ADUs may not be rented for periods of less than 30 days.

B. Parking.

1. One off-street parking space must be provided for each studio or one bedroom ADU, with one additional space required for each additional bedroom.

2. These ADU parking spaces are in addition to any parking spaces required for the primary single-family dwelling.

3. Tandem spaces are permitted.

C. Owner Occupancy Requirement.

1. A person who owns at least 50% of the property must physically reside in either the ADU or the primary single-family dwelling. The owner's unit may not be rented to another party for any period of time.

2. The owner must provide documentation of their occupancy such as a vehicle or voting registration. Falsely certifying owner occupancy or failure to comply with the residency requirement shall result in the loss of ADU registration and penalties per TMC Chapter 5.06.

3. The owner or owners must sign and record an affidavit on forms provided by the City acknowledging that this requirement shall run with the land.

4. If the owner occupancy requirement is violated an owner shall either:

a. Re-occupy one of the units, or

b. Remove the elements of the accessory dwelling unit that make it a complete, separate dwelling unit.

D. Failure to comply with any of the requirements of this section shall be subject to enforcement and penalties as prescribed in TMC Chapter 8.45 and the issuance of a Notice of Violation and Order in accordance with TMC Section 8.45.070.

Section 12. TMC Section Adopted. TMC Section 18.50.230, "Accessory Dwelling Unit (ADU) Registration Procedures," is hereby established to read as follows:

18.50.230 Accessory Dwelling Unit (ADU) Registration Procedures

A. To gain the City's approval to establish an ADU, a property owner shall submit a registration form, sign and record an affidavit of owner occupancy, and obtain a building permit for any necessary remodeling or construction.

B. All ADUs existing prior to the enactment of these requirements shall apply for registration within one year after the effective date of Ordinance No. 2581. Within the

one-year amnesty period existing ADUs may be registered without meeting one or more of the following standards:

1. Exceeding the permitted height for a detached ADU.
2. Exceeding the permitted area for an attached or detached ADU up to a maximum of 1,200 square feet.
3. Only providing one parking space when the ADU requires more.
4. Having a roof pitch of less than 5:12.
5. Location of the ADU on the lot.

C. Illegally-created ADUs must be brought into compliance with the life safety requirements of the Tukwila Municipal Code, International Residential Code and International Property Maintenance Code or they must be removed.

D. If either the primary single-family dwelling or the ADU will be rented, a Residential Rental Business License per TMC Chapter 5.06 must be obtained prior to occupancy of the unit by a tenant.

Section 13. Table 18-6: "Land Uses Allowed by District," as codified in TMC Title 18, relating to "Dwelling unit—Accessory," and footnote 17, are hereby amended as set forth below. The amended Table 18-6 is attached as Exhibit A.

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)	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO
17 Dwelling unit – Accessory	A	A	A	A	A	A	A								A	A	

17. See TMC Section 18.50.220 for accessory dwelling unit standards.

Section 14. Corrections by City Clerk or Code Reviser. 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 15. 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 16. 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 2nd day of July, 2018.

ATTEST/AUTHENTICATED:

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

Allan Ekberg
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Rachel B. Turpin
Rachel B. Turpin, City Attorney

Filed with the City Clerk: 6-27-18
Passed by the City Council: 7-2-18
Published: 7-6-18
Effective Date: 7-11-18
Ordinance Number: 2581

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

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

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

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

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/L1	U	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)	A	A	A	A	A			A	A							P	
Adult day care																	
Adult entertainment (subject to location restrictions ¹)																	
Airports, landing fields and heliports (except emergency sites)																	
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					
Animal Veterinary, including associated temporary indoor boarding; access to an arterial required	P	P	P	P		P	P	P	P	P							P
Automobile, recreational vehicles or travel trailer or used car sales lots ²								P	P	P	P	P					P
Automotive services, gas (outside pumps allowed), washing, body and engine repair shops (enclosed within a building), and alternate fueling station (not wholesale distribution facilities).								P	P	P	P	P	P	P	P	P	P
Beauty or barber shops																	
Bed and breakfast lodging for not more than twelve guests ³	C	C	C														
Bed and breakfast lodging (no size limit specified)																	
Bicycle repair shops								P	P	P	P	P	P	P	P	P	P
Billiard or pool rooms								A	P	P	P	P					
Boarding Homes			C														
Brew Pubs								P	P	P	P	P	P	P	P	P	P
Bus stations								P	P	P	P	P	P	P	P	P	P
Cabinet shops or carpenter shops employing less than five people								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	P	P
Cement manufacturing											U	U	U	U	U	U	U
Cemeteries and crematories	C	C	C	C	C			C	C	C	C	C				C	C

