



**CITY OF TUKWILA**  
*Department of Community Development*  
6300 Southcenter Boulevard, Tukwila, WA 98188  
Telephone: (206) 431-3670

## **SPECIAL PERMISSION - DIRECTOR**

### **INFORMATION**

The Tukwila Zoning Code and Sign Code have established “Special Permission” decisions, which are more complex than straightforward applications of code standards, but do not require a public hearing. [Tukwila Municipal Code Title 18.](#)

**REQUIREMENTS:** Special permission approval by the Director is required in the following situations.

#### **Parking Deviations/Determination (Zoning Code, TMC 18.56)**

- Covenant Parking: When required parking is provided off-site. (TMC 18.53.070)
- Complementary Parking: When up to 10% of a development’s useable floor area is determined to be linked to remaining areas such that it need not provide the normally required parking.
- Administrative Variance: Reduction in the minimum number of required parking spaces of up to 10%.
- Parking Standard for Uses not specified. (TMC 18.56.100)
- Parking Lot Restriping.
- Residential Parking reduction.

#### **Landscape Deviations (Zoning Code, TMC 18.52.020)**

- Landscape perimeter averaging.
- Developing pedestrian and transit facilities within the required front yard landscape area in MDR and HDR zones.
- Substitution of pedestrian oriented space for landscaping in RCC and TUC zones.

#### **Sensitive Area Ordinance Deviations, Alterations or Uses Requiring Administrative Review and Approval (TMC 18.45.070, TMC 18.45.090, TMC 18.45.110)**

- Request for setback waiver or buffer reduction.
- Maintenance & repair of existing uses/facilities where additional fill will be placed or heavy equipment used.
- New surface water discharges.
- Placement of bioswales and/or dispersion outfalls in a wetland or watercourse buffer.
- Enhancement or other mitigation including landscaping with native plants.
- Construction of essential utilities.
- Construction of new essential public streets, roads and rights of way.
- Public or private use and access.
- Dredging, digging or filling in a sensitive area or buffer.
- Hazardous tree removal from a sensitive area.
- Any alteration to a sensitive area or its buffers, including vegetation removal.
- Transfer of wetland mitigation to a wetland mitigation bank or other off-site mitigation.
- Approval of a Sensitive Area Master Plan or any alteration to an approved Sensitive Area Master Plan.

#### **Cargo Containers as accessory structures (TMC 18.50.060 and 18.70.130)**

- Request to install a container in the LDR, MDR, HDR, RC, RCM, TUC or C/LI Zones.

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

- Request for a roof pitch flatter than 5:12 or a front door that faces the side or rear yard.

**PROCEDURES:** At the time you submit your application you must have all of the items listed on the attached “Complete Application Checklist.” You may request a waiver from items on the checklist that are not applicable to your project. Please discuss this waiver request with City staff either at a pre-application meeting or at the time of application submittal.

Within 28 days of receiving your application, City staff will determine if it is complete based on the attached checklist. If not complete City staff will mail you a letter outlining what additional information is needed. If you do not submit requested materials within 90 days from the City’s request for additional information the City may cancel your application. Once the application is complete, it will be reviewed by the Director who will issue a decision to approve, modify or deny the application based on the review criteria.

# COMPLETE APPLICATION CHECKLIST

The materials listed below must be submitted with your application unless specifically waived in writing by the Public Works Department and the Department of Community Development. Please contact each Department if you feel that certain items are not applicable to your project and should be waived. Application review will not begin until it is determined to be complete. **ADDITIONAL MATERIALS MAY BE REQUIRED.**

The initial application materials allow project review to begin and vest the applicant's rights. However, the City may require additional information as needed to establish consistency with development standards.

City Staff are available to answer questions about application materials at 206-431-3670 (Department of Community Development) and 206-433-0179 (Department of Public Works).

