



The city is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at City Hall (Council Chambers), or virtually by using the meeting access link below.

<https://sumnerwa-gov.zoom.us/j/82283374110>

One tap mobile: US: +12532158782,,82283374110# or +16699006833,,82283374110#

Or Telephone: 1 253 215 8782

Webinar ID: 822 8337 4110

CALL TO ORDER

Roll Call: Bitetto, Brown, Cole, Hochstatter, Neuman, Reed and Stuard

REGULAR BUSINESS

1. Ordinance No. 2841 - 2021/2022 Biennial Budget Final Amendment
2. Ordinance No. 2842 - Sumner Municipal Code Update - Zero Lot Line Subdivisions
3. Resolution No. 1645 - WSCJTC Police Officer Wellness Grant Award

CITY ADMINISTRATOR REPORT

AGENDA SETTING

1. Council Meeting Agenda Calendar
2. Council Committee Meeting Calendar

EXECUTIVE SESSION

To discuss with legal counsel labor negotiations, pursuant to RCW 42.30.10(g).

ADJOURNMENT

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact the City Clerk at (253) 299-5590, 24 hours in advance.

SUBJECT: Ordinance No. 2841 - 2021/2022 Biennial Budget Final Amendment

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: Per Exhibit

Within Budget Allocation: Yes, as amended

ATTACHMENTS:

1. Ordinance No. 2841 - 2021/2022 Biennial Budget Final Amendment
2. 2021/2022 Budget Amendment Detail

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

As we approach the end of the 2021/2022 biennium, staff has reviewed the biennial budget for necessary amendments to appropriations. This final budget amendment addresses the following:

- All Funds: Provides for changes to Fund 551 (Information Technology) for operational needs (\$219,500). This amount is allocated to user funds based on direct costs and proportionate share of staffing. Of this amount, \$101,000 is related to the MS Teams rollout previously approved by City Council.
- General Fund (001): Recognizes \$121,420 in facility needs and repairs, including replacements and repairs necessitated from theft or vandalism damage. Recognizes \$2,100 in revenue from Nights on Ryan to the Arts Commission, and increases the commission appropriation by the same amount.
- Utility Funds (401, 402, 408): Appropriates \$14,200 for a telemetry upgrade at the Central Well. Also provides an accounting entry to appropriate funding for the TC: Utility/Woonerf project (\$320,140 to Sewer Fund and \$812,910 to the Stormwater Fund).
- Cemetery Operations (410): Recognizes increased revenue activity and appropriations for resale items.

Ord No. 2841		
BA 12/05/2022		
	<i>Revenues</i>	<i>Expenditures</i>
General Fund	\$ 2,100	241,350
Reserve Funds	-	-
Special Revenue Funds	-	-
Debt Service Funds	-	-
Capital Funds	-	-
Utility Funds	-	1,214,830
Other Enterprise Funds	81,300	100,090
Internal Service Funds	219,500	222,550
Fiduciary Funds	-	-
	\$ 302,900	\$ 1,778,820

COUNCIL COMMITTEE/STUDY SESSION:
MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve Ordinance No. 2841 amending the 2021/2022 Biennial Budget.

**ORDINANCE NO. 2841
CITY OF SUMNER, WASHINGTON**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE 2021-2022 BIENNIAL BUDGET AS ORIGINALLY ADOPTED IN ORDINANCE NO. 2758, APPROVED DECEMBER 7, 2020, AND PREVIOUSLY AMENDED IN ORDINANCE 2762, APPROVED FEBRUARY 16, 2021, ORDINANCE 2771, APPROVED APRIL 19, 2021, ORDINANCE 2786, APPROVED AUGUST 2, 2021, ORDINANCE 2790, APPROVED AUGUST 16, 2021, ORDINANCE 2791, APPROVED AUGUST 16, 2021, ORDINANCE 2797, APPROVED OCTOBER 18, 2021, ORDINANCE 2802, APPROVED DECEMBER 6, 2021, ORDINANCE 2803, APPROVED DECEMBER 6, 2021, ORDINANCE 2804, APPROVED JANUARY 18, 2022, ORDINANCE 2813, APPROVED FEBRUARY 7, 2022, ORDINANCE 2815, APPROVED MARCH 21, 2022, ORDINANCE 2818, APPROVED APRIL 4, 2022, ORDINANCE 2820, APPROVED JUNE 21, 2022, ORDINANCE 2831, APPROVED AUGUST 1, 2022, ORDINANCE 2833, APPROVED SEPTEMBER 19, 2022, ORDINANCE 2834, APPROVED SEPTEMBER 19, 2022, AND ORDINANCE 2837, APPROVED OCTOBER 17, 2022.

WHEREAS, The Sumner City Council approved Ordinance No. 2758 which adopted a biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2762 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2771 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2786 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2790 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2791 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2797 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2802 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2803 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2804 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2813 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2815 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2818 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2820 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2831 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2833 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2834 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2837 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, RCW 35A.34 provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, RCW 35A.34.130 requires that the adopted biennial budget be subject to a mid-biennial review and modifications as needed; and

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

Section 1. Amendment. The biennial budget for the City of Sumner for the period January 1, 2021 through December 31, 2022 as contained in the adopted 2021-2022 Biennial Budget for total revenue/sources and expenditures/uses as approved by the City Council, is hereby amended by Total Revenue and Expenditures for each fund as shown on the attached Exhibit A.

Section 2. 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; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of the ordinance or the validity of its application to other person's circumstances.

Section 4. Effective Date. This Ordinance shall become effective five (5) days from and after its passage, approval, and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 5th day of December, 2022.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

Funds	Beginning Fund			Ending Fund				
	Balance		Revenues	Expenditures			Balance	
	<i>Adopted</i>	<i>Adopted</i>		<i>Previous</i>	<i>12/05/22</i>	<i>Adopted</i>	<i>Previous</i>	<i>12/05/22</i>
001 General	\$ 5,978,542	\$ 31,643,467	\$ 624,370	\$ 2,100	\$ 31,919,065	1,793,835	\$ 241,350	\$ 4,294,229
002 General Fund Reserves	980,824	-	-	-	-	-	-	980,824
003 Building Reserves	475,000	200,000	-	-	80,000	150,000	-	445,000
103 Complete Streets	241,851	-	-	-	200,000	41,654	-	197
105 Drug Enforcement	63,457	-	-	-	4,500	-	-	58,957
106 Hotel/Motel	273,747	215,000	25,000	-	106,245	318,000	-	89,502
115 ARPA Funding	-	-	3,710,676	-	-	3,581,000	-	129,676
200 Debt Service	2,570,000	527,200	-	-	520,000	-	-	2,577,200
221 LID Guarantee	694,969	-	-	-	-	-	-	694,969
302 Sidewalk	477,769	4,308,069	(310,000)	-	3,524,069	(310,000)	-	1,261,769
305 Real Estate Excise Tax	1,093,200	1,600,000	-	-	-	1,776,000	-	917,200
307 LID Capital Project Fund	9,545	-	-	-	-	-	-	9,545
310 Parks & Trails Capital Fund	544,740	1,237,500	2,456,000	-	1,237,500	2,503,222	-	497,518
320 Street Capital Fund	826,206	6,709,520	4,010,700	-	7,679,245	2,711,700	-	1,155,481
325 Facilities Capital Fund	183,773	26,200,000	276,000	-	15,700,000	956,000	-	10,003,773
401 Water	13,477,844	11,104,747	1,025,000	-	15,719,366	2,815,421	30,480	7,042,323
402 Wastewater	20,996,349	15,706,582	591,050	-	18,404,296	3,207,508	356,350	15,325,826
403 Utility Bond Reserves	1,729,536	-	-	-	-	-	-	1,729,536
408 Stormwater	14,788,274	14,201,134	-	-	18,573,507	369,622	828,000	9,218,279
410 Cemetery Operations	31,493	1,352,800	-	81,300	1,358,895	13,260	91,370	2,068
415 Cemetery Development	-	-	160,000	-	-	155,000	-	5,000
440 Animal Control	12,239	1,496,319	121,184	-	1,460,055	114,855	8,720	46,112
501 Unemployment Insurance	43,989	-	-	-	3,055	-	-	40,934
550 Fleet Management	6,261	1,251,664	7,200	-	1,251,660	7,890	2,900	2,675
551 Information Technology	273,009	2,385,042	169,930	219,500	2,385,040	164,396	219,650	278,395
555 Equipment Reserve	1,013,749	1,297,245	315,000	-	790,000	407,700	-	1,428,294
601 Cemetery Endowment	1,472,385	60,000	-	-	-	-	-	1,532,385
603 Alder Ave Remediation	25,649	-	-	-	-	-	-	25,649
605 Development Impact Fees	7,026,351	700,000	-	-	3,397,200	835,000	-	3,494,151
611 Firemen's Pension	11,832	160,000	-	-	160,000	-	-	11,832
Total All Funds	\$ 75,322,583	\$ 122,356,289	\$ 13,182,110	\$ 302,900	\$ 124,473,699	\$ 21,612,063	\$ 1,778,820	\$ 63,299,300

Fund	Year	Department	Type	Description	Amendment	Comment
001	2022	Special Event Fees	Revenue	Nights on Ryan Vendor Fees	2,100.00	
001	2022	Arts Commission	Expense	Nights on Ryan Vendor Fees	2,100.00	
001	2022	Facilities	Expense	Uplift Desk	1,800.00	
001	2022	Facilities	Expense	Facility Supplies	13,900.00	Cyberlock, remodel, facility needs
001	2022	Facilities	Expense	Covid supplies and air purification	9,600.00	
001	2022	Facilities	Expense	902 Kincaid	20,000.00	Building assessments
001	2022	Facilities	Expense	Ryan House	12,000.00	Fire Alarm replacement
001	2022	Parks	Expense	Sk8 Park Repairs	13,000.00	Core drilling & repairs
001	2022	Parks	Expense	Install temporary pole at WWTF	17,000.00	Pole for temp Parks location
001	2022	Parks	Expense	Loyalty Park	8,200.00	Resurfacing and replace zip line seat
001	2022	Parks	Expense	Rainier View Park	7,620.00	Arson repair and playground replacement parts
001	2022	Parks	Expense	Pop Up Dog Park	3,700.00	Supplies
001	2022	Parks	Expense	Garbage Cans	3,000.00	
001	2022	Parks	Expense	Chain Saws	2,200.00	Replace from theft
001	2022	Parks	Expense	BHSC Repairs	1,800.00	Plumbing repairs
001	2022	Parks	Expense	Restroom Gates	4,000.00	
001	2022	Parks	Expense	Stuck Park Fence Repair	1,500.00	
402	2022	Cap Exp: Sewer	Expense	TC: Woonerf/Utility Project	320,140.00	Accounting cleanup
408	2022	Cap Exp: Stormwater	Expense	TC: Woonerf/Utility Project	812,910.00	Accounting cleanup
410	2022	Cemetery Operations	Revenue	Recognized increased activity	81,300.00	Lot sales, openings/closings, vaults, urns, markers
410	2022	Cemetery Operations	Expense	Headstone Repairs	1,200.00	Repairs from April windstorm
410	2022	Cemetery Operations	Expense	Items Purchased for Resale/Inventory	82,000.00	Recognize increased activity through biennium
410	2022	Cemetery Operations	Expense	Lowering Device	2,000.00	Budgeted \$11K already, this is additional cost
401	2022	Water Operations	Expense	Central Well Telemetry Upgrade	14,200.00	Transfer out to Fund 551 to fund project
551	2022	Charges for Services	Revenue	Central Well Telemetry Upgrade	14,200.00	Transfer in from Fund 401 to fund project
551	2022	Info Tech	Expense	Central Well Telemetry Upgrade	14,200.00	Telemetry improvement @ Central Well
551	2022	Info Tech	Expense	Office & Operating Supplies	440.00	Batteries & other supplies
551	2022	Info Tech	Expense	Small Tools & Minor Equipment	20,560.00	MS Teams gear, other minor equipment
551	2022	Info Tech	Expense	Minor Equipment: Network	8,490.00	Network cabling, Netmotion licenses
551	2022	Info Tech	Expense	Minor Equipment: Computers	18,650.00	Webcams, laptops (Council, PD, Parks for stolen)
551	2022	Info Tech	Expense	Minor Equipment: Printers	540.00	Printer for Finance
551	2022	Info Tech	Expense	Minor Equipment: Software	91,120.00	MS Teams (Council approved), other software
551	2022	Info Tech	Expense	Minor Equipment: Monitors	7,730.00	Monitors, monitor arms
551	2022	Info Tech	Expense	Minor Equipment: Cyber	7,410.00	Defender, AccountWise
551	2022	Info Tech	Expense	Minor Equipment: SaaS	36,080.00	ConnectWise, FilePro, other software
551	2022	Info Tech	Expense	Professional Services	9,010.00	Various support needs
551	2022	Info Tech	Expense	Communications	5,420.00	Teams lines for testing
551	2022	Info Tech	Revenue	Charges for Service	205,300.00	Assessments to user departments