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO
P = Permitted outright; A = Accessory (customarily appurtenant and incidental to a permitted use); C = Conditional (subject to TMC 18.64); U = Unclassified (subject to TMC 18.66); S = Special Permission (Administrative approval by the Director)				C	C		C	C	C	C	C	C	C6	C6	C6		
								P	P	P	P	P	P		P		
				P7	P7			P7	P7	P7	P8	P8			P8		
Computer software development and similar uses				P	P	P	P	P	P	P	P	P	P9 C10	P	P	P	P
Contractor storage yards										P	P	P	P	P	P		
Continuing care retirement facility				C	C		C	C	C	C					C	P	
Convalescent & nursing homes & assisted living facility for not more than twelve patients		C	P	P	P	C	P	P	P	P					P	P	
Convalescent & nursing homes & assisted living facility for more than twelve patients				C	C		C	C	C	C					C	P	
Convention facilities								P	P	P	P	P			P	P	
Correctional institutes					U11						U	U					
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							
Dormitory	C	C	C	A13	A13	A13	A13	A13	A13	A13	A13	A13			A13	A13	
Drive-in theatres								C	C	C	C	C			C		
Dwelling – Detached single family (Includes site built, modular home or new manufactured home). One detached single family dwelling per existing lot permitted in MUO, O, RCC, NCC, TVS.	P	P	P	P	P	P	P	P							P	P14	
Dwelling- Detached Zero-Lot Line Units		P															
Dwelling- Duplex, triplex or fourplex or townhouse up to four attached units		P															
Dwelling- Townhouses			P														
Dwelling –Multi-family			P				P15									P14	
Dwelling – Multi-family units above office and retail uses				P		P	P	P	P						C16 22/ ac	P14	
Dwelling – Senior citizen housing, including assisted living facility for seniors *see purpose section of chapter, uses sections, and development standards		P	P meeting density and all other MDR standard	P 60/ac		P 60/ ac	P 60/ ac	P 60/ac	P 60/ac						C16 100 /ac	P14	
Dwelling unit – Accessory ¹⁷	A	A	A														

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO
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Electrical Substation – Distribution	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	P
Electrical Substation – Transmission/Switching												U		U	U	U	
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	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	P
Essential public facilities, except those uses listed separately in any of the other zones								U	U	U	U	U	U	U	U	U	U
Extended-stay hotel/motel								P	P	P	P	P				P	P
Farming and farm-related activities																P	P
Financial, banking, mortgage, other services													P9/ C3	C4	P	P	P
Fire & Police Stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
Fix-it, radio or television repair shops/rental shops							P	P	P	P	P	P				P	P
Fraternal organizations				P	P	C	P	P	P	P	P	P				P	P
Frozen food lockers for individual or family use								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	A	A	A	A													
Greenhouses or nurseries (commercial)								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	P	
Helipads, accessory																	C
Home Occupation *see definition and accessory use	A	A	A	A	A	A	A	A	A							A	A
Hospitals				C	C			C	C	C	C	C				C	P
Hospitals, sanitariums, or similar institutes																	C
Hotels								P	P	P	P	P	C	C	C	P	P
Hydroelectric and private utility power generating plants								U	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	P
Internet Data/Telecommunication Centers								C		P	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	U	U
Laundries; self-serve, dry cleaning, tailor, dyeing				P	P	P	P	P	P	P	P	P	P	P	P	P	P
Libraries, museums, or art galleries (public)	C	C	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P
Manuf./Mobile home park ¹⁸		C	P														

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RGM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO	
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A) Manufacturing, processing and/or packaging pharmaceuticals and related products, such as cosmetics and drugs							P19	P	P	P	P	P	P	P	P	P		
B) Manufacturing, processing and/or packaging previously prepared materials including, but not limited to, bags, brooms, brushes, canvas, clay, clothing, fur, furniture, glass, ink, paint, paper, plastics, rubber, tile, and wood							P19	P	P	P	P	P	P	P	P	P		
C) Manufacturing, processing, assembling, packaging and/or repairing electronic, mechanical or precision instruments such as medical and dental equipment, photographic goods, measurement and control devices, and recording equipment							P19	P	P	P	P	P	P	P	P	P		
D) Manufacturing, processing, packaging of foods, such as baked goods, beverages, candy, canned or preserved foods, dairy products and byproducts, frozen foods, instant foods, and meats (no slaughtering)																		
i) Fermenting and distilling included																		
ii) No fermenting and distilling							P19	P	P	P					P	P		
<i>Manufacturing and industrial uses that have moderate to substantial potential for creating off-site noise, smoke, dust, vibration or other external environmental impacts:</i>																		
A) Manufacturing, processing and/or assembling chemicals, light metals, plastics, solvents, soaps, wood, coal, glass, enamels, textiles, fabrics, plaster, agricultural products or animal products (no rendering or slaughtering)										C	C	C	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	C	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	C	P	P	P	C			

