



The City is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at Sumner City Hall Council Chambers (1104 Maple Street) or virtually by using the meeting access link below:

<https://sumnerwa-gov.zoom.us/j/85115707843>

Or by phone: 253 215 8782 (Tacoma)

Webinar ID: 851 1570 7843

---MEMBERS OF THE PUBLIC: PLEASE REMEMBER TO MUTE YOUR DEVICE---

CALL TO ORDER

Roll Call: Andy Elfers, Sharon Fochtman, Mark Isaacs, Kelly Locke, Bill Moody, Vincent Stoneking

Pledge of Allegiance - (This is normal agenda item that was dropped during pandemic)

APPROVAL OF MINUTES

1. Minutes from August 3, 2023

PUBLIC COMMENT

The public may comment on topics that are not on the meeting agenda, virtually or in person. The public is strongly encouraged to submit comments via email to annsi@sumnerwa.gov no later than 5pm on the day prior to the meeting. Your comments will be read into the record and limited to 3-minutes.

PUBLIC HEARING

None (This is normal agenda item that was dropped during pandemic)

UNFINISHED BUSINESS

1.
 1. 2024 Comprehensive Plan – Finish Discussion on Essential Public Facilities, Historic/Cultural Resources, Utilities.
2.
 1. Overview of Environmental Impact Statement (EIS) alternatives & process

NEW BUSINESS

1.
 1. 2024 Comprehensive Plan – Discuss Land Use Element, Housing Element

CORRESPONDENCE

None received. (This is normal agenda item that was dropped during pandemic)

COMMISSION COMMENTS

STAFF COMMENTS

- Upcoming Comprehensive Plan – streamlining reviews
- September 21 meeting and other Third Thursday meetings
- KnowB4 cybersecurity training – To be completed by 10/8/23

ADJOURNMENT



**SUMNER PLANNING COMMISSION
Regular Meeting**

**Thursday, August 3, 2023
6:00 p.m.
Sumner City Hall
1104 Maple Street**

CALL TO ORDER

The hybrid meeting was called to order at **6:07** pm by Chair Elfers.

ROLL CALL

Commissioners Present (in-person): Elfers, Moody
Commissioners Present (virtually): Fochtman, Isaacs, Locke, Stoneking
Excused Absences: None

APPROVAL OF MINUTES

Minutes from June 1, 2023: Motion by Fochtman, 2nd by Stoneking, approved.

PUBLIC COMMENT

None before the Commission.

UNFINISHED BUSINESS

1. 2024 Comprehensive Plan – Recommendations on Elements 1-7 and Shorelines

Senior Planner Ann Siegenthaler noted that these elements were previously reviewed by the Commission, who recommended a few final edits. She scrolled through the chapters where there had been edits and noted the edits in green highlight. Commissioners were asked to recommend approval of these elements to the City Council.

MOTION by Fochtman, SECOND by Locke; all were in favor.

NEW BUSINESS

1. Election of Vice Chair

Commissioners were asked to elect a new Vice Chair to replace current VC Locke, who is moving and may not be able to attend all meetings in person. Two Commissioners volunteered but one withdrew his name before the final vote.

MOTION by Moody to elect Moody as Vice Chair, SECOND by Elfers; all were in favor.

2. 2024 Comprehensive Plan – Discussion on additional Comp Plan Elements: Historic/Cultural Resources, Essential Public Facilities, Utilities

Staff introduced the three consultants in attendance: Lisa Grueter and Stefanie Hindmarch from BERK Consulting and Mari Orama from Parametrix. This team prepared the next Plan Elements for Commission consideration, Essential Public Facilities, Utilities, and Historic/Cultural Preservation.

The consultants presented each chapter, including policies and recommended code updates, and answered questions from the Commissioners.

Due to the late hour, Ms. Siegenthaler recommended that the other two topics under New Business, an overview of the Environmental Impact Statement and overview of the upcoming Environment/Climate Change Element, be addressed at a future meeting. The Commission unanimously voted to table the two topics until the next meeting.

COMMISSION COMMENTS

None.

STAFF COMMENTS

None.

ADJOURNMENT

Chair Elfers motioned to adjourn the meeting, Moody seconded; all were in favor. With no further business in front of the Commission, **MEETING ADJOURNED AT 8:45 pm.**

Minutes Submitted by: Ann Siegenthaler

SUBJECT:

CATEGORY: Motion

1. 2024 Comprehensive Plan – Finish Discussion on Essential Public Facilities, Historic/Cultural Resources, Utilities.

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Essential Public Facilities - 08-30-23
2. Historic & Cultural Resources - 08-31-23
3. Utilities Element - 08-30-23

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND: Review of the elements (chapters) of the 2024 Comprehensive Plan (Comp Plan) continues in the September 7th meeting.

BERK Consulting has been engaged to complete the 2024 Comprehensive Plan, which will include updates to remaining elements, policies and related development regulations. These three elements were discussed at the August meeting with the Commission. At the September 7th meeting, revisions to these elements, based on Commission comments, will be discussed:

- Essential Public Facilities Element
- Historic and Cultural Resources Element
- Utilities Element

In addition, BERK will present background information on an important component of the 2024 Comp Plan update: Overview of Environmental Impact Statement (EIS) alternatives & process.

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

STAFF RECOMMENDATIONS/MOTION:

Recommend approval to the City Council of the proposed Elements.

ESSENTIAL PUBLIC FACILITIES

NOTE: TEXT SHOWN IN **GREEN** HIGHLIGHT IS REVISED SINCE PREVIOUS PLANNING COMMISSION REVIEW.

INTRODUCTION

The State Growth Management Act requires that local government comprehensive plans include a process for identifying and siting of essential public facilities. Essential public facilities are typically difficult to site and include facilities such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities such as behavioral health facilities, which may include opioid treatment programs (including both mobile and fixed-site medication units), harm reduction programs excluding safe injection sites, substance abuse disorder treatment facilities, and mental health facilities, and group homes, recovery residences, community facilities, and secure community transition facilities. No local comprehensive plan or development regulation may preclude the siting of essential public facilities per State law. In addition, the State encourages local jurisdictions to provide criteria for the siting of other behavioral health facilities.

NOTE: DEFINITIONS AND SITING CRITERIA FOR ESSENTIAL PUBLIC FACILITIES HAVE BEEN UPDATED FOR CONSISTENCY WITH NEW STATE LEGISLATION. "ESSENTIAL PUBLIC FACILITIES" ARE DEFINED BY THE STATE AS DIFFERENT THAN "BEHAVIORAL HEALTH FACILITIES." FOR EXAMPLE, AN OPIOID TREATMENT CLINIC IS A TYPE OF BEHAVIORAL HEALTH FACILITY, BUT THE STATE NOW ALSO DEFINES THOSE AS AN ESSENTIAL PUBLIC FACILITY, WHICH PROVIDES LESS LOCAL CONTROL.

GOALS, POLICIES, AND OBJECTIVES

1. Allow Establish a process and criteria for the appropriate siting of essential public facilities of a State-wide or Countywide nature.

1.1 Identify essential public facilities based upon the Growth Management Act, State Office of Financial Management list of essential public facilities required or likely to be built, Countywide Planning Policies for Pierce County, and any City lists which may be developed.

1.2 Through the Land Use Plan identify publicly owned lands and quasi-public uses on lands useful for public purposes, and incorporate such designations into the Land Use Plan.

1.3 The criteria shall allow for Work with the County and other cities to establish a cooperative inter-jurisdictional approach to the siting of essential public facilities in accordance with the process established in the Countywide Planning Policies for Pierce County. Joint planning agreements shall be sought where appropriate. Through joint planning or interlocal agreements, the City shall seek to mitigate disproportionate financial and environmental burdens due to the siting of essential public facilities, particularly in communities that face disproportionate shares of noise, light, and air quality pollution impacts.
MOVED FROM 1.5.2

1.4. Public review shall be carried out in accordance with the public process established by the state, regional, or local agency. When possible, public review materials should be made available in the most commonly spoken languages in Sumner.

NOTE: THIS COMES FROM COUNTYWIDE PLANNING POLICIES, WHICH REQUIRE A PUBLIC REVIEW PROCESS WHERE COMMUNITIES HAVE AN OPPORTUNITY TO COMMENT.

1.5 Siting criteria for essential public facilities Facilities shall provide for amenities or incentives mitigative measures and amenities, including fiscal mitigation, as appropriate, for neighborhoods in which the facilities are located. Compensation for adverse impacts shall be a consideration in the siting criteria.

1.6 WAS POLICY 1.2 -- Siting proposals of facilities in the City of Sumner and Sumner Urban

Growth Area Planning Area shall be made in accordance with the following principles:

- The State, regional, or local agency proposing the facility (Agency) shall provide demonstrate a justifiable need for the public facility and for its location in the Sumner Planning Area or adjacent areas based upon forecasted needs and a logical service area; [FROM COUNTYWIDE POLICIES]
- In consultation with the City of Sumner, the State, regional, or local agency Agency shall establish a public process by which the residents of the County and the City "host" municipalities have a reasonable opportunity to participate in the site selection process and review of the impacts and benefits of the proposed facility; and [FROM COUNTYWIDE POLICIES]
- Facilities shall be sited consistent with the siting criteria below and Sumner Municipal Code.

1.4 **Siting criteria for essential public facilities.** To promote consistency in essential public facility siting across Pierce County, adhere to the essential public facilities siting criteria laid out in the Pierce County Countywide Planning Policies for new or expanded essential public facilities in the Sumner Planning Area, including the following identified criteria:

- Specific facility requirements
- Impacts of the facility
- Impacts of the facility siting on urban growth area designations and policies.

NOTE: THESE 3 HIGH-LEVEL CRITERIA COME FROM THE COUNTYWIDE PLANNING POLICIES. THE SPECIFIC CRITERIA ARE IN THE PROPOSED REGULATIONS.

1.5 In addition to the siting criteria in the Pierce County Countywide Planning Policies, agencies shall consider the following when siting essential public facilities in the Sumner Planning Area:

- Consistency with the Sumner Comprehensive Plan policies, capital facility plans, environmental regulations, and other implementing ordinances.
- Impacts and benefits associated with the facility to ensure these impacts and burdens are equitably distributed.
- Reduction and/or mitigation of risk of displacement of overburdened residents, affordable commercial space, small businesses and housing.

~~1.4~~ ~~COMBINED INTO POLICY 1.5~~ ~~Promote facility siting consistent with the Sumner Comprehensive Plan policies, capital facility plans, environmental regulations and other implementing ordinances.~~

~~1.5~~ ~~POLICY & SUB-POLICIES DELETED. EXISTING COUNTYWIDE POLICIES ARE TO BE USED INSTEAD (WHICH ARE MORE COMPREHENSIVE AND ADOPTED BY ALL THE NEIGHBORING JURISDICTIONS).~~ ~~Through the zoning ordinance or other implementing ordinances, prepare siting criteria for essential public facilities which are difficult to site.~~

~~1.5.1~~ ~~The criteria shall address:~~

- ~~• Specific facility requirements~~
- ~~• Impacts of the facility~~
- ~~• Effects on urban growth area designations~~
- ~~• Other standards and criteria as outlined State law, in the Countywide Planning Policies and other locally defined plans and ordinances.~~

~~1.5.2~~ ~~MOVED TO POLICY 1.4 ABOVE~~ ~~The criteria shall allow for a cooperative inter-jurisdictional approach to the siting of essential public facilities in accordance with the Countywide Planning Policies for Pierce County. Joint planning agreements shall be sought where appropriate. Through joint planning or interlocal agreements, the City shall seek to mitigate disproportionate financial and environmental burdens due to the siting of essential public facilities.~~

~~1.5.3~~ ~~MOVED ABOVE TO POLICY 1.4.2~~ ~~A public review process shall be established for essential public facilities which are difficult to site.~~

~~1.5.4~~ ~~MOVED ABOVE TO POLICY 1.4.3~~ Facilities shall provide mitigative measures and amenities, as appropriate, for neighborhoods in which the facilities are located. Compensation for adverse impacts shall be a consideration in the siting criteria.

~~1.7~~ ~~DELETED, SINCE REDUNDANT WITH POLICY 1.4.1, WHICH ALLOWS FOR INTERLOCAL AGREEMENTS.~~ Work with Pierce County and other municipalities to standardize review procedures and criteria for the siting of state-wide and county-wide essential public facilities and incorporate these procedures within inter-local agreements.

2. Establish a process and criteria for the appropriate siting of local behavioral health facilities.

2.1 Siting criteria for ~~essential public facilities~~ behavioral health facilities ~~which are not difficult to site~~ shall provide for site design and buffering techniques to ensure compatibility with surrounding uses, ~~and enable the facility to be permitted outright in appropriate zoning classifications wherever feasible.~~

NOTE: AFTER THE PLANNING COMMISSION'S FIRST REVIEW, STAFF HAS REVISED THE PROPOSAL SO THAT ALL ESSENTIAL PUBLIC FACILITIES THAT ARE PERMITTED MUST GO THROUGH A CONDITIONAL USE PERMIT.

2.2 The following criteria will be considered when siting behavioral health facilities:

~~• Adequate access to public transportation~~

- Proximity ~~and/or access~~ to social services and other services to meet the needs of residents and support facility operations.

NOTE: THESE CRITERIA COME FROM DEPARTMENT OF COMMERCE MODEL ORDINANCE FOR BEHAVIORAL HEALTH FACILITIES.

Related Code Changes

New Definitions (Title 18):

NOTE: NEW STATE LEGISLATION (ESSB 5536) REQUIRES CITIES TO INCLUDE OPIOID TREATMENT FACILITIES, BOTH MOBILE AND FIXED, AS ESSENTIAL PUBLIC FACILITIES. THE DEFINITIONS BELOW COME FROM THE STATE LEGISLATION AND STATE DEPT. OF COMMERCE BEHAVIORAL HEALTH FACILITIES MODEL ORDINANCE.

- Essential Public Facilities – Essential public facilities are typically difficult to site and include facilities such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, behavioral health facilities, which include opioid treatment programs (including both mobile and fixed-site medication units), harm reduction programs excluding safe injection sites, substance use disorder treatment facilities, and mental health facilities, group homes, recovery residences, community facilities, and secure community transition facilities.
- Opioid Treatment Program– A program that (a) engages in the treatment of opioid use disorder with medications approved by the United States food and drug administration for the treatment of opioid use disorder and reversal of opioid overdose, including methadone; and (b) provides a comprehensive range of medical and rehabilitative services.
- Opioid Treatment Program, Mobile Unit – A mobile medication unit established as an extension of an existing licensed opioid treatment program. The mobile unit must be a vehicle, lawfully used on public streets, roads, or highways with more than three wheels in contact with the ground, from which behavioral health services are provided at a nonpermanent location(s).
- Recovery Residence – A home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer-recovery support. A recovery residence is not a group home or group residence.
- Harm Reduction Programs – Programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.
- Behavioral Health Facilities, Residential – Residential facility licensed and regulated by the State of Washington, staffed to provide on-site care and that is not a hospital or group home. Such facilities may include fixed-site opioid treatment programs, harm reduction programs, substance use disorder treatment, and mental health treatment.
- Behavioral Health Facilities, Nonresidential – Nonresidential facility licensed and regulated by the State of Washington, staffed to provide on-site care and that is not a hospital or medical office. Such facilities may include fixed-site opioid treatment programs, harm reduction programs, substance use disorder treatment, and mental health treatment.
- Community Facilities – A group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility.
- Risk Potential Activity – “Risk potential activity” means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: Public and private schools, school bus stops, licensed day care and licensed preschool facilities, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and others identified by the Washington State Department of Social and Health Services following the hearings on a potential site required

in RCW 71.09.315. For purposes of this chapter, "school bus stops" does not include bus stops established primarily for public transit.

NOTE: THIS DEFINITION HAS BEEN ADDED FOR CONTEXT AS IT RELATES TO A TERM IN "SECURE COMMUNITY TRANSITION FACILITIES" SITING CRITERIA.

- Substance Use Disorder Treatment Facilities – Facility that provides care to individuals, typically on a voluntary basis, with a diagnosis of a substance use disorder.
- Secure Community Transition Facilities – A residential facility for persons civilly committed and conditionally released to a less restrictive alternative under this chapter. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250(1)(a)(i) and any community-based facilities established under this chapter and operated by the secretary or under contract with the secretary.
- Less Restrictive Alternative – Court-ordered treatment in a setting less restrictive than total confinement which satisfies the conditions set forth in RCW 71.09.092. A less restrictive alternative may not include placement in the community protection program as pursuant to RCW 71A.12.230.
- Mental Health Facility – Facility that provides mental health treatment services to individuals with a diagnosis of mental health disorders. This does not include medical offices with short-term, appointment-basis outpatient treatment by mental health practitioners such as psychologists, therapists, or psychiatrists.

Amended Definitions:

- SMC 18.04.0455 Group Residence – Add ~~"Group residences, group homes, institutions, and large group homes are not recovery residences."~~ **Residences intended to support persons recovering from a substance use disorder through the use of peer-recovery support are considered "recovery residences", not group residences.**

NOTE: REVISED FROM PREVIOUS PLANNING COMMISSION REVIEW FOR CLARITY.

- **SMC 18/04.0480 Halfway House** – Remove from code. This term only appears in definitions and not in any use table.

New Land Uses

NOTE: THE ZONING DISTRICTS BELOW DO NOT PROVIDE THE SAME LEVEL OF CONNECTIONS TO COMMUNITY SERVICES, SUCH AS TRANSIT, MEDICAL PROVIDERS, COMMERCIAL SERVICES WITHIN WALKING DISTANCE, ETC. THEREFORE, TREATMENT FACILITIES ARE DIRECTED TO ZONES WHERE MORE SERVICES ARE AVAILABLE.

- Add 'Behavioral Health Facilities, Residential', 'Behavioral Health Facilities, Nonresidential', and 'Opioid Treatment Program, Mobile Unit' to the land uses in the various zoning tables.