001	2022	General Fund	Expense	Internal Service: Charge for Svc	119,930.00	Assessment for IT costs
401	2022	Water Fund	Expense	Internal Service: Charge for Svc	16,280.00	Assessment for IT costs
402	2022	Sewer Fund	Expense	Internal Service: Charge for Svc	36,210.00	Assessment for IT costs
408	2022	Stormwater Fund	Expense	Internal Service: Charge for Svc	15,090.00	Assessment for IT costs
410	2022	Cemetery Fund	Expense	Internal Service: Charge for Svc	6,170.00	Assessment for IT costs
440	2022	Metro Animal Services	Expense	Internal Service: Charge for Svc	8,720.00	Assessment for IT costs
550	2022	Fleet Operations	Expense	Internal Service: Charge for Svc	2,900.00	Assessment for IT costs

Fund	Name	RV	XP	Change to Fund Balance
001	General Fund		2,100	241,350
003	Building Reserve		-	-
103	Complete Streets		-	-
106	Tourism Tax		-	-
115	ARPA Funding		-	-
200	Debt Service		-	-
221	LID Guarantee Fund		-	-
302	Sidewalk Fund		-	-
305	REET Fund		-	-
307	LID Development Fund		-	-
310	Parks & Trails Capital Fund		-	-
320	Street Capital Fund		-	-
325	Facilities Capital Fund		-	-
401	Water Fund		-	30,480
402	Sewer Fund		-	356,350
408	Stormwater Fund		-	828,000
410	Cemetery Operations		81,300	91,370
415	Cemetery Development		-	-
440	Metro Animal Services		-	8,720
501	Unemployment Insurance		-	-
550	Fleet Operations		-	2,900
551	Information Technology		219,500	219,650
555	Fleet Replacement		-	-
603	Alder Ave Remediation		-	-
605	Developers Impact Fee Fund		-	-
			302,900	1,778,820
	Check		302,900	1,778,820
			-	-

SUBJECT: Ordinance No. 2842 - Sumner Municipal Code Update - Zero Lot Line Subdivisions

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2842 - Sumner Municipal Code Update - Zero Lot Line Subdivisions
2. Staff Report Zero Lot Line Subdivisions
3. Presentation - Zero Lot Line Subdivisions

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

Housing Action Plan: Sumner's 2021 Housing Action Plan (HAP) examined housing needs in Sumner and identified gaps in available housing and affordable housing. City staff is working on implementing the City Council's priorities from the HAP, which include reducing barriers to Zero Lot Line Subdivisions.

Description: A zero lot line subdivision is method of creating zero lot line homes, a type of single-family dwelling that shares a common wall with another. Zero lot line homes can take various forms, such as a townhouse or duplex/fourplex. But unlike condominiums, the homeowner has separate ownership of the unit, the ground beneath, and often ownership of a private front and back yard. Zero lot line homes are single-family attached dwellings that are sold fee-simple, like a single-family home, making this a more affordable option for home ownership. The Planning Commission reviewed the proposed code in August 2022, held a public hearing in September 2022, and voted unanimously to recommend approval to the Council.

What is proposed: Staff, working with consultant LDC Inc., is proposing to streamline the zero lot line subdivision (ZLLS) permit process, make them easier to develop, and update standards. The proposed code would:

- Allow ZLLS only in medium- and high-density residential zones.
- Consolidate ZLLS standards into a new ZLLS section in the subdivision code to improve the permit process.
- Set minimum lot sizes and other standards for ZLLS homes to mirror townhome standards.
- Require privately owned open space and common open space.
- Continue 2 parking stalls per dwelling, with flexible visitor parking spaces.
- Create special access standards to allow small private roads, increasing feasibility for developments.
- Require Design Review of the buildings (e.g. townhouse style) but streamline the process.
- Allow conversion of condos and multiplexes to ZLLS dwellings as an ownership option.

COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:
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STAFF RECOMMENDATIONS/MOTION:

Discuss the ordinance and provide comments and guidance to staff.

ORDINANCE NO. 2842
CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, UPDATING REGULATIONS FOR ZERO LOT LINE SUBDIVISIONS IN TITLE 17, UPDATING DEFINITIONS AT CHAPTER 17.04 FOR PRIVATE DRIVE AISLE, PARENT LOT AND ZERO LOT LINE DWELLING; AMENDING SECTIONS 17.28.050, 060, 130; ADDING NEW SECTIONS 17.28.205, 17.28.340, AND 17.28.350 RELATED TO SUBDIVISION STANDARDS; ADDING A NEW SECTION 17.28.360 RELATED TO CONVERSION OF DWELLINGS; AMENDING TITLE 18 PROVISIONS FOR ZERO LOT LINE SUBDIVISIONS, INCLUDING AMENDING CHAPTER 18.04 DEFINITIONS; AMENDING CHAPTER 18.14 RELATED TO ALLOWED USES AND PROPERTY DEVELOPMENT STANDARDS IN THE MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES; AMENDING SECTION 18.16.040 RELATED TO RESIDENTIAL AND COMMERCIAL USES; AMENDING SECTION 18.30.080 RELATED TO EAST SUMNER DEVELOPMENT STANDARDS; AMENDING SECTION 18.30.110 RELATED TO PRIVATE STREETS; AMENDING CHAPTER 18.40 DESIGN REVIEW SECTION 18.40.020 RELATED TO TYPES OF REVIEW; AND AMENDING SECTION 18.42.040 RELATED TO REQUIRED PARKING SPACES.

WHEREAS, the City Council finds that zero lot line subdivisions and resulting zero lot line homes can provide options for affordable housing, first-time homeownership, senior housing and other needed housing in Sumner; and

WHEREAS, the City Council has expressed a desire to streamline permit processes and reduce regulatory barriers to zero lot line subdivisions; and

WHEREAS, the City Council finds that it is in the public interest to establish standards for zero lot line subdivisions in order to create compact zero lot line neighborhoods while providing amenities such as open space, and maintaining adequate parking and setbacks from adjacent uses; and

WHEREAS, on August 4, 2022 the Planning Commission held study session on the proposed amendments, and a duly-advertised public hearing on September 1, 2022; and

WHEREAS, on September 1, 2022 the Planning Commission voted by a 7-0 vote to recommend adoption by the City Council of the proposed regulations updates as set forth in this ordinance; and

WHEREAS, this proposal was forwarded to the Washington State Department of Commerce for the Expedited 15-day State review per the Growth Management Act on August 3, 2022; and

WHEREAS, the City Council finds the proposed amendments to be consistent with the Sumner Comprehensive Plan and the Sumner Municipal Code criteria for Zoning Code amendments;

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

Section 1. That Sumner Municipal Code Section 17.04.060 Definitions is hereby amended to add a definition as follows:

17.04.060 Definitions.

“Conversion” means to change the lots in a condominium, duplex or multiplex development to individual fee-simple ownership lots; a “conversion development” means a development of two or more dwellings that has undergone a conversion to a zero lot line subdivision.

[...]

“Parent lot” means the entire property comprising the site that contains the individual condominium units or individual zero lot line units in the development.

[...]

“Private drive aisle” means a road that is not dedicated to the city but is owned in common by all the property owners within, and used as access to, a zero lot line subdivision or zero lot line short subdivision.

[...]

“Zero lot line dwelling” means a single-family-dwelling that shares a wall with additional zero lot line dwellings as defined in 18.04.1122.

Section 2. That Sumner Municipal Code Section 17.28.050 Required Improvements – Full Subdivisions, is hereby amended to read as follows:

17.28.050 Required improvements – Full subdivisions.

Minimum improvements within each major plat or binding site plan and along contiguous arterials shall consist of paved streets or private drive aisles in zero lot line subdivisions per the requirements of this title, installed curbs and gutters, sidewalks, monuments, sanitary and storm sewers, street lights, water mains, street trees, street name signs and all appurtenances thereto in accordance with the adopted city transportation and utility comprehensive plans and the Sumner Development Specifications and Standard Details.

Section 3. That Sumner Municipal Code Section 17.28.060 Required Improvements – Short Subdivisions, is hereby amended to read as follows:

17.28.060 Required improvements – Short subdivisions.

Street, water, sewer and storm drainage facilities adjacent to or within a short subdivision shall be in conformance with the adopted city transportation and utility comprehensive plans and the Sumner Development Specifications and Standard Details. Access to zero lot line subdivisions

shall consist of private drive aisles meeting the standards at SMC 17.28.205, unless a public street is otherwise required by this title. Easements for utilities recommended by such plans shall be provided to the city, the exact location of such easements to be determined by the city engineer.

[...]

Section 4. That Sumner Municipal Code Section 17.28.130 Access for Short Subdivisions is hereby amended to read as follows:

17.28.130 Access for short subdivisions.

- A. Private access allowed. All short subdivisions and zero lot line short subdivisions shall border on an opened, constructed and maintained public street. All lots within a short subdivision shall either border on an opened, constructed and maintained public street, or shall be served by a private streetroad, private drive aisle or shared driveway having direct access to a public street as set forth in this chapter.
- B. Public streets required. Dedication of a public street or streets serving the short subdivision or zero lot line short subdivision shall be required, ~~and a proposed short subdivision shall be processed as a formal subdivision~~ whenever the city engineer or his or her designee finds that one or more of the following conditions applies:
1. The general alignment of a proposed private streetroad follows the general alignment of a future arterial recommended by the comprehensive plan.
 2. The general alignment of a proposed private streetroad can be reasonably modified to provide a desirable through connection between two or more existing or planned public streets.
 3. A public street would be necessary to provide adequate access to adjacent property not subject to the proposed short subdivision.
 4. The subdivision is an accumulative short subdivision under SMC 17.12.090.
- C. All private streetsroads shall meet the standards as set forth in SMC 17.28.200. All private drive aisles shall meet the standards as set forth in SMC 17.28.205.
- D. When any approved public street lying adjacent to the property being short subdivided or zero lot line short subdivided has insufficient width or for any other reason does not conform to minimum street standards, sufficient additional right-of-way shall be dedicated to the city and appropriate improvements shall be made by the subdivider to conform the abutting street to such standards in order to provide street and traffic infrastructure to support the development. Such improvements may be delayed if guaranteed to the satisfaction of the city engineer or his or her designee. Any such guarantee shall be recorded with the plat and shall be binding upon the property owner and the owner's heirs, successors and assigns. In deciding whether any delays should be allowed, the city engineer or his or her designee shall consider the present and future need for such improvement, the improved or unimproved nature of adjacent right-of-way, and whether or not street grades have been established.