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	U	HI	MIC/L	MIC/H	TVS	TSD	PRO
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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			
<i>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</i>												U	U	U	U	U	
Marijuana producers, processors, or retailers (with state issued license)												P			P	P20	
Mass transit facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Medical and dental laboratories				P	P			P	P	P	P	P			P	P	
Minor expansion of an existing warehouse ²¹																S	
Mortician and funeral homes								P	P	P	P	P			P	C	
Motels								P	P	P	P	P	C	C	P	P	
Movie theaters with three or fewer screens ²²																P	
Movie theaters with more than 3 screens																S	
Offices including: medical, dental, government (excluding fire & police stations), professional, administrative, business, e.g. travel, real estate & commercial				P23	P	P23	P24	P	P	P	P	P	P9 C10	P25 C26	P	P	
Office or sample room for wholesale or retail sales, with less than 50% storage or warehousing							P										
Outpatient and emergency medical and dental services													C3	C4			
Park & ride lots				C	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	
Parks, trails, picnic areas and playgrounds (public), but not including amusement parks, golf courses, or commercial recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pawnbroker								C	C	C	C	C			P	P	
Planned Shopping Center (mall)								P	P	P	P	P			P	P27	
Plumbing shops (no tin work or outside storage)							P	P	P	P	P	P			P	P	
Radio, television, microwave, or observation stations and towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Railroad freight or classification yards												U	U	U	U		
Railroad tracks (including lead, spur, loading or storage)											P	P	P	P	P		
Recreation facilities (commercial – indoor) – athletic or health clubs				P	P	P	P	P	P	P	P	P	C3	P	P	P	
Recreation facilities (commercial – indoor), including bowling alleys, skating rinks, shooting ranges						C	C	P	P	P	P				P	P	

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	U	HI	MIC/L	MIC/H	TVS	TSO	PRO
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Recreation facilities (commercial – outdoor), including golf courses, golf driving ranges, fairgrounds, animal race tracks, sports fields										C	C	C			C		
Recreation facilities (public), including, but not limited to sports fields, community centers and golf courses	C	C	C	C	C		C	C	C	C	C	C	C	C	C		
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.				P	P	P	P	P	P	P	P	P			P		
Religious facilities with an assembly area greater than 750 sq.ft. and community center buildings				C	C	C	C	C	C	C	C	C			C	C	
Religious facility and community center buildings	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								P	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	
Residences for security or maintenance personnel				A	A	A	A	A	A	A	A	A	A	A	A	A	
Restaurants including drive through, sit down, cocktail lounges in conjunction with a restaurant								P	P	P	P	P	P	P	P	P	
Restaurants including cocktail lounges in conjunction with a restaurant				P	P	C	P										
Retail sales of furniture appliances, automobile parts and accessories, liquor, lumber/bldg. materials, lawn & garden supplies, farm supplies							P	P	P	P	P	P			P	P	
Retail sales, e.g. health/beauty aids/prescription drugs/food/hardware/notions/crafts/supplies/housewares/electronics/photo-equip/film processing/ books/magazines/stationery/clothing/shoes/flowers/plants/pets/jewelry/gifts/rec. equip/sporting goods, and similar items				P	P	P	P	P	P	P	P	P	C3	C4	P	P	
Retail sales as part of a planned mixed-use development where at least 50% of gross leasable floor area development is for office use; no auto-oriented retail sales (e.g., drive-ins, service stations)				P	P												
Rock crushing, asphalt or concrete batching or mixing, stone cutting, brick manufacture, marble works, and the assembly of products from the above materials										C	C	C	C	P	C	C	
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	C	
Salvage and wrecking operations which are entirely enclosed within a building										P	P	P	P	P	P	P	
Schools and studios for education or self-improvement				P	P	P	P	P	P	P	P	P	P9 C10	P28	P	P	