	Resource Protection District	Residential-Protection District	Low-Density Residential District	Medium and High Density Residential Districts	Commercial Districts	Manufacturing Districts
Behavioral health facility, residential	X	X	CUP	PA CUP	NC – PA CUP GC – PA CUP IC – CUP X	M-1 – X M-2 – X MICO – X
Behavioral health facility, nonresidential	X	X	CUP	PA CUP	NC – PA CUP GC – PA CUP IC – CUP	M-1 – X M-2 – X MICO – X
Opioid treatment program, mobile unit	PA X	PA CUP	PA CUP	PA CUP	NC – PA CUP GC – PA CUP IC – PA CUP	M-1 – PA CUP M-2 – PA CUP MICO – PA CUP

~~1. Type III.d decision subject to public notice requirements and appeal provisions:~~

- Add 'Recovery Residence' to the land uses in the various zoning tables.
 - Provisions for Recovery Residence identical to group residence/home
 - Zoning

	Resource Protection District	Residential-Protection District	Low-Density Residential District	Medium and High Density Residential Districts	Commercial Districts	Manufacturing Districts
Recovery residence	X	R-X	R-CUP	R-CUP	NC – CUP GC – CUP IC – X	M-1 – X M-2 – X MICO – X

- Add 'Secure Community Transition Facility' to the land uses in the various zoning tables.
 - Additional siting provisions in essential public facilities section (below)
 - Zoning

	Resource Protection District	Residential-Protection District	Low-Density Residential District	Medium and High Density Residential Districts	Commercial Districts	Manufacturing Districts
Secure community transition facility	X	X	X	X	NC – X GC – CUP IC – CUP	M-1 – X M-2 – X MICO – X

~~2. Add new use in Chapter 18.56 Procedures, under 18.56.030 (Land use permits required), section G:~~

NOTE: AFTER THE PLANNING COMMISSION'S FIRST REVIEW, STAFF HAS REVISED THE PROPOSAL SO THAT ALL ESSENTIAL PUBLIC FACILITIES THAT ARE PERMITTED MUST GO THROUGH A CONDITIONAL USE PERMIT.

G. The following decisions are Type III.d decisions which shall require public notice and be reviewed administratively and are appealable to the hearing examiner:

1. Administrative use permit;
2. Administrative variance;
3. Application of IDEA district overlay;
4. Short subdivisions of five or more lots.

~~5. Residential behavioral health facilities, nonresidential behavioral health facilities, and mobile opioid treatment programs:~~

- Add new Table of Contents **18.33 – Essential Public Facilities and Behavioral Health Facilities**
- Add new code section **18.33.010 – Siting Criteria for Behavioral Health Facilities:**

The following criteria will be considered when siting behavioral health facilities, including residential and non-residential facilities and opioid treatment mobile units:

~~1. Adequate access to public transportation~~

1. Proximity ~~and/or access~~ to social services and other services to meet the needs of residents and support facility operations.

NOTE: AGENCIES MAY HAVE VARIOUS OPTIONS TO ENSURE ACCESS TO TRANSPORTATION, SUCH AS LOCATING NEAR TRANSIT, ENGAGING SPECIAL TRANSIT PROVIDERS, PROVIDING THEIR OWN SHUTTLES, ETC.

2. Prior to application, applicant should submit an Operations Plan that addresses the following:
 - Facility point of contact (email, phone)
 - Process for communicating with neighboring residents and businesses

- Policies and procedures to address neighborhood concerns
 - Number of residents and expected length of stay
 - Facility rules and regulations
 - Staffing plans (number and shifts)
 - Onsite parking plan and anticipated response calls
 - Safety and discharge plan
3. Proposed development shall be licensed by the appropriate state authority and subject to their building requirements.
 4. The proposed development shall:
 - Be consistent with the purpose of the zoning district in which it is located;
 - Provide a landscaping plan which shall provide an aesthetic buffer adjacent to residential uses;
 - Make adequate provisions for drainage, vehicular, and pedestrian access (including emergency vehicle access), water, sewer, recreational areas, and any other relevant features necessary to serve the public interest; and
 - If sited in a residential area, the facility should be compatible with any bulk, scale, or design standards in the established zone.
 5. Opioid Treatment Program Use Specific Provisions
 - The City may require conditional use permits with reasonable conditions for siting of opioid treatment programs only to the extent that such reasonable conditional use requirements applied to opioid treatment programs are similarly applied to other essential public facilities and health care settings.
 - The City of Sumner may not impose a maximum capacity for an opioid treatment program.
 6. Opioid Treatment Program (OTP) Mobile Units Specific Provisions
 - Before operating a mobile unit, an established OTP must complete the following steps (in the order they appear below):
 - Obtain a Drug Other Controlled Substance Registration from the Pharmacy Quality Assurance Commission.
 - Obtain approval from the Drug Enforcement Agency (DEA) by contacting the local DEA office.
 - Submit a BHA Mobile Unit Notification form and a copy of the DEA approval for the mobile unit to Department of Health.
 - Obtain approval from the State Opioid Treatment Authority (SOTA).
 - Obtain approval from the Substance Abuse and Mental Health Services Administration.
 - The mobile unit may only provide services for which the OTP is currently certified to provide. If the mobile unit will be providing additional services, those must be added to the BHA license before the mobile unit will be approved.

New code section 18.33.020 – Siting Criteria for Essential Public Facilities:

NOTE: THESE CRITERIA ARE CONSISTENT WITH THE ADOPTED COUNTYWIDE PLANNING POLICIES AND ARE MODELED AFTER CITY OF LAKEWOOD’S CODE.

The following Development and Operating Conditions shall be established for Essential Public Facilities, including airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, behavioral health facilities, which include opioid treatment programs (including both mobile and fixed-site medication units), harm reduction programs excluding safe injection sites, substance use disorder treatment facilities, and mental health facilities, group homes, recovery residences, community facilities, and secure community transition facilities:

1. Documentation of Need – The project sponsor must demonstrate the need for the proposed EPFs. Included in the analysis of need should be the projected service population, an inventory of existing and planned comparable facilities and projected demand for this type of essential public facility.
2. Consistency with Applicant’s Plans - The proposed project should be consistent with the Applicant’s own long-range plans for facilities and operations.

3. Consistency with Other Plans - The proposal must demonstrate the relationship of the project to local, regional and state plans. The proposal should be consistent with the comprehensive plan and other adopted City plans. In evaluating this consistency, consideration shall be given to urban growth area designations and critical area designations, population and employment holding capacities and targets, and the land use, capital facilities, transportation, housing, and utilities elements of these adopted plans.
4. Relationship of Service Area to Population – With the exception of linear transmission facilities, the facility’s service area population should include a significant share of Sumner’s population, and the proposed site should be able to reasonably serve its overall service area population.
5. Minimum Site Requirements – Sponsors shall submit documentation showing the minimum siting requirements for the proposed facility. Site requirements shall be determined by the following factors: minimum size of the facility, access and transportation needs, support facilities, topography, geology, and mitigation needs. The sponsor shall also identify future expansion needs of the facility.
6. Alternative Site Selection – The project sponsor shall search for and investigate two (2) alternative sites before submitting a proposal for siting review. The proposal shall indicate whether any alternative sites have been identified that meet the minimum site requirements of the facility. The sponsor’s site selection methodology will also be reviewed. Where a proposal involves expansion of an existing facility, the documentation shall indicate why relocation of the facility to another site would be infeasible.
7. Distribution of Essential Public Facilities – In considering a proposal, the City shall examine the overall distribution of essential public facilities within greater Pierce County to avoid placing an undue burden on any one community.
8. Public Participation – Sponsors shall provide for local public participation in the development of the proposal, including mitigation measures. Sponsors shall conduct local outreach efforts with early notification to prospective neighbors to inform them about the project and to engage local residents in site planning and mitigation design prior to the initiation of formal hearings. The sponsor’s efforts in this regard shall be evaluated.
9. Consistency with Local Land Use Regulations – The proposed facility shall conform to the City’s land use and zoning regulations that are consistent with the applicable county-wide planning policies. Compliance with other applicable local regulations shall also be required.
10. Compatibility with Surrounding Land Uses – The sponsor’s documentation shall demonstrate that the site, as developed for the proposed project, will be compatible with surrounding land uses.
11. Proposed Impact Mitigation – The proposal shall include adequate and appropriate mitigation measures for the impacted area(s) and community(ies). Mitigation measures may include, but are not limited to, natural features that will be preserved or created to serve as buffers, other site design elements used in the development plan, and/or operational or other programmatic measures contained in the proposal. The proposed measures shall be adequate to substantially reduce or compensate for anticipated adverse impacts on the local environment.
12. Additional Siting Criteria for SCTFs
 - a. In no case shall a secure community transition facility (SCTF) be sited adjacent to, immediately across a street or parking lot from, or within the line-of-sight of risk potential activities or facilities in existence at the time a site is listed for consideration. Line-of-sight has been estimated to be six hundred (600) feet from a risk potential activity or facility, which distance has been determined to be the maximum distance at which it is possible to reasonably visually distinguish and recognize individuals. Through the conditional use process, line-of-sight may be considered to be less than six hundred (600) feet if the applicant can demonstrate that visual barriers exist or can be created which would reduce the line-of-sight to less than six hundred (600) feet.
 - b. The site or building shall meet all of the security requirements of RCW 71.09.285.
 - c. No SCTF may be located within six hundred (600) feet of any residentially zoned property.

HISTORIC AND CULTURAL RESOURCES

NOTE: TEXT SHOWN IN **GREEN** HIGHLIGHT IS REVISED SINCE PREVIOUS PLANNING COMMISSION REVIEW.

INTRODUCTION

Sumner's beginnings and cultural features provide a source of pride for the community and a context for understanding Sumner today. The City of Sumner is located within the traditional homelands of the Coast Salish Tribes, including the Puyallup Tribe and the Muckleshoot Tribe. Sumner continues to be a place of cultural importance for local tribes. Although local Native American tribes were prevalent prior to American settlers, However, despite the tribal history of the area, few tribal archaeological resources have been found due to the lack of surveys.

While there are a number of locally significant buildings within city limits, as of 2022, only three historic buildings have been surveyed and placed on the National Register of Historic Buildings. Without adequate planning and controls, development has the potential to disturb historic and cultural resources. In 2008, the City adopted the historic preservation ordinance that provides the ability for property owners to voluntarily place their properties on the Sumner Historic Register.

GOALS, POLICIES, AND OBJECTIVES

1. Identify, preserve, protect, and enhance restore areas of Sumner with historical, cultural, educational, or scientific values. the historic and prehistoric cultural resources of Sumner.

1.1 — Coordinate with local tribes and the State Department of Archaeology and Historic Preservation to conduct a general survey of the City limits and Planning Area to identify potential archaeological sites.

NOTE: POLICY TO BE DELETED; A GENERAL SURVEY IS NOT THE TYPICAL PROCESS. INSTEAD, SURVEYS ARE CONDUCTED AS DEVELOPMENT IS PROPOSED.

1.1 — Preserve and maintain the historic, cultural, scientific, or educational integrity of known resources, including properties listed on the National or State Register of Historic Places. Plan and design development on sites having historic, cultural, or archeological resources in a manner that prevents impacts to the resource and provides educational benefits to the public, where appropriate.

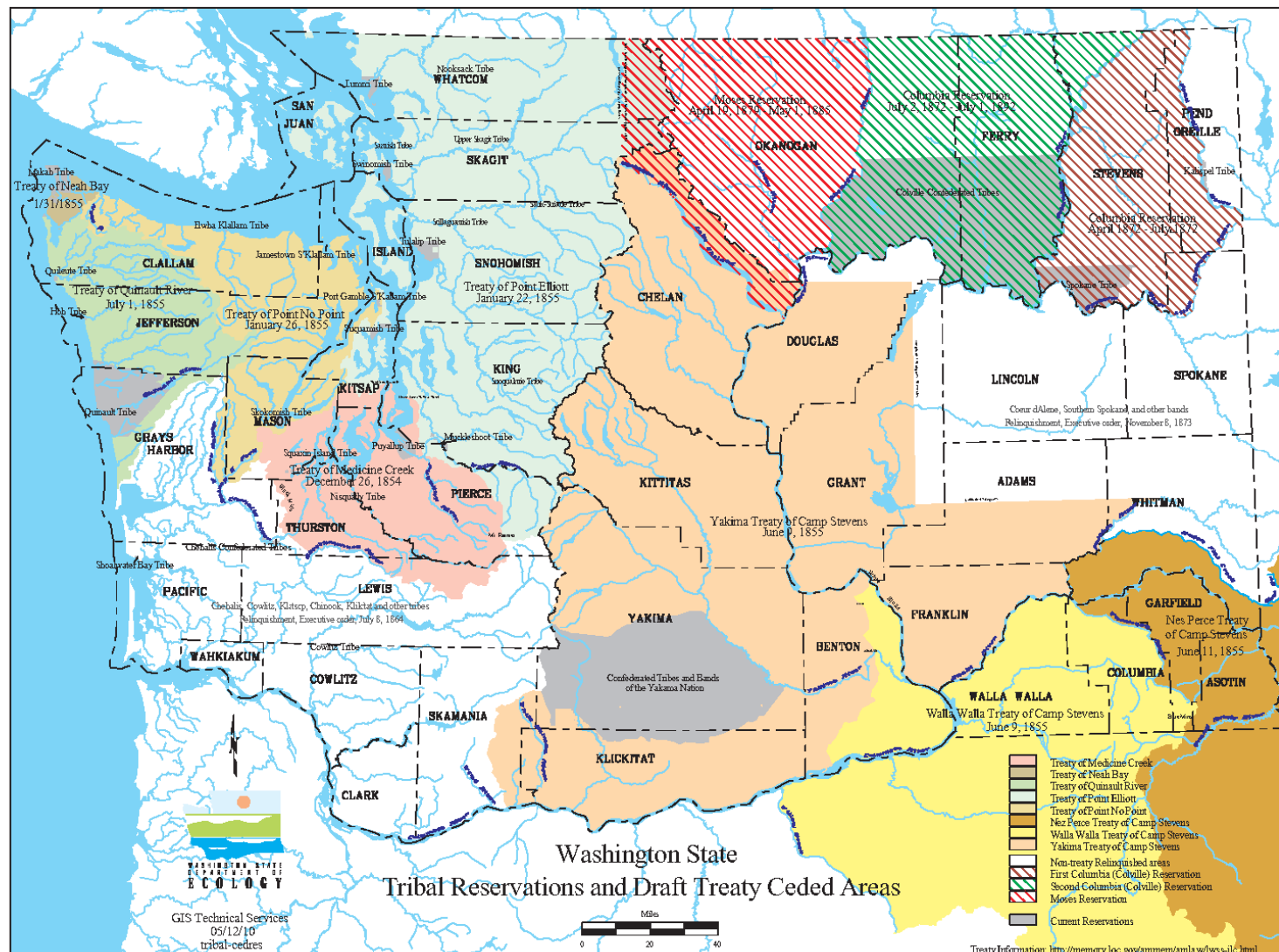
1.1.1 — Through the permitting and environmental review process, consider and avoid impacts to archaeological, historic, and cultural sites and resources.

1.1.2 — Consider the potential impacts of development on culturally significant tribal sites and collaborate with the Puyallup Tribe and Muckleshoot Tribe to ensure the protection of tribal cultural resources.

1.1.3 — **For projects subject to SEPA environmental review, on sites located in Town Center,** and with structures older than 45 years old, or with structures identified by the State Department of Archeology and Historic Preservation (DAHP) as potentially eligible for listing, require a project review by DAHP.

NOTE: THE SEPA PERMIT PROCESS (REQUIRED FOR LARGER PROJECTS) REQUIRES A DEVELOPER TO ANSWER QUESTIONS ABOUT POTENTIAL HISTORIC/ARCHAEOLOGICAL RESOURCES ON THEIR SITE. HOWEVER, CURRENT CODE DOES NOT REQUIRE THEM TO CONSULT WITH DAHP. CONSULTATION WOULD HELP INFORM PROJECT DEVELOPERS AND REVIEWERS OF RESOURCES PRESENT AND POSSIBLE WAYS TO PROTECT THEM.

- 1.1.4 Require developers to immediately stop work and notify the City, DAHP, the Puyallup Tribe, and the Muckleshoot Tribe if any artifacts of possible historic, cultural, or archeological value are uncovered during excavation.
 - 1.1.5. Require Inadvertent Human Remains Discovery Language recommended by DAHP to be added to permits as a condition of project approval.
- 1.3 Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition.
 - 1.3.1 Continue to support the Sumner Historical Society.
 - 1.3.2 Encourage local activities which promote the community and region's history, such as presentations to citizens, articles in the city newsletter, school presentations, and booths at city events and festivals.
 - 1.3.3 Partner with the Sumner Historical Society and others to provide access to historic documents, such as maps, photos, and newspapers, to landowners, citizens, and others. *NOTE: MOVED FROM 3.5*
 - 1.3.4 Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.
 - 1.3.5 Promote public awareness and understanding of prehistory and the history of tribes in the Sumner area.



- 1.4 Coordinate with community organizations, property owners, and local [citizens residents](#) to protect, acquire, and/or restore key historic properties.
 - 1.4.1 Promote the preservation [and revitalization](#) of significant lands, historic sites and structures, and historic trees through a combination of techniques such as landmark programs, incentives, and local government historic preservation programs.
 - 1.4.2 Implement design guidelines that protect and promote the historic and community character of Sumner.
 - 1.4.3 Maintain a historic preservation program, the local historic preservation commission, and maintain Sumner's designation as a Certified Local Government.
 - 1.4.4 Maintain a local register of historic places [and, with permission from the tribes, a list of traditional cultural properties.](#)
NOTE: THERE ARE NO TRADITIONAL CULTURAL PROPERTIES LISTED WITHIN SUMNER. HOWEVER, THERE ARE TRADITIONAL AND CUSTOMARY HUNTING AND FISHING AREAS WITHIN CITY LIMITS. THE TRIBES ARE GIVEN THE OPPORTUNITY TO COMMENT ON ENVIRONMENTAL REVIEWS OF DEVELOPMENT PROJECTS, AND POTENTIAL IMPACTS TO THE RIVERS.