Check items submitted with application	<b>Information Required.</b> <i>May be waived in unusual cases, upon approval of both Public Works and Planning</i>
<b>APPLICATION MATERIALS:</b>	
	1. Application Checklist one (1) copy, indicating items submitted with application.
	2. Application Fee: See <a href="#">Land Use Fee Schedule</a> .
	3. Written description of the project, the deviation or approval being requested and response to the applicable decision criteria.
<b>ZONING CODE PARKING DEVIATION</b>	
	4. A complete description of the proposed construction relative to parking areas, and all supporting agreements.
	5. Dimensional site plan(s) to demonstrate parking area consistent with Zoning Code requirements.
	6. Parking studies as needed to demonstrate adequate parking is provided.
<b>LANDSCAPE DEVIATION</b>	
	7. Landscape plan – two (2) copies showing size and species of existing and proposed plant materials, required perimeter landscape types, parking areas, buildings, walkways, transit facilities, property lines, dimensions and area of planting beds and any calculations necessary to demonstrate compliance with review criteria.
<b>SENSITIVE AREA ORDINANCE - Deviations, Alterations or Uses Requiring Administrative Review and Approval</b>	
	8. Site Plan – two (2) copies showing all buildings, parking areas, walkways, property lines, planting areas, sensitive areas, their buffers and setbacks.
	9. Sensitive area studies, mitigation and enhancement plans to justify a requested use, deviation, alteration or buffer or setback reduction and demonstrate that the reduction will not result in a direct or indirect short-term or long-term adverse impact to the sensitive area per TMC 18.45.090(D) or 18.45.110(C). See TMC 18.45.040(B) for required elements of wetland and/or watercourse sensitive area studies and TMC 18.45.040(C) for the required elements of a geotechnical report.

<b>Check items submitted with application</b>	<b>Information Required.</b> <i>May be waived in unusual cases, upon approval of both Public Works and Planning</i>
<b>CARGO CONTAINER APPROVAL</b>	
	10. Site plan showing the location of the container(s) in relationship to parking areas, property lines, buildings, streets, trails, landscape areas and setbacks.
	11. Description of the proposed screening.
	12. Dimensions of proposed cargo container.
<b>SINGLE-FAMILY DESIGN STANDARD EXCEPTIONS</b>	
	13. Dimensioned and scalable building elevations with keyed colors and materials.
	14. The site plan must include a graphic scale, north arrow, proposed house footprint, any existing structures, lot lines, setbacks, adjacent streets, driveways, parking areas, any sensitive areas and any fences, rockeries or retaining walls.



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**SPECIAL  
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 DIRECTOR**

**APPLICATION**

<i>FOR STAFF USE ONLY Permits Plus Type: P-SP</i>	
<b>Planner:</b>	<b>File Number:</b>
<b>Application Complete Date:</b>	<b>Project File Number:</b>
<b>Application Incomplete Date:</b>	<b>Other File Numbers:</b>

**NAME OF PROJECT/DEVELOPMENT:** \_\_\_\_\_

**BRIEF DESCRIPTION OF PROJECT:** \_\_\_\_\_

**LOCATION OF PROJECT/DEVELOPMENT:** *Give street address or, if vacant, indicate lot(s), block and subdivision, access street, and nearest intersection.*

\_\_\_\_\_  
 \_\_\_\_\_

*LIST ALL TAX LOT NUMBERS (this information may be found on your tax statement).*

\_\_\_\_\_

**DEVELOPMENT COORDINATOR :**

The individual who:

- has decision making authority on behalf of the owner/applicant in meetings with City staff,
- has full responsibility for identifying and satisfying all relevant and sometimes overlapping development standards, and
- is the primary contact with the City to whom all notices and reports will be sent.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# CITY OF TUKWILA

*Department of Community Development*

6300 Southcenter Boulevard, Tukwila, WA 98188

Telephone: (206) 431-3670

## AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS PERMISSION TO ENTER PROPERTY

STATE OF WASHINGTON

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COUNTY OF KING

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. All statements contained in the applications have been prepared by me or my agents and are true and correct to the best of my knowledge.
3. The application is being submitted with my knowledge and consent.
4. Owner grants the City, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at \_\_\_\_\_ for the purpose of application review, for the limited time necessary to complete that purpose.
5. Owner agrees to hold the City harmless for any loss or damage to persons or property occurring on the private property during the City's entry upon the property, unless the loss or damage is the result of the sole negligence of the City.
6. Non-responsiveness to a City information request for ninety (90) or more days, shall be cause to cancel the application(s) without refund of fees.

EXECUTED at \_\_\_\_\_ (city), \_\_\_\_\_ (state), on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(Signature)

On this day personally appeared before me \_\_\_\_\_ to me known to be the individual who executed the foregoing instrument and acknowledged that he/she signed the same as his/her voluntary act and deed for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington  
residing at \_\_\_\_\_

My Commission expires on \_\_\_\_\_

# REVIEW CRITERIA

Please consult the Zoning Code or Sign Code as to the appropriate criteria for your specific proposals. In addition all approvals must be consistent with the Tukwila Comprehensive Plan (TMC 18.100.030). [Tukwila Municipal Code Title 18](#).

Planning Division Staff are available to discuss the decision criteria you must respond to and necessary supporting materials.

## PARKING DEVIATION

- Covenant Parking: where required parking is provided off-site (TMC 18.56.070(B));
- Complementary Parking: where up to 10% of a development's useable floor area is determined to be linked to remaining area, such that it need not provide the normally required parking (TMC 18.56.070(D));
- Reduction of the minimum required parking of up to 10%, through an administrative variance (TMC 18.56.140).

A parking reduction may be allowed after:

1. All shared parking strategies are explored.
2. On-site park and ride opportunities are fully explored.
3. 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.
4. The site is at least 300 feet away from a single-family residential zone.
5. A report is submitted providing a basis for less parking and mitigation necessary to offset any negative effects.

In addition to the above requirements, the Director may require specific measures not listed to ensure that all impacts with reduced parking are mitigated. Any spillover parking that cannot be mitigated to the satisfaction of the Director will serve as the basis for denial.

## LANDSCAPE DEVIATIONS

- The landscape perimeter may be averaged if the total required square footage is achieved, unless the landscaping requirement has been increased due to proximity to LDR, MDR or HDR. Landscape perimeter averaging may be allowed as a Type 2 special permission decision if all of the following criteria are met:
  1. Plant material can be clustered to more effectively screen parking areas and blank building walls.
  2. Perimeter averaging enables significant trees or existing built features to be retained.
  3. Perimeter averaging is used to reduce the number of driveways and curb cuts and allow joint use of parking facilities between neighboring businesses.
  4. Width of the perimeter landscaping is not reduced to the point that activities on the site become a nuisance to neighbors.
  5. Averaging does not diminish the quality of the site landscape as a whole.
- In the MDR and HDR zones up to 20% of the minimum required front yard landscaped area may be developed for pedestrian and transit facilities.
- In the RCC and TUC zones required landscaping may include a mix of plant materials, pedestrian amenities and features, outdoor café-type seating and similar features. Required plant materials will be reduced in proportion to the amount of perimeter area devoted to pedestrian oriented space.

**SENSITIVE AREA ORDINANCE** – Deviations, Alterations or Uses Requiring Administrative Review and Approval

- Setbacks TMC 18.45.080(E) and TMC 18.45.100(D).

All commercial and industrial developments shall be set back 15 feet and all residential development shall be set back ten feet, measured from the foundation to the buffer's edge. The Director may waive setback requirements when a site plan demonstrates there will be no impacts to the buffer zone from construction or occasional maintenance activities.

- Buffer Reductions TMC 18.45.080(F) and TMC 18.45.100(E). (Please note, no buffer reduction is permitted where the buffer consists of undisturbed, native vegetation.)