	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	U	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)																	
Schools, preschool, elementary, junior & senior high schools (public), and equivalent private schools	C	C	C	C	C	C	C	C	C						C	C	P (public only)
Secure community transition facility ²⁹														U			
Self-storage facilities	U	U	U	U	U	U		P	P	P	P	P	P	P	P	P	
Sewage lift station	P	P	P	P													
Shelter																	
Stable (private)	A30	A30	A30													P	
Storage (outdoor) of materials allowed to be manufactured or handled within facilities conforming to uses under this chapter; and screened pursuant to TMC Chapter 18.52								P	P	P	P	P	P	P	P	P	
Storage (outdoor) of materials is permitted up to a height of 20 feet with a front yard setback of 25 feet, and to a height of 50 feet with a front yard setback of 100 feet; security required																	
Storm water - neighborhood detention + treatment facilities	U	U	U	U	U	U											
Storm water pump station	U	U	U	U	U	U											
Studios – Art, photography, music, voice and dance				P	P	P		P	P	P							
Taverns, nightclubs																	
Telephone exchanges													P31	P31	P	P	
Theaters, except those theaters which constitute "adult entertainment establishments" as defined by this Zoning Code																	
Tow-truck operations, subject to all additional State and local regulations																	
Transfer stations (refuse and garbage) when operated by a public agency																	
Truck terminals																	
Utilities, regional																	
Vehicle storage (no customers onsite, does not include park-and-fly operations)																	
Warehouse storage and/or wholesale distribution facilities																	
Water pump station	U	U	U	U	U	U											
Water utility reservoir and related facilities	U	U	U	U	U	U											
Wireless Telecommunications Facilities (*see TMC Ch. 18.58)	P	P	P	P	P	P											

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

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

1. Adult entertainment establishments are permitted, subject to the following location restrictions:
 - a. No adult entertainment establishment shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - (1) In or within 1,000 feet of any LDR, MDR, HDR, MDR, MUO, O, NCC, RC, RCM or TUC zone districts or any other residentially-zoned property;
 - (2) In or within one-half mile of:
 - (a) Public or private school with curricula equivalent to elementary, junior or senior high schools, or any facility owned or operated by such schools; and
 - (b) Care centers, preschools, nursery schools or other child care facilities;
 - (3) In or within 1,000 feet of:
 - (a) public park, trail or public recreational facility; or
 - (b) church, temple, synagogue or chapel; or
 - (c) public library.
 - b. The distances specified in TMC Section 18.30.020.1.a shall be measured by following a straight line from the nearest point of the property parcel upon which the proposed use is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
 - c. No adult entertainment establishment shall be allowed to locate within 1,000 feet of an existing adult entertainment establishment. The distance specified in this section shall be measured by following a straight line between the nearest points of public entry into each establishment.
2. No dismantling of cars or travel trailers or sale of used parts allowed.
3. Retail sales of health and beauty aids, prescription drugs, food, hardware, notions, crafts and craft supplies, housewares, consumer electronics, photo equipment, and film processing, books, magazines, stationery, clothing, shoes, flowers, plants, pets, jewelry, gifts, recreation equipment and sporting goods, and similar items; retail services such as beauty and barber shops, outpatient and emergency medical/dental services, and recreation/health clubs. Retail sales and services are limited to uses of a type and size that clearly intend to serve other permitted uses and/or the employees of those uses.
4. Retail sales of health and beauty aids, prescription drugs, food, hardware, notions, crafts and craft supplies, housewares, consumer electronics, photo equipment, and film processing, books, magazines, stationery, clothing, shoes, flowers, plants, pets, jewelry, gifts, recreation equipment and sporting goods, and similar items; retail services such as beauty and barber shops, financial services, outpatient and emergency medical/dental services, and recreation/health clubs. Retail sales and services are limited to uses of a type and size that clearly intend to serve other permitted uses and/or the employees of those uses.
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. 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. located at least 175 feet from adjacent arterial streets and behind a building that, combined with appropriate Type III landscaping, provides effective visual screening from adjacent streets.
8. Commercial parking subject to TMC Chapter 18.56, Off-Street Parking and Loading Regulations.
9. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, less than 20,000 square feet. This category does not include outpatient medical and dental clinics.