COUNTYWIDE POLICIES AND STATE LAW REQUIRE JURISDICTIONS TO ADDRESS PROTECTION OF TRADITIONAL CULTURAL PROPERTIES. PER STATUTES, THESE ARE SITES OR AREAS THAT HAVE "TRADITIONAL CULTURAL SIGNIFICANCE, ARE ASSOCIATED WITH THE CULTURAL PRACTICES OR BELIEFS OF A LIVING COMMUNITY THAT ARE ROOTED IN THAT COMMUNITY'S HISTORY, AND ARE IMPORTANT IN MAINTAINING THE CONTINUING CULTURAL IDENTITY OF THE COMMUNITY." THESE AREAS MAY INCLUDE STRUCTURES, LANDSCAPES, PLANT GATHERING AREAS, ETC.
 - 1.4.5 Nominate properties for listing in the Washington State and National Register of Historic Places.
 - 1.4.6 Develop a local historic preservation plan, conduct surveys of cultural resources, and prepare nomination documents for Washington State and National Historic Places Registers.
- [1.5 Encourage private and public owners of historic sites to provide public access and educational opportunities in a manner consistent with long term protection of the resource.](#)
- [1.6](#) Actively seek state and federal grants and other funding sources to implement the historic preservation program.
- [1.7](#) Maintain a voluntary nomination program for single-family residential properties.

2. Enhance and improve the cultural arts environment.

- 2.1 Work with other organizations to promote visual, literary, and cultural arts and events in the community.
- 2.2 Maintain a cultural arts strategy [reflective of Sumner's history and diverse communities](#) to implement the goals of this Plan.
- 2.3 Maintain a Cultural Arts Commission for the promotion of cultural arts through partnering with other organizations, businesses, and supporters.
- [2.4 Encourage a diverse range of cultural arts and events that recognize the experiences of, and contributions of various ethnic groups throughout Sumner's history.](#)

3. Recognize Downtown's historic meaning and the role of the historic downtown as the historic center of Sumner and role as the heart of the community.

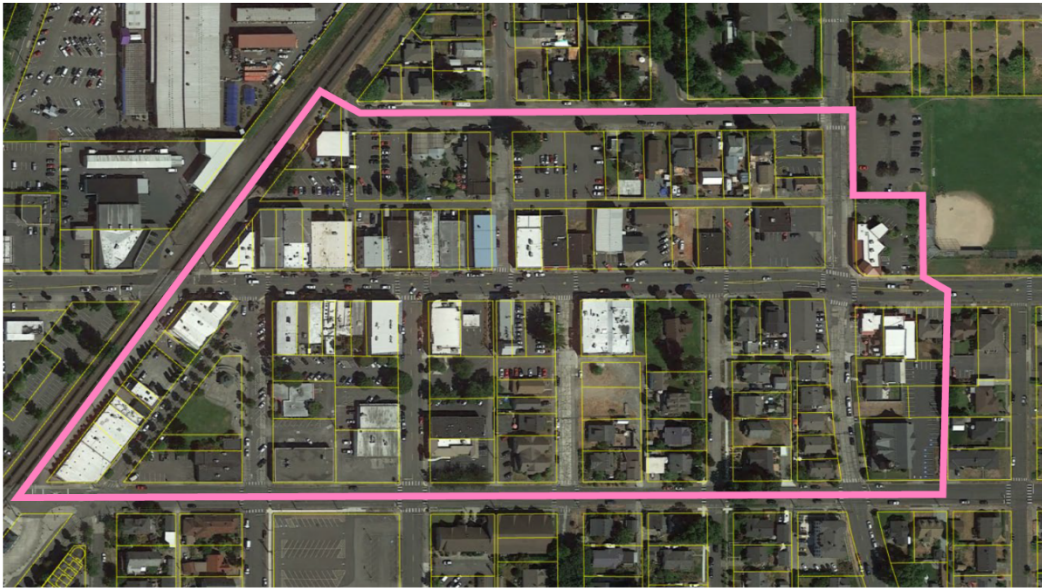


Figure 2: Historic Downtown of Sumner

- 3.1 Ensure Downtown's the historic character of the historic downtown is retained as new businesses and buildings are established, such as through design standards, historic preservation ordinances, or other means.
- ~~3.2 Establish a historic overlay zone in the Downtown area as a tool for preserving the character of Main Street.~~
~~NOTE: POLICY TO BE REMOVED; PRESERVATION OF HISTORIC CHARACTER IS COVERED IN POLICY 3.1.~~
- ~~3.2 Ensure that the streets in the historic downtown utilize street furniture and features, such as streetlights and benches, that are compatible with the historic character of the area.~~
- 3.3 Enliven and refresh Downtown historic downtown by allowing adaptive reuse of buildings and new construction that respects acknowledges the historic character of the area.
- 3.4 Improve the Ryan House and public access to the Ryan House museum and consider other compatible public uses such as converting it to a visitor center.
- ~~3.5 MOVED TO GENERAL POLICIES Partner with the Sumner Historical Society and others to provide access to historic documents, such as maps, photos, and newspapers, to landowners, citizens, and others.~~
- 3.6 Provide ongoing support and expansion of walking tours that highlight public art, architecture, history, trees, and other icons of the historic downtown.

NOTE: SUMNER HAS POLICIES IN THE COMMUNITY CHARACTER CHAPTER IN THE COMP PLAN THAT PROMOTE BEAUTIFICATION, EVENTS, AND ECONOMIC SUPPORT OF THE DOWNTOWN CORE.

Related Code Changes

Chapter 18.39: Historic Preservation

1. Update outdated references to Sumner becoming a "Certified local government" in the future to reflect Sumner's current status as a Certified local government (CLG)
 - o Includes 18.39.030 F and 18.39.130 A
 - o ~~"...until city of Sumner becomes a certified local government (CLG). Once a CLG, The class of property eligible to apply for special valuation in Sumner means..."~~

Add a new section to Title 18 (possibly 18.60): Cultural and Historic Resources Review Requirement:

1. **Developers of projects on sites with structures more than 45 years old that are located in Town Center, subject to SEPA environmental review, and/or identified by the State Department of Archeology and Historic Preservation (DAHP) as potentially eligible for listing shall request a project review with DAHP to determine whether the property is considered a historic resource. If it is found to be a historic resource, consultation and appropriate mitigation shall be required.**
 - a. The consultation request shall be submitted on form(s) approved by the Director.**
 - b. Mitigation measures shall be applied as appropriate to the scale and impact of the project and as appropriate to the significance of the resource(s), as determined by the Director.**

NOTE: 45 YEARS IS A STATE GUIDELINE FOR STARTING CONSULTATION WITH DAHP. STAFF RECOMMENDATION IS TO SET A THRESHOLD FOR WHEN REVIEW IS REQUIRED. THE STATE HAS ESTABLISHED SEPA THRESHOLDS BETWEEN "EXEMPT" PROJECTS AND LARGER PROJECTS THAT NEED TO GO THROUGH SEPA PERMITS. THIS CODE PROVISION WOULD FOLLOW THOSE THRESHOLDS. "LARGER PROJECTS" INCLUDE CONSTRUCTION OF MORE THAN 4 MULTIFAMILY UNITS, COMMERCIAL SPACE MORE THAN 4,000 S.F., AND GRADE/FILL OF MORE THAN 100 CUBIC YARDS, AS EXAMPLES. THE PROPOSED DAHP REVIEW WOULD NOT APPLY TO DEMOLITION OF A SINGLE-FAMILY HOME (LIKE MOST CITIES, THERE IS NO CURRENT REQUIREMENT FOR PRESERVATION).

NOTE: THE PROPOSED LANGUAGE ABOUT INADVERTENT DISCOVERY AND POTENTIAL DISTURBANCE IS ACCEPTED STANDARD PRACTICE, BUT NOT CODIFIED IN SUMNER'S CODE.

2. The City shall require Inadvertent Human Remains Discovery Language recommended by DAHP as a condition of project approval consistent with RCWs 68.50.645, 27.44.055, and 68.60.055:
 - o If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find.
3. All permits and statements of exemption shall contain provisions that require developers to immediately stop work and notify the City of Sumner, the State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe of Indians, and the Muckleshoot Tribe if any artifacts of possible historic, cultural, or archaeological value are uncovered during site work. In such cases, the developer shall be required to provide for a site inspection and evaluation by a professional archaeologist or historic preservation professional, as applicable, in coordination with the state and/or affected tribes to ensure that all possible valuable historic, cultural, or archaeological artifacts are properly protected or salvaged.

UTILITIES

INTRODUCTION

The Growth Management Act (GMA) requires that a utility element address "the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to electrical lines, telecommunication lines, and natural gas lines." City-provided utilities, like water and sewer, are addressed in the Capital Facilities chapter. Private entities provide utilities such as natural gas, electric, standard telephone, and cellular telephone services and these are addressed in this Element. ~~Issues identified through the course of environmental review include coordinated land use and facility planning, coordination of utility construction, conservation of resources, and potential health effects. A discussion of these issues is found in the Draft and Final Environmental Impact Statement. The Utilities Element establishes policies for providing, supporting, and partnering with providers to ensure that Sumner will be adequately served and will have access to new technology and more efficient services over time. In addition to ensuring adequate utility services, State legislation requires jurisdictions to address climate change and greenhouse gas reduction in their policies and regulations. Policies related to utilities and climate change are included in this element and elsewhere in the Comprehensive Plan. Goals, policies, and objectives regarding utilities are provided below as well as existing and proposed facility maps where available.~~

NOTE: BERK AND PARAMETRIX CONSULTANTS ARE WORKING ON INTEGRATING CLIMATE CHANGE/RESILIENCY POLICIES INTO THE COMPREHENSIVE PLAN. THERE WILL LIKELY BE A STAND-ALONE CLIMATE RESILIENCY SECTION, BUT OTHER CLIMATE POLICIES MAY BE INTEGRATED THROUGHOUT THE PLAN. THOSE POLICIES WILL BE BROUGHT TO THE COMMISSION IN UPCOMING MONTHS.

GOALS, POLICIES AND OBJECTIVES

1. *Facilitate the development of natural gas and alternative energy utilities at the appropriate levels of service to accommodate the growth that is anticipated to occur in Sumner.*

~~1.1 — CO-LOCATION AND COORDINATION OF UTILITY COVERED IN NEW 5.0 BELOW~~ Promote when reasonably feasible, co-location of new public and private utility distribution facilities in shared trenches and coordination of construction timing to minimize construction-related disruptions to the public and reduce the cost to the public of utility delivery. The City shall provide timely effective notice to utilities to encourage coordination of public and private utility trenching activities for new construction and maintenance and repair of existing roads.

1.21 Assist service providers to ensure land will be made available for the location of natural gas lines, including location within transportation corridors.

1.3.2 ~~Promote~~ Accommodate the extension of natural gas distribution lines to and within the Urban Growth Area. ~~The City shall coordinate~~ Coordinate land use and facility planning with service providers to allow eventual siting and construction of natural gas distribution lines within rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.

NOTE: MANY PEOPLE IN THE CITY ARE STILL USING NATURAL GAS, SO THE RECOMMENDATION IS TO KEEP THESE POLICIES.

1.32.1 Periodically review and amend existing regulations, including sensitive area regulations, as necessary to allow maintenance, repair, installation, and replacement of gas lines.

1.32.2 When requested provide the natural gas utility with updates of population, employment, and development projections. The City will seek to jointly evaluate

actual patterns and rates of growth and compare such patterns and rates to demand forecasts.

~~1.4 — REGIONAL PLANNING COVERED IN NEW POLICY 6.0 BELOW — Encourage communication among the City, Washington Utilities and Transportation Commission (WUTC), and utilities regulated by the WUTC, regarding service provision concurrently or in advance of demand.~~

1.53 Encourage system design practices intended to minimize the number and duration of interruptions to customer service.

~~1.6 — Coordinate with the utility provider to determine if a Memoranda of Understanding outlining expectations of the provider as well as the City would be beneficial.
NOTE: THIS POLICY NOT NEEDED, SINCE THAT INFORMATION IS ALWAYS COVERED IN A FRANCHISE AGREEMENT.~~

1.4 Facilitate conversion from natural gas to cost-effective and environmentally sensitive alternative technologies and energy sources.

1.4.1 Review design and development standards to determine improvements to encourage alternative energy sources.

1.4.2 Develop strategies to enhance existing public education and outreach campaigns to promote sustainable practices and alternative energy.

1.4.3 Promote existing state-level policies and initiatives, funding programs, and incentive programs for renewable energy technologies.

NOTE: CONSULTANT PARAMETRIX RECOMMENDS THESE NEW POLICIES BASED ON BEST PRACTICES. THESE POLICIES DON'T MANDATE ANY CHANGE, BUT CALL FOR FACILITATING THE TRANSITION TO ALTERNATIVE ENERGY SOURCES.

2. Plan and allow for regional and local improvements to electric facilities sufficient to support projected growth and desired land use patterns in Sumner and coordinate service plans for facility development.

2.1 Make decisions with respect to electric utility facilities so that safe, adequate, and efficient availability of electrical service in other jurisdictions is not negatively affected.

2.2 Accommodate facilities needed to support residential areas and sufficient to support economic development in Sumner.

~~2.2 — COVERED ABOVE IN POLICY 2.1 — Accommodate additions and improvements to electric utilities in a manner consistent with the needs and resources of Sumner as well as other jurisdictions. In addition, the City recognizes that decisions regarding utility corridors and facilities cannot be made solely on the basis of local considerations if multi-jurisdictional or regional interests would be affected.~~

~~2.3 — PLANNING WITH PRIVATE UTILITIES COVERED IN NEW POLICY 6.0 BELOW — Encourage Puget Sound Energy to make additions to and improvements of electric utility facilities that provide adequate capacity for future planned growth.~~

~~2.3.1 — When requested, provide the electric utility with annual updates of population, employment and development projections. The City of Sumner and the electric utility will seek to jointly evaluate actual patterns and rates of growth, and compare such patterns and rates to electrical demand forecasts.~~

~~2.3.2 — Provide early notification of any annexation requests or proposals to coordinate improvements and service.~~

- 2.4 — ~~COVERED ABOVE IN POLICY 2.2~~ Recognize the need for electric utility facilities that are sufficient to support economic development.
- 2.5 — ~~COORDINATION ADDRESSED IN NEW POLICY 6.0~~ Coordinate the formulation and periodic update of the utility element (and relevant implementing development regulations) with adjacent jurisdictions.
- 2.6 — ~~COORDINATION ADDRESSED IN NEW POLICY 6.0~~ Coordinate and seek to cooperate, with other jurisdictions in the implementation of multi-jurisdictional electric facility additions and improvements. Such coordination and cooperation should include efforts to coordinate the procedures for making specific land use decisions to achieve consistency in timing and substantive requirements.
- 2.7 — ~~CO-LOCATION & JOINT USE COVERED IN NEW POLICY 5.0 BELOW~~ Encourage the joint use of utility corridors, provided that such joint use is consistent with limitations as may be prescribed by applicable law and prudent utility practice.
- 2.8 — ~~COVERED IN NEW POLICY 5.2 BELOW~~ Provide timely and effective notice to utilities of the construction, maintenance or repair of streets, roads, highways or other facilities, and coordinate such work with the serving utilities to ensure that utility needs are appropriately considered.
- 2.9 — ~~COORDINATION ADDRESSED IN NEW POLICY 5.1~~ Work with the utility to appropriately place electric utility facilities on public rights-of-way.
- 2.10 — ~~REWORDED BELOW IN POLICY 2.3~~ Encourage underground utility networks in new developments in the City. In addition, where significant work in existing rights-of-way will occur, the City could investigate with service providers the possibility of buried lines where existing overhead lines are presently located.
- 2.3 Encourage underground utility networks in new developments in the City, and in locations where significant work in the right-of-way has the potential to accommodate undergrounding. Where appropriate, require undergrounding of utilities in targeted areas such as Town Center and in other areas as appropriate for the type, size and location of the development.
- 2.4 Undergrounding of distribution lines would-should be in accordance with approved franchise agreements and Puget Sound Energy applicable tariffs on file with the WUTC.
- 2.11 — ~~REDUNDANT WITH PREVIOUS POLICY~~ Coordinate with the utility provider to determine if a Memoranda of Understanding outlining expectations of the provider as well as the City would be beneficial.

3. ~~Coordinate with communication utilities to ensure adequate telephone services and high-speed technology services in the community. Coordinate with telecommunication services to provide new and cost-effective emerging information and technologies and provide the community equitable access to options and reliable service.~~

NOTE: UPDATED POLICY INTENT IS TO HIGHLIGHT THE CITY'S ROLE IN ADVANCING TELECOMM IN THE COMMUNITY.

- 3.1 — ~~REDUNDANT~~ Allow for improvements and additions to communication facilities needed to accommodate growth.

~~3.2 — COVERED IN NEW POLICY 5.2— Strive to notify telephone service providers and residents of construction work in the public rights of way which may affect telephone system equipment.~~

~~3.3 — COVERED IN POLICY 2.3 AND NEW POLICY 5.1 Encourage underground utility networks in new developments in the City. In addition, where significant work in existing rights of way will occur, the City could investigate with service providers the possibility of buried lines where existing overhead lines are presently located.~~

3.1 Maintain appropriate, telecommunication facility regulations in the Zoning Code and ensure that proposal review considers setbacks, land use compatibility, aesthetics, fencing and vegetative buffering, and other concerns, consistent with State laws.

~~3.5 — REDUNDANT WITH PREVIOUS POLICY Coordinate with the utility provider to determine if a Memoranda of Understanding outlining expectations of the provider as well as the City would be beneficial.~~

3.2 Allow telecommunication utilities only where impacts of their infrastructure size and appearance can be mitigated or relocated to nonresidential areas while prohibiting new cellular towers in residential areas.