Section 5. That Sumner Municipal Code Chapter 17.28 Subdivision Development Standards is hereby amended to add a new section 17.28.205 as follows:

17.28.205 Private drive aisles.

- A. Applicability. The provisions of this section apply exclusively to the zero lot line subdivision and zero lot line short subdivision of land for attached single-family dwellings. For the purposes of this section, the term subdivision includes zero lot line subdivision and zero lot line short subdivision.
- B. Access to individual dwelling units within a zero lot line subdivision may be provided by a private street or private drive aisle, except that a public street shall be required whenever the city engineer or his or her designee finds that any of the conditions listed in SMC 17.28.130(B) Access for Short Subdivisions apply.
- C. Private drive aisles shall meet the following minimum standards:
 - 1. Where private drive aisle takes access from another private drive aisle with no direct connection to a public street:
 - a. Provide a minimum 15-foot-wide travel surface; provided the fire marshal approves an alternate access for fire/emergency vehicles; and
 - b. Provide a minimum 5-foot-wide pedestrian walkway except where the drive aisle provides access to the rear of the units and pedestrian access to the units is provided on another street or private drive aisle.
 - 2. Where private drive aisle directly connects to a public street:
 - a. Provide a minimum 20-foot-wide travel surface; and
 - b. Provide two five-foot-wide sidewalks for a total 30-foot drive aisle width.
 - 3. Private drive aisles may include designated parking lanes, where adequate travel surface is provided. Total width of a private drive aisle with parking lanes shall be the required width of the travel surface and any required walkway plus the required dimension of the parking stalls as stated in SMC 18.42.030(B) minimum parking area dimensions.
 - 4. Surfacing:
 - a. Private drive aisles shall be paved with asphalt or concrete.
 - b. Private drive aisles shall comply with the adopted alley cross-section in the City of Sumner Development Specifications and Standard Details, specifically Detail R6-2.1 and R6-2.2, or as hereinafter amended.
- D. Private drive aisles shall be placed in a separate tract or easement and owned in common between all property owners within the subdivision or short subdivision.

Section 6. That Sumner Municipal Code Chapter 17.28 Subdivision Development Standards is hereby amended to add a new section 17.28.340 as follows:

17.28.340 Development standards for zero lot line subdivisions and zero lot line short subdivisions.

- A. Applicability. The provisions of this section apply exclusively to the zero lot line subdivision and zero lot line short subdivision of land for attached single-family dwellings, such as townhouse, cottage housing, or multiplex developments in zones where such uses are allowed. For the purposes of this section, the term subdivision includes zero lot line subdivision and zero lot line short subdivision.
- B. Zero lot line subdivisions may be used to subdivide a parcel(s) into individual lots that each contain one housing unit. The development shall meet the development standards applicable to the underlying site and zone. Any private open space for each dwelling unit shall be provided on the same lot as the dwelling unit.
- C. Zero lot line lot area and lot width per lot for purposes of subdivision may be as small as the minimum lot area and lot width specified in SMC 18.14.070 plus any required private open space.
- D. Zero lot line subdivisions are also subject to the lot dimensions, lot coverage, open space requirements and other development standards at SMC 18.14.070 and performance standards at SMC18.14.080.
- E. Parking for zero lot line subdivisions:
1. Provide a minimum of two stalls per unit, which may be covered.
 2. Required spaces and access drives shall be improved with asphalt, concrete, or similar dustless, hard surface. Tandem parking may be allowed at a maximum of 30 percent of the per-unit on-site parking stalls.
 3. Visitor stalls shall be provided at 0.25 stalls per unit; stalls may be provided on site or as on-street parking if located within 250 feet of the development on a public street that abuts the development, provided no more than 50 percent of the required guest parking is allowed off-site.
- F. Driveways. Driveways for any unit with a private driveway shall be a minimum of 18 feet deep.
- G. Open space. Minimum open space shall be provided as follows:
1. Minimum private open space per lot shall be 200 square feet per unit; and minimum common open space per lot shall be 100 square feet per unit; except that open space may be reduced in accordance with subsection (G)(2).
 2. Zero lot line subdivisions and zero lot line short subdivisions with 12 or fewer units or that provide private open space at an additional 25 percent per unit may receive a waiver from this requirement if the applicant can demonstrate that the development is within a quarter-mile of a public park and adequate pedestrian facilities to said park serve the site.
 3. Open space shall be useable and directly accessible from the unit. Required setback areas with a dimension less than 10 feet shall not be counted toward the minimum

required open space.

- H. Prior to final subdivision approval and recording, site development may commence upon approval of clearing and grading plans, and building construction may commence upon approval of all applicable building design and construction approvals.

Section 7. That Sumner Municipal Code Chapter 17.28 Subdivision Development Standards is hereby amended to add a new section 17.28.350 as follows:

17.28.350 Maintenance and recording zero lot line subdivisions and zero lot line short subdivisions.

- A. Portions of the parent lot not subdivided for individual zero lot line units shall be owned in common by the owners of the individual lots, or by a homeowners association comprised of the owners of the individual lots located within the parent lot.
- B. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common garage, parking, and vehicle access areas; on-site recreation areas; landscaping; underground utilities; common open space; exterior building facades and roofs; and other similar features, shall be executed and recorded with the county auditor's office.
- C. A zero lot line subdivision shall make adequate provisions for ingress, egress, and utilities access to and from each lot created by reserving such common areas or other easements over, under, and across the parent lot as deemed necessary to comply with all other design and development standards generally applicable to the underlying site, and such easements shall be recorded with the county auditor's office and depicted on the face of the recorded final subdivision or short subdivision map.
- D. Each lot in a zero lot line subdivision shall provide a five-foot wide building maintenance easement for walls, eaves, chimneys, and other architectural features that rest directly on the lot line. The maintenance easement shall be included in the covenants, conditions, and restrictions of the adjoining lots, and shall be recorded with the covenants, conditions, and restrictions, and depicted on the face of the recorded final subdivision or short subdivision map.
- E. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:
1. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot by the site development plan approval;
 2. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved preliminary zero lot line subdivision;

3. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction, or replacement of the structure(s) shall conform to the approved preliminary zero lot line subdivision or short subdivision; and
4. Additional development of the individual zero lot line lots may be limited as a result of the application of special development standards to the parent lot.

Section 8. That Sumner Municipal Code Chapter 17.28 Subdivision Development Standards is hereby amended to add a new section 17.28.360 as follows:

17.28.360 Conversion of existing dwellings to zero lot line dwellings.

- A. Purpose. The purpose of this section is to provide a streamlined subdivision process for certain condominium and multiplex dwellings that convert into fee simple ownership dwellings, thereby increasing home ownership options in the community.
- B. Applicability. This section applies to the following types of residential dwellings:
 1. Duplex and multiplex dwellings lawfully constructed under a valid building permit prior to January 1, 2022; or
 2. Townhouse condominiums for which a binding site plan or site development permit was issued by the city after January 1, 2018; and
 3. Are located in the Medium Density Residential or High Density Residential zones.
- C. No increase in the number of existing dwelling units is allowed, except that additional zero lot line dwellings may be created, provided:
 1. The maximum allowable density for the zone is not exceeded; and
 2. Any new dwellings are subject to standards for new zero lot line dwellings in SMC Title 17 and Title 18.
- D. The director may approve the conversion of residential dwellings subject to this section to zero lot line dwellings, subject to all of the following:
 1. The conversion shall be processed as a short subdivision or full subdivision under SMC Title 17 based on the number of proposed lots, in accordance with SMC 17.04.040(A).
 2. The conversion application shall include submittal of the applicable subdivision land use permit fee established at SMC 18.56.060.
 3. The conversion application shall include maintenance agreements, covenants and owner concurrence documents, containing:
 - a. A copy of the site development permit issued by the city or, where such permit document is not available, a current site plan showing buildings, landscaping, parking and infrastructure;
 - b. Maintenance and recording documents required in SMC 17.28.350;
 - c. A copy of any existing recorded covenants, conditions and restrictions, property owners' association bylaws and incorporation documents, and all other private

- restrictions or provisions currently applicable or which may become applicable to the subject property; and
- d. Evidence of the vote or applicable association community approval by a majority with ownership interest authorizing the submittal of the application for conversion.
 4. The conversion development shall comply with requirements in SMC chapter 17.28 for zero lot line subdivisions and zero lot line short subdivisions, except that the director may waive the following standards:
 - a. Lot dimensions and other development standards; provided, the parent lot is in compliance with the applicable codes for the existing development; and
 - b. Street and access standards; except as follows:
 - i. Where an existing development being subdivided pursuant to this section would otherwise be required to comply with SMC 17.28.130 requirements for a public street, the director may require an alternate public connection through the subject property that provides a pedestrian or driveway connection to the public street system.
 5. Dwellings subject to this section are not subject to SMC chapter 18.40 design and development guidelines; provided that the director may require administrative design review of new dwellings.
 6. The conversion development is deemed to have satisfied the standards in effect at the time of original permit approval and, therefore, is not required to satisfy new traffic study requirements or traffic concurrency review, nor required to pay traffic impact fees or system development charges; except as otherwise required for any new dwellings, or expansion of existing infrastructure or impervious surfaces.
 7. Where no increase in number of dwellings, or expansion of existing infrastructure or impervious surfaces is proposed, the conversion development is deemed to have satisfied the standards in effect at the time of original permit approval and, therefore, is not required to satisfy current requirements for studies, reviews, impact fees or infrastructure upgrades; as provided below:
 - a. Traffic study requirements, traffic concurrency review, traffic impact fees and system development charges are not required;
 - b. Upgrades to current fire and building code are not required, provided the fire marshal and building official determine that the development satisfies applicable international fire code and international building code requirements.
 - c. Upgrades to infrastructure are not required, provided the city engineer determines that the development currently provides access, water, sewer and storm drainage facilities consistent with applicable city transportation and utility comprehensive plans and the Sumner Development Specifications and Standard Details. Where deemed necessary for public convenience or safety, the city engineer may require a sidewalk to be installed or repaired along the development street frontage.
 8. Pursuant to SMC 16.04.100(A), a SEPA environmental checklist is not required and a SEPA threshold determination is not required for a conversion development where SEPA compliance has been completed; provided that the conversion is substantially in

conformance with the original scope, and that any new dwellings and expansion do not exceed adopted SEPA categorical exemption thresholds under SMC 16.04.085.

E. **Approval criteria.** The director shall find that all of the following exist before approving conversions under this section:

1. The conversion will not cause the subdivision to be incompatible with the previously approved site plan in effect at the time of conversion.
2. Residents and owners of each unit to be converted have received a 90-day notice of the conversion.
3. The conversion will not cause the subdivision to violate any applicable city policy or regulation.
4. The conversion will not create undue detrimental impacts to the surrounding land uses or natural environment.