10. Offices including, but not limited to, software development and similar uses, financial services, schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use, 20,000 square feet and over.
11. Correctional institution operated by the City of Tukwila.
12. Family child care homes, provided the facility shall be licensed by the Department of Early Learning or its successor agency and shall provide a safe passenger loading zone.
13. Dormitory as an accessory use to other uses that are otherwise permitted or approved conditional uses such as churches, universities, colleges or schools.
14. Allowed after residential design manual with criteria for approval is adopted by ordinance.
15. Dwelling - multi-family units on a lot that does not front on Tukwila International Boulevard South, subject to the HDR requirements of TMC Section 18.50.083, Maximum Building Length, and TMC Section 18.52.060, 2-4, Recreation Space Requirements.
16. Dwelling - Multi-family units (Max. 22.0 units/acre except senior citizen housing which is allowed to 100 units/acre, as a mixed-use development that is non-industrial in nature); must be located on property adjacent to and not greater than 500 feet from the Green River, Tukwila Pond, or Minkler Pond.
17. See TMC Section 18.50.220 for accessory dwelling unit standards.
18. Manufactured/mobile home park, meeting the following requirements:
 - a. the development site shall comprise not less than two contiguous acres;
 - b. overall development density shall not exceed eight dwelling units per acre;
 - c. vehicular access to individual dwelling units shall be from the interior of the park; and
 - d. emergency access shall be subject to the approval of the Tukwila Fire Department.
19. NCC allows businesses that include a retail component in conjunction with their manufacturing operation and meeting other performance standards of Chapter 18.22. These businesses may manufacture, process, assemble and/or package the following:
 - a. foods, including but not limited to baked goods, beverages, candy, canned or preserved foods, dairy products and by products, frozen foods, instant foods and meats (no slaughtering);
 - b. pharmaceuticals and related products such as cosmetics and drugs;
 - c. bags, brooms, brushes, 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.
20. Where the underlying zoning is HI or TV/S.

21. Minor expansion of an existing warehouse if the following criteria are met:
- The area of the proposed expansion may not exceed 5% of the floor area of the existing warehouse;
 - The proposed expansion will not increase any building dimension that is legally non-conforming;
 - Only one minor expansion may be permitted per warehouse in existence as of the date of adoption of the Tukwila South Project Development Agreement;
 - The proposed expansion must be constructed within two years of the date of approval;
 - The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
 - All measures have been taken to minimize the possible adverse impacts the proposed expansion may have on the area in which it is located.
22. Movie theaters with more than three screens if the following criteria are met:
- The applicant must demonstrate through an economic analysis that the theater will not have a significant financial impact on any other theater in Tukwila;
 - The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
 - 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;
 - All measures have been taken to minimize the possible adverse impacts the proposed theater may have on the area in which it is located.
23. Offices, when such offices occupy no more than the first two stories of the building or basement and floor above.
24. Offices, when such offices occupy no more than the first two stories of the building, or basement and floor above, or three stories, in the Urban Redevelopment Area along Tukwila International Boulevard.
25. Offices: must be associated with another permitted use (e.g., administrative offices for a manufacturing company present within the MIC).
26. Offices not associated with other permitted uses and excluding medical/dental clinics, subject to the following location and size restrictions:
- New Office Developments:
 - 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.
 - 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.
 - An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) that exceeds the maximum size limitations may be recognized as a conforming Conditional Use under the provisions of this code. An existing office development established prior to 12/11/1995 (the effective date of the Comprehensive Plan) may convert to a stand-alone office use subject to the provisions of this code.
27. Planned shopping center (mall) up to 500,000 square feet.
28. Schools for professional and vocational education if associated with an established aviation, manufacturing or industrial use.

29. Secure community transition facility, subject to the following location restrictions:
- a. No secure community transition facility shall be allowed within the specified distances from the following uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - (1) In or within 1,000 feet of any residential zone.
 - (2) Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity/facility" as defined in RCW 71.09.020 as amended, that include:
 - (a) Public and private schools;
 - (b) School bus stops;
 - (c) Licensed day care and licensed preschool facilities;
 - (d) Public parks, publicly dedicated trails, and sports fields;
 - (e) Recreational and community centers;
 - (f) Churches, synagogues, temples and mosques; and
 - (g) Public libraries.
 - (3) One mile from any existing secure community transitional facility or correctional institution.
 - b. No secure community transition facility shall be allowed on any isolated parcel which is otherwise considered eligible by applying the criteria listed under TMC 18.38.050-12.a, but is completely surrounded by parcels ineligible for the location of such facilities.
 - c. The distances specified in TMC 18.38.050-12.a shall be measured as specified under Department of Social and Health Services guidelines established pursuant to RCW 71.09.285, which is by following a straight line from the nearest point of the property parcel upon which the secure community transitional facility is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
 - d. The parcels eligible for the location of secure community transition facilities by applying the siting criteria listed above and information available as of August 19, 2002, are shown in Figure 18-11, "Eligible Parcels for Location of Secure Community Transition Facilities." Any changes in the development pattern and the location of risk sites/facilities over time shall be taken into consideration to determine if the proposed site meets the siting criteria at the time of the permit application.
30. Private stable, if located not less than 60 feet from front lot line nor less than 30 feet from a side or rear lot line. It shall provide capacity for not more than one horse, mule or pony for each 20,000 square feet of stable and pasture area, but not more than a total of two of the above mentioned animals shall be allowed on the same lot.
31. No night clubs.
32. Theaters for live performances only, not including adult entertainment establishments.