3.3 Encourage utility partnerships to take advantage of the City's fiber optic network to facilitate service delivery and encourage other broadband services throughout the City.

NOTE: THE CITY IS IN THE PROCESS OF DEVELOPING A FIBER OPTIC NETWORK THAT WILL PROVIDE A TRUNK LINE CONNECTION THROUGH THE MIC AND TO OTHER ADJACENT NETWORKS.

~~**4. — Ensure environmentally sensitive, safe and reliable service, and conservation of energy.**~~

NOTE: THESE POLICIES DELETED, SINCE THEY WILL BE COVERED UNDER OTHER COMP PLAN ELEMENTS, SUCH AS CAPITAL FACILITIES ELEMENT AND CLIMATE CHANGE ELEMENT.

~~4.1 — Facilitate and encourage conservation of resources to delay the need for additional facilities.~~

~~4.2 — Facilitate the conversion to cost-effective and environmentally sensitive alternative technologies and energy sources.~~

~~4.3 — Support development of a widespread gaseous fuel infrastructure to provide more options to reduce vehicular pollution. One example is conversion of the City's fleet to cleaner fuels.~~

~~**5. — Facilitate the provision of reliable utility service in a way that balances potential safety and health impacts and allows for a fair and reasonable price for the utility's product.**~~

NOTE: POLICIES HERE DELETED, AS CITY HAS MINIMAL ROLE IN EMF, AND SAFETY ISSUES AND COST-EFFECTIVENESS ARE ADDRESSED MORE BROADLY FOR ALL UTILITIES IN NEW POLICY 7.0 BELOW.

~~5.1 — Encourage active City and utility participation in the development of regional and statewide policies regarding exposure to EMF (electromagnetic fields).~~

~~5.2 — Review periodically, the state of scientific research on EMF, and make changes to policies if the situation warrants.~~

~~5.3 — Review potential power density, height and setback standards and consider an ordinance which regulates communication towers to address potential health effects.~~

4. Adopt incentives, strategies, actions, and regulations that encourage equitable development and access to utilities.

NOTE: POLICIES BELOW ADD A CONSIDERATION OF VULNERABLE POPULATIONS, AS REQUIRED BY THE STATE.

4.1 Promote equitable access of utility services to all residents, prioritizing services and access to historically underserved communities.

4.1.1 Connect residents to State and local resources such as utility bill or deposit assistance programs and subsidies to supplement tenant-based rental assistance, in order to increase protection for vulnerable households.

4.1.2 Support programs that assist low-income households with utility- related home repairs, weatherization, and other energy-efficient improvements to owner-occupied and rental housing.

4.2 Prioritize design, siting, construction, operation, and relocation or closure of utility systems in a manner that is cost effective, environmentally sensitive, and minimizes and mitigates impacts to vulnerable populations and communities that have been disproportionately affected by noise, air pollution, or other health impacts.

5. Promote, when reasonably feasible, co-location or joint use of public and private utility in shared trenches, conduits, or poles so that utilities may encourage expansion, maintenance, and upgrading to minimize disruptions to the public, reduce cost to the public of utility delivery, and consistency with limitations as may be prescribed by applicable law and prudent utility practice.

NOTE: ABOVE POLICY CARRIES FORWARD THE "CO-LOCATION" THEME IN EXISTING POLICIES.

5.1 Work with the utility to appropriately place utility facilities on public rights-of-way when reasonably feasible.

5.2 Provide timely effective notice to utilities to encourage coordination of construction, maintenance, or repairs to roadways or other facilities.

6. Seek cooperative planning approaches among jurisdictions, agencies, federally recognized tribes, adjacent regions, and private utility providers to address regional issues of utility needs and resources and emergency response.

6.1 Coordinate land use decision-making with utility providers to ensure consistency in timing and standards.

6.2 Prioritize utilities-related actions to ensure adequate service and minimal service disruptions for historically underserved populations.

6.3 Assist local utilities in their planning and emergency responses by providing updates on population, demographics, and employment, if needed.

NOTE: ABOVE POLICY CARRIES FORWARD THE "COORDINATION" THEME IN EXISTING POLICIES AND GUIDANCE FROM PUGET SOUND REGIONAL COUNCIL, AND ADDS AN EQUITY CONSIDERATION AS REQUIRED BY THE STATE.

6.4 Ensure that the City's Emergency Response Plan is coordinated with regional jurisdictions and utility providers to include local measures for communicating and addressing utility outages and emergencies.

6.5 Coordinate and prioritize messaging that is in plain language, short, culturally appropriate, in languages prevalent in the area, and in multiple formats, such as audio, large print, and captioning.

7. *Implement new technologies that balance costs and benefits for the City, health and safety, aesthetics, protection of the environment and economy, and promote affordability and equitable access of utilities to all communities.*

7.1 Prioritize the provision of cost effective, energy-efficient new technologies to underserved populations.

7.2 Prioritize the use of new technologies, programs, and applications that increase the reliability, affordability, and accessibility of utility services and pay options.

SUBJECT:

CATEGORY: Information Only

1. 2024 Comprehensive Plan – Discuss Land Use Element, Housing Element

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Land Use Element - 08-30-23
2. Housing Element - 08-31-23

STAFF CONTACT:

SUMMARY BACKGROUND: The Planning Commission began reviewing the first elements (chapters) of the 2024 Comprehensive Plan (Comp Plan) in April 2023, and review of additional elements continues in the September 2023 meeting.

BERK Consulting is completing the 2024 Comprehensive Plan, and will present updates to remaining elements, policies and related development regulations. At the September 7th meeting additional new elements will be discussed:

- Housing Element
- Land Use Element

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Provide comments on the proposed Comprehensive Plan materials to staff and the consultant.

LAND USE

INTRODUCTION

The Land Use Element plays the central role of correlating land use issues. It provides direction on land use patterns, compatibility, and orderly development. The potential for rapid and incompatible development can be minimized through the coordination with infrastructure plans and through site and building design and buffering techniques. Land Use Element goals, policies, and objectives relate directly to the other elements of the Sumner Comprehensive Plan particularly the Community Character Element, Capital Facilities and Public Services Element, and Transportation Element.

The Comprehensive Plan Land Use Map (Figure X), category descriptions, and statistics are found following the goals, policies, and objectives provided below.

GOALS, POLICIES, AND OBJECTIVES

1. *Provide for a variety of land uses in Sumner while preventing adverse impacts and ensuring consistent implementation of policies and regulations. ~~orderly development within the Sumner community.~~*

- 1.1 Ensure appropriate transitions between land uses so that more intensive uses do not adversely impact adjacent uses.
 - 1.1.1 Maintain the Sumner design and development guidelines and zoning provisions 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 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.
 - 1.2.1 Review existing capital facility plans and update them as necessary to ensure compatibility-consistency with land use plans.
 - 1.2.2 Review and develop incentive based programs that would facilitate the development of vacant properties to leverage economic development potential.
- 1.3 Through the Land Use Element and Community Character Element, strive to balance residential, commercial, industrial and public land uses.
 - 1.3.1 Periodically ~~annually~~ review development regulations to remove unnecessary requirements and to balance environmental protection, public participation, and housing and economic development goals.

NOTE: THE STATE REQUIRES A 5-YEAR PROGRESS REPORT ON SOME COMP PLAN TOPICS (E.G. CLIMATE, HOUSING, PERMITTING) BUT NOT REQUIRED FOR ALL ELEMENTS.

1.4 Planning sub-areas. Identify planning sub-areas that warrant further study and special design considerations and/or economic development focus.

1.4.1 Planning sub-areas include:

- Town Center Plan area
- East Sumner Urban Village
- East Main Street
- Sumner-Pacific Manufacturing/Industrial Center.

- 1.4.2 Where appropriate, prepare subarea plans to implement the Land Use and Community Character Elements of the Comprehensive Plan. Subarea plans shall specify in more detail the allowable uses, urban design quality themes, buffering, and protection of critical areas ~~sensitive areas and resources~~.
- 1.5 Integrate existing neighborhood plans, subarea plans, and design strategies into the Comprehensive Plan.
- 1.6 Implement the land use map and accompanying designation descriptions as presented in the section titled "Land Use Designations" and Figure X titled "Comprehensive Plan Land Use Map" through the adoption and maintenance of the Zoning Map.
- 1.7 Ensure new development is consistent with the policies of this Plan through implementation of regulations, programs, and project-specific review.

2. Consider the potential impacts to Tribal treaty rights related to fishing, hunting, and gathering grounds in land use decisions, including decisions on development patterns, comprehensive plans and zoning designations.

NOTE: COORDINATION WITH THE TRIBES ON POTENTIAL LAND USE IMPACTS IS REQUIRED IN THE ADOPTED COUNTYWIDE PLANNING POLICIES.

- 2.1 When notified by tribes of treaty rights in a particular location, incorporate ways to preserve and address treaty rights in land use decisions and designations.
- 2.2 Ensure that the tribes are provided timely and sufficient opportunity to comment on significant development projects and land use decisions.

3. Consistent with the Growth Management Act, designate an Urban Growth Area (UGA) within which urban growth must be encouraged and outside of which growth may occur only if it is not urban in nature.

- 3.1 Include sufficient areas within the UGA to accommodate the city's projected urban growth and housing needs.
- 3.2 Coordinate with adjacent jurisdictions and Pierce County through joint planning to ensure service provision and development is consistent with the goals of this Plan.
- 3.3 In accordance with the Countywide Planning Policies, promote and participate in joint planning of unincorporated lands within the Sumner Urban Growth Boundary as shown on Figure X.
- 3.4 Request joint planning of lands immediately adjacent to the City limits and the Sumner Urban Growth Boundary including land south of SR-410 and along SR-162. See Figure X.
- 3.5 Joint planning would be completed prior to any modification of the Sumner Urban Growth Boundary and following review of growth demands and capacity.
- 3.6 Consider annexing unincorporated lands addressed in the Sumner Comprehensive Plan and located within the Sumner Urban Growth when initiated by a private party and in order to resolve service conflicts and avoid creating unincorporated "islands".
- 3.7 Ensure newly annexed lands are zoned in conformance with the Sumner Comprehensive Plan Land Use Plan Map.
- 3.8 A subarea plan should be required prior to any large annexation of the Urban Growth Area or request for expansion of the Urban Growth Areas to ensure that newly annexed areas are compatible with and do not adversely affect rural land uses.

4. *Support the Town Center Plan area as a "Countywide Center" as it relates to transportation funding.*

4.1 Implement the Town Center Subarea Plan and Form-Based Code, to support dense, mixed-use development and walkable neighborhoods near the transit center.

5. *Support the Manufacturing/Industrial Center as a designated Regional Manufacturing/Industrial Center*

5.1 Implement the goals and policies in the Sumner- Pacific Manufacturing/Industrial Center Subarea Plan to ensure a coordinated approach to development, environmental review, and strategic capital investments in the Center.

6. *Encourage neighborhood development that supports healthy communities.*

NOTE: VISION 2050 (MULTI-COUNTY POLICIES) AND PIERCE COUNTY COUNTYWIDE PLANNING POLICIES REQUIRE JURISDICTIONS TO ADDRESS HEALTHY COMMUNITIES. THESE ARE GENERALLY DEFINED IN THE CPPs AS: "...places where all individuals have access to healthy social, economic, built and natural environments that give everyone the opportunity to live to the fullest, regardless of race and ethnicity, gender, income, age, abilities, or other socially defined circumstances."

6.1 Promote land use planning that supports walkability, tree canopy, access to services that meet daily household needs, access to parks and open space, and access to healthy and culturally relevant foods.

6.2 Consider the environmental health and other impacts of land use decisions on overburdened communities (minority, low-income, tribal, or indigenous populations that potentially experience disproportionate environmental harms and risks). Encourage the participation of these communities in the decision-making process.

NOTE: "OVERBURDENED COMMUNITIES" IS A TERM USED BY FEDERAL AGENCIES LIKE THE EPA IN DISCUSSING ENVIRONMENTAL JUSTICE AND GROUPS THAT HAVE OFTEN EXPERIENCED DISPROPORTIONATE ENVIRONMENTAL IMPACTS.

6.3 Ensure that adequate landscape screening and trees are provided around sources of significant noise and air pollutants that may affect schools and neighborhoods.

6.4 Mitigate the environmental health effects of climate change, including air quality, stormwater, and heat impacts, through the acquisition of parks and open space and tree planting, prioritizing overburdened communities.

6.5 Engage with the community on the topic of climate impacts and adaptation strategies.

6.6 Support energy efficiency and upgrade programs that reduce health risks for vulnerable populations due to extremes of heat and cold.

NOTE: "VULNERABLE POPULATIONS" IS A TERM USED BY HEALTH AGENCIES TO REFER TO GROUPS THAT ARE MORE AFFECTED BY EXTREMES, SUCH AS CHILDREN AND OLDER ADULTS.

Land Use Designations

8. *The land use designations categories and target densities described in the sections below are to be utilized in conjunction with the Land Use Comprehensive Plan Map, shown in Figure X. These designations guide the zoning districts in the adopted zoning map. Table 1 summarizes the categories and densities of particular districts.*

8.1 RESIDENTIAL

8.1.1 Resource Protection

The Resource Protection District applies to areas that have significant natural resources or potential for small- to -moderate-scale agricultural uses. The district's purpose is to: Protect natural resources such as agricultural, mineral resource, fish and wildlife habitat areas from the intrusion of non-resource based development; to promote the conservation of natural resource lands and related activities or operations; and to maintain large areas free of impervious surfaces in order to increase the potential for natural infiltration of rainfall and the retention of natural drainage water patterns, minimizing the need for storm water facilities and increasing the protection of ground water resources.

8.1.2 Residential Protection

This designation is applied to areas adjacent to lands in resource production (e.g. agriculture, mineral extraction, forestry) and in sensitive critical areas as appropriate (e.g. landslide/erosion hazard areas). Uses in Residential-Protection ~~uses~~ act as a buffer between ~~natural~~ resource productions and environmentally sensitive areas and higher density/intensity developments. Property owners would be on notice that in adjacent areas resource uses will be encouraged.

The very low densities reflect the absence of City services and the desire to minimize potential land use conflicts when resource production areas cease extraction activities and become more urbanized in the future. ~~and the desire to ensure that when areas become urbanized that previous land-use patterns will not hinder future choices.~~

Allowable primary uses include single-family detached homes. Secondary uses include specialty farming, small-scale animal husbandry, home occupations, utilities subject to compatibility criteria, and other uses incidental to and compatible with the primary use.

8.1.3 Low Density

This designation (LDR) provides for primarily single-family dwellings and duplexes in areas with current or planned access to City facilities and services. At the higher end of the single family low density range (LDR-3 at 7-~~2010~~ du/ac), public transit can more easily be supported. Through a planned residential development permit process, this base density may be increased significantly for affordable senior housing. Low density residential uses provide a transition from ~~rural~~ residential-the Residential Protection district and protected critical areas to higher density uses. Primary uses include detached single-family ~~residential~~ dwellings, duplexes, private garages, and other accessory buildings. Secondary uses allowed typically with appropriate criteria through a special permit process include-accessory dwelling units ("mother-in-law units"), adult family homes, assisted living facilities, senior apartments and retirement homes, hospitals, educational facilities, utilities subject to compatibility criteria, and churches and religious institutions. Many of these secondary uses may bring a higher number of residents, visitors and vehicle trips than normally associated with low density residential areas. However, allowing such secondary uses reflects the desire to accommodate needed housing and human services uses that can be integrated into the neighborhood.

NOTE: NEW STATE LAW (HB 1110) REQUIRES SUMNER AND OTHER CITIES TO ALLOW AT LEAST 2 DWELLING UNITS PER LOT IN ZONES THAT ARE PRIMARILY RESIDENTIAL. NEW LAW ALSO REQUIRES SUMNER TO ALLOW UP TO 2 ADUs PER LOT.

8.1.4 Medium Density

The medium density designation (MDR) is intended to provide for multi-family living to ensure that opportunities to obtain reasonable-cost housing exist for community residents. Primary uses include multi-family housing of various types including duplexes, multiplexes, and low-rise apartments (three stories or fewer), zero-lot line structures, townhouses, condominiums, senior apartments and retirement homes, etc., and may also include single-family dwellings. Secondary

uses allowed typically through a special permit process can include adult family homes, day care, educational facilities, utilities subject to compatibility criteria, churches and religious institutions, assisted living facilities, limited office/professional buildings, and manufactured home subdivisions. Through a planned residential development permit process, the base density in Medium Density Residential may be increased significantly for affordable senior housing. Medium density developments may require design review to ensure diversity of building types/avoidance of building form repetition, plan goal consistency, and neighborhood compatibility.

NOTE: NEW STATE LAW REQUIRES JURISDICTIONS TO PLAN FOR AND ACCOMMODATE HOUSING NEEDS OF ALL INCOME BANDS. IN SUMNER, THIS MEANS CREATING CAPACITY FOR AND ENCOURAGING MORE HOUSING UNITS AND MORE AFFORDABLE UNITS. THE POLICY QUESTION IS WHERE THOSE UNITS MIGHT BEST BE ACCOMMODATED IN SUMNER. CURRENTLY, APARTMENTS ARE NOT ALLOWED IN MDR OUTSIDE OF EAST SUMNER AND TOWN CENTER. STAFF RECOMMENDS THAT THE MDR ZONE BE UPDATED TO ALLOW LOW-RISE APARTMENTS AS PART OF OUR APPROACH TO MEETING THE STATE LAW REQUIREMENT.