Section 9. That Sumner Municipal Code Section 18.04.0725 is hereby amended to read as follows:

18.04.0275 Condominium.

“Condominium” means joint ownership of real property in which each owner enjoys exclusive ownership of an individual apartment or unit with or without a parcel of land ~~by holding a fee simple title thereto and retaining~~ and retains an undivided interest, as tenants in common, in the common facilities and areas of buildings.

Section 10. That Sumner Municipal Code Section 18.04.1120 is hereby amended to read as follows:

18.04.1120 Zero lot line detached dwelling.

“Zero lot line detached dwelling” means ~~the location of a building a detached single family building located~~ on a lot in such a manner that one or more of the building’s sides rests directly abutting on a lot line, with the other building sides separated by a minimum distance of one side yard from other detached dwellings. (Refer to Figure 18.04-H.)

Section 11. That Sumner Municipal Code Section 18.04.1122 is hereby amended to read as follows:

18.04.1122 Zero lot line dwelling.

“Zero lot line dwelling” means an attached single-~~family~~unit dwelling ~~(house)~~ that is attached to additional zero lot line dwellings at one or both common side lot lines by means of a common wall. A zero lot line dwelling is attached to no more than one other zero lot line dwelling at any common side lot line. Zero lot line dwellings may be constructed in groups of multiple units as provided in specific zones ~~chapters~~. Each zero lot line dwelling is located entirely on its own lot, and residents hold a fee simple title to the dwelling and lot. A zero lot line dwelling may be in the form of a duplex, multiplex, townhouse or similar attached single-family dwelling.

Section 12. That Sumner Municipal Code Section 18.14.020 Principal Permitted Uses is hereby amended to read as follows:

18.14.020 Principal permitted uses.

The following uses are permitted in all MDR and HDR districts unless otherwise specified:

- A. Townhouse and townhouse condominiums;
 - B. Duplexes;
 - C. Adult family homes;
 - D. Minor utility facilities;
 - E. Cottage housing in accordance with the density standards set forth;
 - F. Zero lot line dwellings and structures, including duplexes, multiplexes and townhouse dwellings created by a zero lot line subdivision or zero lot line short subdivision;
- [...]

Section 13. That Sumner Municipal Code Section 18.14.060 Special Conditions is hereby amended to read as follows:

18.14.060 Special conditions.

- A. Required Parking for Single-Family Uses. All single-family dwellings, ~~including zero lot line dwellings~~ in the MDR and HDR districts, shall have two on-site automobile parking spaces. Each required space is to be located so as to be independent of any other required space. Further, at least one of the required spaces for single-family dwellings shall be located within the building site area and not within the required setback areas. Required spaces and access drives shall be improved with a dustless, hard surface. Tandem parking may be allowed.
- B. Required parking for dwellings created through a zero lot line subdivision or zero lot line short subdivision shall comply with parking requirements at SMC 17.28.340(H).
- C. Required Parking for Multifamily and Conditionally Permitted Uses. All other permitted uses, except as provided above, and conditionally permitted uses in the MDR and HDR districts shall provide on-site automobile parking at ratios specified in chapter 18.42 SMC. Tandem parking may be allowed at a maximum of 30 percent of the on-site parking stalls.

Section 14. That Sumner Municipal Code Section 18.14.070 Property Development Standards is hereby amended to read as follows:

18.14.070 Property development standards.

The following Table 18.14.070 sets forth the required development standards applicable to properties located in the MDR and HDR zones:

Table 18.14.070

		MDR	HDR
A.	Minimum lot area per building site in square feet ¹	5,000	5,000

	Minimum lot area in square feet for developments utilizing the “detached single-family dwelling” option of the city of Sumner design and development guidelines in square feet	4,000	4,000
	Minimum lot area for lots employing zero lot line detached dwellings option	3,000	3,000
	<u>Minimum lot area for zero lot line dwellings</u>	<u>N/A³</u>	<u>N/A³</u>
B.	Maximum development density in dwelling units per net acre	15	25
	In net square feet of lot area per dwelling unit	2,900	1,740
C.	Minimum lot width in feet	50	50
	Minimum lot width for developments utilizing the “detached single-family dwelling” option of the city of Sumner design and development guidelines in square feet	40	40
	Minimum lot width for lots employing zero lot line detached dwellings option	30	30
	<u>Minimum lot width for zero lot line dwellings</u>	<u>N/A³</u>	<u>N/A³</u>
	<u>Minimum unit width for zero lot line dwellings</u>	<u>16 feet interior units</u> <u>20 feet end units</u>	<u>16 feet interior units</u> <u>20 feet end units</u>
D.	Front, rear and interior side setbacks for <u>duplexes and detached single family dwellings:</u> developments not requiring design review:		
	1. Front yard setback in feet	10	10
	2. Rear yard setback in feet	25	20
	3. Interior side yard setback in feet	5	5
	4. Interior side yard between zero lot line housing in feet	0	0
	5. Interior side yard adjacent to zero lot line setback for zero lot line detached single-family in feet	<u>5 feet one side</u> <u>0 feet one side</u>	<u>5 feet one side</u> <u>0 feet one side</u>
E.	Front, rear and interior side setbacks for <u>multifamily</u> developments requiring design review shall be in compliance with the city of Sumner design and development guidelines, except for setbacks for duplexes see subsection (D) of this section.		

F.	Street side yard setback in feet	10	10
G.	<u>Setbacks for zero lot line dwellings:</u>		
	<u>1. Front yard setback from public street or private drive aisle for zero lot line dwellings in feet</u>	<u>10 for building</u> <u>5 for porch/stoop</u>	<u>10 for building</u> <u>5 for port/stoop</u>
	<u>2. Rear yard setback in feet, zero lot line dwellings</u>	<u>15</u>	<u>15</u>
	<u>3. Interior side yard between zero lot line dwellings in feet</u>	<u>0</u>	<u>0</u>
	<u>4. Interior side yard adjacent to exterior property line of a zero lot line development in feet</u>	<u>5</u>	<u>5</u>
	c. <u>Street side yard setback in feet</u>	<u>10</u>	<u>10</u>
H.	G. Maximum building height in feet ²	35	35
I.	H. Maximum lot coverage by percentage of net lot area	35	45
J.	I. Maximum lot coverage zero lot line single-family dwellings by percent of net lot area	55 <u>N/A</u>	65 <u>N/A</u>
K.	J. Minimum street frontage in feet	30	30
L.	<u>Minimum street frontage zero lot line dwellings</u>	<u>N/A</u> ³	<u>N/A</u> ³
M.	K. Minimum setback from principal or minor arterial as designated in comprehensive plan	25	25
N.	L. Maximum number of zero lot line structures per block (as defined in chapter 18.04 SMC)	4	4
O.	M. Maximum number of zero lot line dwellings that may be attached	46	6
P.	N. Public garage development standards [...]		

1. Variation of Minimum Lot Size. Except for lots to be occupied by zero lot line dwelling units, lots created through long subdivision in the MDR and HDR zones must vary lot sizes in the following manner. A maximum of 60 percent of lots may be platted at the minimum allowed lot size (1.5 times) and at least 20 percent of platted lots must not be less than 200 percent of the minimum allowed lot size (2.0 times). For purposes of meeting this requirement, lot counts may be rounded to the nearest full lot.
2. The minimum lot area for zero lot line single-family dwellings is defined as the minimum needed to accommodate the width and depth of the unit plus the required private open space for the lot.

3. For zero lot line lots, the lot width and frontage may be as wide as the minimum required unit width, provided that the unit complies with building code, landscaping and open space requirements.
- ~~2. Except that townhouse condominiums and duplexes shall have a maximum building height of 30 feet when the interior side yard setback is less than 10 feet or the rear yard setback is less than 20 feet.~~

Section 15. That Sumner Municipal Code Section 18.16.040 Residential Uses, is hereby amended to read as follows:

18.16.040 Residential Uses

A. Senior Housing in the NC District.

Senior housing is a permitted use in the NC district, except that single-family homes, zero lot line ~~homes~~dwellings, cottage housing, duplex dwellings, and townhomes are not allowed...
[...]

B. Senior Housing in the GC District. Senior housing is a permitted use in the GC district, except that single-family homes, zero lot line ~~homes~~ dwellings, cottage housing, duplex dwellings, and townhomes for seniors are allowed only as a secondary use in a development that is primarily senior apartments. Zero lot line dwellings shall comply with the standards in SMC 18.14.070. Senior housing may be located on the ground floor, and is not required to include commercial uses; provided, residential uses are not allowed on the ground floor fronting Main Street East/60th Street East. Development standards for senior housing may be modified through a planned residential development permit pursuant to chapter 18.24 SMC.18.16.040.

Section 16. That Sumner Municipal Code Section 18.30.080 Property Development Standards is hereby amended to read as follows:

18.30.080 Property development standards.

- A. Unless otherwise stated in this section, new development must comply with the development and performance standards in the base zoning district. The development standards for the ESUV/LDR zones are the same as the base zone districts in SMC 18.12. Multifamily residential uses are subject to the ESUV development standards in this section and the ESUV/NC and ESUV/GC performance standards in SMC 18.30.090.
- B. The dimensional standards for properties in the ESUV overlay district are in the table below, except that
 1. Multifamily residential uses are subject to the ESUV development standards in this section and the ESUV/NC and ESUV/GC performance standards in SMC 18.30.090; and
 2. Zero lot line subdivisions and zero lot line short subdivisions in the ESUV/MDR and ESUV/HDR district are subject to the development standards for zero lot line

~~developments in SMC 18.14.070. The development standards for the LDR/ESUV zones are the same as the base zone districts.~~

[...]

Section 17. That Sumner Municipal Code Section 18.30.110 Private Streets and Driveways is hereby amended to read as follows:

18.30.110 Private streets and ~~driveways~~ drive aisles

Private streets and ~~driveways~~ drive aisles shall be configured in such a manner as to promote a gridded street pattern of development that allows these private streets and driveways to function similar in character and scale as public streets and maintaining pedestrian scale and walkability...

[...]

Section 18. That Sumner Municipal Code Section 18.40.020 Types of Review is hereby amended to read as follows:

18.40.020 Types of review.

A. All development which falls under the thresholds provided in this section shall be subject to design review as provided for in chapter 18.56 SMC, Procedures for Land Use Permits.

B. Administrative review. The following types of projects shall require design review according to the procedures for Type III.b decisions, chapter 18.56 SMC, Procedures for Land Use Permits:

1. Sign permits for permanent signs which are regulated by the design guidelines.
2. Accessory units in residential zones.
3. Building permits for exterior renovations on commercial, multifamily, light and heavy manufacturing, or mixed-use structures including, but not limited to, new awnings, alterations to exterior treatments, changes to windows and doors, and similar activities which do not increase the square footage more than a minimal amount.

[...]

12. Any new commercial development with total building(s) gross floor area less than 5,000 square feet.

13. Duplex and multiplex development of 9 or less units, subject to the duplex design and development guidelines.

14. Townhouse development of 9 or less units, subject to the townhouse design and development guidelines.

15. Zero lot line single family development of 9 or less units; provided:

- a. Duplexes and multiplex buildings shall be subject to the duplex design and development guidelines; and
- b. Townhouse buildings shall be subject to the townhouse design and development guidelines; except that such development shall be subject to the setbacks and open space standards in SMC 18.14.070 instead of those standards in the design guidelines.