The Director may reduce the standard wetland/watercourse buffers on a case-by-case basis, provided the buffer does not contain slopes 15% or greater. Under certain circumstances, a buffer reduction may be considered for property with slopes less than 15% (see TMC 18.45.080(F) and 18.45.100(E)). The approved buffer width shall not result in greater than a 50% reduction in width. Any buffer reduction proposal must demonstrate to the satisfaction of the Director that it will not result in direct or indirect, short-term or long-term adverse impacts to wetlands or watercourses, and that:

1. Additional protection to wetlands will be provided through the implementation of a buffer enhancement plan;
2. The existing condition of the buffer is degraded;
3. Buffer enhancement includes, but is not limited to the following:
  - (a) Planting vegetation that would increase value for fish and wildlife habitat or improve water quality;
  - (b) Enhancement of wildlife habitat by incorporating structures that are likely to be used by wildlife, including wood duck boxes, bat boxes, snags, root wads/stumps, birdhouses and heron nesting areas; or
  - (b) Removing non-native plant species and noxious weeds from the buffer area and replanting the area subject to TMC 18.45.080(F)(2)(c)(1).

- Uses Requiring Administrative Review and Approval

The following uses may be permitted only after administrative review and approval by the Director – see TMC 18.45.070(B) or TMC 18.45.110(B) for additional guidance:

1. Maintenance & repair of existing uses/facilities where additional fill will be placed or heavy equipment used;
  2. New surface water discharges to a sensitive area;
  3. Placement of bioswales and dispersion outfalls in a wetland or watercourse buffer;
  4. Enhancement or other mitigation including landscaping with native plants;
  5. Construction of essential utilities;
  6. Construction of new essential public streets, roads and rights of way;
  7. Public or private use and access;
  8. Dredging, digging or filling in a sensitive area or its buffer;
  9. Removal of hazardous trees from a sensitive area;
  10. Transfer of wetland mitigation to a wetland mitigation bank (TMC 18.45.090(E)) or other off-site mitigation.
- Alterations Requiring Administrative Review and Approval by the Director (TMC 18.45.090(B), TMC 18.45.110(B)).
    1. Piping, rerouting or diverting a watercourse
    2. Any alteration to a sensitive area or its buffers, including vegetation removal, or alterations to wetlands less than 1,000 sq. ft. (see TMC 18.45.090(B)(5));
    3. Approval of a Sensitive Area Master Plan or any alteration to an approved Sensitive Area Master Plan

## **CARGO CONTAINERS**

Approval criteria for cargo containers to be installed in the LDR, MDR, and HDR zones for institutional uses and in the RC, RCM, TUC or C/LI zones for permitted or conditional uses:

- Only two cargo containers will be allowed per lot, maximum length 40 feet.
- The container is located to minimize the visual impact to adjacent properties, parks, trails and rights-of-way as determined by the Director.
- The cargo container is sufficiently screened from adjacent properties, parks, trails and rights-of-way, as determined by the Director. Screening may be a combination of solid fencing, landscaping, or the placement of the cargo containers behind, between or within buildings.
- If located adjacent to a building, the cargo container must be painted to match the building's color.
- Cargo containers may not occupy any required off-street parking spaces.
- Cargo containers shall meet all setback requirements for the zone.
- Outdoor cargo containers may not be refrigerated.
- Outdoor cargo containers may not be stacked.

## **SINGLE-FAMILY DESIGN STANDARD EXCEPTIONS**

The design standards required at 18.50.050 (5) and (6) may be modified by the DCD Director.

- The criteria for approval of a roof pitch flatter than 5:12 are as follows:
  1. The proposed roof pitch is consistent with the style of the house (for example modern, southwestern);
  2. If a flat roof is proposed, the top of the parapet may not exceed 25 feet in height;
  3. If a sloped roof is proposed, it must have at least 24-inch eaves; and
  4. The house exhibits a high degree of design quality, including a mix of exterior materials, detailing, articulation and modulation.
- The criteria for approval of a house with a front door that faces the side or rear yard are as follows:
  1. The topography of the lot is such that pedestrian access is safer or more convenient from the side or rear yard;
  2. The house will be set back at least twice the minimum front yard setback;
  3. The entrance is oriented to take advantage of a site condition such as a significant view; or
  4. The entry feature is integral to a unique architectural design.