8.1.5 High Density

This designation (HDR) allows for higher density multi-family developments to allow for a broad range of housing choices in areas with existing and planned infrastructure, and to allow for infill development and the reduction of sprawl. Primary uses include multi-family housing of various types including townhouses, condominiums, apartments, etc. Secondary uses can include low and moderate density residential developments, adult family homes, day care, and assisted living facilities. New single-family uses are prohibited so as not to take up housing capacity in the high density district, although existing single-family uses may remain. Through a planned residential development permit process, the base density in High Density Residential may be increased significantly for affordable senior housing. This designation may be applied in new areas as appropriate to the neighborhood's character (e.g. near commercial areas and transit). High density developments may occur. This designation should be applied where the following conditions exist:

- The area has access to appropriate services (e.g. near commercial services and transit);
- An over-concentration of multi-family dwellings in a single area is avoided Where medium density residential or other moderate density use/mixed land use provides a buffer between low density and high density residential;
- A repetition of building forms is avoided in the proposed development;
- Design review will be required to ensure design appropriate to the neighborhood character;
- Adequate public and community facilities exist to support the density.

8.2 MIXED USE

8.2.1 Historic Central Business District (Town Center) Town Center Plan area

~~The 2018 Town Center Plan update re-designated the Central Business District to the Historic Central Business District which provides a focal point for the City and allows for retailing and other commercial services in a fashion that preserves and enhances the pedestrian scale and character of development in the Town Center area. Small and medium independent shops and offices are typical to this district. Primary uses include retail businesses, professional offices, hospitals, medical clinics, hotels, theaters, restaurants, personal service shops, multi-family dwellings above ground floor commercial uses, and public/semi-public buildings. Secondary uses include, convenience stores, utilities subject to compatibility criteria, and small scale light manufacturing associated with artisan or craft production. The Historic Central Business District also functions as a "town-center" because of its central location as a transit hub, the pedestrian scale and character, and the types of services provided.. The Town Center Plan district includes several sub-districts: the West Sumner district, riverside district, station district and the historic central business district. Each district has its own unique characteristics, and development requirements.~~

NOTE: THIS POLICY TO BE REMOVED, SINCE THE TOWN CENTER PLAN ABSORBED THE OLD CENTRAL BUSINESS DISTRICT AND ALL OF TOWN CENTER AREA IS AN OVERLAY DISTRICT (DESCRIBED BELOW).

8.2.1 Urban Village

~~Urban villages are self-contained, tightly gridded, mixed use areas with a seamless mix of residential, commercial, and civic uses. An urban village in Sumner would be different than an urban village in Seattle. In Sumner, an urban village would be something like a "mini-Downtown" and would respect the "small town character" of Sumner by ensuring buildings are of appropriate height and scale.~~

Urban villages are intended to be self-contained mixed use areas with a compact street grid and interconnected pedestrian corridors that promote walkability throughout the neighborhood. They are intended to support a mix of residential, commercial and civic uses. An urban village in Sumner would be something like a "mini-downtown."

The urban village(s) will provide a focus for neighborhoods outside of the downtown area. Urban villages promote development that is pedestrian scale, transit-oriented ~~developments and~~ in harmony with the character of the community. Primary uses include retailing and commercial services, banks (with no drive through facilities), professional offices, bed-and-breakfasts, hotels, civic uses, multi-family dwellings of various types including duplexes, townhouses, condominiums, apartments, etc. Secondary uses can include single-family dwellings and accessory dwelling units in residential zones only, and other dwellings such as duplexes and townhomes. Other secondary uses include adult family homes, day care, public and private educational facilities, utilities subject to compatibility criteria, churches and religious institutions, convalescent care and rest homes. Mixed uses, converted residential buildings, converted commercial buildings, and variable lot sizes are encouraged to ensure pedestrian orientation, visual interest, and historic character protection.

NOTE: CURRENTLY THE ONLY DESIGNATED URBAN VILLAGE IN SUMNER IS THE EAST SUMNER URBAN VILLAGE (ESUV). IT IS COMPRISED OF DIFFERENT RESIDENTIAL AND COMMERCIAL ZONES (E.G. ESUV/LDR, ESUV/GC).

8.3 COMMERCIAL

8.3.2 Neighborhood Commercial

This designation is intended to provide for neighborhood centers that include convenient retailing, small offices, and other commercial activities principally oriented to adjacent residential areas and neighborhoods. Primary uses include convenience stores, eating and drinking establishments, personal service shops, day care, dry cleaners, laundromats, and others ~~deemed to be neighborhood-serving uses that serve primarily the immediate neighborhood, and are not auto-oriented uses.~~ Secondary uses include public/quasi-public uses such as parks and other similar facilities as well as utilities subject to compatibility criteria. Higher density residential developments may also be allowed in the specified neighborhood commercial areas where integrated appropriately with the commercial uses and surrounding neighborhood.

8.3.1 General Commercial

This designation is applied to areas outside of the downtown area and urban villages where retailing, commercial, and office uses serving a larger market are promoted. While the uses accommodate automobiles to a greater degree, buildings with a street orientation, screened parking, and ample landscaping ensure more attractive commercial areas. Primary uses include retail businesses, automotive sales, professional offices, medical services and clinics, hotels, theaters, restaurants, personal service shops. Secondary uses include convenience stores, utilities subject to compatibility criteria, and light manufacturing, assembling, and repairing where accessory to retail uses. General commercial uses may occur in different forms to encourage specific uses. For example, retail or commercial uses near large employment centers may be limited to commercial uses to support workers. ~~Limited multi~~ Multi-family residential uses may be incorporated ~~(e.g. on second floors above retail) where it can be integrated into the proposed development and is compatible~~ with the surrounding neighborhood. Existing general commercial areas will be encouraged to incorporate pedestrian-oriented elements and positive design features such as additional landscaping, reduced front setbacks, screened parking, and pedestrian scale street fronts, lighting and signage. New development in general commercial areas will require design review to ensure these goals are met. Areas with this designation should provide an

~~appropriate mix and a balance in the accommodation of facilities for~~ all transportation modes including transit, ~~bicycle~~ and ~~modespedestrians is achieved.~~

8.3.3 Interchange Commercial

This designation applies to areas surrounding the 24th/28th street interchange on SR167 and the area south of SR410 near the 166th Avenue interchange. These areas are designated as Interchange Commercial (IC) because they function primarily as automobile dependent businesses, lack pedestrian connections to residential zoning ~~and neighborhood services~~, and the future character is anticipated to be primarily automobile dependent. While not following as closely to the requirements for pedestrian oriented design, the design standards ~~applied here~~ will ~~be require~~ attractive and ~~of~~ high quality ~~development~~. Primary uses in this zone will be similar to General Commercial such that there will be automotive sales, equipment sales, gas/convenience stores, automotive repair and maintenance, hotels/motels, theaters, and grocery stores. The area will have greater setbacks allowed than in General Commercial and have less emphasis on pedestrian connections to the street while internal pedestrian ~~design amenities~~ will still be required.

8.4 MANUFACTURING AND INDUSTRIAL

8.4.1 Light Manufacturing

~~This district allows for the following uses:~~ Principle uses ~~in this district~~ include light manufacturing (particularly assembling and manufacturing of products from previously prepared material), ~~office~~, warehouse/distribution, and packaging plants, ~~and limited office uses~~. Secondary uses include ~~service-retail services~~, restaurants, government ~~uses~~, agricultural activities, and utilities subject to compatibility criteria.

Goals for landscaping are to ensure adequate landscaping/screening:

- along streets
- within parking lots
- buffers next to lower intensive zones, ~~and open~~ ~~public open~~ space and critical areas
- ~~some amortization of existing businesses~~
- screening of outdoor storage
- along side lot lines when not immediately adjacent to a parking lot/truck maneuvering area.

Goals for ~~Site Design~~ ~~site and building design~~ are:

- ~~design consistent with transit goals~~
- ~~quality building materials and modulation along street fronts~~
- screening of parking and loading
- discourage multiple curb cuts.

NOTE: DEVELOPMENT IN INDUSTRIAL ZONES CURRENTLY MUST COMPLY WITH DESIGN GUIDELINES FOR INDUSTRIAL DEVELOPMENT, WHICH ARE LESS STRINGENT THAN GUIDELINES FOR COMMERCIAL, AND WHICH FOCUS ON LANDSCAPE SCREENING AND BUILDING DESIGN ALONG STREET FRONTS.

8.4.2 Heavy Manufacturing

This district provides areas for heavy industrial uses which are located ~~appropriately~~ to ensure minimal impacts to residential and commercial areas. Typical uses include processing of natural and manmade materials for use in general manufacturing, assembly, warehousing, and distribution. Secondary uses include office, limited retail establishments, agricultural activities, and utilities subject to compatibility criteria.

8.4.3 Public and Private Facilities and Utilities

The primary purpose of this designation is to identify lands utilized to provide public and private utilities, facilities, and services. ~~A secondary purpose of this designation is to allow manufacturing and industrial uses in specific areas as provided in the underlying zoning.~~ Allowable uses include parks, schools, medical facilities, non-profit service uses/organizations, public and private utilities, and government buildings, ~~as well as manufacturing and industrial uses in specific locations.~~

~~Portions of the area~~ In some cases, properties designated as Public and Private Facilities and Utilities are also located within the ~~manufacturing/industrial center~~ Manufacturing/Industrial Center Overlay area; however, these properties have natural resource restoration and recreation uses only. ~~identified in~~ See Figure X Comprehensive Plan Map. Proposed parks are indicated in the Parks Plan.

8.5 OVERLAY DESIGNATIONS

8.5.1 Shoreline

This overlay references the Sumner Shoreline Master Program which indicates required setbacks and allowable uses for land ~~in the affected shorelines within the shoreline jurisdiction (generally 200 feet from ordinary high water mark)~~. In Sumner, land along the Puyallup and White (Stuck) Rivers is governed by the State Shoreline Management Act and Sumner's Shoreline Master Program. There are three shoreline designations: urban, shoreline residential and urban conservancy. Refer to **Figure 25** in the Shoreline Element.

8.5.2 Neighborhood Plan Districts

~~Each neighborhood planning area is indicated in the form of a circle. The circles and concurrently the neighborhood size are defined by walking distance from a center that serves as a focus for the neighborhood. The radius is generally 1,500 feet and the walking time would be approximately 5 minutes. A majority of the neighborhoods have a local focus. The center of the neighborhood may be a park or a civic building. Some neighborhoods such as downtown have a more regional focus. (Refer to the Districts and Neighborhoods Map in the Community Character Element).~~

~~NOTE: THIS SECTION PROPOSED TO BE DELETED, SINCE SUMNER NO LONGER DEFINES NEIGHBORHOODS IN THIS WAY; ALSO, THESE HAVE NEVER BEEN TRUE OVERLAY DISTRICTS (E.G. WITH UNIQUE ZONING OR DESIGN STANDARDS).~~

8.5.3 Community Linkages

~~The Community Linkages Map indicates potential future transit stops and neighborhood focus points similar to those in the Neighborhoods and District Map. The future transit stops could be for a regional or a community transit system that could serve the commuter rail station. These potential transit stops would be within a 5 minute walk of much of the area to which they service similar to the neighborhood focal points and with a range between 500-1500 feet in diameter.~~

~~NOTE: SECTION PROPOSED TO BE DELETED, SINCE THIS HAS NEVER BEEN A TRUE OVERLAY DISTRICT. THE CONCEPT OF WALKABLE NEIGHBORHOODS WITH TRANSIT IS SUPPORTED WITH POLICIES IN THE COMMUNITY CHARACTER ELEMENT.~~

8.5.2 Manufacturing/Industrial Center

The Manufacturing/Industrial Center (MIC) is part of the larger Sumner/Pacific MIC, (Figure X) an area that is targeted for high intensity industrial land uses for to create an employment and economic center on a local, county, and regional level. This area is characterized by light and heavy manufacturing uses, ~~restrictions/limits~~ on retail uses, and a prohibition of residential uses in this area. The Sumner/Pacific MIC is designated a Regional MIC, giving it special status for infrastructure funding, and is a priority for infrastructure improvements to promote the industrial and economic development in the area.

8.5.3 Innovation District and Enterprise Area

The Innovation District and Enterprise Area (IDEA District) is a flexible overlay designation that may be applied to non-residential areas at the request of a property owner. An IDEA overlay provides greater flexibility in the allowable uses and development standards than the underlying zone, in order to encourage and to expand economic opportunities for innovative, small-scale businesses to locate in Sumner. Criteria are established to ensure that proposed uses are compatible with surrounding properties. The IDEA District could contain a combination of office, retail, residential, co-working spaces, a makerspace and entrepreneur support services.

8.5.4 Planned Mixed Use Development and Planned Residential Development

The **Planned Mixed Use Development** (PMUD) overlay area requires a mix of commercial and residential development that will undergo extensive public process including design review, hearing examiner recommendation, and City Council approval. The PMUD offers greater flexibility to develop a mix of ground floor commercial, walkable neighborhoods, increased density as appropriate, adequate open space, complete street designs and opportunities for green and environmentally friendly development. The result is a development that fits the character of the surrounding neighborhood as a whole and is an asset to the community. A PMUD may have a mix of commercial, mixed use structures, and stand-alone multi-family residential in a variety of configurations from live/work units, residential over ground floor commercial, to townhouses, and cottages. Buffer areas can also be configured within a PMUD to minimize conflicts between uses such as ~~agriculture and~~ large-lot single-family or, between more intense uses such as industrial, depending on the neighborhood.

8.5.5 The **Planned Residential Development** (PRD) overlay is similar to a PMUD but for residential developments. The PRD offers greater flexibility to develop a mix of housing types with varying lot sizes and dimensions, increased density as appropriate, adequate open space, and building setbacks and heights that are compatible with adjacent residential uses. The result is a development that allows for a high level of variety in housing and flexibility in site design while remaining compatible with the character of the surrounding neighborhood.

8.5.6 Town Center Plan Area

The Town Center Plan covers an area within approximately one-half mile radius of the Sumner commuter rail station. This is an area that is targeted for future residential and mixed use development that takes advantage of being near transit and amenities and conveniences in the downtown core. The increased population in the downtown would add to the market for an “everyday” downtown and further strengthen the economic vitality of Main Street. The Town Center Plan also envisions a mixed of uses along Main Street, Traffic and Fryar Avenues and Activity Nodes. The Town Center Plan area has greater increase in heights and residential densities than other areas of the city. The Town Center Plan Subarea is implemented through design standards, and a “form based code.” The Town Center is also designated a “Countywide Growth Center.” A Form Based Code, adopted for the Town Center, contains design details on building forms and streetscapes.

There are four districts within the Town Center Plan subarea:

- Historic Central Business District(HCBD)
- Station District (SD)
- West Sumner District (WSD)
- Riverfront District (RD)

**TABLE 1
LAND USE DESIGNATIONS**

NOTE: THE LAND USE DESIGNATIONS HERE SET A RANGE OF DENSITIES THAT MAY BE ADOPTED IN THE ZONING CODE. FOR LDR: THE DENSITY CHANGES RECOMMENDED BELOW REFLECT NEW STATE LEGISLATION THAT ALLOWS 2 UNITS ON EVERY LOT IN ZONES THAT ALLOW SINGLE FAMILY HOMES. FOR MDR: THE DENSITY IS PROPOSED TO INCREASE SLIGHTLY TO SUPPORT SMALL APARTMENT BUILDINGS IN MDR NORTH OF MAIN STREET (WHERE APARTMENTS NOT CURRENTLY ALLOWED). BOTH PROPOSALS HELP MEET SUMNER'S ASSIGNED HOUSING TARGETS.