16. Single family detached subdivisions of 9 or less units.

C. Design commission review. The following types of projects shall require design review according to the procedures for Type III.c decisions, chapter 18.56 SMC, Procedures for Land Use Permits:

1. ~~Any multiplex or m~~Multifamily development, including apartments and attached condominiums, which exceeds the threshold of subsection (B)(3) of this section.
2. Any new commercial development which exceeds the threshold of subsection (B)(12) of this section.
3. Any construction of a principal or attached accessory structure or structures within a neighborhood commercial zone.
4. Any mixed-use development which exceeds the threshold of subsection (B)(3) of this section.
5. Any new private or public parking garage.
6. Duplex or multiplex development that exceeds the threshold of subsection (B)(13) of this section.
7. Townhouse development that exceeds the threshold of subsection (B)(14) of this section.
8. Zero lot line single family development that exceeds the threshold of subsection (B)(15) of this section; except that such development shall be subject to the setbacks and open space standards in SMC 18.14.070 instead of those standards in the design guidelines.
9. Single family detached subdivisions that exceed the threshold of subsection (B)(16) of this section.

Section 19. That Sumner Municipal Code Section 18.42.040 is hereby amended to read as follows:

18.42.040 Required number of parking spaces.

The minimum number of off-street parking spaces shall be as follows for the listed uses:

- A. Single-family dwellings: two for each unit, except that zero lot line subdivisions and zero lot line short subdivision may provide parking in accordance with SMC 17.28.340(E);
 - B. Multifamily dwellings:
 1. One space per studio; 1.5 for each one- or two-bedroom unit; two spaces for three or more bedroom units; visitor parking for any type of multifamily use at one space for every five units
- [...]

Section 20. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 21. 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; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 22. **Effective Date.** This ordinance shall become effective five (5) days after its passage, approval and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this ____ day of _____, 2022.

Mayor Kathy Hayden

Attest:

Approved as to form:

City Clerk Michelle Converse

City Attorney Andrea Marquez

First Reading:

Date Adopted:

Date of Publication:

Effective Date:



STAFF REPORT

DATE: November 18, 2022
TO: Planning Commission
FROM: Ann Siegenthaler, Senior Planner
RE: **ZERO LOT LINE SUBDIVISIONS – Code Update**

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

Housing Action Plan: The 2021 Sumner Housing Action Plan (HAP) examined housing needs in Sumner and identified gaps in available housing and affordable housing. The HAP identifies Zero Lot Line Subdivisions as an important housing option for Sumner. One of the City Council's adopted housing priorities is reducing barriers to Zero Lot Line Subdivisions.

What is a Zero Lot Line Subdivision? A zero lot line subdivision is a way to create zero lot line homes, a type of single-family dwelling that shares a common wall with another. Zero lot line homes can take various forms, such as a townhouse, attached cottages or duplex/fourplex. But unlike condominiums, the homeowner has separate ownership of the unit, the ground beneath, and often ownership of a private front and back yard. Zero lot line homes are created by subdividing the land into small "unit lots." This special subdivision process creates single-family attached housing units that are sold fee-simple, like a single-family home, making this a more affordable option for home ownership.

II. DESCRIPTION OF PROPOSAL

Sumner already allows zero lot line subdivisions (ZLLS) and zero lot line (ZLL) dwellings, but the process is cumbersome and existing code is vague. Further, developers are finding that the typical condominium type of development is increasingly difficult to finance, sell and administer. City staff, working with consultant LDC Inc., is proposing to streamline the ZLLS permit process and make them easier to develop. Below is a summary of the proposed changes. The draft ordinance is attached as EXHIBIT B.

A. Goal

Encourage ZLLS developments, which provide single-family attached homes that are sold fee-simple, creating a more affordable option for home ownership in Sumner. The proposed code is designed to create incentives for ZLLS by clarifying and streamlining the permit process, and by creating more flexible design standards.

B. Zones allowed

Zero lot line dwellings are already allowed in Sumner, in Medium Density Residential (MDR) and High Density Residential (HDR) zones. This type of subdivision is not proposed for Low Density Residential zones due to the small lot sizes and resulting density. The code will clarify that "townhomes" (owned fee-simple) are allowed in addition to existing "townhouse condominiums."

C. Lot dimensions and layout

The individual lots in a ZLLS must meet the standards in the Zoning Code (such as lot area and width), like other lots in a subdivision. However, existing lot dimensions in the Sumner Zoning Code for single family lots do not allow the small lots and common-wall dwellings in a ZLLS. The proposal will update these lot standards, as summarized below. The standards will mirror current townhouse standards, which is the typical form for ZLLS dwellings.

- Lot size waived. This will allow lot sizes to be the same as the unit itself plus the open space that goes with the unit. There is no proposal to increase allowed density.
- Lot width (i.e. width of the unit) is one of the most important factors in the feasibility of a ZLLS project. Wide lots limit the ability to achieve the allowed density, while buildings that are too narrow may affect aesthetics. A middle-ground approach is to set a narrow width for interior units and wider for exterior (end) units. Staff proposes a minimum unit width of: 16-foot width for interior units and 20-foot width for end units. This is a typical width range for townhouse condominiums. There is no proposal to increase allowed density.
- Limitation on structures allowed per block currently prevents clustering of ZLL homes along a street. This standard would be eliminated. The maximum number of dwelling units grouped into a structure would also be increased to 6 units. This is the same as currently allowed for townhouse condominiums. These changes would allow clusters of more units, creating greater flexibility for the ZLLS developer. ZLLS will go through Sumner's Design Review guidelines to ensure adequate building modulation and variety.
- Lot coverage limit waived. Lot coverage is the amount of structure footprint compared to the size of its lot. To create a ZLLS where a lot is almost the same size as the building, lot coverage needs to be eliminated.
- Setbacks. New code would allow ZLLS setbacks to match what is currently allowed for townhouse condominiums. However, the rear yards in a ZLL development must be at least 15 feet deep to provide room for a private backyard.
- Building height will be the same as currently allowed in MDR/HDR zones (35 feet).

D. Access and private drive aisle standards

Access within ZLLS is an important factor in how feasible a development may be. Sumner's current code requires a public street (60-foot width) with amenities such as standard streetlights, etc. for a subdivision over 4 lots. Such street improvements can be costly and a barrier to more-affordable ZLL homes. Townhouse condominiums are considered "multifamily" not single family development; therefore condominiums typically provide only a driveway. Proposed code will require a "middle ground" access for ZLLS to reduce street costs but still provide safe access, with provisions that:

- Create new "private drive aisle" access standards for ZLLS.
- Allow 25-foot wide to 30-foot wide drive aisles; meet current fire truck access and construction standards.
- Allow access that is more to scale for the development, especially on tight infill sites.

E. Parking

Current code requires 2 parking spaces per single family dwelling, 2 spaces for a ZLL dwelling, and 1.5 spaces for a 2-bedroom condominium. The proposed code would keep the 2-space standard for ZLLS, but allow one-third of the required stalls to be designed as tandem parking. This approach provides flexibility in the building design and homeowner options.

In a typical single-family detached subdivision, visitor parking is not required, because there is room to either park in the wide driveways or on the public street. With narrower lots and private drive aisles in a ZLLS, visitor parking will not always fit close to the dwelling. A townhouse condominium project requires 0.20 visitor stalls per unit. The proposed code would require a ZLLS to provide 0.25 visitor stalls per unit but would allow up to 50% of this visitor parking to be on an adjacent public street.

F. Private open space and common open space

- The proposed code would require both common and private open space in a ZLLS project. The minimum amount would be 100 s.f. of private space and 200 s.f. of common open space, which is the same as required for townhouse condominiums.
- There would also be a waiver from common open space under certain conditions. The ZLLS would have to be 12 units or less and located within a quarter mile of a public park; or would need to provide extra private open space on site. This can provide an incentive for a ZLLS and reduce costs for the housing.

G. Design guidelines

Most new construction in Sumner is subject to the Sumner Design and Development Guidelines through the Design Review process. Examples include detached single family subdivisions of 10 or more lots, townhouse condominiums, duplexes and apartments. The requirements for ZLLS design review are not clear. The new code will:

- Require that ZLLS projects are reviewed under the Design Guidelines to ensure quality buildings.
- Clarify that smaller developments (e.g. less than 10 single-family dwellings) are permitted through administrative design review, versus the longer public meeting process.

While the ZLLS layout and lot configurations will follow the standards in the Subdivision Code and the Zoning Code, the building architecture will follow the Design Guidelines. The Design Guidelines help ensure that buildings are constructed with quality materials, have design features such as porches and window trim, and adequate façade modulation for variety. The Design Guidelines are not being updated as part of this code.

H. Streamline subdivision process

A ZLLS will have to follow the land division process in the Sumner Subdivision Code just like other subdivisions. However, The current Subdivision Code does not provide a clear process for a ZLLS. The new code will help clarify and streamline permit requirements for ZLLS by consolidating the requirements for ZLLS into one code section, with parking, driveways, open space, easements, and common ownership and maintenance provisions.

I. Allowance for conversions

The proposed code will allow the conversion of some attached dwellings and condominiums to a fee-simple ZLLS development. Duplexes and multiplexes (e.g. triplex and fourplex) often have ample yard areas, parking, and similar single-family features that make them suitable for conversion to attached dwellings that could be purchased individually. Newer townhouse condominium projects (permitted after 2018) comply with most of the code requirements for ZLL dwellings, so could readily convert to this alternate type of home ownership.

To become fee-simple owned dwellings, the existing development would go through a subdivision permit process. The development would not be required to meet all the current lot standards (e.g. setbacks, parking) since the project was already approved and constructed to City standards. Director approval of the conversion would be contingent on approval criteria, such as the project would not have detrimental impacts on the neighborhood and residents (renters) would receive 90 days' notice. The goal is 1) not to inadvertently encourage large scale loss of affordable rentals, and 2) to provide a few more opportunities to increase home ownership in Sumner.

J. Updated definitions

Various definitions are to be updated, including:

- Clarifying that zero lot line dwelling means a single-family attached dwelling.
- Clarifying that duplexes and multiplexes may be built as fee-simple zero lot line dwellings.
- Adding a new definition for private drive aisles for ZLLS.

III. ANALYSIS

The proposed Municipal Code amendments are consistent with the intent and policies of the Comprehensive Plan, specifically the intent and policies discussed below.

Subdivision Code

The Sumner Subdivision Code establishes the process for dividing land into single-family lots and providing for access and utilities to serve the lots. The proposed ZLLS code amendments will allow for subdivisions of such lots through an established permitting process. The purpose of the subdivision code is to "regulate the division of land lying within the corporate limits of the city of Sumner, and to promote the public health, safety, and general welfare in accordance with the standards established by the state and the city," and to..."prevent the overcrowding of land; lessen congestion and promote safe and convenient travel by the public on streets and highways; promote the effective use of land..." The proposed code amendments are consistent with the purpose of the subdivision code.

Land Use Element

The proposed code update will allow another development option for affordable housing. It also includes development standards to minimize impacts of increased density and to apply design review to ZLLS, consistent with the following policies:

- 1.1 "Ensure that appropriate transitions so that more intensive uses do not adversely impact adjacent uses.
 - 1.1.1 "Maintain the design guidelines and ordinances to achieve compatible and attractive new residential, commercial, and industrial uses.
 - 1.1.2 Maintain zoning and subdivision regulations to ensure adequate setbacks, landscaping, and buffering are required where land use conflicts and impacts may occur."
- 1.2 "Encourage infill development on vacant properties with existing public services and public utilities, and new development in areas with existing or planned public facilities."

Land Use Element - Land Use Designations

The Comprehensive Plan establishes a density range for Medium- and High Density Residential districts of 15 to 25 dwelling units per acre. Zero lot line structures are included as a primary use. The proposed code is consistent with the purpose, uses and densities anticipated in these residential districts.