CATEGORY	DENSITY
<u>Residential</u>	
Resource Protection (RES)	1 du/20 acres
Residential-Protection (R-P)	1 du/20 acres
Low Density Residential-1 (LDR-1)	2.9 – 10.0 5.0 du/acre*

CATEGORY	DENSITY
Low Density Residential-2 (LDR-2)	5.1- 13.0 6-5 du/acre*
Low Density Residential-3 (LDR-3)	7.0- 20.0 10-0 du/acre*
Medium Density (MDR)	8.1- 15 <u>17</u> [OPTION A] OR <u>22</u> [OPTION B] du/acre*
<i>NOTE: OPTION A AND OPTION B ABOVE REFLECT 2 DIFFERENT APPROACHES TO ACHIEVING DENSITY AND SHOW THE 2 OPTIONS BEING REVIEWED IN THE EIS.</i>	
High Density (HDR)	12.1-25 du/acre*
<u>Commercial</u>	
General Commercial (GC)	12.1-25 du/acre*
Interchange Commercial (IC)	--
Neighborhood Commercial (NC)	12.1-25 du/acre*
Town Center Plan area	Unlimited density per TCP Form Based Code
Urban Village (UV)	26-40 du/acre*
<u>Manufacturing</u>	
Light (M-1)	--
Heavy (M-2)	--
<u>Public/Private Facilities & Utilities (P)</u>	
<u>Overlay Designations</u>	
Shoreline	Refer to Sumner SMP
Planned Residential Development (PRD)	Based on underlying zone
Planned Mixed Use Development (PMUD)	5-37.5 du/acre
Town Center Plan Subarea Sub-Districts	Unlimited if height, open space, setbacks, and parking are met.
Innovation District & Enterprise Area	Based on underlying zone

Source: Sumner Community Development Department

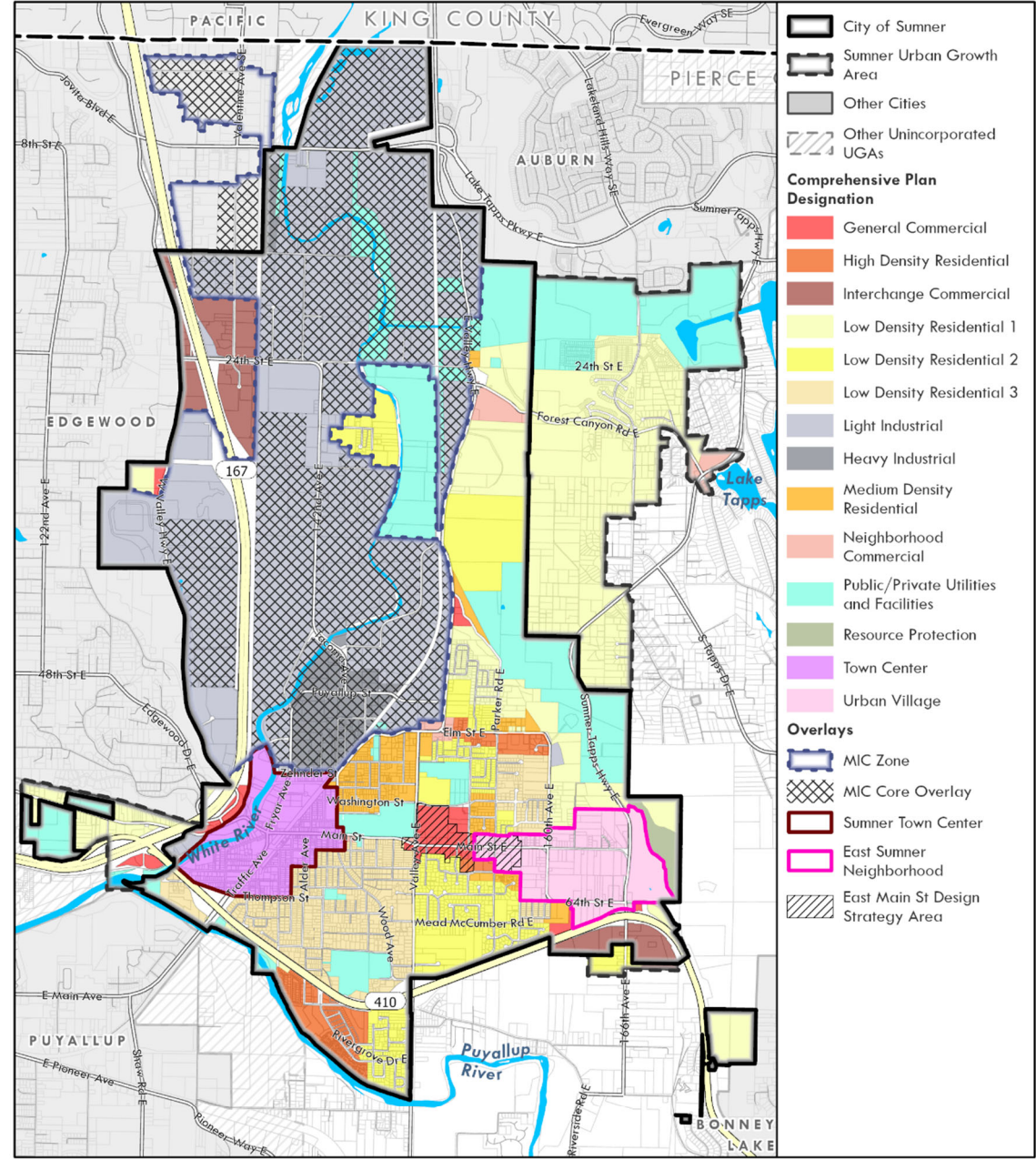
Notes: du = dwelling unit

SMP = Shoreline Master Program

*Density may be increased to 30-50 du/ac for affordable senior housing through a PRD process, [or for affordable housing on properties owned by religious organizations.](#)

NOTE: GOVERNMENTS ARE REQUIRED BY LAW (RCW 35A.63.300) TO ALLOW RELIGIOUS ORGANIZATIONS AN INCREASED DENSITY BONUS "CONSISTENT WITH LOCAL NEEDS" FOR AFFORDABLE HOUSING DEVELOPMENT (MUST BE EXCLUSIVELY FOR LOW-INCOME HOUSEHOLDS FOR AT LEAST 50 YEARS). THE RCW DOES NOT DEFINE A SPECIFIC DENSITY BONUS NUMBER, BUT STAFF PROPOSE SIMILAR ALLOWANCES TO THOSE FOR AFFORDABLE SENIOR HOUSING.

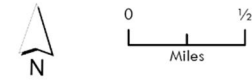
FIGURE XX: COMPREHENSIVE PLAN MAP
[OPTION A: NO CHANGES TO EXISTING MAPPING]



CITY OF SUMNER

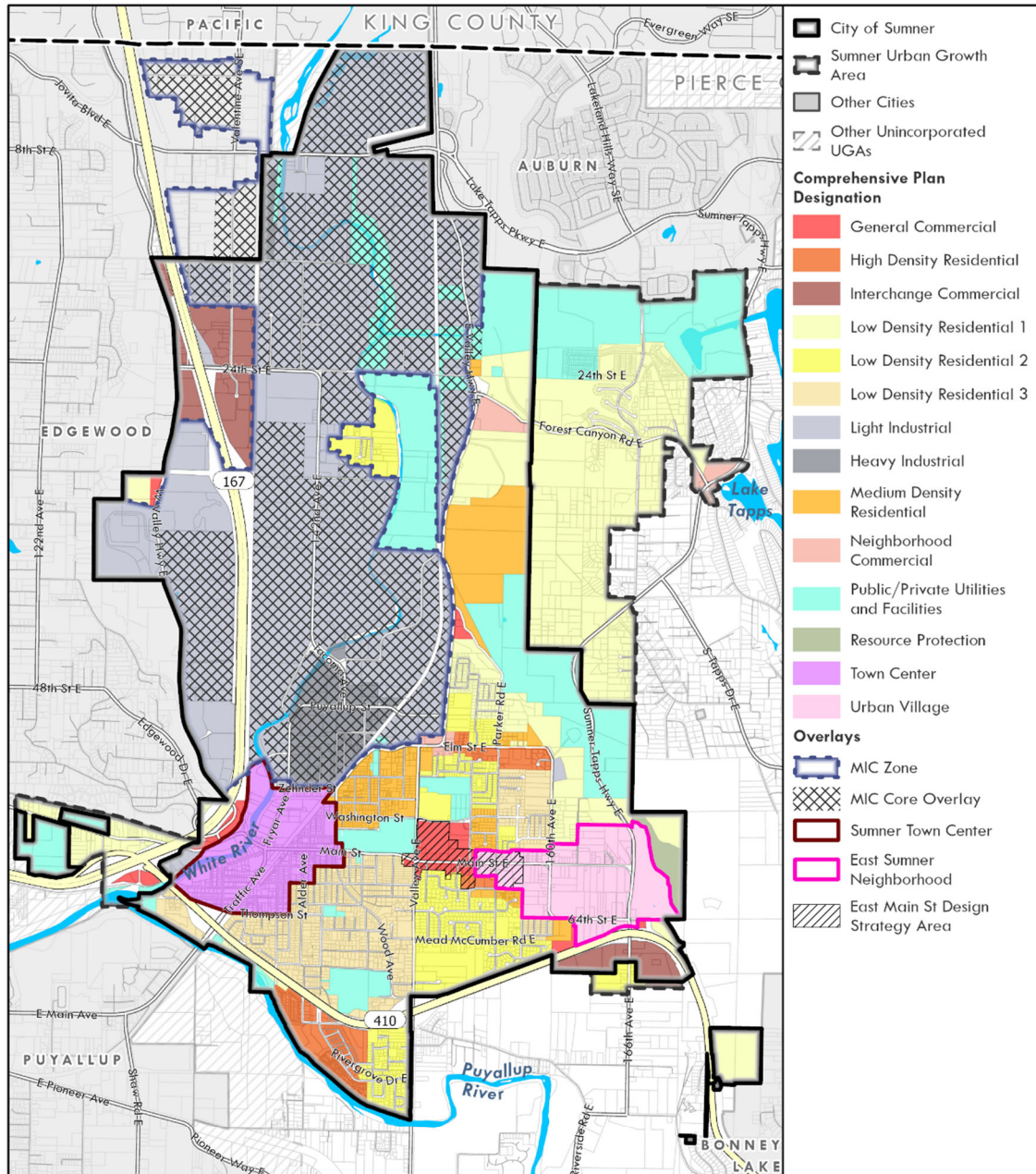
Comprehensive Plan Map

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.



Map Date: August 2023

[OPTION B: only change is the Cava Mine site is shown as zoned MDR instead of LDR]



CITY OF SUMNER

Comprehensive Plan Map

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.



Map Date: August 2023

CODE CHANGES – See Housing Element for related changes

HOUSING

INTRODUCTION

The Growth Management Act (GMA) requires consideration of housing needs through the State Planning Goals and through the requirements for a housing element. Housing Elements are required to recognize the vitality of existing neighborhoods, inventory existing and projected housing needs, identify sufficient land for a variety of housing types and needs, and make adequate provisions for the existing and projected needs for all economic segments of the community.

The 2021 Sumner-Bonney Lake Housing Action Plan identified existing and future housing needs in Sumner. These needs include: increasing numbers of the elderly, female-headed households, smaller household sizes, and the homeless; very low vacancy rates for single-family units and somewhat low vacancy rates for multi-family units; a large percentage of households which earn less than the County median income; and single-family housing costs above county median and rental costs below the county median. The Land Use Element and Comprehensive Plan Land Use Map (Figure X) provide for a variety of housing densities and housing types including single-family, multi-family, and mixed uses. The goals, policies and objectives below are intended to reinforce other elements of the Comprehensive Plan, and to describe the community's commitment to housing.

GOALS, POLICIES, AND OBJECTIVES

~~1. — Encourage the maintenance and preservation of existing housing stock and residential neighborhoods.~~

~~1.1 — Encourage public and private reinvestment in older residential neighborhoods and private rehabilitation of housing.~~

~~1.1.1 — Consider waiving or reducing permit fees for low-income housing rehabilitation projects.~~

~~1.2 — Review and revise regulations to encourage rehabilitation instead of demolition of existing homes, where feasible.~~

~~1.3 — Equitably invest in municipal infrastructure capital replacement, repair, and maintenance, including sidewalks, street trees, and parks. Support the revitalization of older neighborhoods by keeping the streets and other municipal systems in good repair.~~

~~1.3 — Establish programs focused on promoting good management and reducing criminal activity in multi-family developments and areas. This could include crime-free/resistant housing programs.
Promote safety and deter vandalism in residential neighborhoods through environmental design best practices in development permits and "safe street" concepts. in multi-family design and maintenance.~~

~~1.4 — In cooperation with the County, Puget Sound Energy, and other providers, promote programs that help minimize utility costs for residents, such as weatherization programs.~~

~~NOTE: MOVED THIS UNDER GOAL 3~~

~~1.4 — Promote County and local programs that reduce maintenance and rehabilitation costs for residents.~~

~~NOTE: PIERCE COUNTY HAS A HOME REPAIR PROGRAM, AND HOME REHABILITATION LOAN PROGRAM.~~

~~1.5 — In order to balance the protection of viable neighborhoods and the need to provide for~~

~~a range of housing to all life stages and economic segments, allow for accessory units in single-family neighborhoods.~~

~~1.4.1 Maintain Design Guidelines to ensure new multi-family is consistent with the character of existing neighborhoods. Maintain design standards for neo-traditional single-family developments.~~

~~NOTE: THIS POLICY TO BE DELETED BECAUSE DESIGN GUIDELINES FOR ALL TYPES OF DEVELOPMENT ARE ALREADY ADDRESSED IN COMMUNITY CHARACTER ELEMENT.~~

~~1.4.2 Allow for accessory dwelling units in low density residential districts.~~

~~1.4.3 Reduce regulatory obstacles to permitting accessory dwelling units.~~

~~NOTE: MOVED THE ABOVE AND REWORDED UNDER GOAL 2, TO REMOVE REDUNDANCY AND CONSOLIDATE UNDER THE MOST RELEVANT GOAL.~~

1.5 Accommodate local non-profit housing agencies' efforts to purchase and rehabilitate housing to meet affordable housing needs and special needs of the community.

1.6 ~~Multi-family housing outside the Town Center area and outside the East Sumner Urban Village should be "ground related" housing, such as single family attached, cottages, and townhouses. This does not include mixed use commercial/residential buildings or "housing for the aged" such as assisted living facilities, continued care communities, board and care homes, hospices or nursing homes.~~

~~NOTE: THIS POLICY TO BE DELETED SINCE NEW STATE HOUSING LEGISLATION REQUIRES ADDING MORE AFFORDABLE OPTIONS. TOWN CENTER AND EAST SUMNER AREA ALREADY ALLOW APARTMENTS; PROPOSED NEW REGULATIONS WILL ALLOW SMALL SCALE APARTMENTS IN MEDIUM DENSITY RESIDENTIAL ZONES.~~

1.7 Support the preservation of existing mobile home parks as affordable housing.

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.~~

~~2.1.1 Develop a housing strategy to implement fair share objectives. It shall include an inventory of affordable housing, an analysis of Sumner's fair share as compared to surrounding cities, and a phased approach to meet the community's fair share housing allocation. Milestone dates and interim objectives shall be established to allow for progress in meeting the overall fair share targets. The housing strategy should be completed by December 2017.~~

~~NOTE: POLICY TO BE DELETED AS NO LONGER RELEVANT; IT HAS BEEN SUPERSEDED BY HOUSING LEGISLATION (HB 1220).~~

2.1 Promote the development of senior housing units in proximity to needed services.

2.2 Provide incentives for developing senior housing ~~in the downtown~~ such as permit fee waivers and reductions, parking requirement reductions, and multi-family tax exemptions.

2.3 ~~Provide for~~ Encourage design elements in housing that support transit access, and pedestrian ~~improvements to support connections, and universal access features for~~ special needs populations, older adults, lower income, and residents with limited access to an automobile.

2.4 Provide residents with information on County, State, and other programs that support homeownership, such as loan and down payment assistance for first-time homebuyers, veterans, and residents with disabilities.

NOTE: HOMEOWNERSHIP SUPPORT IS A KEY TOPIC IN VISION 2050 AND THE PIERCE COUNTY CPPs.

- 2.5 Plan for an adequate supply of land ~~in appropriate land use designations and zoning categories~~ to accommodate projected housing needs for all income bands household growth.
NOTE: THIS REVISION COMES DIRECTLY FROM STATE HB 1220 REQUIREMENTS.
- 2.5.1 Through the Comprehensive Plan, Zoning Code, Subdivision code, ~~and~~ Design Guidelines, and other regulations and standards, 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, government-assisted housing; housing for moderate, low, very low, and extremely low-income households; manufactured housing; multifamily housing; group homes; foster care facilities; emergency housing; emergency shelters; permanent supportive housing; and duplexes, triplexes, and townhomes.~~
NOTE: THIS REVISION ALIGNS WITH GROWTH MANAGEMENT ACT LANGUAGE.
- 2.5.2 Allow for a variety of lot sizes in low density residential districts including a percentage of lots larger and smaller than the minimum lot size.
- 2.6.3 Allow for at least two dwelling units on all lots zoned predominantly for residential use.
NOTE: THIS IS REQUIRED IN NEW STATE LAW HB 1110.
- 2.6.4 OPTION A: Provide flexibility for larger lots in low density residential districts to build triplexes and fourplexes. OPTION B: Allow larger lots in low density residential districts to build triplexes and fourplexes if at least one unit is dedicated as affordable housing.
NOTE: OPTION A AND OPTION B ABOVE REFLECT 2 DIFFERENT APPROACHES TO ACHIEVING DENSITY AND SHOW THE 2 OPTIONS BEING REVIEWED IN THE EIS.
- 2.6.5 ~~Allow for accessory dwelling units in low density residential districts.~~
Allow for two accessory dwelling units per lot in low density, medium density, and high density residential districts.
- 2.6.6 Support the development of accessory dwelling units by reducing regulatory obstacles and streamlining permit procedures such as providing pre-approved plan sets and reduced permit fees.
NOTE: NEW STATE LEGISLATION REQUIRES SUMNER TO ALLOW 2 ADUs ON A LOT IN ALL ZONES THAT ALLOW SINGLE FAMILY HOMES, WHICH INCLUDES LDR, MDR AND HDR ZONES. NEW SINGLE FAMILY CONSTRUCTION IS NOT ALLOWED IN COMMERCIAL AND MANUFACTURING ZONES.
- 2.6.6 Participate in the development of data for buildable lands analysis as required by the Growth Management Act.
- 2.6.7 Incorporate reasonable measures as necessary to accommodate the projected population growth.
- 2.6.8 Establish lot sizes and standards that maintain Medium- and High-Density Residential zoning districts for higher density residential development.

NOTE: SUMNER RECENTLY ESTABLISHED A MAXIMUM LOT SIZE OF 6,000 S.F. FOR SINGLE FAMILY HOMES IN THESE DISTRICTS.

- 2.6.9 Review the Zoning Code, Subdivision Code, Building Codes, and other development-control ordinances to identify and ~~remove-address~~ excessive, duplicative, ~~unclear~~, or unnecessary regulations. The analysis should consider in particular ~~unit type allowances; lot, site, and building dimensions; lot width, access widths, street improvement standards,; parking,; common service lines~~ as well as other ~~issues~~ development standards.
- 2.6.10 Review the City's administrative procedures and streamline the permit process for housing development, with affordable housing developments as a priority.
- 2.6.11 Consider implementing strategies such as an inclusionary housing program, minimum densities, density bonuses, adaptive re-use, and others to promote affordable housing.
- 2.6.12 ~~Consider participation~~ Participate, where appropriate, with developers and agencies in the preparation of applications for federal or state housing funds.
- 2.6.13 Identify and catalogue real property owned by the City that is no longer required for its purposes that might be suitable ~~for to assemble, reutilize, or redevelop for affordable housing projects. the development of affordable housing for very low to moderate income households. The inventory shall be provided to the state Department of Commerce annually in accordance with state law.~~

NOTE: POLICY REVISED SINCE CATALOGING AND REPORTING NOT ACTUALLY REQUIRED. HOWEVER, COUNTYWIDE PLANNING POLICIES SUGGEST THAT CITIES EXPLORE THEIR SURPLUS LANDS FOR POSSIBLE AFFORDABLE HOUSING PROJECTS (E.G. SOLD TO OR PARTNERED WITH THIRD PARTY).

- 2.6.14 Implement the strategies in the 2021 Sumner-Bonney Lake Housing Action Plan.
- 2.6.15 For SEPA environmental reviews of housing construction, establish thresholds for SEPA exemptions to streamline the review process, consistent with allowed State thresholds.
- 2.6.16 OPTION A: Create incentives to support housing affordability in Town Center and East Sumner. OPTION B: Implement mandatory housing affordability in Town Center and East Sumner.
- 2.6.17 OPTION A: Support affordable housing development by religious organizations through density bonuses. OPTION B: Support affordable housing development by religious organizations through density bonuses and fee waivers.

NOTE: OPTION A AND OPTION B ABOVE REFLECT 2 DIFFERENT APPROACHES TO ACHIEVING DENSITY AND SHOW THE 2 OPTIONS BEING REVIEWED IN THE EIS.

- 2.7 Collaborate with other Pierce County jurisdictions on housing affordability through the South Sound Housing Affordability Partnership (SSHA³P).
- 2.8 Support the reclamation of mine sites for housing once mining operations end.
- 2.3 ~~Encourage a variety of housing available to all economic segments of the community.~~
NOTE: POLICY CONSOLIDATED INTO POLICY 2.5 ABOVE.
- 2.9 Provide for a jobs and housing balance that satisfies the local need for employee

housing and affordability.

- 2.10 Promote fair and equal access to housing for all persons in accordance with state law by connecting residents to information on tenant protections.

- 2.11 ~~Make a biennial report to the City Council and the Pierce County Regional Council regarding the progress made in meeting community housing needs.~~ Five years after the comprehensive plan periodic update, make a report to the City Council, Pierce County Regional Council, and Washington State Department of Commerce regarding the progress made in permit processing timelines, housing affordability, and housing availability.

NOTE: RCW 36.70A.130 NOW REQUIRES A REPORT FIVE YEARS AFTER THE PERIODIC UPDATE ADOPTION. THIS INCLUDES REVIEW OF IMPLEMENTATION OF CHANGES TO THE HOUSING ELEMENT AND IMPACTS TO HOUSING AFFORDABILITY AND AVAILABILITY.

~~2.7~~ *POLICY ABOUT TOWN CENTER TRANSITION AREAS MOVED TO TOWN CENTER POLICIES IN 4.0 BELOW*

~~2.8~~ *POLICY ABOUT INCENTIVES FOR SENIOR HOUSING MOVED TO GOAL 2.0*

~~2.9~~ *POLICY ABOUT CRIME RESISTANT DESIGN MOVED TO GOAL 1.0 ABOVE*

3. Encourage energy efficiency in housing developments.

- 3.1 ~~Promote the use of energy conservation features in the design of all new residential structures.~~ Encourage, through incentives and technical support, energy conservation, energy efficiency in building materials and site design, and the application of sustainable, or "green" development practices.
- 3.2 Reduce reliance on automobiles by promoting higher density and infill developments that are located near major transportation links such as the Sumner Commuter Transit Station, and by supporting a network of transit stops connecting neighborhoods to the station.
- 3.3 Continue to enforce the energy efficiency requirements in the State Energy Code and other Washington State building codes requirements.
- 3.4 Establish standards for street widths, landscaping, and parking lots to reduce heat loss or provide shade.
- 3.4.1 Adopt flexible street standards to allow for narrower streets in appropriate locations to reduce pavement area.
- ~~3.5~~ *Review and update codes as necessary regarding solar energy.*
- 3.5 Recognize and support energy conservation and efficiency programs.
- 3.6 In cooperation with the County, Puget Sound Energy, and other providers, promote programs that help minimize utility costs for residents, particularly seniors and households with lower incomes, such as bill assistance, permitting and fee assistance, weatherization programs, pipe repairs, and installation of energy efficient heating and cooling appliances in existing housing.

4. Provide for a variety of housing types and densities in the Town Center Plan area in close proximity to the train station.

- 4.1 Promote the construction of housing stock in the Town Center by at least 500-1000 dwelling units by 2035.
- 4.2 Adopt greater height limit, 5-6 stories, for development at higher density in West Sumner and west of the White River to promote re-development of the area for transit-oriented development.
- 4.3 Adopt greater height limits, 4-5 stories, east of the BNSF Railroad with a transition area to single-family residential at a maximum of 3 stories as appropriate.
- 4.4 Maintain the Town Center "transition areas" that will be at reduced height (maximum 3 stories) to create more compatible transition between traditionally single-family low density residential zones and areas with increased height.
- 4.5 Encourage land assembly allowing for feasible and attractive housing or mixed housing/commercial developments. Waive permit fees associated with lot consolidation such as lot line adjustments. Facilitate matching compatible owners that can work jointly to consolidate and sell/develop.
- 4.6 Prohibit garden style apartments in the Town Center that would promote surface parking.
- 4.7 In order to promote redevelopment to desired densities, prohibit new single-family residential development and limit expansion of existing single family.
- 4.8 **OPTION A:** Maintain the Multi-family Tax Exemption allowance to and create other substantial *incentives* for re-development in the Town Center by providing property tax relief for qualified multifamily and affordable housing developments for 12 years.
OR
OPTION B: Require all multifamily housing developments in Town Center to include a minimum percentage of affordable units.

*NOTE: THE REVISIONS ABOVE AND BELOW REGARDING MFTE ARE INCLUDED FOR COMMISSIONER CONSIDERATION. ONE OPTION IS CREATING TAX CREDIT PROGRAMS AND DEVELOPMENT STANDARDS TO **INCENTIVIZE** AFFORDABLE HOUSING; ANOTHER OPTION IS TO **REQUIRE** A CERTAIN NUMBER OF AFFORDABLE UNITS.*

5.0 Support high density multifamily development and apartments in key locations in East Sumner Neighborhood Plan area.

- 5.1 OPTION A: Maintain and consider expanding the Multi-Family Tax Exemption allowance for targeted areas in the East Sumner Urban Village area to create *incentives for affordable housing.*
OR
OPTION B: Require all multifamily housing developments in the East Sumner Urban Village to include a minimum percentage of affordable units.

NOTE: A SMALL MFTE AREA IN EAST SUMNER WAS ADOPTED IN 2022.

6.0 Prevent and mitigate residential displacement through tenant protections and existing programs.

NOTE: POLICY 6.0 IS PROPOSED IN ORDER TO ADDRESS REQUIREMENTS IN STATE HB 1220 REGARDING ANTI-DISPLACEMENT POLICIES IN LOCAL COMPREHENSIVE PLANS.

- 6.1 Promote County programs on eviction prevention, property tax assistance, mortgage assistance, energy assistance, and foreclosure prevention counseling.

- 6.2 Consider adopting tenant protections such as tenant relocation assistance, just cause eviction protections, and notice of intent to sell, consistent with State law.
- 6.3 Consider adopting provisions in the zoning code such as special zones or development standards that protect manufactured home parks over other types of housing developments.

CODE CHANGES

Definitions

3.52.020

A. "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.

18.04.0035 Accessory unit

"Accessory unit" means a second dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, or townhome, either in or added to the principal unit ~~an existing single-family detached dwelling,~~ or in a separate accessory structure on the same lot as the ~~main dwelling principal unit,~~ for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling. Accessory units are also commonly known as "mother-in-law" units or "carriage houses."

NOTE: THIS DEFINITION COMES DIRECTLY FROM NEW STATE LEGISLATION DEFINING ADUs AND WHAT IS CONSIDERED THE MAIN DWELLING.

18.04.0115 Apartments. "Apartments" means a building designed for the purpose of human habitation containing ~~two or more~~ more than two dwelling units where units are stacked vertically one upon another, but does not include a multiplex such as a triplex or fourplex.

18.04.0375 Family. "Family" means ~~an individual, or two or more persons related by blood, marriage, or adoption. For the purposes of this title, "family" includes a group of not more than five persons who are not related, but a group of persons who may be related who are living and sharing kitchen facilities together as a single housekeeping unit. (Six or more unrelated persons living together constitutes a "Group residence." See "Group residence.")~~

NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING THE NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.

Chapter 18.12, Low Density Residential District (LDR-4, LDR-6, LDR-7.2, LDR-8.5, LDR-12)

18.12.020 Principal Uses

- A. Adult family homes;
- B. Manufactured homes subject to the standards of SMC 18.12.080(N), but not to exceed one dwelling on any one lot, except for accessory dwellings as provided in SMC 18.12.030;
- C. Minor utility facilities;
- D. Single-family detached dwellings, but not to exceed one detached dwelling on any one lot, except for accessory dwellings as provided in SMC 18.12.030;

E. Duplexes, on any one lot in lieu of one single family detached dwelling;

...

H- Existing automotive and motorized vehicle sales and rental agencies lawfully operating as of June 1, 2000 and in accordance with SMC 18.12.080(M);

...

J. Multiplexes

- OPTION A: In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, multiplexes with up to four units.
- OPTION B: In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, where at least one unit is dedicated long-term affordable housing, multiplexes with up to four units.

NOTE: REQUIRING 1 AFFORDABLE UNIT IN A FOUR-PLEX IS LIKELY FEASIBLE FOR MOST SMALLER DEVELOPERS; REQUIRING MORE AFFORDABLE UNITS WOULD NOT BE AS FEASIBLE AND LIKELY RESULT IN DEVELOPERS BUILDING ONLY DUPLEXES. IN SUMNER, ABOUT 70 LOTS FIT THIS LARGER SIZE/ZONING AND MIGHT QUALIFY FOR FOUR UNITS PER LOT.

NOTE: TO HELP MINIMIZE POTENTIAL IMPACTS, SUMNER DESIGN GUIDELINES APPLY TO MULTIFAMILY DEVELOPMENTS, INCLUDING DUPLEXES AND BUILDINGS WITH 3 OR MORE DWELLING UNITS. GUIDELINES ADDRESS BUILDING MATERIALS AND ALSO ADDRESS IMPACTS ON SURROUNDING PROPERTIES, THROUGH OPEN SPACE REQUIRED, BUILDING HEIGHT, AND SETBACKS.

18.12.040 Conditional Uses

The following uses in the LDR district require a conditional use permit or, where specifically required, a planned residential development approval from the city:

...

M. 1. Assisted living facilities, board and care homes...

2. Multifamily senior housing, including retirement homes, senior apartments and continuing care communities may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;

...

S. Permanent supportive housing that exceeds ~~one~~two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R); and

NOTE: STATE LAW REQUIRES SUMNER TO ALLOW 2 UNITS PER LOT (HB 1220). PERMANENT SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING (BELOW) MUST MEET THE SAME SETBACKS AND HEIGHT IN THE ZONE.

T. Transitional housing that exceeds ~~one~~two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R).

U. Affordable housing apartments on property owned by a religious organization may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

NOTE: THIS WOULD FOLLOW THE SAME PROCESS ALREADY ADOPTED FOR MULTIFAMILY SENIOR HOUSING.

18.12.030 Accessory Uses

A. Accessory dwelling units subject to the following criteria:

NOTE: THE STANDARDS BELOW FOR ADUs ARE BEING UPDATED TO MATCH NEW STATE LEGISLATION (HB 1337). SUMNER CAN NO LONGER REQUIRE CERTAIN STANDARDS:

- CANNOT REQUIRE OWNER RESIDENCY*
- MUST REMOVE PARKING REQUIREMENTS NEAR TRANSIT*
- ALLOW BOTH ATTACHED AND DETACHED ADUs ON ANY LOT*
- ALLOW AT LEAST 24-FOOT BUILDING HEIGHT (VERSUS 18-FOOT)*
- CANNOT REQUIRE SETBACKS GREATER THAN THE MAIN DWELLING*
- CANNOT REQUIRE THE BUILDING ENTRANCE LOCATION TO BE RESTRICTED*
- CANNOT IMPOSE CERTAIN DESIGN STANDARDS.*
- CANNOT PROHIBIT THE SALE OF A CONDOMINIUM UNIT INDEPENDENTLY OF A PRINCIPAL UNIT ON THE GROUNDS OF IT BEING BUILT AS AN ADU*

- ~~1. One-Two~~ accessory dwelling units shall be allowed per legal building lot as a subordinate use in conjunction with the one ~~single-family detached dwelling primary dwelling unit~~ allowed under SMC 18.12.020(D) ~~which, for the purposes of this section, is the primary dwelling unit; except that no accessory dwelling units are allowed where the building lot is below the minimum lot size specified for the zone.~~
- ~~2. Either the primary dwelling unit or the accessory dwelling unit must be occupied by the owners of the property. In addition,~~ Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit, except in accordance with subsections (A)(14) and (15) of this section. ~~The owners shall sign an affidavit affirming that the owners will occupy the main building or the accessory dwelling unit as their primary residence for at least six months of every year. The owners shall sign a covenant agreeing to the conditions of this section which shall be recorded with the Pierce County auditor. The form of the affidavit and covenant shall be specified by the development services department;~~
- ~~3. The accessory dwelling unit and primary dwelling unit together may account for a total of two families established by the definition of "family" in this title.~~
NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.
- ~~6. There shall be one off-street parking space provided for per accessory dwelling units, except that no off-street parking shall be required for accessory dwelling units that are located within one-half mile of the Sumner transit station if the applicant demonstrates that on-street parking is available.~~
- ~~7. Accessory dwelling units may be located as an attached unit in the same building as the primary dwelling unit or in a detached accessory building, except that, in the LDR 4,000 zone, accessory dwelling units shall be located only in the same building as the primary dwelling unit;~~

8. ~~General appearance and layout regulations for accessory dwelling units are as follows:~~

Accessory dwelling units constructed concurrently with a subdivision of 10 or more units shall be subject to subdivision Design Review pursuant to SMC 18.40.020(C).

- ~~a. Detached accessory dwelling units for which any portion of the structure is located closer to the front of the lot than the rear of the primary dwelling unit shall be consistent with the exterior architectural style of the primary dwelling unit, including style of siding and windows;~~
- ~~b. The entrance for an attached accessory dwelling unit shall be located either on the rear or the side of the primary dwelling unit;~~

NOTE: STATE HB 1337 DOESN'T ALLOW DESIGN REVIEW STANDARDS THAT ARE MORE RESTRICTIVE THAN THE PRINCIPAL UNIT.

- SUMNER CURRENTLY HAS DESIGN GUIDELINES THAT APPLY SPECIFICALLY TO ADUs, SUCH AS DOOR PLACEMENT AND QUALITY MATERIALS. HB 1337 DOESN'T ALLOW THIS.*
- A NEW "INFILL" SINGLE FAMILY HOME IN SUMNER MUST MEET A FEW SIMPLE DESIGN GUIDELINES RELATED TO ARCHITECTURALLY COMPATIBLE SIDING AND PROHIBITING MATERIALS LIKE CORRUGATED SIDING. A NEW ADU CONSTRUCTED AT THE SAME TIME COULD BE SUBJECT TO THE SAME GUIDELINES.*
- SINGLE FAMILY SUBDIVISIONS OF 10 OR MORE LOTS REQUIRE DESIGN COMMISSION REVIEW. ADUs CONSTRUCTED AS PART OF A NEW SUBDIVISION COULD BE SUBJECT TO THE SAME DESIGN GUIDELINES.*
- IN A FUTURE CODE UPDATE, STAFF WILL REVIEW SMC 18.40 TO UPDATE ADU DESIGN REVIEW TO COMPLY WITH STATE REQUIREMENTS.*

9. Height. Detached accessory dwelling units shall have a maximum building height of 24 ~~18~~ feet, unless the principal dwelling unit is less than 24 feet in height, in which case the height of the ADU shall not exceed the height of the principal dwelling unit. ~~In no case shall the second story contain exterior walls exceeding five feet in height on more than 50 percent of the perimeter of the second story. Attached accessory dwelling units may match the height of the primary dwelling unit, except that attached units located closer than 30 feet to the rear property line shall have a maximum building height of 18 feet;~~

NOTE: BUILDING/WALL HEIGHT RESTRICTION CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT.

10. Setbacks, Detached Units. Minimum yard setbacks for detached accessory dwelling units are as follows:

NOTE: SETBACKS BELOW ARE REVISED SINCE THEY CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT; ALSO STATE LAW SPECIFICALLY REQUIRES CITIES TO ALLOW ADUs TO ABUT AN ALLEY LOT LINE.

- a. Front yard setback: equal to or greater than existing front setback of the primary dwelling unit;
- b. ~~Rear yard setback:~~ All other setbacks: minimum of 15 feet, same as required for the primary dwelling unit, except when:

- i. The rear property line is abutting an alley, in which case the ADU may be located at the lot line the setback shall be that required for garage ingress and egress per SMC 18.12.080(E); or,
- ii. The ADU is a maximum of 18 feet in height, in which case it may be located 15 feet from the rear property line, and 7.5 feet from interior side yard lot lines.

NOTE: STATE LAW LIKELY ALLOWS A "VOLUNTARY" HEIGHT RESTRICTION IN EXCHANGE FOR LESSER RESTRICTIONS THAN THE PRIMARY DWELLING. IF SUMNER ALLOWS ADUs CLOSER THAN THE 30-FOOT REAR SETBACK FOR THE MAIN HOUSE, WE COULD REQUIRE A MAXIMUM HEIGHT OF 18 FEET (MATCHES CURRENT CODE).

- ~~c. Interior side yard: minimum of five feet, except as follows:~~
 - ~~i. If the interior side property line is abutting an alley with vehicular access to a garage, then the setback is per SMC 18.12.080(E).~~
 - ~~ii. If the interior side property line is the rear property line of an adjacent lot, the side yard shall be a minimum of 15 feet;~~

NOTE: THIS IS MORE RESTRICTIVE THAN THE PRIMARY DWELLING UNIT.