Community Character Element

The proposed code update will expand housing types allowed in the medium- and high density residential districts, while applying development standards to minimize impacts to community character, consistent with these policies:

- 1.1 "Encourage development which enhances the human, pedestrian scale, creating a sense of community and place."
- 2.6 "In recognition of the need for a variety of housing, allow through the Comprehensive Plan and Zoning Code a mix of residential uses as appropriate to the neighborhood character."
- 6.1 "Promote a compact development pattern that exhibits variety in building types and scale. Historic and vernacular architectural styles should be respected. Both sides of the streetscape should complement each other."

Housing Element

The proposed code update will increase the variety of housing available at all life stages and will help meet Sumner's housing targets, consistent with the following policies:

- 1.6 "Multi-family housing outside the Town Center area and outside the ESUV should be "ground related" (individual housing unit entries are on the first floor and allows direct access to private ground-level

usable open space). Examples of ground-related dwellings include single-family detached, single family semi-attached, cottages, tandem houses, and townhouses...”

Goal 2: “Provide a range of housing types for all life stages and economic segments of the Sumner community.”

2.1 “Strive to meet the City’s fair share of housing needs by planning that 25% of the growth population allocation is satisfied through affordable housing.”

2.2.1 “Through the Comprehensive Plan, Zoning Code, and Subdivision code, and Design Guidelines allow for a variety of housing types and lot configurations including multi-family housing, mixed use development, cluster development, zero-lot line and similar subdivisions, planned unit development, and non-traditional housing forms such as adult family homes.”

2.3 “Encourage a variety of housing available to all economic segments of the community.”

2.3.3 “Consider implementing strategies such as an inclusionary housing program, minimum densities, density bonuses, adaptive re-use, and others to promote affordable housing.”

Conclusion:

Sumner’s Comprehensive Plan provides a general policy basis for promoting Zero Lot Line Subdivisions (ZLLS) as a means to provide housing options and increased housing densities at appropriate scale to the neighborhood. Increasing housing densities and options increases housing supply and can have a positive impact on affordability. Proposed code amendments will further these adopted policies by expanding opportunities for ZLLS. The ordinance also contains development standards in the zoning code and subdivision code to minimize impacts to surrounding areas, such as providing for parking, access, adequate building setbacks, and open space.

IV. SEPA ENVIRONMENTAL REVIEW

A SEPA environmental checklist and analysis of the proposed amendment has been completed. A Determination of Non-Significance was issued on August 15, 2022.

V. PUBLIC & AGENCY COMMENTS

No agency comments or public comments were received during the comment periods for this proposal.

VI. STAFF RECOMMENDATION

Provide comments and direction to staff.

VII. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed code in August 2022 and held a public hearing in September 2022. The Commission voted to amend the proposal to limit the number of visitor stalls allowed off site, and voted unanimously to recommend approval to the Council.

VIII. EXHIBITS

A. Draft Ordinance No. 2842 – Zero Lot Line Subdivision Code

Zero Lot Line Subdivisions

City Council Study Session – November 28, 2022



Background

◆ HOUSING ACTION PLAN

- Adopted in 2021.
- City Council established priority actions, including Zero Lot Line Subdivisions.

◆ PLANNING COMMISSION RECOMMENDATION

- Planning Commission public hearing and approval September 2022.

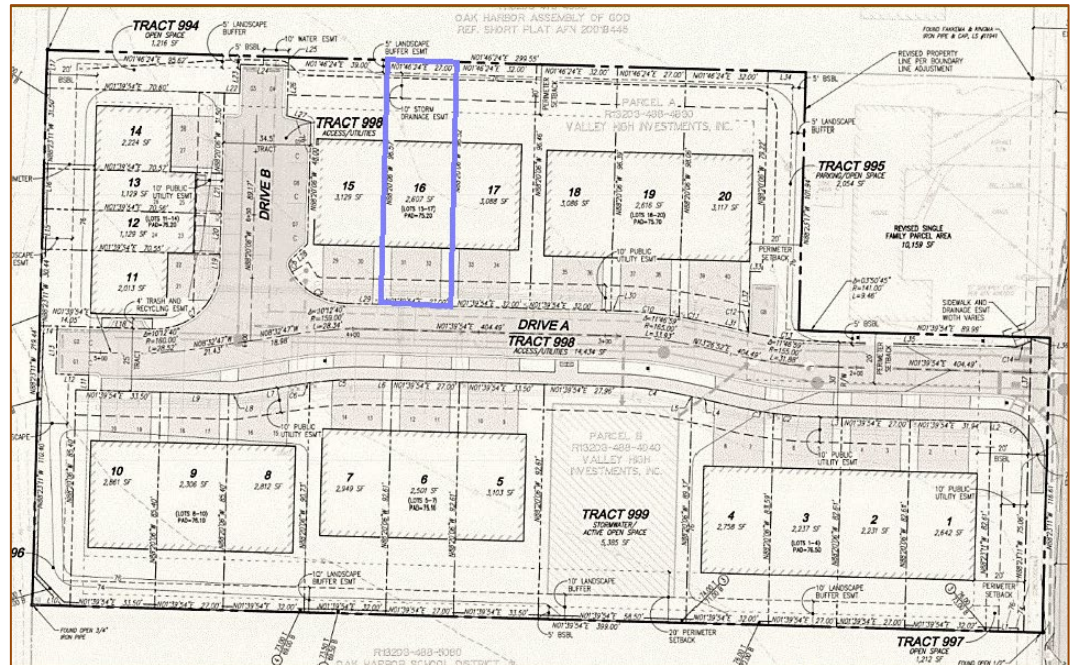


Photo: LDC, Inc.

◆ WHAT ARE ZERO LOT LINE SUBDIVISIONS?

- A process for subdividing land into small lots that are owned fee-simple (not apartments or condos).
- Creates small single-family dwellings that share a common wall.
- Homeowners own the dwelling, ground underneath and the yard around it. Areas like roads and stormwater are in common ownership.

Goals

◆ CREATE MORE HOME OWNERSHIP OPTIONS

- ZLL Subdivisions provide another type of single-family home that includes yards.
- Homes are sold fee-simple, so are more accessible for first-time home buyers, and appealing for downsizing.
- Provides an alternative to apartment/rental units.
- Buyers and builders often prefer these over condominiums; easier to finance and provides private open space for families.
- Creates more affordable homes.



Photo: LDC, Inc.



Goals, cont.

◆ CREATE MORE HOME OWNERSHIP OPTIONS

◆ ENCOURAGE INFILL

- Small units in ZLLS can fit on more difficult sites
- Shared walls lower construction costs for smaller developers.
- Narrower access drives fit better on small or narrow parcels.

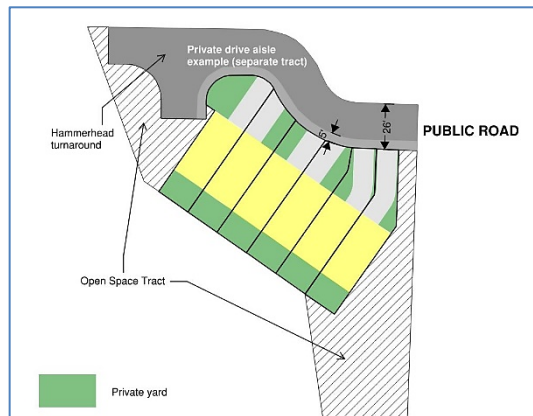


Photo: LDC, Inc.



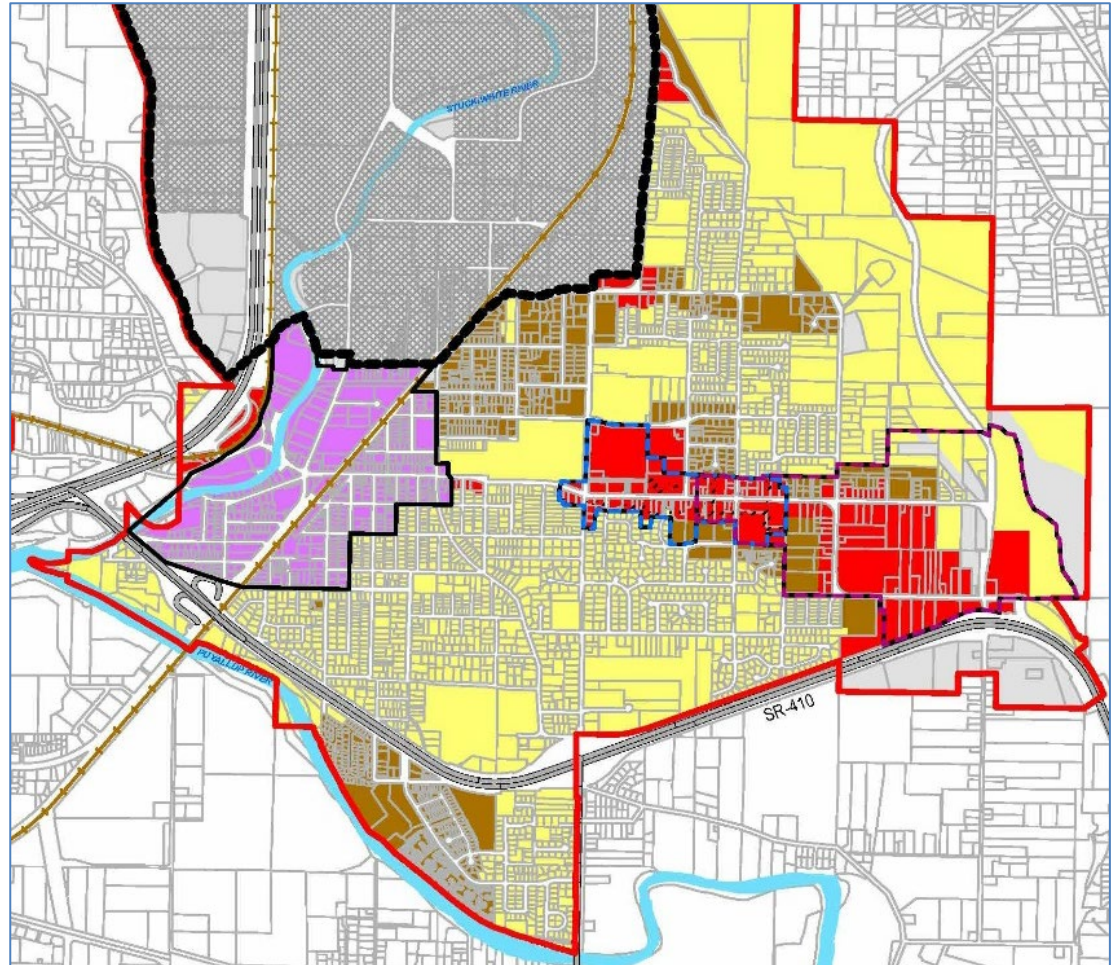
Overview of Code changes

◆ ZONES ALLOWED

- ZLL Subdivisions already allowed in Sumner.
 - But the process not clear
 - Standards don't work
- Allowed in Medium-Density and High-Density Residential Zones only (same zones as apartments).

**Medium- & High-Density
Residential**

BROWN

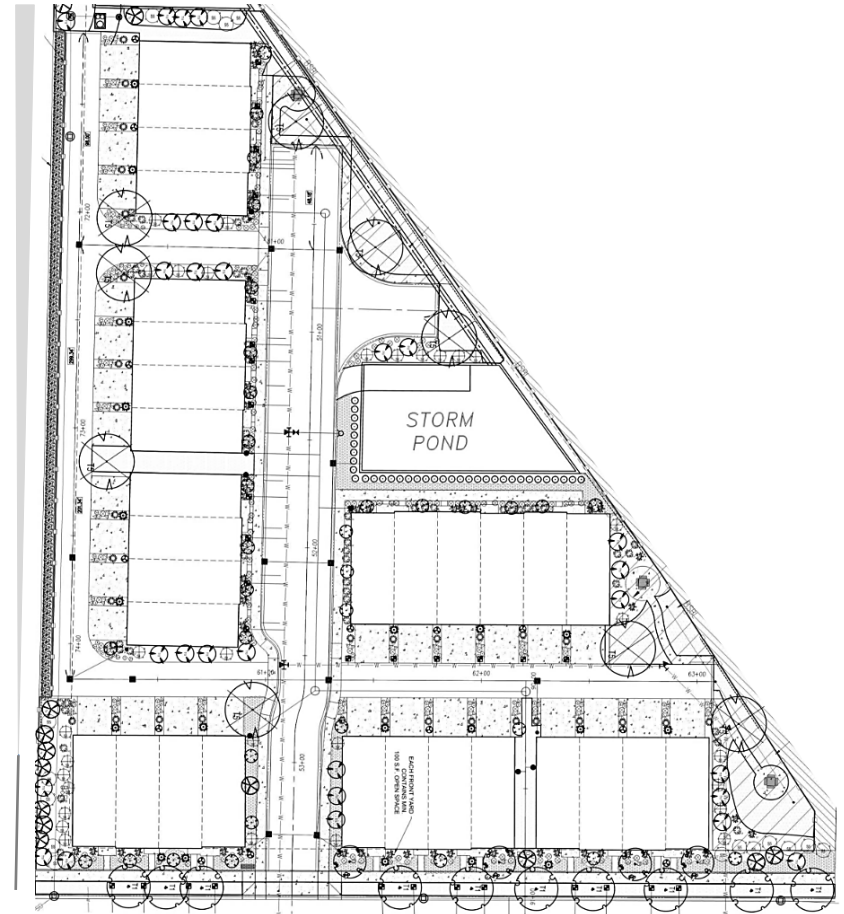


Overview of Code changes

◆ LOT DIMENSIONS

- Current code dimensions work for detached single-family but not for ZLLS attached single-family lots.
- New code will have ZLLS standards that mirror current townhome standards.
- Lot size and width: No minimum, can be same size as unit.
- Density: Will be same as now (15/MDR and 25/HDR).
- Setback next to adjacent parcels: Same as now at 5 feet.
- Rear setback: Increase from 10 to 15 feet for a backyard.
- Building height: Will be same as now (35).

Creekside Condos (not built) 30-units at 10.7 du/ac



Overview of Code changes

◆ **DRIVE AISLE ACCESS**

- Currently required access roads consume a large portion of a new development.
- New code allows a narrow “private drive aisle” for ZLLS: 20-25 feet.
- “Private drive aisles” meet adopted standards for construction, fire code, and provide a pedestrian path = Functional, safe access at lower cost.

Photo: LDC, Inc.

◆ **PARKING STANDARDS**

- New code clarifies that 2 parking stalls per residence are required. Same as single-family detached home.
- Some homes (30%) can use tandem parking to save space.
- Visitor parking will be required; can have up to 50% on the adjoining public street.



Overview of Code changes

◆ PRIVATE & COMMON OPEN SPACE

- Ensure that ZLL Subdivisions offer the home-ownership benefit of a private yard plus common open space.
- Same as for townhomes at 100 sf of private yard + 200 sf of common space per unit
- Waiver of common open space if a park accessible within quarter mile, or more private open space on site.
- New code ensures recorded maintenance agreement for common structures and common spaces.

Photo: LDC, Inc.



Overview of Code changes

◆ DESIGN REVIEW

- Keep the current design guidelines for townhomes in a ZLLS.
- Clarify Design Review requirements for ZLLS with duplexes and multiplexes.
- Clarify that smaller developments go through administrative Design Review versus full public process.

Pinnacle Townhouse Condos, Sumner – 15 units



◆ STREAMLINE PERMIT and PROCESS

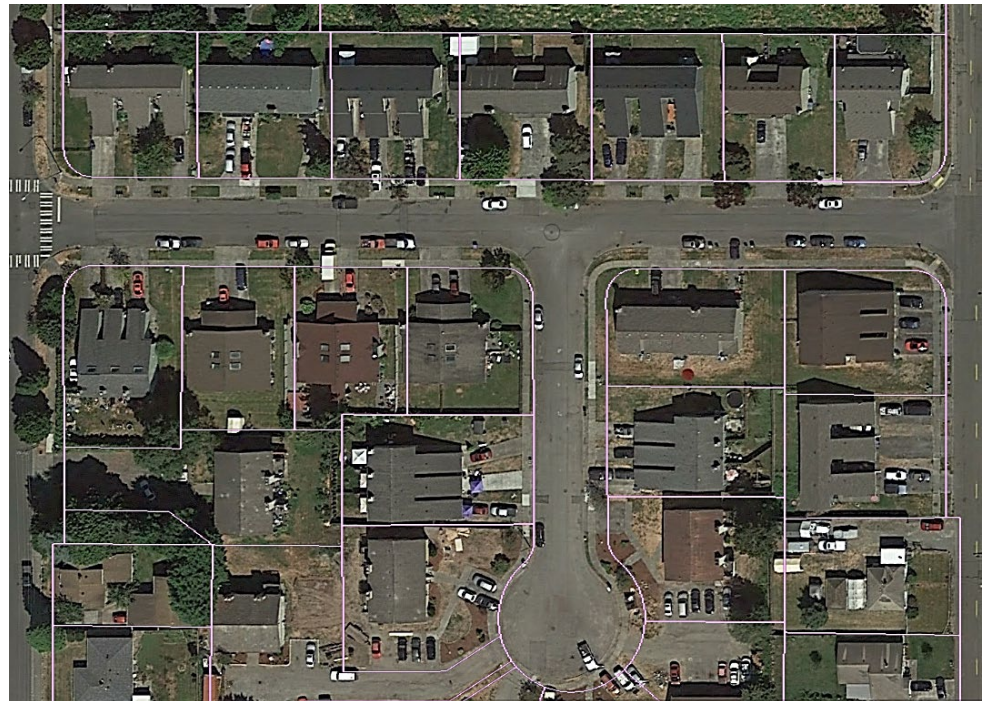
- Consolidate development and subdivision standards for zero lot line developments, including parking, driveways, easements, common ownership and maintenance provisions, notes on final plat.
- Create special ZLLS drive aisle standards that already meet City standards.

Overview of Code changes

◆ ALLOW EXISTING DWELLINGS TO CONVERT TO LOT OWNERSHIP

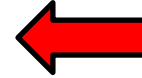
- Allow conversion of existing duplexes, multiplexes & newer condominiums to fee-simple lot ownership.
- Would apply to:
 - Duplexes and multiplex dwellings approved prior to 2022 (not future ones).
 - Layout easily becomes single-family home.
 - Condos approved after 2018 (relatively new ones).
 - These meet our current townhouse standards, very similar to a ZLLS.
- Allow conversion to ZLLS owned dwellings without expensive upgrades to meet new standards.

Example - Garden Street Triplexes, Sumner



Next Steps

- ◆ **November: Study Session with City Council**
- ◆ **December 5, 2022: Council decision**



Questions?

Ann Siegenthaler, City of Sumner Community Development
253-299-5520 annsi@sumnerwa.gov

and

Matt Covert, AICP, Senior Planner
LDC, Inc.

SUBJECT: Resolution No. 1645 - WSCJTC Police Officer Wellness Grant Award

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1645 - WSCJTC Grant Acceptance
2. Presentation
3. Sumner Officer Wellness Contract

STAFF CONTACT: Brad Moericke, Police Chief

SUMMARY BACKGROUND:

The 2022 State Legislature approved budget appropriations in the 2022-2023 state budget for the WA State Criminal Justice Training Commission to award funds across the state in support of officer wellness programs. While many departments received funds to purchase exercise equipment, the City of Sumner submitted a proposal to provide advanced clinical wellness training to members of our newly formed East Pierce County Peer Support Team.

COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: 11/28/2022 COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Pass Resolution 1645 accepting the WSCJTC grant funds in an amount up to \$67,500.

**RESOLUTION NO. 1645
CITY OF SUMNER, WASHINGTON**

**RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, ACCEPTING A GRANT
FROM THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION.**

WHEREAS, in 2022 the Cities of Sumner, Puyallup, Bonney Lake, Buckley, and Orting formed an interagency team known as the East Pierce County Peer Support Team; and

WHEREAS, the Washington State Criminal Justice Training Commission (WSCJTC) received financial appropriations in their 2022-2023 state budget to provide financial assistance for officer wellness programs around the state; and

WHEREAS, the City of Sumner, on behalf of the East Pierce County Peer Support Team members and agencies submitted a proposal to the WSCJTC to provide funding for intensive advanced team member training in the amount of \$67,500; and

WHEREAS, the WSCJTC has approved the proposal and awarded the City of Sumner up to \$67,500 to cover the actual costs of training and travel, and

WHEREAS, City Councils' acceptance of the grant funds and authorization for the Mayor or designee to execute any grant agreements or necessary agreements regarding the same is required by ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON:

Section 1. That the City Council of the City of Sumner, Washington, does hereby accept the Washington State Criminal Justice Commission's grant and authorizes the Mayor or designee to execute any necessary funding agreements, and any and all documents necessary to carry out and effectuate the grant's acceptance or performance.

Section 2. 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 resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 3. Effective Date. This resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED AND APPROVED this 5th day of December 2022.

Kathy Hayden, Mayor

Attest:

Approved as to form:

Michelle Converse, City Clerk

Andrea J. Marquez, City Attorney



SUMNER PD PEER SUPPORT

What is “Peer Support”



Critical Incident
Response



Resource Referral



Wellness



Laws



Policy



Training

Wellness

- WASPC Wellness Grant
 - \$40,000 3/1/22-6/30/22 (Completed)
 - \$20,000 7/1/22-6/30/23 (In Progress)
 - East Pierce County Peer Support Team Training
 - Sumner PD Peer Support Team
 - Wellness Policy
- CJTC Wellness Grant
 - \$67,500 12/1/22-06/30/23
 - East Pierce County Peer Support Team Retreat
- WASPC Wellness Grant
 - Sumner PD Cordico Wellness App
- Contract with Phoebe Mulligan, LICSW

Peer Support Team

Andy McCurdy

John Kaylor

Marcus McDonald

Brandon Anderson

Washington State Criminal Justice Training Commission		WSCJTC Contract No. IA23-021	
		Program Index 529	
This Contract is between the State of Washington, Washington State Criminal Justice Training Commission and the Contractor identified below, and is governed by Department of Enterprise Services Procurement Policies: http://des.wa.gov/about/pi/ProcurementReform/Pages/Policies.aspx			
Contractor Name: City of Sumner Police Department		Contractor Address 1104 Maple St. Sumner, WA 98390	
Federal Tax ID Number (FEIN), required before doing business with State of WA 91-6001282		Unified Business Identifier (UBI) required before doing business with State of WA	
Contractor Telephone Contact: Andrew McCurdy, 253-299-5644		Contractor E-Mail andym@sumnerwa.gov	
Fax			
WSCJTC Contact Information			
Manager of this contract or project. Name and Title. Susan Rogel, Grants and Outreach manager			
Telephone 206-939-8437	Fax	E-mail Address Susan.rogel@cjtc.wa.gov	
Contract Start Date November 15, 2022		Contract End Date June 30, 2023	Contract Maximum Amount \$67,500
Subcontracting Authorized? Y/N Y		Travel Expenses Authorized? Y/N Y	
FOR THE WSCJTC:		FOR THE CONTRACTOR:	
Program Manager Susan Rogel <i>Susan Rogel</i> 11/7/2022		Contractor Business Name (if applicable)	
Department Manager Edward Wade <i>Edward Wade</i> 11/7/2022		Date 11/10/2022	
Executive Director Monica Alexander <i>Monica Alexander</i> 11/10/2022		Contractor signature <i>Kathy Hayden</i>	
WSCJTC Contract Specialist Holly White <i>Holly White</i> 11/15/2022		Print Contractor Name & Title Kathy Hayden, Mayor khayden@sumnerwa.gov	

Statement of Work.