- ~~d. Street side yard: same as required for the primary dwelling unit;~~

11. Setbacks, Attached Units. Minimum yard setbacks for attached accessory dwelling units shall be the same as the setback requirements for the primary dwelling unit; except that the rear yard setback is a minimum of 15 feet if the attached accessory dwelling unit is 18 feet or less in height;

12. Windows.

NOTE: NEW STATE LAW (HB 1337) REQUIRES CITIES TO MINIMIZE THE USE OF DESIGN STANDARDS ON ADUs, WHICH CAN MAKE ADUs MORE TIME-CONSUMING AND COSTLY TO CREATE. HOWEVER, IT APPEARS CITIES CAN HAVE SOME REGULATIONS THAT ADDRESS PRIVACY.

- a. Windows in living, dining, and great room areas located above the first floor shall face interior to the site.
- b. If the ADU is closer than 10 feet to a side setback or closer to the rear setback than the rear setback for the primary residence (except at an alley), window area on the ground floor is limited to 30 percent of the area of the facade;

13. The accessory dwelling unit shall meet all technical code standards including building, electrical, fire, plumbing and other applicable code requirements;

14. The accessory dwelling unit may be subdivided from the original parcel; provided, that the minimum lot size, all yard requirements as well as other applicable dimensional standards for a single-family dwelling, such as lot coverage and building height, of this title are met; and provided, that the subdivision is assessed the difference between the ADU fees already paid and the full permit fees for a single-family home in effect at the time of subdivision;

15. Accessory dwelling units that are subdivided from the original parcel shall meet the off-street parking standards for a single-family dwelling in SMC 18.12.060 for the applicable zone;

16. **Conversion of existing accessory structure to ADU.** Existing accessory structures may be converted into an accessory dwelling unit, subject to the following provisions:

~~a. An accessory structure can be converted to an accessory dwelling unit so long as the building height, setbacks, and other provisions of this subsection (A) are met, unless otherwise provided in this section;~~

~~b. Setbacks. No conversion of an accessory structure to an accessory dwelling unit shall encroach further into the setbacks established in this subsection (A) for accessory dwelling units; except for preexisting structures as provided in subsection (A)(16)(c) of this section;~~

a. The converted structure does not encroach further than the existing accessory structure into the setbacks established in section 10;

b. The converted structure does not further violate lot coverage requirements;

c. The converted structure meets all other development standards as required in 18.12.030(A).

d. The original structure to be converted was legally constructed prior to the adoption of this code.

NOTE: NEW STATE LAW GREATLY RESTRICTS CITIES FROM APPLYING STANDARDS TO CONVERSIONS OF EXISTING ACCESSORY STRUCTURES (E.G. GARAGE) TO AN ADU—EVEN IF THEY DON'T MEET CURRENT SETBACKS OR LOT COVERAGE REQUIREMENTS. THE CODE UPDATES ABOVE ADDRESS STATE REQUIREMENTS WHILE ENCOURAGING CONVERSIONS IF THEY MEET ADDITIONAL STANDARDS.

~~e. Where the structure to be converted was constructed prior to 2012, the converted unit may have a minimum rear yard of three feet, and a minimum interior side yard of three feet, if located in the rear 33 percent of the lot, or in back of the front 75 feet of the lot; except as follows:~~

~~i. An accessory structure with vehicular access from an alley shall have a rear setback and interior side setback established by SMC 18.12.080(E); unless the interior side property line is the rear property line of an adjacent lot, in which case the setback shall be a minimum of 10 feet at the abutting rear yard;~~

~~ii. The converted unit shall be no taller than one story and 16 feet; and~~

e. The structure to be converted shall be of sound condition and meet current fire, building and safety regulations, as determined by the building official;

f. Parking. If off-street parking spaces for the primary dwelling unit are removed as part of converting an existing accessory structure to an accessory dwelling unit, the applicant shall demonstrate on a site plan how the provisions in subsection (A)(6) of this section and the parking requirements in SMC 18.12.070 ~~(J)(K)~~ are being met;

NOTE: THIS REFERENCES THE PARKING REQUIREMENTS FOR THE MAIN DWELLING.

- g. Conversion of a nonconforming structure to an accessory dwelling unit shall not result in an increase in the nonconformity; and
- h. An accessory structure conversion may be expanded beyond its existing footprint and setbacks up to a maximum of 1,000 square feet in area, provided:
 - i. the finished structure shall comply with the maximum building height in 18.12.030(A)(9);
 - ii. the expanded portion of the structure shall meet the setbacks established in 18.12.030(A)(10).

18.12.040 Conditional Uses

Affordable housing, affordable senior housing---SEE LAST PAGE

Chapter 18.14, Medium and High Density Residential Districts

18.14.020 Principal Permitted Uses

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

...

- H. One new single-family dwelling on each building site in the MDR zone only, subject to maximum lot size in 18.14.070. Existing single-family dwellings are permitted in the MDR and HDR zones.

...

- L. One manufactured homes per lot in the MDR zone only, subject to the standards of SMC 18.14.080(N), except when placed in a manufactured home park, pursuant to SMC 18.14.040(K).

NOTE: THIS IMPLEMENTS THE PROPOSED POLICY TO MAINTAIN HIGH DENSITY ZONES FOR HIGH DENSITY HOUSING, NOT FOR SINGLE FAMILY HOMES.

N. Apartments up to three stories ~~in the medium-density and high-density residential zone south of East Main and 60th Street East, except for senior housing subject to SMC 18.14.040~~

NOTE: CURRENT CODE ALLOWS APARTMENTS ONLY IN TOWN CENTER PLAN AND EAST SUMNER NEIGHBORHOOD PLAN BOUNDARIES. NEW CODE WOULD ALLOW APARTMENTS IN BOTH MDR AND HDR ZONES. ALTHOUGH THESE ARE MULTIFAMILY ZONES, SUMNER YEARS AGO REMOVED APARTMENTS FROM ALLOWED USES.

18.14.030 Accessory buildings and uses

NOTE: Since the MDR and HDR zones allow for single-family development, ADUs must also be allowed per HB1337. Staff will revise this section of the code to match the above revisions to the ADU requirements in LDR zones.

18.14.040 Conditional Uses

- ~~B. Dwellings constructed for and occupied by households with at least one member being physically handicapped may exceed allowable dwelling unit densities by 50 percent of that permitted by the respective zone. A title notice indicating occupancy by the physically handicapped is required;~~

...

NOTE: THIS PROVISION NO LONGER NEEDED, SINCE NEW CODE WILL ALLOW EITHER 2 DWELLINGS PER LOT OR 2 ADUs PER LOT ALONG WITH THE PRINCIPAL UNIT.

- S. Multifamily senior housing, including senior apartments, retirement homes and continuing care communities exceeding the maximum density for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;

T. Affordable multifamily housing on properties owned by a religious organization exceeding the maximum density for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

18.14.70 Property Development Standards for MDR/HDR

C. Maximum density.

- OPTION A: maximum density would change in MDR from 15 to 22.
- OPTION B: maximum density would change in MDR from 15 to 17.

NOTE: CITIES ARE NOT SPECIFICALLY REQUIRED TO UPDATE DENSITY IN THESE ZONES. HOWEVER, ALLOWING HIGHER DENSITY IS NECESSARY TO MEET THE STATE-REQUIRED TARGETS FOR HOUSING CAPACITY AND AFFORDABILITY.

18.14.080 Performance Standards for MDR/HDR

N. Manufactured homes shall meet all of the following conditions:

- ~~1. Manufactured homes shall be new;~~
2. Manufactured homes shall be set upon a permanent foundation and the space from the bottom of the home to the ground shall be enclosed by ~~concrete or an approved~~ concrete a product which can be either load-bearing or decorative;
3. Manufactured homes shall be thermally equivalent to the State Energy Code;
4. Manufactured homes shall have exterior siding similar in appearance to siding materials commonly used on site built single-family homes;
5. The roofs of manufactured homes shall be constructed with a shake or shingle, coated metal, or similar material ~~with a nominal roof pitch of 3:12~~; and
6. Manufactured homes shall be comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long.

NOTE: A "MANUFACTURED HOME" IS FACTORY BUILT TO FEDERAL H.U.D. STANDARDS WHICH ADDRESS BUILDING CODES, ENERGY CODES, ETC., AND HAS AN APPEARANCE SIMILAR TO A SINGLE FAMILY HOME BUILT ON SITE. A "MOBILE HOME" IS A FACTORY BUILT DWELLING BUILT PRIOR TO JUNE 15, 1976. NO MOBILE HOMES HAVE BEEN BUILT SINCE INTRODUCTION OF THE HUD MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS ACT.

Chapter 18.29, Town Center Code (TCC) and Chapter 18.30, East Sumner Urban Village Overlay District (ESUV)

L. Apartments and multifamily residential

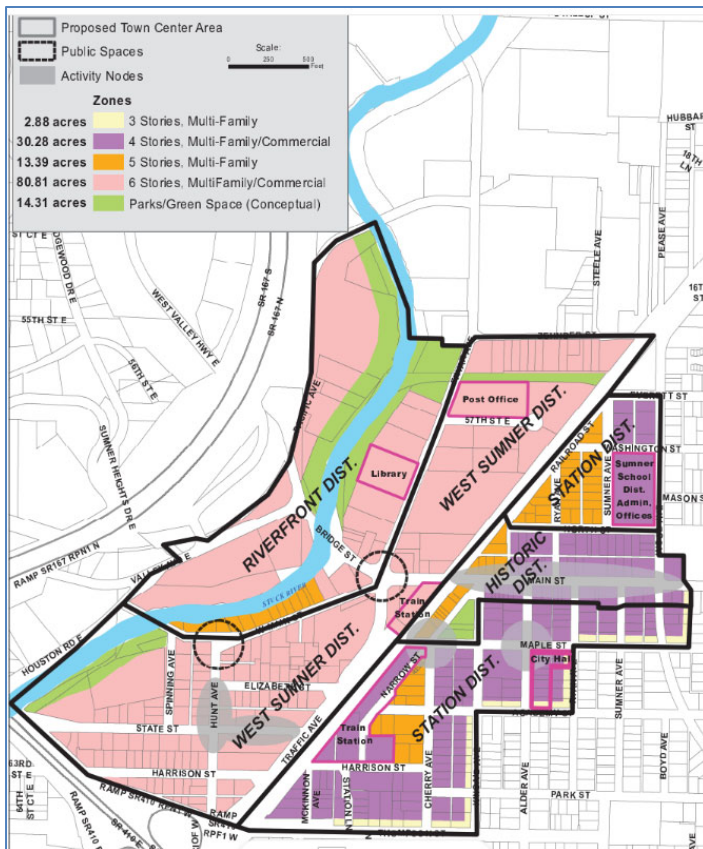
1. Multifamily dwellings; rooming houses and boarding houses; senior apartments, retirement homes, and continuing care communities; assisted living facilities, board and care homes, hospices, or nursing homes.

2. Affordable multifamily dwellings

- OPTION A: affordable housing development (less than 80% AMI) is incentivized in the existing Town Center Multifamily Tax Exemption (MFTE) area by limiting MFTE eligibility to affordable developments.
- OPTION B: 20% of units in new developments in the TC-5 and TC-6 zones and East Sumner will be mandatory affordable to less than 80% AMI

NOTE: TC-5 AND TC-6 DENOTE THE BUILDING HEIGHT ALLOWED; THESE ZONES PRIMARILY LOCATED AROUND THE TRANSIT STATION AND WEST OF TRAFFIC AVENUE. THE ASSUMPTION IS THAT MORE DENSE DEVELOPMENTS ARE MORE LIKELY TO SUPPORT SOME AFFORDABLE UNITS.

NOTE: THESE CODE UPDATES ARE INTENDED TO INCREASE SUMNER'S CAPACITY FOR AFFORDABLE HOUSING, WHILE CONCENTRATING MOST OF THE DENSITY INCREASE IN THE 2 SUBAREAS WITH THE GREATEST POTENTIAL FOR DWELLING UNITS. NOTE THAT "AFFORDABLE" IN THE COMPREHENSIVE PLAN MEANS AFFORDABLE TO HOUSEHOLDS MAKING LESS THAN 80% OF THE AVERAGE MEDIAN INCOME IN PIERCE COUNTY. THE CITY'S CURRENT MFTE PROGRAM IN TOWN CENTER HAS OPTIONS FOR MARKET RATE AND AFFORDABLE DEVELOPMENTS.



Chapters 18.12, 18.14, 18.16, 18.30 - Conditionally Allow Affordable Apartments

Low Density Residential, Medium Density and High Density Residential, Neighborhood Commercial, and General Commercial:

- 41 Senior housing may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC...
- 51 Apartment housing with 100% affordable units on properties owned by religious organizations may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

NOTE: SENIOR HOUSING (APARTMENTS) IS CURRENTLY ALLOWED IN MOST ZONES BUT ONLY IF 20% OF THE UNITS ARE AFFORDABLE. NEW CODE WILL EXPAND THAT TO ALLOW RELIGIOUS INSTITUTIONS TO CREATE AFFORDABLE HOUSING (NOT JUST FOR SENIORS) ON THEIR PROPERTIES. THIS IS REQUIRED UNDER STATE LAW.

Chapter 18.24 Planned Residential Development

Update the uses and property development standards for PRDs to allow for affordable apartment housing on properties owned by religious organizations, with the same height, density, and other standards as for senior housing.

NOTE: THE PRD STANDARDS AND PROCESS ALLOW INCREASED DENSITY AND BUILDING HEIGHT FOR THESE AFFORDABLE HOUSING DEVELOPMENTS AND REQUIRE A PUBLIC HEARING WITH THE HEARINGS EXAMINER.

Displacement Provisions (all zones)

The City could consider a combination of strategies for anti-displacement.

- OPTION A: The City adopts an ordinance for tenant relocation assistance, in which developers must pay an amount to displaced low-income renters.
- OPTION B: The City adopts a manufactured home park zoning designation and applies it to manufactured home parks at risk of displacement.
- OPTION C: The City adopts just cause eviction protections, in which landlords must give written notice stating the specific "just cause" and supporting facts for the eviction.
- OPTION D: The City adopts a notice of intent to sell ordinance, in which landlords must post a notice to give tenants time to prepare and to consider tenant purchase of the building.

Impact Fees (Chapter 3.5, 12.36, 12.38)

Proposed updates to various chapters to provide additional incentives for affordable units.

- OPTION A: ADUs would be made exempt from impact fees.

NOTE: PER STATE BILL HB 1337, FEES FOR ADUs CANNOT BE MORE THAN 50% OF THE CHARGE FOR THE PRINCIPAL UNIT. CURRENTLY, SOME FEES CHARGED BY THE CITY ARE 75%-80% OF THE FEES FOR THE PRINCIPAL UNIT; THEREFORE, ADU FEES WILL NEED TO BE UPDATED.

- OPTION B: Religious organizations building affordable housing units would be made exempt from impact fees.

NOTE: THE COMMISSION MAY ALSO CONSIDER WAIVING THESE FEES FOR SENIOR AFFORDABLE HOUSING, AND/OR WAIVING OTHER TYPES OF FEES FOR CERTAIN HOUSING TYPES, SUCH AS SEWER/STORM/WATER CONNECTION FEES.

Performance Standards for Emergency Shelters and Emergency Housing

Update Sumner's existing standards (in various zones in the code) to reflect State guidelines for these facilities.

Example from 18.16 Commercial Districts (18.16.080 Performance Standards):

W. Indoor emergency shelters and indoor emergency housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;

~~2. Be limited to no more than five families or 20 occupants, whichever is fewer;~~
NOTE: CURRENT CODE IS NOT CONSISTENT WITH STATE GUIDELINES AND LAWS THAT STATE THAT CITIES CANNOT LIMIT THE NUMBER OF UNRELATED PERSONS IN A DWELLING. INSTEAD, SOME CITIES BASE OCCUPANCY ON BUILDING/FIRE CODE REQUIREMENTS. STAFF WILL FURTHER REVIEW REQUIREMENTS AND PROPOSE CODE UPDATES IN THE FUTURE.

~~3. Not be located within one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.~~
NOTE: PER STATE GUIDELINES, CITIES SHOULD BE CAREFUL OF ARBITRARY SPACING REQUIREMENTS THAT MAY NOT ACTUALLY REDUCE NEIGHBORHOOD IMPACTS. INSTEAD, CODES COULD INCLUDE LOCATION CRITERIA SUCH AS LOCATING NEAR TRANSIT OR SERVICES. SPACING REQUIREMENTS IN STATE LAW CREATE A "COMMUNITY PROTECTION ZONE" OF 880 FEET FROM INCOMPATIBLE USES. STAFF WILL FURTHER REVIEW REQUIREMENTS AND PROPOSE CODE UPDATES IN THE FUTURE.



MEMO

DATE: August 30, 2023
TO: Planning Commission
FROM: Ann Siegenthaler, Senior Planner
RE: **2024 Comprehensive Plan Amendments – Tentative Meetings Schedule 2023**

BACKGROUND

The Planning Commission typically meets only the first Thursdays of the month (“regular meeting”). Under the Commission’s rules, the Commission can also have “study session” meetings on the third Thursday of the month on an as-needed basis.

In past years, the Commission has not typically met on third Thursdays, except when there have been large projects requiring additional reviews. Comprehensive Plan updates and more complex zoning code updates usually required adding third Thursday meetings. For the 2024 Comprehensive Plan Update, staff has determined that additional meetings will be required to complete the Comp Plan by the State deadline.

UPCOMING MEETINGS SCHEDULE

The 2024 Comp Plan Update schedule has been updated with additional Planning Commission meetings. Having additional meetings should help keep the project on schedule and make the length of meetings manageable. Below are the tentative meeting dates for the next several months.

<u>Commissioners Available?</u>	<u>Meeting Date</u>
	September 21 (3 rd Thursday)
	October 5
	October 19 – No meeting
	November 2
	November 16 (3 rd Thursday)
	December 7
	January 4

Staff requests that each Commissioner let staff know if they will be unable to meet on these dates. It may be unknown at this time, but the sooner the notice the better. We have to schedule multiple consultants for these meetings, so it’s important to know ahead of time if we will have a quorum. An email to Ann Siegenthaler would be fine: annsi@sumnerwa.gov.