This contract was won competitively, and contract incorporates by reference the Statement of Work WSCJTC published in the Request for Proposal, which the Contractor's proposal specifically agreed to perform.

Contract reporting and Invoice dates:

- 1. Due by March 15, 2023. Outcome Report for the months of November 2022, December 2022, January 2023, and February 2023. A report with updates towards outcomes and data. A19 Invoice and back up documentation needs to accompany this report.**
- 2. Due by July 10, 2023. Outcome report for months March, April, May, and June 2023. A19 Invoice and back up documentation needs to accompany this report. In addition, a final report summary that covers the length of the contract and how the services met or did not meet your needs is required.**

Outcome Expectations:

- 1. Improve resilience and life skills for coping with work related stressors.**
 - Increase in self-reported scores through clinician administered proQOL Assessment.**
- 2. Improves social connectedness and peer support**
 - Participation in team retreat and increase in self-reported scores through clinician administered proQOL Assessment.**
- 3. Create Individual Wellness Plan – during retreat.**
- 4. Create Team Wellness Plan and identify team mission, vision, and values.**
- 5. Create Agency Wellness Plan**

Exclusive Agreement. This contract, with its attachments and documents incorporated by reference, contains all of the terms and conditions the parties agreed to. No other contract terms or conditions shall be deemed to exist or bind the parties. The parties signing above confirm they have read and understand this entire Contract and have the authority to enter into this Contract. WSCJTC and the Contractor may amend the contract by mutual written agreement.

Fees and limitations. At any time, WSCJTC may direct the Contractor to suspend work on the contract, pay the Contractor for hours expended before the suspension, and no further payments are due until WSCJTC directs the work to resume. If expenses are allowed, they are charged against the Contract Maximum Amount above. Travel expenses, if authorized, shall never include Contractor's regular commute from home to the work site.

Payment. WSCJTC shall pay the Contractor for performance of the Statement of Work, in response to invoices specifying hours worked or work completed, but shall not pay in advance. Payments are made by Electronic Funds Transfer using the bank routing information the Contractor provides.

Industrial Insurance Coverage. WSCJTC will report the Contractor to the Department of Labor and Industries (L&I) as a "non-employee covered worker", and will pay L&I insurance premiums. Any injuries the Contractor suffers in the course of performing this contract are covered by L&I. The Contractor and his/her physician should claim accordingly.

If this contract authorizes subcontracting, the Contractor provides L&I coverage for any subcontract workers; WSCJTC and the State assume no liability for them.

Termination. No guarantee of work is made or implied as a result of this Contract: merely signing this contract does not guarantee the Contractor any specific amount of payment. WSCJTC may terminate this Contract by providing written notice to the Contractor. Termination shall be effective on the date specified in the termination notice. WSCJTC shall be liable for only authorized services provided on or before the date of termination.

Assignment. The Contractor may not assign this Contract, or its rights or obligations to a third party.

Confidentiality. The Contractor shall not disclose any information WSCJTC designates confidential. This contract and the Contractor's proposal, if any, become the property of the WSCJTC, subject to the Public Records Act RCW 42.56.

Disputes. If a dispute arises under this contract, it shall be resolved by a Dispute Board. The WSCJTC Executive Director and the Contractor shall each appoint a member to the Board. The Executive Director of the WSCJTC and the Contractor shall jointly appoint a third member to the Dispute Board. The Board shall evaluate the dispute and resolve it. The Board's determination shall be final and binding to all parties to this Contract.

Indemnity. Contractor agrees to hold harmless WSCJTC for any claim arising out of performance or failure to perform the contract, without regard to actual or alleged negligence by State employees.

Governing Law. This Contract shall be governed by the laws of Washington. The jurisdiction for any action hereunder shall be the Superior Court for the State of Washington. The venue of any action hereunder shall be in the Superior Court for Thurston County, State of Washington.

Independent Capacity. The parties mutually confirm that the Contractor is an independent contractor, and not an employee or agent of the WSCJTC or the State of Washington. The Contractor shall not claim to be nor portray itself as an employee or agent of WSCJTC or the State of Washington.

Rights in Data. Material created from this Contract shall be "works for hire" as defined by the U.S. Copyright Act of 1976 and shall be owned by WSCJTC, including but not limited to reports, documents, videos, curricular material, exams or recordings. Such materials are subject to RCW 42.56, the Public Records Act; WSCJTC may disclose such documents in accordance with the PRA.

Severability. If any provision of this Contract or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Contract which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Contract, and to this end the provisions of this Contract are declared to be severable.

SAFETY and Conduct. While on WSCJTC's premises, the Contractor shall obey all physical, fire or other security regulations communicated to the Contractor by WSCJTC. The Contractor - and its subcontractors and employees if authorized above – shall, during the performance of this contract:

- maintain a professional appearance, grooming and hygiene,
- not engage in conduct which impedes effective training, and
- not possess or come to work under the influence of alcohol or drugs which impair safety and performance, whether legal or illegal.

Operations. To protect the health and safety of the staff and students of the WSCJTC, *contract instructors* are required to submit to infectious disease testing when directed to do so by the WSCJTC. Contractors must report the results to WSCJTC's confidential appointee. *Contract instructors* agree to follow the health and safety protocols put in place by the agency pre and post-test. Should contract instructors not wish to follow operational directives, they will be *immediately* released from their contractual obligation.

Health and Safety. To protect the health and integrity of the organization, *contract instructors* understand that WSCJTC maintains control over its operations and agrees to submit to directions and protocols put in place in order to carry out its mission. Should *contract instructors* not wish to follow operational directives, they will be *immediately* released from their contractual obligation.

Waiver. A failure by the WSCJTC to exercise its rights under this contract shall not preclude WSCJTC from subsequent exercise of such rights and shall not constitute a waiver of any rights under this contract unless stated to be such in writing and signed by an authorized representative of WSCJTC and attached to the original contract.

CA – CONSENT AGENDA ES – EXECUTIVE SESSION NB – NEW BUSINESS
UB – UNFINISHED BUSINESS P – PRESENTATION PH – PUBLIC HEARING PR – PROCLAMATION

December 14 -EE Breakfast

DECEMBER 5th RCM

PH 2023-2024 Biennial Budget
CA Consultant Services Agreement – 2024 Comprehensive Plan
CA Resolution No. XXXX – Police Officer Wellness Grant
CA Lease Agreement with Carrols Garage
CA Lease Agreement with CV Financial LLC
NB Ordinance No. XXXX – Establishing the 2023 Comp Schedule (*Jeff S*)
CA Legislative Agenda (*Carmen*)
NB Ordinance No. XXXX - Zero Lot Line Subdivisions
NB MIC Contract Agreement with BusUp (*RW*)
NB Ordinance No. XXXX – 2021/2022 Final Budget Amendment (*KR*)
UB Ordinance NO. XXXX – Vacating Riverwalk Trail (*AM*)
UB Ordinance: 2023-2024 Biennial Budget Adoption (*KR*)

DECEMBER 12TH SS--CANCELLED**DECEMBER 19TH RCM--CANCELLED****DECEMBER 26TH SS--CANCELLED****JANUARY 3RD RCM – TUESDAY**

NB Deputy Mayor Selection

JANUARY 9TH SS

- Sidewalk Program Review
- 1116 Fryar Ave (Existing Library) Property Vision

JANUARY 17TH RCM – TUESDAY

CA Ordinance No.2839: Pretreatment Code Update (*MD Virtual*)
CA Services Agreement – Stafford Suites (*JS*)

JANUARY 23RD SS

- 2023 Refuse Rates—Murrey’s Disposal (*Jeff*)
- White river restoration project update

CITY COUNCIL AGENDA CALENDAR

Updated November 22, 2022

CA – CONSENT AGENDA **ES** – EXECUTIVE SESSION **NB** – NEW BUSINESS
UB – UNFINISHED BUSINESS **P** – PRESENTATION **PH** – PUBLIC HEARING **PR** - PROCLAMATION

Pending

MISC.	MISC.	WHITE RIVER RESTORATION PROJECT
ROW Vacation Code Amendment	Ordinance – Refuse Collection	PH - Surplus Utility Property South of 24 th Street East
CA State Homeland Security Program Grant Acceptance for Small Unmanned Aerial System	Bond Issuance for Operations Facility	UB - Resolution No. XXXX - Surplus Utility Property South of 24 th St E
Ordinance Insurance Requirements	Temporary Use Permit – Food Trucks	
Sign Code Update (off premise)	Safe Parking	BNSF Agreement
CTR Ordinance Update	Library Update	CA - Water Rights Acquisition Agreement
Development Agreement Code updates	Resolution No. XXXX - TRT Interlocal Agreement Amendment	SS – Update (January)
Ordinance Updating AC Code		
RCC ILA		

DECEMBER 2022

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3
			6:00PM Planning Commission (Hybrid/Council Chambers)		
5	6	7	8	9	10
6:00PM Regular Council Meeting (Hybrid/Council Chambers)	CANCELLED 4:00PM Public Works Committee	CANCELLED 5:30PM Finance Committee	CANCELLED 4:30PM Forestry/Parks Commission		
12	13	14	15	16	17
CANCELLED 6:00PM Study Session		CANCELLED 6:30PM Design Commission			
19	20	21	22	23	24
CANCELLED 6:00PM Regular Council Meeting		5:30PM Public Safety (Hybrid/FF Conference Room)		HOLIDAY – CITY HALL CLOSED	
26	27	28	29	30	31
HOLIDAY – CITY HALL CLOSED	CANCELLED 6:00PM Study Session (Virtual)	CANCELLED 5:00PM CD Committee	CANCELLED 5:30PM Cultural Arts Commission (Virtual)		

Meeting dates and times may change. Please contact City Hall to confirm this information prior to any meeting you plan to attend. **These meetings are accessible to persons with disabilities.** For individuals who require special accommodations, please contact City Hall at (253) 299-5500, 24 hours in advance.

Name: Michelle Converse, CMC

Title: City Clerk

City of Sumner
1104 Maple Street
Sumner, Washington 98390
Ph: (253) 299-5590 Fax: (253) 299-5509
Website: **www.sumnerwa.gov**



SUBJECT: To discuss with legal counsel labor negotiations, pursuant to RCW 42.30.10(g).

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:

Staff will present the details of a recently reached tentative labor agreement with the Sumner Police Guild representing Special Commissioned and Non-Commissioned employees. This one-year agreement covers employees in the following classifications: Police Records, Community Service Officer and Animal Control.

COUNCIL COMMITTEE/STUDY SESSION:
MEETING/STUDY SESSION DATE:
COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION: