



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:

LOG-IN TO JOIN ZOOM MEETING: <https://sumnerwa-gov.zoom.us/j/88655116217>

Or by phone: 12532158782 (Tacoma)

Webinar ID: 886 5511 6217

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

CALL TO ORDER

Roll Call: Sharon Fochtman, Rob Healy, Mark Isaacs, Kelly Locke, Bill Moody

Pledge of Allegiance

APPROVAL OF MINUTES

1. Minutes for January 4, 2024

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 anhsi@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.

- 1.

Items Not on the Agenda: The public may comment on topics that are not on the meeting agenda. Comments should be submitted via email to anhsi@sumnerwa.gov no later than 5:00pm on the day prior to the meeting, or comments may be submitted at the meeting. Written comments will be read into the record; all comments are limited to 3 minutes.

- 2.

1. **Comments on Unfinished and New Business Items:** The public may comment on Unfinished/New Business **if the Commission is scheduled to make a recommendation** on the item. Comments will be limited to 3 minutes.

PUBLIC HEARING: 2024 COMPREHENSIVE PLAN UPDATE

Overview of Comprehensive Plan and EIS - Staff Reports

Housing/Land Use Regulations - Staff Report

Environment/Critical Areas Regulations - Staff Report

1. Historic/Cultural Resources - Staff Report
Public testimony

UNFINISHED BUSINESS

NEW BUSINESS

CORRESPONDENCE (NON-TESTIMONY)

COMMISSION COMMENTS

STAFF COMMENTS

Next meetings: April 18 (3rd Thursday), May 2

ADJOURNMENT

SUBJECT: Overview of Comprehensive Plan and EIS - Staff Reports

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Comprehensive Plan Documents Overview Memo-032724
 2. 2024 Comprehensive Plan - Staff Report
 3. Exhibit C - PublicComments-as of 3/27/24
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STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

During 2023-2024, the Planning Commission has been reviewing proposed updates to elements (chapters) of the 2024 Comprehensive Plan (Comp Plan), related plans and development regulations. This is the public hearing on proposed amendments. City staff, BERK Consulting and Parametrix consultants will present the amendments and background to the Planning Commission.

The purpose of this meeting is to take public testimony on the proposed amendments. The Commission will make recommendations at a future meeting after the end of the final public comment period (after April 30, 2024).

Please see the attached staff reports for a summary of proposed amendments. Also, more detailed information is contained in the Draft 2024 Comprehensive Plan and Environmental Impact Statement documents, located on the City's website at:

<https://connects.sumnerwa.gov/planning-sumners-future>.

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

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Conduct the public hearing and receive testimony



MEMORANDUM

DATE: March 27, 2024
TO: Planning Commission
FROM: Ann Siegenthaler, Senior Planner
RE: **2024 Comprehensive Plan Update – OVERVIEW OF DOCUMENTS**

BACKGROUND

The State Growth Management Act (GMA) requires cities to periodically update their Comprehensive Plans. The State also requires that cities complete a “10-year periodic update.” This 10-year update will involve extensive revisions to the Comprehensive Plan (Comp Plan) and regulations to reflect new State laws and changes that have occurred over the last decade. As part of this update, the City proposes amendments to its Plan elements and related plans (including Transportation Management Plan, Capital Facilities Plan), and necessary implementing development regulations. This memo is a summary of the documents that are being reviewed. The documents themselves are in the packet of materials for the public hearing, and/or available for the public to review in the “Documents List” on the City of Sumner project website at: <https://connects.sumnerwa.gov/planning-sumners-future>.

DOCUMENTS UNDER REVIEW

1. Environmental Impact Statement

The Draft Environmental Impact Statement (DEIS) is a background document that allows the decision makers to be fully informed on the environmental impacts associated with three alternatives presented for consideration. The DEIS contains a detailed analysis of three alternative approaches, with the primary focus on approaches to accommodating State requirements for housing capacity and housing affordability. The DEIS summarizes the alternatives and their various outcomes on population, employment and housing units. As the Planning Commission and City Council review proposed housing policies in the Comprehensive Plan and new housing regulations, the DEIS can provide background information on the options.

Each element of the environment, including air, water, land, transportation, land use, City services, etc., is reviewed for potential impacts based on the alternative’s growth outcomes. Mitigation measures are proposed, many of which Sumner already has in place, and significant unavoidable adverse impacts are disclosed. Based on the analysis in the DEIS, Sumner has adequate policies, programs and regulations in place to address potential impacts. For a brief summary, see in the DEIS the Fact Sheet at the beginning of the document.

2. Draft Comprehensive Plan

The Comprehensive Plan (Comp Plan) is a policy document that helps guide Sumner’s decisions over the next 20 years about growth, land use patterns, and services. The Plan contains 15 Elements (chapters) discussing topics and policies related to Community Vision Community Values, Land Use, Transportation, Housing, Parks and Open Space, Economic Development, Environment, Community Character, Utilities, Capital Facilities, and Family and Human Services. The goals and policies in these Elements, and the Comprehensive Plan map, are the bases for

implementing future projects, plans, programs, and development regulations.

Consistency with other State and regional requirements

The Comp Plan must be consistent with the Growth Management Act, Countywide Planning Policies and the regional plan, VISION 2050. It must also have "internal consistency." This is a GMA requirement that ensures that proposals in one area of the Plan match other areas, for example, that anticipated land use and growth are supported by transportation policies, funding and capital improvements. During the Comp Plan update proposed changes have been compared to these other policies and plans to ensure consistency. The DEIS contains more detail on how Sumner's plans meet the consistency requirement.

Related documents

The preparation of the 2024 Comprehensive Plan also produced related documents required/recommended by the State for getting State/agency approvals of the Plan, including:

- Public Participation Plan – Approved by the Planning Commission in March 2023 (summary of outreach thus far is included as an appendix in the 2024 Draft EIS)
- Periodic Update Checklist – Showing how City incorporated State requirements
- Housing Element Checklists – Showing how City is addressing State housing requirements
- Critical Areas Checklist – Showing how update addresses Best Available Science.

Proposed text and policy updates

The 2024 Comp Plan update includes text amendments to all of the Elements of the Plan. A general summary of proposed policy and text amendments for the Comprehensive Plan is provided in the Staff Report on the Comprehensive Plan Amendments File #CPA-2024-0001, which is included in the packet of materials for the Planning Commission public hearing. The elements of the Comp Plan to be updated are:

- A. Community Vision
- B. Community Values
- C. Plan Monitoring and Amendment
- D. Governance and Permit Process
- E. Community Character
- F. Family and Human Services
- G. Economic Development and Employment
- H. Land Use
- I. Essential Public Facilities
- J. Historic and Cultural Resources
- K. Environment
- L. Climate Change and Resiliency
- M. Housing
- N. Parks and Open Space
- O. Transportation
- P. Capital Facilities
- Q. Utilities
- R. Shorelines.

3. Draft Transportation Management Plan

The Transportation Management Plan (TMP) is part of the Comp Plan, as it provides for the implementation and funding of infrastructure that support the transportation needs identified in the Comp Plan's policies. The TMP addresses streets, pedestrian/bicycle infrastructure, transit, freight corridors, and other aspects of the transportation network. The TMP also establishes level of service (LOS) standards for the various transportation modes. LOS is based on a model of assumed growth in the area and is used to determine what transportation improvements will be needed to maintain an acceptable LOS. LOS usually reflects delay at intersections or on a given stretch of road, or gaps in the pedestrian network (sidewalk system). Recommendations are summarized in the Executive Summary at the beginning of the document. Updates in the 2024 TMP include:

- Revised LOS for several intersections
- Integrating additional pedestrian/bicycle routes into the mapped system
- Revised project costs/revenues for various projects in the transportation system

- Revised Traffic Impact Fees (TIFs), including a potential increase in TIFs.

4. Draft Capital Facilities Plan

This Capital Facilities Plan (CFP) is a supporting document to the Comprehensive Plan. The CFP identifies what public facilities and services are needed for the planned growth and how to finance them. It evaluates existing infrastructure and levels of service for government facilities, water facilities, sanitary sewer, storm water, parks, public streets, fire facilities and public school facilities. With a set of capital projects and financial plans to carry them out, a CFP provides a clear path forward for infrastructure expansion. The CFP also ensures that infrastructure improvements are provided at the same time as development (are “concurrent”) as required by state law. The 2024 CFP identifies deficiencies in facilities at various stages in the 2020-2024 planning period, and these are summarized in the Executive Summary at the beginning of the document.

5. Comprehensive Plan Map Amendments

No requests were received from private parties for any map changes (rezones) during the open application period in January 2023. Staff is not proposing any map changes at this time. However, one map change is being evaluated in the DEIS alternatives analysis. This is a potential re-designation of the Cava Gravel Mine site, located on the northeast hillside in city limits, from Low Density Residential to Medium Density Residential. The DEIS provides more detailed information on the impacts of this potential map change.

6. Draft Development Regulations

The Zoning Code must be amended as needed to implement amendments to the Comprehensive Plan. This is required by GMA for consistency. Proposed development regulations for 2024 are centered on three areas: Housing, Historic/Cultural Resources, and Environment/Critical Areas. In the packet of materials for Planning Commission review are 3 staff reports discussing each of 3 proposed updates to regulations.

A. Housing

Proposed regulations related to housing include: Allowing 2 Accessory Dwelling Units per lot, allowing 2 dwelling units per lot; allowing 3-plex and 4-plex units on largest single-family lots (LDR-8.5 & LDR-12 zones); allowing 3-story apartments in Medium Density Residential zone, increasing density in Medium Density Residential zone from 15 du/ac to 17-22 du/ac; expanding or restricting the Multifamily Tax Exemption; and potential displacement provisions to assist low income residents. See the Staff Report on housing code amendments for additional detail on this proposal.

B. Historic/Cultural Resources

Proposed regulations related to historic and cultural resources include: Adding a requirement that applicants proposing a building demolition or significant new construction in the Town Center Plan area, on sites with structures more than 45 years old, must consult with the State Department of Archeology and Historic Preservation (DAHP); and a requirement that DAHP’s recommended mitigation measures must be implemented as appropriate to the site/project. See the Staff Report on historic preservation code amendments for additional detail on this proposal.

C. Environment/Critical Areas

Proposed regulations related to critical areas regulations (e.g. streams, wetlands) include: Updating criteria for a variance; increasing stream buffer widths for non-fish-bearing streams to 100 feet; and updating the process for buffer reductions, limiting reductions to 75-foot width. See the Staff Report on code amendments to Title 16 Environment for additional detail on this proposal.

NEXT STEPS

The Planning Commission will be asked to make recommendations to the City Council, with the following target dates:

- Planning Commission public hearing April 4, 2024
- Planning Commission recommendations June-July 2024
- Council begins review of Commission recommendations June-July 2024.



STAFF REPORT

DATE: March 27, 2024
TO: PLANNING COMMISSION
FROM: Ann Siegenthaler, Senior Planner
RE: **2024 Comprehensive Plan Update – COMPREHENSIVE PLAN AMENDMENTS**
File #CPA-2024-0001

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The State Growth Management Act (GMA) requires cities to periodically update their Comprehensive Plans. The State also requires cities to complete a “10-year periodic update,” which must occur by the end of December 2024. The process for amending the City Comprehensive Plan is specified in the Sumner Municipal Code section 18.56.147 and in the state Growth Management Act (GMA) (RCW 36.70A). The Planning Commission is designated as the first review body, and makes recommendations to the City Council who makes the final decision on proposed amendments. In January 2023, the City Council opened the amendment cycle for 2023-2024. The City published notice of the open amendment cycle to allow private individuals and firms the opportunity to submit applications for changes. No applications from private parties were received during the open amendment cycle; the 2024 amendments are all proposed by City staff.

The City has hired the firm BERK Consulting to assist in the major updates, with the firm TranspoGroup assisting in developing transportation policies and a new transportation management plan, and the firm Parametrix assisting in updating environmental policies and regulations. This 10-year update will involve extensive revisions to the Comprehensive Plan and regulations to reflect new laws and changes that have occurred over the last decade. Major changes that are shaping this 2024 update include:

- New regional growth targets have been established by the State and County, requiring each city to plan for its fair share of jobs and housing growth. The assigned growth targets for Sumner for 2020-2044 are 1,985 housing units, 5,313 jobs, and 4,904 residents.
- Sumner is required to plan for increased housing capacity and capacity for housing that is affordable to all income bands, particularly low- to moderate-income households. Accommodating all income bands will require the city to also plan for more housing units than required by the growth targets.
- The Comprehensive Plan now must address climate change/resiliency (HB 1181) and racially disparate impacts, displacement and inclusion (HB1220).

The policies proposed in the 2024 Sumner Comprehensive Plan (Comp Plan) are intended to address these and other mandates under GMA, new State laws and Countywide Planning Policies. The Planning Commission has previously reviewed drafts of the Comprehensive Plan Elements, Transportation Management Plan, and Capital Facilities Plan.

II. SUMMARY OF PROPOSAL

The proposed 2024 Comprehensive Plan (Comp Plan) Update consists of amendments to each element (chapter) of the Comp Plan, a new Transportation Management Plan, Capital Facilities Plan, and proposed updates to development regulations that implement these policies. A summary of the key Comp Plan amendments is provided below. Changes to development regulations are discussed elsewhere in the Staff Reports for each set of regulations (historic/cultural preservation, housing/land use, and critical areas regulations), dated March 27, 2024. Comprehensive Plan text amendments are proposed related to each Element, with the key concepts and policy changes summarized below. More details are included in the published 2024 Comp Plan and Draft Environmental Impact Statement.

1. Introduction

- Minor updates to text, background, chronology.

2. Community Vision (not policies)

- Updates to reflect more current city characteristics, demographics, etc., since 2015
- Emphasis on walkable neighborhoods
- Removed protection of views, which Sumner does not regulate
- De-emphasized focus on single-family only, include residents not just owners
- Added allowing other housing types
- Higher density in Town Center and East Sumner anticipated
- Includes protection of natural resources
- New text includes consideration of environmental justice in projects
- Includes support for visual/cultural arts & awareness of history
- Added encouragement for innovative incubator business.

3. Community Values (not policies)

- Updates to reflect more current city characteristics, demographics, etc.
- More inclusive statements related to diversity
- Added text about treating each other with respect and helping with community safety
- Added text about maintaining and recruiting businesses
- Added text about having a fair and fiscally responsible government
- Added text about providing an inclusive educational system.

4. Plan Monitoring and Amendment Element

- New policy adding State-required wording for emergency amendments
- New policy to avoid reducing the UGA unless the areas cannot be served.

5. Governance and Permit Process Element

- Consideration of decision impacts on historically underserved populations
- Raising awareness related to diversity, equity and inclusion
- Updating how City business is communicated to the public, improving accessibility
- Streamlining permit processes
- New policy providing for tribal government participation in land use decisions (Countywide policies).

6. Community Character Element

- Clarify wording in Design Guidelines policy to respect historic context and use high quality materials
- Change emphasis on single family dwellings to emphasis on small-scale residential character
- New policy about Sign Code to allow reasonable advertising for owners while protecting the community from adverse impacts
- New policy to support a graffiti removal program
- New policy to clarify that East Sumner allows ground floor multifamily, but not on East Main or 160th Avenue (in current code)

- New policy that supports alternative approaches to parking in East Sumner (in current code)
- New policy supporting neighborhood centers (focal point) and encouraging services within walking distance of these
- New policy to distribute streetscape amenities equitably across neighborhoods
- New policy supporting transit linkages from neighborhoods to the transit station
- Replaced specific Sumner Historical Society reference with generic historic preservation organizations
- New policy to clarify what is actual area of “historic downtown” term used elsewhere
- Replaced specific downtown & chamber group names with generic names
- Added policy to implement the 2021 Main Street Visioning Plan
- New policy that supports alternative approaches to parking in Town Center (in current code)
- Clarified policy about creating gateways by adding the adopted concept plan sketch
- New policy to implement the adopted East Main Street Design Strategy
- New policy to maintain Tree City USA designation
- New policies about providing pedestrian connections to transit and services, and working to reduce through-traffic
- New policy to require development in Manufacturing Industrial Center (MIC) to provide adequate screening.

7. Family and Human Services Element

- Extensive updates to clarify City’s role in the various community programs (provided mostly by other agencies and school district); examples: promoting healthy behaviors
- Wording changed throughout the chapter to put City in a supporting role working with other agencies, not as provider
- Removed policy about human services committee since City does not have such a committee
- New policy asserting City role to “support funding” for the school district recreation programs
- New policy to support food programs through information and supportive regulations
- New policy to prohibit marijuana/cannabis businesses
- New policy to support housing programs and regulations for historically underserved populations
- New policy to provide incentives for affordable senior housing.
- New policy to develop emergency response procedures for senior center patrons
- New policy to promote programs for older adults to work and volunteer
- New policy to distribute parks facilities equitably throughout the community
- New policy to maintain sidewalk system that connects services
- New policies to further climate resiliency and emergency preparedness.

8. Economic Development and Employment Element

- Policy updated to identify redevelopment opportunities as land supply decreases
- Policy updated to encourage agritourism
- Update to encourage industries that are sustainable and environmentally responsible
- New policy to coordinate economic development regionally
- Updated policy wording to support infrastructure and programs that promotes qualified workforce
- New policy to monitor policy impacts on historically underserved communities
- Policies added about improving the resiliency of the local economy to withstand climate change and reduce carbon emissions
- New policy to invest in programs that enhance downtown public safety
- Updates references to specific downtown organizations to be more generic
- Added policies from existing MIC area plan about supporting the MIC.

9. Land Use Element

- New policy about considering impacts to tribal treaty rights in land use decisions (Countywide policies)
- Clarifying policies to implement the Town Center Plan and the MIC goals
- New policy to encourage “healthy communities” in land use, design and programs
- New policy to plan for standards/programs to reduce wildfire risk

- New policy to support small-scale agriculture and non-profit community gardens
- Updates to descriptions of land use designations to reflect proposed density increases and allow more housing types.

9. Essential Public Facilities Element

- Extensive policy updates and new policies to establish guidelines for siting facilities and complying with new State guidelines.

10. Historic & Cultural Resources Element

- Updates to support preventing or mitigating impacts to historic/cultural resources
- Updated policy to require documentation of how impacts were avoided
- New policy requires consultation with DAHP on sites in Town Center with structures over 45 years old
- New policies related to inadvertent discoveries of artifacts
- New policy to encourage measures to protect culturally significant plants and foods
- Updates to reflect Sumner's current practices and agency roles, such as removing references to the Sumner Historical Society, having more generic references to organizations
- Updated references to the Ryan House and modifying "mandate" language to provide more flexibility in implementing policies
 - Numerous changes are proposed since the last Planning Commission review to reflect the City Council decision in September 2023 to proceed with demolition of the Ryan House, and Superior Court's March 2024 ruling that demolition is not consistent with the policies in the Comp Plan
- New policy addressing adaptation of historic sites vulnerable to climate change
- New policy to encourage cultural arts that reflect various ethnic groups' history.

11. Environment Element

- New policies related to environmental stewardship, education
- New policy to consider environmental justice in project decisions
- Added policies related to preparedness for extreme weather events
- New policy related to air quality impacts on overburdened populations
- New policies related to protecting water quality with buffers
- Policy added to protect vegetation as a means to protect groundwater recharge
- Policy added to consider diversity and accessibility in emergency notification plans
- Numerous new policies on floodplain protection and mitigation, adding references to current programs
- New policies related to urban forest management and protecting forested hillsides
- Policies added related to reducing greenhouse gas emissions and supporting alternative energy technologies

12. Climate Change and Resiliency Element

- This required Plan element contains no policies; rather it is a list of policies throughout the Plan that address climate change and resiliency topics.

13. Housing Element

- Extensive updates to outdated language
- Removal of policies that contradict new State requirements for housing
- New policy to support the preservation of manufactured home parks as affordable housing
- Updated policies to plan for adequate housing supply for all income bands and to allow for various housing types
- New policy to allow 2 dwelling units per lot
- New policy to allow triplexes and fourplexes, with optional language
- Added policies to allow ADUs and streamline process
- New policy to maintain multifamily zones for multifamily units (not single family)
- Various policies related to supporting affordable housing
- New policy to re-establish SEPA review thresholds to streamline housing developments

- Added policies related to encouraging energy efficiency and reducing greenhouse gases
- Updated policies to maintain MFTE credit in Town Center and East Sumner, with optional language to expand MFTE as incentive for affordable units or require affordable units
- Cava Mine Site alternative: As a housing policy strategy, policy-makers are asked to consider a re-designation of the gravel mine (located on northeast hillside) from Low Density Residential to Medium Density Residential (see **Exhibit A**). Such a map change would not be essential for Sumner to meet mandated housing capacity, but it would provide an area where additional housing capacity could be added.
- New policies to support protections for tenants vulnerable to displacement.

14. Parks and Open Space Element

- No updates are proposed. The Parks and Trails Plan will be updated in a separate process in 2024.

15. Transportation Element and Transportation Management Plan

- Extensive revisions to clean up redundancies and outdated info
- New policy stressing importance of maintenance
- New policy supporting food truck parking on streets where appropriate
- Added existing policies from Town Center Plan and East Sumner Plan to support the street design and circulation guidelines in those plans
- New policy to pursue the expansion of the Pierce Transit district to Sumner
- Updated and new policies to support multimodal (ped and bike) modes
- New policy to prioritize commuter connections to MIC as primary employment center
- Added policies to consider transportation decision impacts on underserved populations
- Strengthen policies related to reducing environmental impacts and considering environmental justice in decisions about transportation/streets
- Updated existing and added new policies about improving air quality to emphasize reducing greenhouse gas emissions
- Added policy to consider in prioritizing projects the needs of underserved communities
- New policy that supports charging a multimodal transportation impact fee (new State allowance)
- Transportation Management Plan:
 - Updates to Level of Service (LOS) at various intersections
 - Integrating additional pedestrian/bicycle routes into the mapped system
 - Revised project costs/revenues for various transportation projects
 - Revised Traffic Impact Fees (TIFs), including a potential increase in TIFs.

16. Capital Facilities Element and Capital Facilities Plan

- New policies related to social equity in capital facilities planning and programs
- Update policies to advance actions that reduce carbon footprint, greenhouse gases and promote climate resiliency
- New policy to specifically address actions to protect the Rivergrove neighborhood from flooding
- Updated policies to address more current Police Level of Service (LOS). New LOS is recommended based on new demographics of population, number of calls for service and other factors
- Updated policies to match current Fire District LOS
- Updated policies related to Government Services LOS. New LOS is recommended to replace 2015 estimate based on current data.
- Updated policies to align current LOS for water and sewer with adopted plans
- New policies to address regional coordination and emergency response to utility issues
- Added policies to promote equitable access to utility services for underserved populations.

17. Utilities Element

- Extensive revisions to clean up redundancies and outdated info
- New policies to support alternative energy and technology
- New policy to encourage undergrounding of utilities, particularly in Town Center
- New policy to require telecommunications facilities to avoid impacts to residential areas

- Added policies to support utility access to historically underserved communities
- New policies to support cooperative planning amongst providers.

18. Shoreline Master Program Element

- Introduction text modified for clarity, but no changes to shoreline policies or regulations.

The full scope of the proposed amendments is described in detail in the 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024.

III. COMPREHENSIVE PLAN AMENDMENT CRITERIA

Only those amendments which are found to be in substantial compliance with all criteria listed below shall be approved (SMC 18.56.147(N)). Below is an analysis of how the proposal meets the criteria:

1. *An amendment is necessary to resolve inconsistencies between the Sumner Comprehensive Plan and other city plans or ordinances; or, to resolve inconsistencies between the Sumner Comprehensive Plan and other jurisdictions' plans or ordinances.*

The proposed amendments would resolve inconsistencies between the Sumner Comprehensive Plan and new State legislation, State GMA, Multi-county Planning Policies (Vision 2050) and Countywide Planning Policies requirements.

2. *Conditions have so changed since the adoption of the Sumner Comprehensive Plan that the existing goals, policies, objectives, and/or map classifications are inappropriate.*

Conditions have so changed since the adoption of the Comprehensive Plan that the text updates are necessary. The Comprehensive Plan has not undergone an extensive periodic review since 2015. There are new State requirements that must be addressed; there are also new development conditions and demographics in the community that have dramatically changed over the years. Many of the existing policies use outdated language, do not reflect new City practices or new technologies, nor address emerging needs related to climate change, underserved communities, or needs for affordable housing. The proposed update would make the Plan text more consistent with the Zoning Code.

3. *The proposed amendment is consistent with the overall intent of the goals of the Sumner Comprehensive Plan.*

The existing Comprehensive Plan includes goals related to maintaining Sumner's character, encouraging housing, supporting seniors and youth, promoting economic development, and protecting the community's natural environment. The proposed amendments support and are consistent with all of these goals, while addressing new State requirements and changes as described above.

4. *The proposed amendment is consistent with chapter 36.70A RCW, the county-wide planning policies for Pierce County, and the applicable multi-county planning policies.*

Consistency with Growth Management Act (RCW 36.70A)

The proposed Comprehensive Plan text amendments are consistent with the GMA. The text updates will address the new requirements of the GMA and State legislation, such as increasing housing density and types as required, addressing equity and disparate impacts, and addressing climate change and "Best Available Science" for protecting critical areas. Based on this, the proposal is consistent with the Growth Management Act.

Consistency with countywide planning policies

The County-wide planning policies (CPPs) for Pierce County, which Sumner and other cities have ratified, establish goals and policies related to such issues as: Transportation facilities, allocation of housing and affordable housing, equity and inclusion, healthy communities, and climate resiliency. The CPPs also allocate population, housing, and employment growth targets to Sumner and other cities for the 2020-2044 period. The proposed Sumner Comprehensive Plan text amendments include extensive updates in order to be consistent with the CPPs.

Consistency with multi-county planning policies (Vision 2050)

VISION 2050 contains multicounty planning policies, as required by GMA, and a regional growth strategy through the year 2050. It is the multi-county-level planning document for King, Kitsap, Pierce, and Snohomish Counties. VISION 2050 calls for focusing housing and job growth within regional growth centers and near high-capacity transit, such as in Sumner's Town Center and in the Sumner-Pacific Manufacturing Industrial Center. The CPPs are developed by Pierce County jurisdictions to be consistent with VISION 2050, and Sumner's Comprehensive Plan amendments have been developed to be consistent with the CPPs and VISION 2050.

5. Where an amendment to the Comprehensive Plan map is proposed, the proposed designation is adjacent to property having a similar and compatible designation, or the subject property is of sufficient size, or other conditions are present.

One option under consideration is the potential re-designation of the "Cava Mine" site located on the eastern hillside at East Valley Highway and Forest Canyon Road. It is currently operating under a State mining permit for a gravel quarry, and is designated Low Density Residential. The option being considered is to re-designate the site as Medium Density Residential. This could provide more housing capacity for Sumner in the future to meet State requirements for middle housing and multifamily housing. Any residential development would not occur until the mining activities cease and the owner decides to reclaim the site. The re-designation of the Cava Mine site would be adjacent to compatible low density residential designations, and current Sumner development regulations have development standards that address compatibility issues. If this option is deemed appropriate to pursue, a map change would be proposed after further discussion with the property owner.

6. Environmental impacts have been disclosed, and measures have been included to reduce possible adverse impacts.

Potential impacts of the proposed 2024 Comprehensive Plan text amendments have been addressed through the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II)– Available for review on the City's website at: <https://connects.sumnerwa.gov/planning-sumners-future>. The DEIS analyzes impacts related to the environment including: earth, water quality, plants and animals, noise, land use, transportation and housing. The preliminary determination in the DEIS is that any potential effects are not significant or are addressed through mitigation measures.

7. Potential ramifications of the proposed amendment to other Comprehensive Plan elements and supporting plans have been considered and satisfactorily addressed.

The potential ramifications of the proposed amendments to other Comprehensive Plan elements have been addressed. The proposed amendments have been evaluated for consistency across Plan elements and supporting plans. The Comprehensive Plan update also includes updates to the Transportation Management Plan and the Capital Facilities Plan that support the proposed amendments in the land use and housing elements. Potential ramifications and impacts have been evaluated in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) issued March 1, 2024, and the proposed text amendments will have a negligible impact.

CONCLUSION: The proposal is consistent with the criteria for a Comprehensive Plan amendment. Additional analysis is contained in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024 (see **Exhibit D**).

IV. PUBLIC & AGENCY COMMENTS

- a. A Public Participation Plan (PPP) was developed for the 2024 Comprehensive Plan Update. The PPP was developed by staff, approved by the Planning Commission on March 2, 2023, and reviewed by the City Council in March 2023. A summary of public outreach efforts as of March 1, 2024 is included in the Draft EIS (**Exhibit B**).
- b. The public notice for the 2024 EIS/Comp Plan was issued March 1, with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12. Comments received as of the date of this report have been included as an Exhibit here. Any additional comments received during the public comment period will be transmitted to the Planning Commission.

V. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) establishes a process for SEPA review of Comprehensive Plan updates. In compliance with State SEPA environmental regulations, the 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) were issued March 1, 2024 for a 60-day public review through April 30, 2024. Any comments received as of the date of this memo will be included in the Commission hearing packet. Any additional comments will be provided and all will be addressed by staff and the consultants prior to the Planning Commission meeting to make recommendations.

VI. STAFF RECOMMENDATION

Staff recommends approval of the proposed Comprehensive Plan amendments.

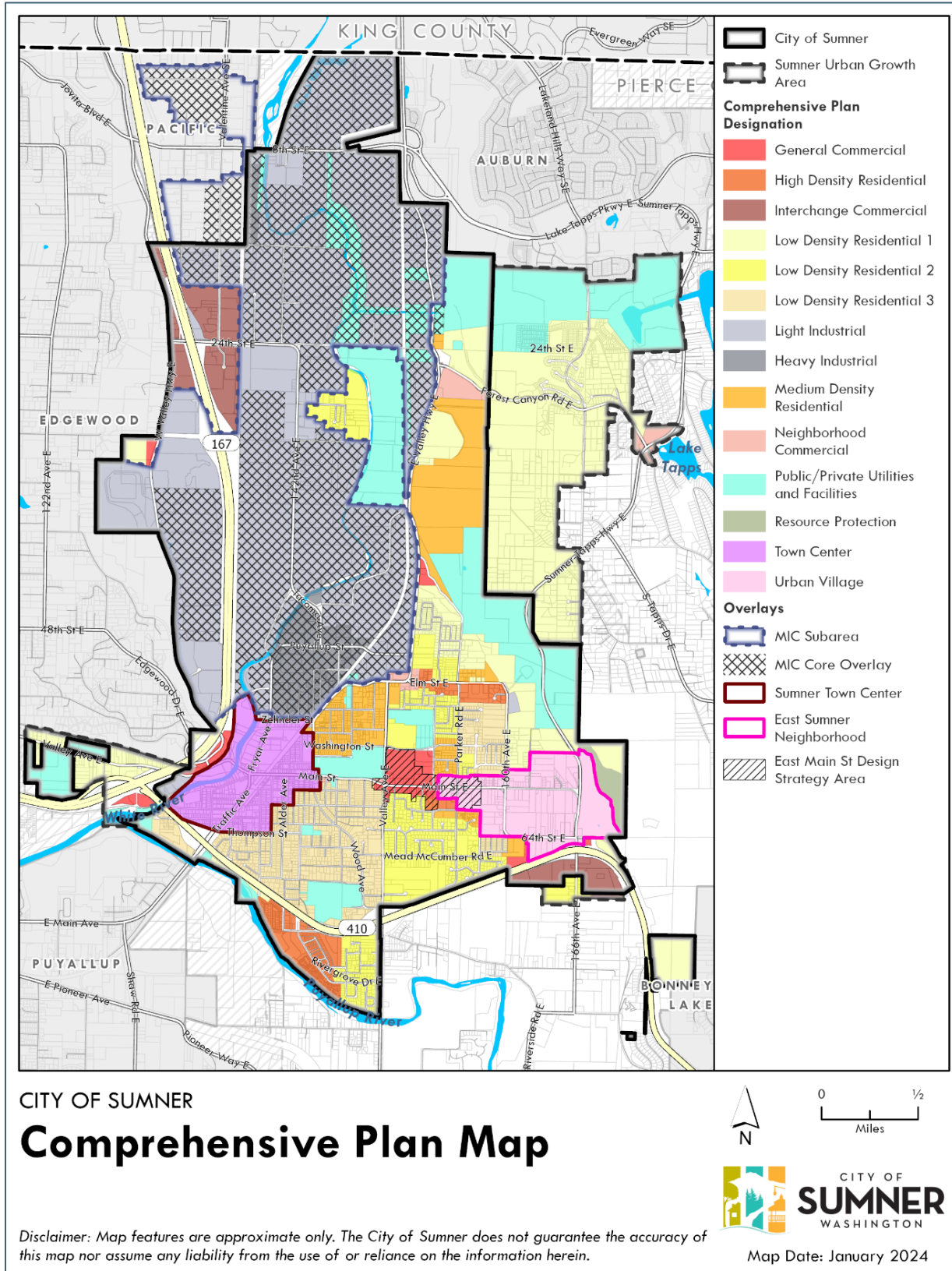
VII. EXHIBITS & REFERENCES

- A. Map: Current Comp Plan Designations, with Cava Mine Site as potential MDR designation
- B. Public Participation Summary – from 2024 Comprehensive Plan DEIS
- C. Public comments received as of the date of report publication
- D. 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) – Available for review on the City’s website at:
<https://connects.sumnerwa.gov/planning-summers-future>
- E. See Staff reports for: Environment regulations, Housing regulations, Historic and cultural resources regulations
- F. See Draft policies and draft code updates - Contained in the 2024 Draft Comprehensive Plan (Volume I)

EXHIBIT A

Comprehensive Plan Designations with Cava Mine Site shown as potential MDR designation

(Only change is the Cava Mine site on northeast hillside is shown as zoned MDR instead of LDR)



Source: Draft 2024 Comprehensive Plan – March 1, 2024 prepared by BERK Consulting

EXHIBIT B

Public Participation Summary (as of March 1, 2024)

Appendix D: Public Participation Summary

This Appendix contains a summary of the various outreach efforts the City conducted during the 2024 Comprehensive Plan Update, and the types of community comments/responses.

- **Sumner Connects web page**
 - Information posted regarding the overall process, what the Comprehensive Plan is.
 - Information and frequent updates posted starting in January 2023.
 - Materials for Planning Commission review posted prior to meetings.
- **City e-News and social media**
 - Periodic updates in monthly e-News
- **City Newsletter “Community Connections” (printed, direct delivery)**
 - Winter 2023 article explaining the Comprehensive Plan and opening for submitting proposed changes.
 - Summer 2023 short description & link to project page
 - Fall 2023 project update
 - Winter 2024 project update
- **Distribution of informational flyer**
 - Direct mail and delivery to agencies and service providers June 2023
- **City of Sumner Open House events – Flyers and Display Board**
 - Spring Open House April 2023
 - Fall Open House October 2023
 - Spring Open House April 2024
- **Public meetings and hearing notices**
 - Planning Commission and City Council meetings discussing the Comprehensive Plan were open to the public and accessible virtually.
 - Notices published in newspaper and on City website for public hearings
 - Notices published for SEPA Environmental reviews during the Plan adoption process

In addition to the above outreach efforts, the City hosted several community events where the Sumner community had an opportunity to voice concerns and priorities. While these were separate events not connected to the Comprehensive Plan update, the events

provided additional insights into community concerns and priorities that can inform policymakers. General community events are listed below

1. 2022 City Budget Survey

In the results of the online 2022 Budget Survey, the community identified the following priorities (with 1 being most important)

- 1 Ensuring prompt police response time
- 2 Maintaining streets
- 3 Managing growth
- 4 Maintaining parks, trails & open space
- 5 Protecting the environment
- 6 Promoting traffic, bike & pedestrian safety
- 7 Attracting the right mix of new businesses
- 8 Expanding parks & adding amenities
- 9 Preparing for natural disasters.

2. Youth Forum(s) January 2023, March 2023, Elhi Hill January 2023:

- Common themes expressed were the need for more recreation facilities, more public transportation, more activities for teens.

3. Community Summit(s)

April 18, 2023

- Flyers were provided with information on the Comprehensive Plan and the website link

4. Communities for Families (CFF)

May 2023, June 2023

- Flyers were provided with information on the Comprehensive Plan and the website link
- This event features numerous service providers.

5. Senior Center Meet-the-Mayor session

July 2023: Some of the priority needs/concerns expressed were:

- Need affordable senior housing
- Need better transit
- Need better traffic control, speed enforcement, safe crossings

EXHIBIT C

Public Comments Received as of Report Publication

From: [Randall Adams](#)
To: [Ann Siegenthaler](#)
Subject: 2024 Comp Plan citizen input before 3-27-24 @ 5:00 PM
Date: Wednesday, March 27, 2024 12:06:02 AM
Attachments: [Comp Plan Comments.docx](#)

****EXTERNAL EMAIL****

Anne,

Please forward my comments to the Planning Commission for their review.

Thank you kindly,

Randall Adams 15013 63rd St Ct E, Sumner WA 9890

Pg 15: Sumner the Vision:

KEEP IN: “Today and into the future, Sumner is bound together by its community pride, respect for neighbors, agricultural and small town heritage, support for small businesses as well as industry, and concern for the environment” **Keep our proud agricultural history!**

REMOVE: “In embracing our heritage while also looking forward, we set the standard of excellence for a progressive small city”; Define what this means/vague platitude. Certainly not progressive in protecting Senior citizens from utility rate hikes

KEEP: “This environment reflects our our agricultural small town heritage; Agricultural heritage is to be celebrated, not removed!

Page 16: Community Layout

REMOVE all of this: “The community recognizes the central role that the downtown transit station plays in providing alternate modes of transportation for Sumner residents and workers and for the region. Neighborhoods are connected to the transit station and each other through an efficient transit network”; This advertisement brought to you by Sound Transit, no thank you!

KEEP: “and exemplifies our small town character” Be proud of our great small town, do not try to hide from it!

HOW DO YOU DO THIS? “Sumner retains its small town atmosphere and “walkability” by taking appropriate steps to improve the street system and to reduce commuter traffic through town. Not on Valley Avenue, just ask the Mayor!

REMOVE: “Sumner neighborhoods are linked by a network of sidewalks, trails, bicycle routes and a small-scale inter-city transit system.” This is a 1 yr trial continued for 1yr, not a long term commitment!

Page 17: Residential Character

KEEP: “In 2050, Sumner's housing is predominately owner-occupied, and the community enjoys” Previously stated owner single family and owner-occupied multifamily housing

??? “Where renter-occupied multifamily is found, the developments are well-designed with attractive features, and well managed and maintained. Sure we hope so, yet how can you say this, it is happening in the future

??? “Such developments provide safe connections to schools and services, attractive amenities, and provide outdoor green spaces and recreation spaces for residents.” If this is so, why do we need more parks for them?

??? “In 2050, Sumner continues to be a place where we and our children can afford to live and work, and where older residents can continue to age in place. Yet we are told the home values will be higher than nearby communities. No help for Seniors here!

KEEP IN: A higher density of housing that is typically owner-occupied and small-lot single family homes in a more traditional neighborhood pattern is concentrated in the downtown area, where it reflects the overall small town character of Sumner: Previously stated owner single family and owner-occupied multifamily housing. Apartments are not owner occupied!

KEEP IN: “City monthly operating expenses, and, therefore, individual taxes shall not increase to the point that living in Sumner is beyond the financial resources of our people. However, because there is not always a direct relationship between cost and quality, we realize that if the market determines that homes and other real estate is worth more in Sumner than other areas, we cannot control this factor. But we can control our homeowners' costs for City government expenses” **Actually do what you say!**

PG 19: History & Culture

KEEP IN: “The Sumner Historical Society finds support from a community aware”; Community supports & is aware, Not the City!

PG 26: Governance

??? “New development contributes its fair share towards improvements in proportion to its impacts on the community.”
Then why do we have to have tax breaks for apartment developers, including downtown?

PG 23: Stewardship

KEEP IN! : “The **settlers** of the Sumner valley **left us** ~~is filled~~ with many beautiful and valuable resources” **We get to enjoy this wonderful town because of the amazing settlers of this area, like Kincaid, Wolery, Ryan & more! How dare you remove them!**

PG 24: Introduction

KEEP IN: These policies are not all inclusive with regard to governance of a historic growing community, but attempt to address the concerns expressed during the vision process as they relate most directly to planning and implementing a desired future for the community. **Keep our historic community pride included!**

REMOVE: “The policies in this chapter are not exhaustive, but attempt to address the role of City government in the community and the role of government in maintaining permitting and enforcement measures that support residents, employees, and business owners”; The history of Sumner is far more important that patting City Government on it’s back. If true, doesn’t need to be said!

PG 26: Governance & Permit Process: Introduction

KEEP IN: “These policies are not all inclusive with regard to governance of a historic growing community, but attempt to address the concerns expressed during the vision process as they relate most directly to planning and implementing a desired future for the community”. **Keep our historic community pride included!**

REMOVE, SAME AS ABOVE: The policies in this chapter are not exhaustive, but attempt to address the role of City government in the community and the role of government in maintaining permitting and enforcement measures that support residents, employees, and business owners. Again, history of Sumner is more important that patting City Government on the back!

PG 26: Goal, Policies and Objectives

??? **Promote creative, progressive, and innovative solutions to the problems and issues that face the City.** ~~Removed?~~ The City shall strive for progressive and innovative solutions that involve partnerships and collaboration with affected parties. **Still waiting for the City to collaborate or partnership with citizens trying to Save the Ryan House!**

PG 28:

KEEP IN: 6.1: Working with the Communications Director, provide a regular newsletter to the general public and work with local newspapers and other regularly published periodicals to provide information about policies and regulations;
Shouldn’t this be job #1 for the Communication Dept?

KEEP IN:6.3:--Use other methods of communication, such as focus groups, advisory committees, the City’s website, e-media, surveys and consultations to inform the business and development community about regulations, plans and programs to get feedback. **Sound like great goals and efforts to utilize!**

PG 32:

KEEP IN 1.6: Preserve the single-family residential scale and historic **Maintain a small-scale residential** character along residential streetscapes through various means such as floor area ratio, small lots, and setback requirements! **Keep yellow, remove Red!**

PG 33:

REMOVE: 2.3.2: “Together with Pierce Transit and other agencies explore the feasibility of a transit system for Sumner that is cost effective and is based on a network of transit stops and a transit system in transit linkages connecting the neighborhoods to each other and districts consistent with the Community Linkages Map, connecting to and to the commuter rail stations, and

neighborhoods. 2.3.3. In establishing transit stops and linkages, give priority to improvements located within walking distance of neighborhood centers and in neighborhoods most in need of transit options” **City has not committed to this beyond 2024!**

PG 36:

REMOVE: 3.2.1. Where feasible, create transit linkages from all neighborhoods in Sumner to the transit hub.

3.2.2. Prioritize the establishment of a transit service along Main Street between East Sumner and the Town Center.

WE have not committed to future transit service in town past 2024! Surprise to the City Council!

KEEP YELLOW HIGHLIGHTED: **Continue** Apply a form-based code and/or design review process for new and expanded uses in the Town Center. Any future amendments to the Sumner design guidelines **shall** should include consultation with **Sumner Downtown Association** the downtown business association(s), Chamber of Commerce, **Sumner Historical Society** historic preservation organizations, other civic groups, and citizens residents. [Policy revised since Planning Commission previous review.]

Sumner Historical Society (SHS) is an invaluable resource and the City should welcome them with open arms & appreciation!

ADD IN: 3.4: Within the Town Center area, promote the core area as the historic “downtown.” This is generally the area one block north and south of Main Street, within the Historic District and Station District & **Ryan House as the** boundaries:

Do not remove the Ryan House from our plans moving forward!

PG 38:

REMOVE: 3.19. The height in the Historic Subdistrict should be 3-4 stories to protect and preserve the small town character and scale of Main Street and reduce conflicts with adjacent residential uses; **No thank you, do not want appts on Main Street!**

PG 40:

KEEP IN: 5.8. **Expand Heritage Park to a full block.** Maintain Reuben A. Knoblauch Heritage Park as a key open space in the downtown and support activities and events that complement downtown businesses and residences. **That is what you’re doing**

REMOVE: 5.9. **Acquire and improve small parcels of land for developing parks and open spaces in the Town Center. WHY, stated earlier “Such developments provide safe connections...and provide outdoor green spaces and recreation spaces for residents”**

PG 44:

KEEP IN: 1.1.11 **X.X.X Family support services for children, youth, families, seniors and special needs populations.**

X.X.X. Programs that promote healthy behaviors, advocacy and self-care practices while enabling citizens to have choices

Note: Policy and sub policies deleted since they are all covered in 1.1 **Stated better here than in 1.1**

PG 45: GREAT IDEA!! 1.2.7. **Advocate** **Fund for the presence of school resource officers in our schools.**

PG 52: GREAT IDEA!! Like Enumclaw does! 1.10. **Recruit restaurants, cafés, microbreweries, public facilities and other similar uses, which serve as gathering spots within the community and encourage evening activity in commercial area.**

PG 56:

6.6: LIKE THE RYAN HOUSE! In conjunction with interested parties, improve the visual appearance of downtown through public and private measures for beautification, facade improvements, and **preservation of historic properties**, design strategies, maintenance, and streetscape improvements. **TOGETHER WE ALL CAN SAVE THE RYAN HOUSE & IT’S HISTORY!**

DELETE: 6.13. **Create 350-500 new housing units in the Town Center in close proximity to the train station and existing businesses**
No thank you, unless they are along Traffic Ave

PG 57: DELETE: 6.20. **Reduce the parking requirement for multi-family developments within the Town Center to facilitate development that accommodates the transit rider, anticipates lower car ownership in this area because of transit, and changing**

trends and services related to transit and transportation such as on-demand services and autonomous vehicles.

All multi-family developments should be responsible for the parking they create, wherever they are

PG 59: Land Use

Reject: The Land Use Element establishes the growth patterns and uses that the community anticipates will be needed to accommodate projected growth over the planning period (to 2044). Pierce County has adopted housing, employment, and population growth targets for Sumner for 2020-2044 as follows: ▪ 1,985 housing units ▪ 5,313 jobs ▪ 4,904 residents

What are the ramifications if Sumner does not meet these goals, policies and objectives? Just say NO! Works for drugs, why not the drug of money from the state/county that we are addicted to?

PG 71: Keep In: 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.

PG: 72 9.1 Table: Reject OPTION B

Low Density Residential-1 (LDR-1) 2.9 – 10.0 ~~5.0~~ du/acre*

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 17 [OPTION A] OR 22 [OPTION B] du/acre*

PG 72: Reject: Town Center Plan Subarea Sub-Districts Unlimited if height, open space, setbacks, and parking are met.

PG 80: Goals, Policies and Objectives

Keep In: 1.1 Preserve and maintain the historic, cultural, scientific, or educational integrity of known resources to the extent feasible, including properties listed on the National or State Register of Historic Places, if feasible. 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. [Policy revised since Planning Commission previous review]

THIS DEFINES THE RYAN HOUSE, AND YES, IT IS FEASIBLE!

PG 81: 1.1.1: Through the permitting and environmental review process, consider and avoid document how impacts to archaeological, historic, and cultural sites and resources were considered and how impacts were avoided or how avoidance is infeasible. [Policy revised] **Walking away from 1.5M w/400k+ additionally found = RYAN HOUSE IS FEASIBLE!**

1.1.3: For demolition or construction projects subject to SEPA environmental review on sites located in Town Center, 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 the applicant to request a consultation with DAHP. [Policy revised since Planning Commission previous review.] **HAS THE CITY DONE THIS WITH THE RYAN HOUSE?**

1.3.:KEEP IN: Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition. [Policy revised since Planning Commission previous review.] **Continue to work with the SHS!**

KEEP IN: X.X Continue to support the Sumner Historical Society by providing the use of the Ryan House. [Policy revised since Planning Commission previous review. Entire policy proposed to be deleted] **Continue to work with the SHS!**

KEEP IN: 1.3.1.: 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. [Policy revised since Planning Commission previous review. Entire policy proposed to be deleted] **What do you have against our amazing history!**

KEEP IN: 1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others. **Continue to work with SHS. Maybe actually work with them and work towards a mutually agreeable relationship**

KEEP IN: 1.3.3.: Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups. [Policy revised since Planning Commission previous review) **What about our amazing history are you trying to not include in our story as we move forward! Bonney Lake does this!**

KEEP IN: 1.4.5. Nominate properties for listing in the Washington State and National Register of Historic Places. [Policy revised since Planning Commission previous review.] **Oh that's right, must remove State because that might include the RYAN HOUSE!**

KEEP IN: 1.4.6. Develop Encourage the creation of a local historic preservation plan, including conducting surveys of cultural resources, and **prepare** preparing nomination documents for city-owned properties, and interested property owners, and assisting with listings in the Washington Heritage Register **State** and National Register of Historic Places. [Policy revised since Planning Commission previous review.] **Again, anything that might include the RYAN HOUSE must go. Shame on you!**

KEEP IN: 1.6. Actively seek Identify state and federal grants and other funding sources to support **implement the** historic preservation in Sumner. **program such as developing a local historic preservation plan; conducting surveys of cultural resources; preparing nomination documents for Washington State and National Historic Places Registers; performing public education activities including presentations to citizens, articles in the city newsletter, school presentations, and booths at city events festivals**
Actively keep funds sought/obtained! The RYAN HOUSE has been used as a field trip for elementary students for decades!

PG 82: KEEP IN: 1.4.3. Maintain **a historic preservation program, that creates a the local historic preservation commission, and pursue maintain** Sumner's designation as a Certified Local Government for historic preservation purposes.
Give the city credit w/o doing the work for the designation!

PG 83:KEEP IN: 1.4.5. **Nominate properties for listing in the Washington State and National Register of Historic Places.** [Policy revised since Planning Commission previous review.] **OOPS, RYAN HOUSE WOULD BE INCLUDED IN THIS! CITY SAYS NO CAN DO!**

KEEP IN:1.4.6. Develop Encourage the creation of a local historic preservation plan, including conducting surveys of cultural resources, and **prepare** preparing nomination documents for city-owned properties, and interested property owners, and assisting with listings in the Washington Heritage Register **State** and National Register of Historic Places. [Policy revised since Planning Commission previous review.] **AGAIN, RYAN HOUSE COULD BE INCLUDED IN STATE REGISTER, CAN'T HAVE THAT!**

KEEP IN: 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. **YES, THAT INCLUDE THE CITY AND THE RYAN HOUSE!**

KEEP IN: 1.6.: Actively seek Identify state and federal grants and other funding sources to support **implement** the historic preservation in Sumner.**program such as developing a local historic preservation plan; conducting surveys of cultural resources; preparing nomination documents for Washington State and National Historic Places Registers; performing public education activities including presentations to citizens, articles in the city newsletter, school presentations, and booths at city events festivals.**
ALL ABOUT THE HISTORIC PRESERVATION OF SUMNER AS LONG AS THAT DOES NOT INCLUDE THE RYAN HOUSE

KEEP IT! PG 85: X.X 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. Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means to preserving it. AFTER WALKING AWAY FROM 1.5M IN GRANTS? X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others. Note: Moved to general policies. NO, THEY TOO WERE A PART OF THE RYAN HOUSE & HAD A MOU W/CITY!

KEEP IT: PG 89: X.X. Where appropriate, utilize a planned mixed use development overlay zone or detailed subarea plan, to ensure buffers and other measures to reduce impacts to agricultural lands of long-term commercial significance from conflicts with development prior to annexation. Seems like a desirable policy to have!

HOUSING PG 107: 3.2. Reduce reliance on automobiles by promoting Promote 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. The city has not committed to transit stops beyond 2024, and were reluctant then.**

PG 108:DELETE ALL: 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 low density single-family residential at a maximum of 3 stories as appropriate. Note: Policy revised to "low density" since last Planning Commission review.
- 4.4. Maintain the Town Center will contain "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: Adopt a Maintain the Multi-family Tax Exemption allowance per RCW 84.14 that would 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.

NO THANK YOU TO ALL OF #4'S, WANT TO KEEP SUMNER AS SUMNER. ALSO, NO TAX CREDITS, CITIZENS WILL BE PAYING FOR IT!

PG 119; Goals, Policies & Objectives:

DELETE IT: 1. Provide an efficient and safe multimodal transportation system to improve mobility for all residents, employees, and visitors of Sumner while **maintaining the small town quality of life within the city and** balancing the city Sumner's quality of life, needs related to growth and supporting the economic vitality of the city consistent with the Regional Transportation Plan.

The RTP needs to be DOA. Do not see adjacent towns doing anything for Sumner

DELETE IT: 1.1. Provide a multimodal transportation system that is compatible with State and regional growth plans, plans of adjacent jurisdictions, and with public transit providers. **Meet the mobility needs of the people that live, work, or visit Sumner**

There is a reason Pierce Transit got out of Sumner, it is a waste of money, a black hole!

DELETE IT 1.4. The transportation system must provide improved access and circulation to support the economic development of the city. The system should be Design the transportation system to provide adequate access to the industrial and commercial areas while reducing freight conflicts in protecting residential areas from intrusion of auto and freight traffic. **NO TO MUST PROVIDE**

KEEP IT! PG 120: **X.X. Include public review of transportation improvements proposed in public or private land development projects. The public is most often concerned about the potential transportation impacts...The City will review the public's comments and issues related to transportation impacts based on the goals, policies, and criteria set forth in the Transportation Plan, the city's Comprehensive Plan, and other applicable requirements such as the State Environmental Policy Act (SEPA).**

This actually is easy to read/understand and should be kept!

PG 121: 3. The City of Sumner will provide a transportation system that is compatible with State and regional plans, plans of adjacent jurisdictions, and with public transit providers. Coordinate the planning and implementation of the Sumner Transportation Plan with the Regional Metropolitan Transportation Plan (MTP) and State and local agency plans

NO THANK YOU TO THE RMTP, WE DO NOT WANT A CITY FINANCED TRANSPORTATION SYSTEM

KEEP IT: PG 128: **"The City recognizes that special events such as fairs, parades, athletic events, and large meetings can burden the transportation system beyond its ordinary capacity. The City also recognizes that such events can expand the culture and quality of life of the community. The City will seek to provide for such events by making appropriate provision such as bus transportation, traffic control, and temporary street closures. The City will notify affected businesses through mailings and the Sumner Promotions Association of Street Closures for special events. The City may assess some or all of the costs of such provisions will be assessed to the promoters or organizers of such events"**

From: [Nicholas Biermann](#)
To: [Ann Siegenthaler](#)
Subject: Public comments on Sumner Comprehensive Plan
Date: Wednesday, March 27, 2024 4:58:59 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler,

The following are my comments for the City of Sumner Planning Commissioners regarding the proposed amendments to the City's Comprehensive Plan. These comments are submitted to provide my input as a resident of Sumner during the public comment period. I encourage the Planning Commission to take these statements into account and continue to revise the current version of the Plan accordingly.

Specifically,

In Section 1.3 of Chapter 11 regarding Cultural and Historic Resources, the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out ALL of the lines that contain the words Sumner Historical Society.

Is this revision necessary? What is the motivation behind this? I would much rather the City of Sumner renew its commitment to working with the volunteers of the Sumner Historical Society to preserve and promote the history of Sumner instead of disavowing with the stroke of the pen any past--or future--contributions of the Sumner Historical Society. I will also state for the record that the Comprehensive Plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time. I urge the Planning Commission to retain the original wording in Section 1.3 of the City's Comprehensive Plan so that it states:

1.3. Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition.

Furthermore, I also urge the Planning Commission to use similar wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

[DO NOT DELETE THIS STATEMENT]

1.3.2. Partner with the Sumner Historical Society and work with historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

[PLEASE DO NOT DELETE THIS STATEMENT]

I will personally note here that in regards to 1.3.3 above, the Sumner Historical Society is the perfect partner organization to help document and preserve the history of Sumner and facilitate partnerships with schools, the senior center, and other groups. Why do you want to leave the Sumner Historical Society out of this process?

Additionally, I respectfully ask that the Planning Commission keep this specific reference to

the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:
3.3. Improve the Ryan House and public access to the Ryan House....

The more general statement "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area." is too broad and not specific enough. I maintain that the Comprehensive Plan should include a *specific reference* to the Ryan House as part of the historic downtown character of Sumner. In fact, the Ryan House can be specifically mentioned as a building that can be restored for future community use to make history accessible to the public.

Similarly, also in Chapter 11 Historic and Cultural Resources, section 3.3, the proposed update literally crosses off the Sumner Historical Society. The following line was completely removed:

3.3. Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.

Once again, I urge the Planning Commission to retain the specific inclusion of the Sumner Historical Society as part of the City's Comprehensive Plan going forward. The Sumner Historical Society is still present and active in the community, and any attempt to categorically remove the Sumner Historical Society from the City's Plan is capricious and ill-conceived.

Thank you for your time.

Sincerely and respectfully,

Nick Biermann
Parker Road East

From: [Nicholas Biermann](#)
To: [Ann Siegenthaler](#)
Subject: Public input period dates for Comprehensive Plan
Date: Thursday, March 14, 2024 9:59:04 AM

****EXTERNAL EMAIL****

Good morning, Ms Siegenthaler.

I am looking at the public notices given by the City of Sumner for updating the City's comprehensive plan. The notices are on the City's website at: <https://sumnerwa.gov/public-notices/>

Can you help me understand why the public comment period for the individual portions of the plan posted on March 12 is much shorter than the 60-day period initially posted in the first comprehensive plan notice given on March 1?

Initially, the public comment period was slated to close on April 30, 2024. But now it seems that public comment will only be accepted through March 27, 2024? Am I reading this correctly?

Any clarification you can provide here on the length of the public input period would be greatly appreciated.

Thank you,

Nick Biermann

From: [Tina Burnett](#)
To: [Ann Siegenthaler](#)
Subject: Input on Sumner Comprehensive Plan
Date: Wednesday, March 27, 2024 9:55:21 AM
Attachments: [Ryan house comp plan.docx](#)

****EXTERNAL EMAIL****

Good morning -

Please refer to the attached Word document containing my review of the Sumner City Comprehensive Plan draft. I have included the current draft's language, my requested re-wording or removal of language as well as comments supporting those requests.

When I lived in NE Tacoma, I would often come to Sumner to shop and dine here in the downtown area and visit the Windmill nursery. Sumner has the charm of history and a lovely small town. When I moved back to this area from after my husband's death, I was so happy to find the perfect house in Sumner for myself and my wheelchair bound brother. Sumner reminds me of the Whitefish Montana of my childhood, where my family is from. Please don't turn Sumner into a boring, commercial area, with no attraction for people in surrounding areas. Please preserve the charm and historic nature of Sumner that draws shoppers and visitors from the surrounding areas. Don't turn it into the dull and empty streets of Auburn, that drives away. Don't turn it into just a suburb of Puyallup. If people need or want large commercial shopping areas, they will go to South Hill, not Sumner. It's the history and charm of Sumner that draws visitors, and their dollars, to the area. We have already lost too much after the fire and the destruction of the historical Waterfall that gave "Heritage Park" its name, The new park is an uninviting concrete mess that goes largely unused. I would also ask that you give consideration to those living in the historic downtown area, when allowing developers to build huge apartment complexes, regarding parking for that new housing that could add up to 1000 more cars to the area.

The comments I have included add context to the requested changes throughout the document. I anticipate and expect my input will be carefully considered during finalization of the City's Comprehensive Plan.

I would be happy to answer any questions the City Council may have

regarding my input.

Tina Burnett
228 Sumner Ave
Sumner

Wording Changes and Comments Related to Sumner Comprehensive Plan Draft (Input Provided By: Tina Burnett)

1.3 [Page 31]

1.3. Design Guidelines

 ~~in concert with the Sumner citizens and business community,~~ Maintain design guidelines ~~and a design code, as appropriate, and/or a form-based code that which~~ address streetscape, landscape, and building design to ensure high quality and compatible development. Materials and methods of construction should be of high quality, be specific to the region, ~~exhibit continuity of history and culture,~~ be compatible with the climate,  ~~protect historic and archaeological resources, and promote the community's character and identity~~ The design should reflect the historic context of Sumner, respect the historic character and scale of nearby development, and promote an attractive, pedestrian-scale streetscape.

1.3 Design Guidelines:

Do Not Remove: *"In concert with the Sumner citizens and business community ..."* With the deletion of this portion, the City would be the sole decision-maker without input from the residents and businesses.

Do Not Remove: *"...protect historic and archaeological resources, and promote the community's character and identity."* Sumner's history lies in the *existing* resources, the new language is vague and implies that future designs can "reflect the historic context of Sumner" replacing physical artifacts.

3.3 [Page 36]

3. Reinforce the Town Center Plan area as the ~~downtown as the town center and~~ commercial and cultural center of Sumner.

~~Continue~~ Apply a form-based code and/or design review process for new and expanded uses in the Town Center. Any future amendments to the Sumner design guidelines ~~shall~~ should include consultation with ~~Sumner Downtown Association~~ the downtown business association(s), Chamber of Commerce, Sumner Historical Society historic preservation organizations, other civic groups, and ~~citizens~~ residents. *[Policy revised since Planning Commission previous review.]*

Return Wording to Read: "...**shall** include consultation with the downtown business association(s), Chamber of Commerce, **Sumner Historical Society**, other civic groups, and residents."

Comment: The change to this portion of the paragraph removes a necessary component in maintaining the historic significance of Sumner. The Sumner Historical Society continues to exist and is the appropriate organization with expertise to participate in decisions conveying Sumner's history. The draft language changing "shall" to "should" removes any requirement to consult a specific organization and allows the City to be the sole decision-maker for amendments and designs.

5.8 [Page 40]

5. Provide for open space and recreation and protect sensitive areas from degradation.

5.8. ~~Expand Heritage Park to a full block.~~  Maintain Reuben A. Knoblauch Heritage Park as a key open space in the downtown and support activities and events that complement downtown businesses and residences.

Remove: "**Heritage**" from the park's name to read: "Maintain Reuben A. Knoblauch Park..."

Comment: *By including "Heritage" in the name is misleading and ultimately incorrect. Mr. Knoblauch does not represent the full "heritage" of Sumner. A waterfall feature with plaques honoring Sumner's founding families was part of the original park. The waterfall was removed with no official plans to restore it. The family names on the waterfall represented Sumner's true heritage. To date there are no official plans to restore the waterfall. Unless there is recognition of the original families, this park should not contain the word "Heritage" in its name.*

6.6 [Page 56]

6. Promote downtown as the town's cultural, historic and activity center of the entire community.

6.6. In conjunction with interested parties, improve the visual appearance of downtown through public and private measures for beautification, facade improvements, and **preservation of historic properties**, design strategies, maintenance, and streetscape improvements.

Comment: Note that "...preservation of historic properties..." aligns with The Ryan House preservation, not demolition, and is the direction given under this section. Ryan House is a physical artifact and represents history within Sumner's downtown. Demolition does not fall under the purview of Comprehensive Plan's goals. In fact, "maintenance" is stated in the language of this paragraph – this has not taken place with respect to The Ryan House despite being included in the existing Comprehensive Plan.

6.13 [Page 56]

6.13. Create 350-500 new housing units in the Town Center in **close proximity** to the train station and existing businesses.

Correction: Please remove "...in close proximity..." from this sentence. Reword it to "...**close to the train station**..." Use of the modifier "close" in the familiar expression "close proximity" is redundant.

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.~~

- 1.3. Work with ~~the Sumner Historical Society and other~~ community groups to promote historic and cultural education and recognition. *[Policy revised since Planning Commission previous review.]*

Do Not Remove: "Continue to support the Sumner Historical Society by providing the use of the Ryan House." The Ryan House and Sumner Historical Society are intertwined in preserving the history of Sumner. The Sumner Historical Society provides documentation outlining the city's past and The Ryan House is an artifact of the founding of Sumner.

1.4.1 [Page 82]

- 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.

Comment: This section is particularly applicable to The Ryan House. The City of Sumner is committing to "preservation" of "...significant lands, historic sites and structures..." and goes on to reference the type of resources available to support this "preservation" statement. The City has held the role of stewardship since the early 1900s but has not implemented necessary preservation.

1.4.3 [Page 82]

- 1.4.3. Maintain  ~~a historic preservation program, that creates a the local historic preservation commission, and pursue maintain Sumner's~~ designation as a Certified Local Government

Do Not Remove "...a historic preservation program, that creates a local historic preservation commission..." With the rewording in the draft Comprehensive Plan, the City has removed an implementation method.

3.3.XX [Page 85]

- 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.

~~X.X 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.~~

Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means to preserving it.

~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

Note: Moved to general policies.

Do Not Remove "*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.*"

Comment: The "Note" currently provided below the deletion is *void due to the **revocation** of the City Council's **demolition permit***. Concerned citizens have reached out to the City Council requesting discussing funding options and preservation of the structure.

3.3.XX [Page 85]

~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

Do not remove "*Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.*"

Comment: The Sumner Historical Society exists to provide documentation of Sumner's history. Inclusion of this section recognizes partnering with the City and preservation as well as educational opportunities the Sumner Historical Society exists to provide to the public. Thus, it must remain in the Comprehensive Plan.

From: [Laurie Carter](#)
To: [Ann Siegenthaler](#)
Subject: Sumner Zoning Code – Historic & Cultural Preservation Regulations
Date: Tuesday, March 26, 2024 5:51:36 PM
Attachments: [image.png](#)
[image.png](#)

****EXTERNAL EMAIL****

My comments below:

Sumner Draft Comprehensive Plan
March 2024

Ch. 11 • Historic and Cultural Resources

- 3.2. ~~Ensure that the streets~~ Encourage in the historic downtown utilize incorporation of street furniture and features, such as streetlights and benches, that are compatible with the historic character of the area. *[Policy revised since Planning Commission previous review.]*
- 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.
- ~~X.X 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:~~
- Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means to preserving it.*
- ~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation; to landowners, citizens, and others:~~
- Note: Moved to general policies.*
- 3.4. ~~Provide ongoing support and expansion of Update~~ walking tours that highlights public art, architecture, history, trees, and other icons of the historic downtown.
- Note: Sumner has policies in the Community Character chapter in the Comprehensive Plan that promote beautification, events, and economic support of the Downtown Core.*

I feel the above indicates that the City intends to demolish all the beautiful, charming buildings of Sumner. That is the draw to your City! Why not wait for the study to come back that was just approved by the Council to see what the consulting firm comes up with that is the economic draw (part of the Lodging Tax). The March 25, 2024 budget Council Study Session indicated tourism tax was higher than expected.

Recently there was a presentation before the Council for grants. Sumner Main Street Association gave a presentation of all the wonderful things they do. History is part of their purpose. Will their presence now be absent from downtown? Here is their purpose:

<https://www.sumnermainstreet.com/about-sumner-main-street/>

About Sumner Main Steet Association - Downtown Sumner - Washington

SMSA works to stimulate economic growth & revitalization, enhance beautification, nurture historic preservation & ensure the vitality of



downtown Sumner.

www.sumnermainstreet.com

The new section to Title 18 (possibly 18.60) in regards to consultation required for demolition or construction of any building in Town Center older than 45 years old. That would be most of the buildings in Town Center. The City has removed the beautiful picture of the Ryan House as well as streamlined the history page and the walking tour is shown as "under construction" on the City website, but the Sumner Historical Society still has it at: <https://www.theclio.com/tour/1879>



Sumner Heritage District, Virtual Tour, Sumner Washington - Clio

www.theclio.com

Ryan House is a museum; and before that the library. It has not been a single family home since 1925. It is less than 4,000 square feet. Please don't demolish Ryan House. Let's find a way to fundraise and get the grants that were turned back reissued and contractors with historic preservation credentials. Please. We have the Washington Trust For Historic Preservation working with us. Let's meet in the middle, find common ground and work through this together.

A plaque does not suffice. The charm of the old historic buildings is the draw. The attached proposed projects for Town Center aren't inviting. Why not have a design code to make the buildings look old? And lower profile like the existing buildings in Town Center? When catastrophic fires happen and buildings must be replaced, think fit in to existing neighborhood rather than the newer designs of East Sumner. Leave modern colors and angled buildings to the eastside. Please don't go the direction of my hometown, Auburn.

Researching Washington State Department of Archeology and Historic Preservation (DHAP) web page, RCWs and WAC seem to indicate the fact Ryan House is on the National Register of Historic Places is a factor and their is also indication that a local historical Society will have input. "THE 28-DAY TIMELINE MIRRORS SUMNER'S CODE THAT REQUIRES THE CITY TO DETERMINE A COMPLETE PERMIT APPLICATION WITHIN 28 DAYS." But when I research the DHAP website, it indicates their timeframe is 30 days, and if no response in 30 days, follow-up with them.

And as a nearly 30 year federal government employee, I do not believe 28 days is a reasonable time for a response from the National Park Service (NPS) about Ryan House status on the National Register of Historic Places. That is a consideration when using State and Federal agencies; different timelines than the fast track 28 days Sumner uses for permit processing mentioned above and in the proposed change to Title 18. Which takes precedence? What action will the City take if the State or Federal government do not respond within 28 days?

https://en.m.wikipedia.org/wiki/Ryan_House

<https://npgallery.nps.gov/AssetDetail/NRIS/76001900>

In Chapter 11, Historic and Cultural Resources, Section 3.3, the update before the planning commission suggests removing this line

"Improve the Ryan House and public access to the Ryan House"

and replacing it with

"Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Please retain the wording "Improve the Ryan House and public access to the Ryan House" as part of any plan to enliven and refresh historic downtown.

Similarly, in Chapter 11 Historic and Cultural Resources, section 1.3, the proposed updates literally cross off the Sumner Historical Society in every line that is mentioned.

Please consider specific references to the Sumner Historical Society be retained in Sections 1.3 and 1.3.2. Have a specific agreement with the Sumner Historical Society that improves the uses and access to the Ryan House Museum. Create a consortium with other valley museums like Meeker Mansion and White River Valley Museum.

In particular, please retain the original wording that stated in section 1.3:

1.3 "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

I suggest that sections 1.3.1, 1.3.2, and 1.3.3 remain in the place and not be crossed off. All of these activities are essential to preserving and promoting the local history of Sumner.

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

- 1.3. Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition. *[Policy revised since Planning Commission previous review.]*

~~X.X Continue to support the Sumner Historical Society by providing the use of the Ryan House.~~
[Policy revised since Planning Commission previous review. Entire policy proposed to be deleted]

- 1.3.1. ~~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.~~ *[Policy revised since Planning Commission previous review. Entire policy proposed to be deleted]*
- 1.3.2. ~~Partner with the Sumner Historical Society~~ Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others. *[Policy revised since Planning Commission previous review.]*
- 1.3.3. ~~Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.~~ *[Policy revised since Planning Commission previous review.]*

81

- 1.3.4. Promote public awareness and understanding of prehistory and the history of tribes in the Sumner area.

The Pierce County website has a description of Sumner, and it reads, in part:

Sumner has retained its small town charm even though it is now a city of 9,000 residents. The historic Downtown Sumner is home to a variety of shops and businesses and hosts many community events including the Daffodil Parade, Wine Walks and Music Off Main.

<https://www.piercecountywa.gov/669/Sumner>

Let's keep it that way. Historic Downtown Sumner.

I live in Bonney Lake but I am in Sumner to shop and/or dine at least once a week. I have lived in the Sumner area since the mid-1980s. I worked in Sumner, too.

Thank you for your consideration. You have a hard job to do, as do all City staff. Thank you for your service.

Laurie Carter



with us and see where we're going as a community into

By **City of Sumner**, 7 months ago



Seaboard View

AROUND TOWN

Riverfront Apartments

The project takes place on the vacant lot north of the library and will include the construction of a 6 story mixed use development on an approximately 1.07 acre site in Sumner's Town Center Station District. The development will include 127 residential apartment units, 1,515 sf of commercial space, structured [...]

By **City of Sumner**, 7 months ago



Planning Ahead

The City is always looking ahead to plan for the future. This affects zoning, housing, transportation, businesses, environmental impacts...nearly every aspect of life. While we can't offer you a crystal ball, we can encourage you to look ahead with us and see where we're going as a community into the [...]

By **City of Sumner**, 7 months ago

Ann Siegenthaler

From: Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>
Sent: Tuesday, March 5, 2024 11:41 AM
To: Ann Siegenthaler
Cc: Sears, Tricia (DNR); Smith, Valerie (COM)
Subject: Sumner Comprehensive Plan and Development Regulation Amendment: WGS comments

****EXTERNAL EMAIL****

3/5/24

Hello Ann,

In keeping with the interagency correspondence principles, I am providing you with comments on the proposed changes to the Sumner Comprehensive Plan and Development Regulation Amendment (Commerce ID# 2024-S-6918).

I looked at the entire proposal and focused on areas related to WGS work.

There are no changes to the mineral resources lands text. There are changes to the geologically hazardous areas text. Those changes look good, particularly the changes to the newly titled Geologically Hazardous Areas and Special Flood Hazard Areas on page 90. Kudos to you for making all of these changes!

Recognizing the limitations of the current proposals, for consideration in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions.
- Consider adding a reference to the WGS Geologic Information Portal. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. [Geologic Information Portal | WA - DNR](#)
- If you have not checked out our Geologic Planning page, you may wish to do so. [Geologic Planning | WA - DNR](#)

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of 4/29/24.

Cheerio,
Tricia

Tricia R. Sears (she/her/hers)
Geologic Planning Liaison
Washington Geological Survey (WGS)
Washington Department of Natural Resources (DNR)
Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov

From: [Nancy Dressel](#)
To: [Ann Siegenthaler](#)
Subject: Dressel,N-Save the Ryan House
Date: Wednesday, March 27, 2024 2:56:10 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

1.3. "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

Additionally, I respectfully ask that the Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

3.3. Improve the Ryan House and public access to the Ryan House....

Instead of replacing this statement with the more general "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Any reference to "enliven and refresh historic downtown" and "adaptive reuse of buildings" should include a specific reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use.

Similarly, also in Chapter 11 Historic and Cultural Resources, section 3.3, the proposed update literally crosses off the Sumner Historical Society. The following line was completely removed:

3.3. Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.

Why is the Sumner Historical Society being intentionally deleted from the city's plan going forward? Please reconsider this drastic and unnecessary change. Instead, I urge the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner's History and make our history accessible to the public.

Thank you for your considerations,

Nancy Ryan Dressel

Great great granddaughter of George and Lucy Ryan

From: [Tod Dressel](#)
To: [Ann Siegenthaler](#)
Subject: Tear down of historic Ryan house in Sumner
Date: Wednesday, March 27, 2024 2:55:26 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

Although I don't live in Sumner, my wife Nancy Ryan was born and raised there. I have spent a great amount of time there. I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

1.3. "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

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Additionally, I respectfully ask that the Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

3.3. Improve the Ryan House and public access to the Ryan House....
Instead of replacing this statement with the more general "Enliven and

refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Any reference to "enliven and refresh historic downtown" and "adaptive reuse of buildings" should include a specific reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use.

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Why is the Sumner Historical Society being intentionally deleted from the city's plan going forward? Please reconsider this drastic and unnecessary change. Instead, I urge the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner's History and make our history accessible to the public.

From: [Melody Adams-Forsstrom](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House + Sumner Historical Society - Include in Comprehensive Plan
Date: Monday, March 25, 2024 7:27:22 PM

****EXTERNAL EMAIL****

To: City of Sumner and all whom it may concern:

The comprehensive plan needs to include, **"Improve the Ryan House and public access to the Ryan House"** as part of any plan to enliven and refresh historic downtown Sumner.

Please retain the original wording that stated in section 1.3:

1.3 "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

There is no reason to cross off the Sumner Historical Society. The comprehensive plan needs to include the Sumner Historical Society and other community groups.

I recommend specifically that sections 1.3.1, 1.3.2, and 1.3.3 of the comprehensive plan, remain in place and not be crossed off. All of these activities are essential to preserving and promoting the local history of Sumner.

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society, Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

Kind Regards,

Melody Adams-Forsstrom

From: [Deanne and Kim Foster](#)
To: [Ann Siegenthaler](#)
Subject: Sumner Comprehensive Plan Amendments
Date: Friday, March 22, 2024 2:08:12 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

****EXTERNAL EMAIL****

Dear Ms. Siegenthaler:

Could you provide some clarification on the following items regarding the Planning Commission and City Council consideration of the proposed amendments to the City of Sumner's Comprehensive Plan.

I received a series of emails from the City on March 12, 2024, advising that the Comprehensive Plan Amendments would be considered by the Planning Commission at a meeting on April 4, 2024. The notices advised that written comments would be accepted through March 27, 2024:

Notice Of Application And Public Hearing

Notice is hereby given that the City of Sumner PLANNING COMMISSION WILL HOLD A PUBLIC HEARING on an update to the Sumner Comprehensive Plan, related Plans, and citywide zoning regulations as described below. Written comments are due March 27, 2024, by 5:00 pm to annsi@sumnerwa.gov or comment at the public hearing.

I note that the notices say that the Applications for the Comprehensive Plan Amendments were deemed complete on February 14, 2024. I found that interesting because I would have thought that they would have been deemed complete after the January 2023 closing date.

Can you explain why there was a 30-day 'lag' between the completed application date and the date that notices went out to the public via email? Given the sweeping scope of the proposed changes, that will dramatically change the character of Sumner, I am not confident that the requirements of RCW 36.70A.140 are being met with such an abbreviated comment/public participation period. The statute demands that the public hearing only take place after "effective notice" to the public.

I am also confused by a companion notice that is dated March 1, 2024 that is titled:

**Notice of Availability of Draft Comprehensive Plan, Zoning Code Amendments, and
Draft Environmental Impact Statement
Notice of Planning Commission Public Hearing
Sumner 2024 Comprehensive Plan Update**

In this notice, it advises that comments will be accepted through April 30, 2024. I note this notice is also posted in the lobby of City Hall.



This notice seems to be in direct conflict with the first set of notices above. This notice could cause a member of the public to miss the City-imposed March 27, 2024 deadline for comment. Worse yet, the Planning Commission would not have the benefit of comments submitted after the April 4, 2024 meeting.

How can the Planning Commission make a decision on these sweeping changes at an April 4, 2024, meeting when the comment period for the changes - and including comments on the Draft EIS - is open until April 30?

I also have some questions specific to the Draft EIS:

I note in your May 18, 2023 EIS Scoping information that there is nothing specific cited to the potential changes allowing demolition of Ryan House, flooding the downtown core with low-income apartments, or enticing developers to construct low-income apartments through tax incentive zones. In fact, the accompanying Staff Memorandum, as affecting the status of Ryan House, specifically states:

I. Historic and Cultural Resources • Policies for protecting historic/cultural resources, supporting cultural events.

The February 16, 2023 Staff Memorandum also provides guidance via the Sumner Municipal Code on criteria for adopting amendments, to wit:

Exhibit 1 - Comprehensive Plan Amendment Criteria

Per SMC 18.56.147(N), Comprehensive Plan Amendments must be substantial compliance with the following criteria:

- 1. An amendment is necessary to resolve inconsistencies between the Sumner comprehensive plan and other city plans or ordinances; or to resolve inconsistencies between the Sumner comprehensive plan and other jurisdictions' plans or ordinances.**
- 2. Conditions have so changed since the adoption of the Sumner comprehensive plan that**

the existing goals, policies, objectives, and/or map classifications are inappropriate.

3. The proposed amendment is consistent with the overall intent of the goals of the Sumner comprehensive plan.

4. The proposed amendment is consistent with chapter 36.70A RCW, the county-wide planning policies for Pierce County, and the applicable multicounty planning policies.

5. Where an amendment to the comprehensive plan map is proposed, the proposed designation is adjacent to property having a similar and compatible designation, or the subject property is of sufficient size, or other conditions are present.

6. Environmental impacts have been disclosed, and measures have been included to reduce possible adverse impacts.

7. Potential ramifications of the proposed amendment to other comprehensive plan elements and supporting plans have been considered and satisfactorily addressed.

I note that at the September 7, 2024 Planning Commission Agenda Package that the City was then proposing the following amendments and language (Note the purple enhancements are the City's):



Can you advise when these policies - that were disclosed to the public via the September 7, 2024 Planning Commission meeting - were diametrically changed to eliminate reference to preserving and improving Ryan House, its status on the National Registry of Historic Places, support of the Sumner Historical Society, and restoration of key historic properties?

Given the scope of the sudden changes from the above-stated goals and policies that had been communicated to the public, was a new application for Comprehensive Plan Amendments submitted? Is that the application referenced in the series of emailed Public Notices as being deemed complete on February 14, 2024?

Date of Application: 02/09/24

Date of Complete Application: 02/14/24

If this 'new' application is predicated on the complete reversal of the goals and policies that were previously being proposed by the City as late as September 7, 2024, how can this new

round not be outside the January 2023 amendment 'cut-off' date? These changes should have been part of the January 2023 submissions. Up until at least September 7, 2023, the public would have thought that the intent was to preserve Ryan House and the historical character of the community. If a member of the public saw what was taking place at least through September 7, 2023, they would see that Ryan House was still being preserved and would have no reason to participate. The City's sudden reversal denied the public nine months of effective participation in the process. This results in an extremely truncated public awareness/participation schedule outside the requirements of RCW 36.70A.140. Shouldn't the City have withdrawn its previous application for Comprehensive Plan Amendments and submitted a new one so the public could effectively participate?

Did the sudden wholesale change in the City's stated goals and policies regarding Ryan House and preserving the "historic and community character of Sumner" result in any changes to the scoping of the EIS process? Was the public made aware of any said changes in the EIS scoping?

Can you advise what third party consultants were engaged to assist or perform functions regarding the drafting of the proposed Comprehensive Plan amendment and the EIS.

Were the consultants preparing the EIS advised mid-process that the goals and policies of the Comprehensive Plan were suddenly being changed to eliminate reference to preserving and improving Ryan House, its status on the National Registry of Historic Places, support of the Sumner Historical Society, and restoration of key historic properties?

How can any changes in goals and policies referencing Ryan House have been properly considered in the amendment process when a judgment is just now being entered finding the city violated the requirements of GMA and SEPA when issuing the demolition permit? Wouldn't that significantly affect the 'context' in which these proposed amendments were being reviewed under?

I appreciate any light you can shed on this.

Kim Foster

From: [Deanne and Kim Foster](#)
To: [Ann Siegenthaler](#)
Subject: City of Sumner - Comprehensive Plan - Planning Commission Comments
Date: Wednesday, March 27, 2024 2:57:02 PM
Attachments: [Kim Foster - Ryan House - Planning Commission Comments.pdf](#)

****EXTERNAL EMAIL****

Dear Ms. Siegenthaler -

Please include the attached comments in the record for the Planning Commission meeting.

Thank you!

Kim Foster
(206) 356-4936

Kim E. Foster
Attorney at Law
4810 Pt. Fosdick Dr., #303
Gig Harbor, Washington 98335
(206) 356-4936

March 27, 2024

Attn: Ann Seigenthaler, Senior Planner

Honorable Kathy Hayden, Mayor
Planning Commission Members
City of Sumner
1104 Maple Street
Sumner, Washington 98390

Re: City of Sumner – Proposed Comprehensive Plan Updates

Dear Mayor Hayden, Members of the City of Sumner Planning Commission:

I am a 'land-use' lawyer employed by a Bellevue-based real estate investment and development company. These comments are not being submitted on behalf of my employer and are submitted on my and my family's behalf only. I was born and raised in Sumner. I graduated from Sumner High School in 1973. My family has a long legacy in Sumner. My father, Everett Foster, served as Mayor in the 1960s and 1970s. I am submitting these comments on the proposed changes to the city's Comprehensive Plan and downtown Sub Area Plan.

Through my employment, I am familiar with the Washington State Growth Management Act, the State Environmental Policy Act, and various comprehensive plans in several jurisdictions in Washington.

As a preface to my specific comments, I would encourage you to reflect on who you are representing. The issues presented by the statutes and regulations are complex. It is easy to 'go along with' what a couple of staff members and very expensive paid consultants are recommending and forget that you are there to carry out the wishes of the people of Sumner. There is nothing that the citizens of Sumner are demanding for the future of their town that cannot be accomplished by staff, consultants, and city leaders.

To further preface, I note the language in a February 16, 2023 Memo from Ann Siegenthaler, Senior Planner, to the Commission that says:

The amendments that will be presented to the Commission and Council are proposed by staff, working with a consultant. Most of the amendments are recommended by the City's consultant, who has

extensive experience updating Comprehensive Plans and regulations, as necessary to meet State and other legal mandates. The City has hired the firm of BERK Consulting to assist in the major updates...

[\[8db84586335c4fa0aa2b5ca79b1231f4_DocketStaffMemo_022123.pdf \(amazonaws.com\)\]](#)

This begs the question, prior to hiring a consultant, was there any vetting process to see if the consultant – and ‘staff’ – shared the same values and visions for Sumner that the citizens do? Did you explore other communities where similar policies were adopted based on ‘staff’ and ‘consultant’ recommendations? I would suggest Main Street Auburn as a good start. Talk to the retailers there.

I bring this up as I have observed a massive citizen backlash against the recommendations of ‘staff’ on the issues of preserving Ryan House and including filing legal actions against the city. I am hearing the same objections to proposals that would transform the Main Street environment into an ‘apartment canyon’ with incentives being given to low-income apartment developers.

As set forth in the city’s Comprehensive Plan website, and as demanded by the Washington State Growth Management Act and State Environmental Policy Act, the process for amending Comprehensive Plans should be very public-oriented – involving the public at all levels.

The city published a Draft Public Participation Plan on its website dated February 23, 2023.

[Microsoft Word - 1-CompPlan_PPP_FinDRAFT_022323 \(amazonaws.com\)](#)

On September 19, 2023, I sent a letter to the city advising that Resolution 1663 to suddenly demolish Ryan House was not in compliance with the city’s Comprehensive Plan and public notice requirements of RCW 36.70A.020, RCW 36.70A.035, and RCW 36.70A.140 among others. The letter was ignored, and the city subsequently issued a demolition permit for the house.

The issuance of the demolition permit was appealed to Pierce County Superior Court under the Washington State Land Use Petition Act. On March 13, 2024, a hearing was held wherein Judge Stanley Rumbaugh found that the city did, in fact, violate the provisions of its own Comprehensive Plan and the required public notice provisions. It is important to note that the formal written judgment will be entered on April 26, 2024.

One of Judge Rumbaugh’s points in finding the city violated its own procedures and state regulations was that the public had been lead to believe that Ryan House was to be preserved and restored as a prominent feature of Main Street – the city describing it as the ‘Anchor of Main Street’. This public perception was allowed to persist until the city abruptly, and with only ‘cryptic’ notice to the public, reversed course and voted to demolish the Ryan House within a span of about two weeks.

I see the same thing happening with regard to the proposed Comprehensive Plan amendments that essentially ‘erase’ Ryan House as an element of the Historical and Cultural Resources section of the Plan. Note that these changes deleting Ryan House are occurring while the Pierce County Superior Court judgment against the city hasn’t even been entered. A member of the public would have every

justification to believe that a court judgment is about to be entered revoking the demolition permit and, pursuant to Judge Rumbaugh's ruling that the city would have to then go back and start the process affecting Ryan House over. It would be shockingly speculative for a member of the public to assume that the city had already proposed amendments to allow it to demolish Ryan House when the judgment in the LUPA action hasn't even been entered.

The public should have the benefit of the entire process as it applies to Ryan House restarted from the beginning – not just a 'band aid' correction for the city to quickly forge ahead with demolition despite Judge Rumbaugh's ruling.

I would note that the procedures to amend the Comprehensive Plan, as outlined on the city's website, began in January of 2023. Here is the information provided by the city on the "Lifecycle" of the amendment process:



If you look at the clear language on the City's webpage, you will find this:

Review of Plan Elements: The Planning Commission completed its review of the first 7 elements (chapters) of the Comprehensive Plan (Comp Plan). [Prior to June 2023] Staff made **minor edits** to these chapters to reflect the Commission's comments, and brought those back to the Commission at their June 1st meeting. The draft documents are posted in the Documents Library column to the right. [emphasis mine]

A member of the public, seeing that, would assume that Ryan House was not going to be affected, so no further participation required. Going from “preservation” of Ryan House to total elimination is not a “minor edit”.

Also included on the website is this:

For the 2024 review, most of the policies have been carried forward unchanged or with minor updates as a “clean up” of outdated terms and text. However, some of the updated 2024 policies consist of substantive revisions or entirely new policies, as needed to reflect new State and County requirements.

Again, an extremely deceptive description as it applies to the significant changes on Ryan House.

If you look at the Planning Commission agenda as late as September 7, 2023 meeting, you will see that there are no changes for Ryan House that would change the status from restoration to allowing demolition. Anyone following the process would have confidence that Ryan House was still in the preservation/restoration mode.

It should be noted that the ‘staff’ claim that demolition was discussed at an August 25, 2023 Budget and Finance Committee meeting. Some staff claim that demolition was openly discussed even prior to that. Why didn't they tell the Planning Commission, as it was publishing an agenda 10 days later informing the public that Ryan House was being preserved, that, in fact, staff was pushing for demolition?

I think that's a problem for the city when nine months into the Comp Plan amendment process the city is still telling the public that Ryan House's status is unchanged. Then suddenly it is 'out'. That critically impacts the public's ability to meaningfully participate in the process – when they are being told one thing while the city is actively on a course to do the opposite.

You will note from the city's website that a member of the public would see that between April and November of 2023, the Planning Commission is to evaluate the proposed amendments. This, the Planning Commission, in fact did. At the September 7 Planning Commission meeting the amendments to the Cultural and Historic Resources section of the Comprehensive Plan were discussed. The public found this in the agenda package:

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.

Ryan House is listed on the National Registry of Historic Places so a member of the public, reading these proposed changes, would have confidence that Ryan House would be protected.

The proposals go on to state:

- 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.
- 1.4 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.
- 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.

As of September 7, 2023, a member of the public interested in the preservation of and enhancement of Ryan House would justifiably believe Ryan House was being maintained as a listed component of the Comprehensive Plan.

I have checked the published Agendas of each of the listed Planning Commission meetings between September 7, 2023, and March 1, 2024 and I can find nothing that would give notice to the public that the above-proposed changes to the Comprehensive Plan eliminating Ryan House were being contemplated.

The first notice that I see is a “Notice of Decision” that the city sent out on March 12, 2024. It reads as follows:

Notice of Decision:

Notice of Application and Public Hearing

Notice is hereby given that the City of Sumner PLANNING COMMISSION WILL HOLD A PUBLIC HEARING on an update to Sumner Zoning Code Title 18 – Historic & Cultural Preservation Regulations as described below. Written comments are due by March 27, 2024 by 5:00 pm to anhsi@sumnerwa.gov or comment at the public hearing. The public has the right to review the contents of the official file for the proposal, provide written comments, participate in the public hearings/meetings, and request a copy of the final decision.

Proposal Name: 2024 Sumner Comprehensive Plan Amendments – Historic & Cultural Preservation Regulations

Proposal Description: The City of Sumner is updating its Comprehensive Plan to meet the requirements of the Washington State Growth Management Act and other regional policies. As part of this update, the City will amend its Zoning Regulations with new provisions for historic/cultural preservation.

Proposed regulations include:

- ***Add a requirement that applicants proposing a building demolition or significant new construction in the Town Center Plan area, on sites with structures more than 45 years old, must request a consultation with the State Department of Archeology and Historic Preservation (DAHP).***
- ***Add a requirement that DAHP's recommended mitigation measures (if received in a timely fashion) must be considered and implemented only if appropriate to the site/project.***
- ***Require Inadvertent Human Remains Discovery Language to be included in permits; require provisions in permits to immediately stop work and notify appropriate agencies if artifacts are uncovered during site work.***

More detailed information on proposed policy and code changes is contained in the Draft 2024 Comprehensive Plan documents for the Environment Element, located on the City's website at: <https://connects.sumnerwa.gov/planning-sumners-future>

Location / Parcel(s) #: City-wide

Permit Application #: CTA-2024-0002

Applicant/Rep: City of Sumner

Hearing Date and Time: April 4, 2024 at 6:00pm

SEPA Environmental Review: The Comprehensive Plan Draft Environmental Impact Statement (DEIS), evaluating potential impacts of proposed policy and regulation changes, was issued on March 1, 2024.

Hearing Location / Zoom Virtual Meeting Link: The public is welcome to attend this meeting in-person at Sumner City Hall Council Chambers 1104 Maple Street, or virtually by using the meeting access link below.

Other Required Approvals: City Council, Puget Sound Regional Council, Dept of Commerce, other agencies.

Staff Contact: Direct questions to: Ann Siegenthaler, Community Development Department, 253-299-5520 or annsi@sumnerwa.gov

Date of Application: 02/15/24

Date of Complete Application: 02/22/24

Published/Posted/Mailed: March 12, 2024

Note that the notice states that the “Date of Completed Application” is February 22, 2024, but the “Notice of Decision” doesn’t go out until March 12, 2024. Why the delay?

This presents several problems for compliance under RCW 36.70A.

First of all, the notice is clearly erroneous on its face that it is a “Notice of Decision” leaving the public with a mistaken impression that a ‘decision’ has already been made so why bother commenting. The city will claim that they issued a ‘correction’ to the notice but the ‘bell had already been rung’ that a decision had been made.

Second, if you look at the “Proposal Description” language in the notice, it not only has zero reference to Ryan House – easily the biggest and most egregious change in the proposed amendments - but it actually buttresses the public’s justifiable belief that Ryan House is to be preserved by providing the proposed language about enhanced scrutiny for structures “more than 45 years old.”

The notice also fails given the fact that these are sweeping changes being proposed and the public was only given fourteen days notice to learn about the proposed changes and submit written comment.

RCW 36.70A.140 provides:

*The procedures shall provide for broad dissemination of proposals and alternatives, **opportunity for written comments, public meetings after effective notice, provision for open discussion**, [emphasis added] communication programs, information services, and consideration of and response to public comments.*

Fourteen days is not ‘effective notice’ in a process that, by the city’s own plans, is supposed to take at least a year. The public was denied the opportunity for “open discussion” of these amendments because these amendments, as they apply to Ryan House, were never on a public meeting agenda.

It should also be noted that a conflicting notice has been posted by the city – again causing confusion - that will limit public participation in the amendment process. On March 1, 2024, the city issued a Notice of Availability of Draft Comprehensive Plan, Zoning Code Amendments, and Draft Environmental Impact Statement Notice of Planning Commission Public Hearing.

This notice specifically provides for a 60-day window for public comment closing on April 30, 2024 – NOT the March 27, 2024, deadline in the aforementioned March 12, 2024, notice. How can the city expect the public to stay informed and participate in the face of these conflicting and misleading notices?



**Notice of Availability of
Draft Comprehensive Plan, Zoning Code Amendments, and
Draft Environmental Impact Statement
Notice of Planning Commission Public Hearing**
Sumner 2024 Comprehensive Plan Update

Pursuant to WAC 197-11-230 and WAC 197-11-455 the City of Sumner is issuing its integrated Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement (Volume II) for a 60-day public comment period. Draft Zoning Code Amendments are appended to the documents. A public hearing before the Planning Commission is scheduled to invite oral public comment.

Date of Issuance: March 1, 2024

Lead Agency: City of Sumner

Agency File Number: SEPA-2023-0003

Contact Ann Siegenthaler, Senior Planner
City of Sumner Community Development Department
1104 Maple Street, Suite 250
Sumner, WA 98390
(253) 299-5520
annsi@sumnerwa.gov

Description of Proposal

The City of Sumner is required to update its Comprehensive Plan by December 31, 2024 to meet the requirements of the Washington State Growth Management Act and other regional policies. As part of the update, the City will amend all its plan elements and related plans and necessary implementing development regulations, including the Transportation Management Plan, Capital Facilities Plan, and City of Sumner Zoning Code (Title 18).

The Comprehensive Plan Draft Environmental Impact Statement (Draft EIS) includes environmental analysis of three plan alternatives and identification of impacts and mitigation measures. The EIS alternatives consider a range of approaches to distributing Sumner's growth.

Location of Proposal

City of Sumner and Potential Annexation Areas within the Urban Growth Area.

Public Comment Period

Agencies, affected tribes, and members of the public are invited to comment on the proposed contents of the Draft EIS and the integrated Draft Plan. **Comments will be accepted from 5:00 pm PST on March 1, 2024 through 5:00 pm PST on April 30, 2024.** All comments must be submitted in writing by this date.

It is important to note that the "Date of Completed Application" for these proposed amendments is shown as February 22, 2024. Then conflicting public notice dates go out on March 1 and March 12, 2024.

Assuming the March 1 date as the earliest date – per the language in the notice – that a member of the public would have knowledge of the drastic changes in the proposed amendments regarding Ryan House, the “Lifecycle” process outlined on the city’s website and as set forth above should commence at that point. The public has, effectively, been closed out on at least nine months of the process.

As it stands now, the public is being limited on its public participation before seeing responses to the March 1 notice from agencies and tribes. Public participation is also being limited by requiring comments to be submitted even before the comments and/or determination on the draft EIS are complete.

I also note that one of the comments from the Planning Commission is that the city’s obsession with the elimination of Ryan House is predicated largely on the statement that ‘it is going to be too costly to renovate’.

That should be recognized as a ‘red-herring’.

In fact, no one actually knows what restoration of Ryan House would cost because the city refused to authorize the funding to prepare bona fide construction documents from which a bid could be prepared. The city also never sought alternative methods and materials or, to the best of my knowledge, consulted an actual contractor for realistic numbers. The statement that ‘it is going to cost too much’ is based on a consultant’s opinion – and has enormous amounts included for ‘contingencies.’

This is a wood-framed farmhouse. It has limited mechanical, electrical, and plumbing systems. Consider that, even using the city’s ‘estimates’, they opine that the cost of restoration would be about \$2.2 million. That is almost \$1000/sq. ft. for the renovation of a wood-framed farmhouse! You can buy a brand-new custom home, including land, land development costs, fancy bathrooms and kitchens in Sumner for less! Yet no one questions that number.

The City Administrator admits that there is no ‘number’ on which costs can be discussed. In an email he wrote,

“Please note that the final report is not complete. At that point we were out of funding to finish the structural assessment with design at about 60%. It was the question of approving further funding just for the assessment that prompted the discussion with council on where this project was going.”

It should not go unnoticed that instead of spending taxpayer funds on obtaining construction drawings the city elected, instead, to spend those funds hiring lawyers to defend the demolition permit.

Even if the city’s preliminary estimate of \$2.2 million is accepted, the city had about \$1.7 million already secured in grants. Grants that they have willingly sent back precluding any private effort to help fund any perceived shortfall.

<https://connects.sumnerwa.gov/4797/widgets/15087/documents/27801>

The city has argued that the grants had to be returned because they weren't used in time. That is in direct conflict with the opinion of Chris Moore, Executive Director of the Washington Trust for Historic Preservation. Mr. Moore has written a letter to the city stating that these grants are typically extended and/or augmented as work on historic structures proceeds. He also suggests a staged approach to the renovation. Here is a link to his letter:

<https://connects.sumnerwa.gov/4797/widgets/15087/documents/51220>

The other 'red-herring' in the discussion on cost is what, exactly, was included in the anticipated 'scope' of the project.

Preserving and restoring Ryan House, as required by the Comprehensive Plan, could have been accomplished in phases – stabilize, weatherize, and secure – then look at additional funding based on desired future uses. The 'opinion budget' includes major augmentation to the house – not just preservation and restoration.

The bottom line is that there is no reliable 'cost' identified for the preservation and restoration of Ryan House. Only an opinion. The Washington State Growth Management Act demands that cities provide capital funding for the elements of their Comprehensive Plans. Clearly, the city has failed to do that as it has allowed Ryan House to deteriorate under its ownership. The city should not now be allowed to shirk those financial responsibilities by simply writing Ryan House out of the plan. The city has elected to spend millions of dollars on other parks and recreation assets.

I would recommend that the Planning Commission 'right the ship' and simply stop the current amendment process as it relates to Ryan House. The Planning Commission should demand that staff refile the proposed amendments affecting the status of Ryan House to the 2025 cycle to be processed openly and transparently and in compliance with the Washington State Growth Management Act, State Environmental Policy Act, and provisions of the Sumner Municipal Code.

In closing, I would also strongly recommend that you focus your attention less on the wishes of a handful of 'staff' and the 'consultant' and more on the wishes of the citizens.

Sincerely,

Kim Foster

From: [Barbara Fox](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House
Date: Sunday, March 24, 2024 12:41:32 PM

****EXTERNAL EMAIL****

I am a descendant of the Woolerys who were among those pioneers-including the Ryans-who settled in what is now the town of Sumner. I grew up hearing about these pioneers and while I was in high school, I did an essay on my great grandmother, Dora Woolery. I have always been proud to be part of the line of the Woolerys.

I want to remind you of the huge undertaking that went on to save the Meeker Mansion in the 1970's. The Ryan House is older than the Meeker Mansion and not nearly as large. If it was possible to save the Meeker Mansion, I believe that the Ryan House can be saved also.

If a project like saving and restoring a house like the Meeker Mansion can be taken on by the citizens of the city of Puyallup, can't the home of George Ryan be given the same undertaking by the citizens of the city of Sumner?

Barbara Fox
PH: 253-256-8247

From: [WILLARD FOX](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House & Pioneer Water Fall
Date: Sunday, March 24, 2024 12:50:26 PM

****EXTERNAL EMAIL****

My name is Beverly Woolery Fox. My great grandfather was Abraham Woolery. He and his brothers and family came on the 1853 wagon train. We were raised to be proud of our pioneer history. We have the "Told By The Pioneers" books. We took them to school for history projects. We made regular trips to "our" cemetery to visit the family graves. So what could anyone be thinking to consider demolishing the Ryan House? And why did "our" Pioneer Water Fall disappeared? Show us. Why could it not be displayed on a wall. Maybe at the Ryan House?

Beverly Fox
PH. 253-845-7520

From: [MELISSA FOX](#)
To: [Ann Siegenthaler](#)
Subject: Input on Sumner Comprehensive Plan
Date: Monday, March 25, 2024 11:39:07 AM
Attachments: [Sumner Comp Plan - Fox Input.docx](#)

****EXTERNAL EMAIL****

Good morning -

Please refer to the attached Word document containing my review of the Sumner City Comprehensive Plan draft. This is submitted on behalf of my family, the Woolerys, and their enduring connection to the heritage and founding of Sumner. I have included the current draft's language, my requested re-wording or removal of language as well as comments supporting those requests.

The comments I have included add context to the requested changes throughout the document. I anticipate and expect my input will be carefully considered during finalization of the City's Comprehensive Plan.

I would be happy to answer any questions the City Council may have regarding my input.

Regards,

Melissa E. Fox

253-548-1550 (home)

253-273-9899 (cell)

dreamscapesdesign@comcast.net

Wording Changes and Comments Related to Sumner Comprehensive Plan Draft (Input Provided By: Melissa Fox)

1.3 [Page 31]

1.3. Design Guidelines

 ~~in concert with the Sumner citizens and business community,~~ Maintain design guidelines ~~and a design code, as appropriate, and/or a form-based code that which~~ address streetscape, landscape, and building design to ensure high quality and compatible development. Materials and methods of construction should be of high quality, be specific to the region, ~~exhibit continuity of history and culture,~~ be compatible with the climate,  ~~protect historic and archaeological resources, and promote the community's character and identity~~ The design should reflect the historic context of Sumner, respect the historic character and scale of nearby development, and promote an attractive, pedestrian-scale streetscape.

1.3 Design Guidelines:

Do Not Remove: *"In concert with the Sumner citizens and business community ..."* With the deletion of this portion, the City would be the sole decision-maker without input from the residents and businesses.

Do Not Remove: *"...protect historic and archaeological resources, and promote the community's character and identity."* Sumner's history lies in the *existing* resources, the new language is vague and implies that future designs can "reflect the historic context of Sumner" replacing physical artifacts.

3.3 [Page 36]

3. Reinforce the Town Center Plan area as the ~~downtown as the town center and~~ commercial and cultural center of Sumner.

~~Continue~~ Apply a form-based code and/or design review process for new and expanded uses in the Town Center. Any future amendments to the Sumner design guidelines ~~shall~~ should include consultation with ~~Sumner Downtown Association~~ the downtown business association(s), Chamber of Commerce, Sumner Historical Society historic preservation organizations, other civic groups, and ~~citizens~~ residents. [Policy revised since Planning Commission previous review.]

Return Wording to Read: "...**shall** include consultation with the downtown business association(s), Chamber of Commerce, **Sumner Historical Society**, other civic groups, and residents."

Comment: The change to this portion of the paragraph removes a necessary component in maintaining the historic significance of Sumner. The Sumner Historical Society continues to exist and is the appropriate organization with expertise to participate in decisions conveying Sumner's history. The draft language changing "shall" to "should" removes any requirement to consult a specific organization and allows the City to be the sole decision-maker for amendments and designs.

5.8 [Page 40]

5. Provide for open space and recreation and protect sensitive areas from degradation.

5.8. ~~Expand Heritage Park to a full block.~~  Maintain Reuben A. Knoblauch Heritage Park as a key open space in the downtown and support activities and events that complement downtown businesses and residences.

Remove: "**Heritage**" from the park's name to read: "Maintain Reuben A. Knoblauch Park..."

Comment: *By including "Heritage" in the name is misleading and ultimately incorrect. Mr. Knoblauch does not represent the full "heritage" of Sumner. A waterfall feature with plaques honoring Sumner's founding families was part of the original park. The waterfall was removed with no official plans to restore it. The family names on the waterfall represented Sumner's true heritage. To date there are no official plans to restore the waterfall. Unless there is recognition of the original families, this park should not contain the word "Heritage" in its name.*

6.6 [Page 56]

6. Promote downtown as the town's cultural, historic and activity center of the entire community.

6.6. In conjunction with interested parties, improve the visual appearance of downtown through public and private measures for beautification, facade improvements, and **preservation of historic properties**, design strategies, maintenance, and streetscape improvements.

Comment: Note that "...preservation of historic properties..." aligns with The Ryan House preservation, not demolition, and is the direction given under this section. Ryan House is a physical artifact and represents history within Sumner's downtown. Demolition does not fall under the purview of Comprehensive Plan's goals. In fact, "maintenance" is stated in the language of this paragraph – this has not taken place with respect to The Ryan House despite being included in the existing Comprehensive Plan.

6.13 [Page 56]

6.13. Create 350-500 new housing units in the Town Center in **close proximity** to the train station and existing businesses.

Correction: Please remove "...in close proximity..." from this sentence. Reword it to "...**close to the train station**..." Use of the modifier "close" in the familiar expression "close proximity" is redundant.

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.~~

- 1.3. Work with ~~the Sumner Historical Society and other~~ community groups to promote historic and cultural education and recognition. *[Policy revised since Planning Commission previous review.]*

Do Not Remove: "Continue to support the Sumner Historical Society by providing the use of the Ryan House." The Ryan House and Sumner Historical Society are intertwined in preserving the history of Sumner. The Sumner Historical Society provides documentation outlining the city's past and The Ryan House is an artifact of the founding of Sumner.

1.4.1 [Page 82]

- 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.

Comment: This section is particularly applicable to The Ryan House. The City of Sumner is committing to "preservation" of "...significant lands, historic sites and structures..." and goes on to reference the type of resources available to support this "preservation" statement. The City has held the role of stewardship since the early 1900s but has not implemented necessary preservation.

1.4.3 [Page 82]

- 1.4.3. Maintain  a historic preservation program, that creates a the local historic preservation commission, and pursue maintain Sumner's designation as a Certified Local Government

Do Not Remove "...a historic preservation program, that creates a local historic preservation commission..." With the rewording in the draft Comprehensive Plan, the City has removed an implementation method.

3.3.XX [Page 85]

- 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.

~~X.X 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.~~

Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means to preserving it.

~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

Note: Moved to general policies.

Do Not Remove "*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.*"

Comment: The "Note" currently provided below the deletion is *void due to the **revocation** of the City Council's **demolition permit***. Concerned citizens have reached out to the City Council requesting discussing funding options and preservation of the structure.

3.3.XX [Page 85]

~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

Do not remove "*Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.*"

Comment: The Sumner Historical Society exists to provide documentation of Sumner's history. Inclusion of this section recognizes partnering with the City and preservation as well as educational opportunities the Sumner Historical Society exists to provide to the public. Thus, it must remain in the Comprehensive Plan.

From: [rosegiffin55](#)
To: [Ann Siegenthaler](#)
Subject: Saving Ryan House
Date: Tuesday, March 26, 2024 3:33:13 PM

****EXTERNAL EMAIL****

I am a concerned citizen for Sumner. I grew up in Sumner, my father grew up in Sumner & also my grandfather.

It has come to my attention that you are updating the comprehension plan which will not include public input on the demolition of the Ryan House.

Why isn't Ryan House mentioned as a Historic asset? The Ryan family built Sumner. Are you actually going to erase this part of Sumner history?

It looks to me that the city is intent on changing the character of Sumner by allowing the building of massive apartments to replace Historic buildings on Main Street. And I do believe you are setting tax incentive zones to entice apartment developers which would receive huge tax subsidies for new apartments built.

I see that saving Ryan House should be made a priority to save the foundation of our Sumners history. A history that can be shared with our children & their children & on and on. This is an absolute disappointment & uncharacteristic of what a City council should be approving. City councils should work with the citizens of Sumner to find a way to keep history from being destroyed! Make it a priority to include NOT to demolish the Ryan House in your comprehension plan.

Thank you for your time,
Rose Atkinson Giffin

Sent from Samsung Galaxy smartphone.

From: [Amanda](#)
To: [Ann Siegenthaler](#)
Subject: Plan Public Comment
Date: Wednesday, March 27, 2024 4:59:47 PM

****EXTERNAL EMAIL****

Good evening Ann and other city planners,

As a citizen of Sumner, I would like to have all mentions of Summer Historical Society and the Ryan House remain in the plan and we should focus on restoring it to its former glory. The Ryan House and the SHS are a very important part of Sumner's history that should remain and be a main focus in the plan as it was in years past.

Thank you for your time,
Amanda Henderson
Sent from my iPhone

From: [Amanda Henderson](#)
To: [Ann Siegenthaler](#)
Subject: RYAN HOUSE
Date: Wednesday, March 27, 2024 2:44:06 PM

****EXTERNAL EMAIL****

I am a 15 year old attending at sumner high school. The city of Sumner has a significant amount of history, and the ryan house is a big part of that. If there needs to be more help making the ryan house sustainable in order for it to be able to have it be open for tours, Sumner High School honors society (which I am a part of) would be happy to earn hours doing so.

From: [Laura Hendrix](#)
To: [Ann Siegenthaler](#); [Ryan Windish](#)
Cc: [Barbara Bitetto](#); [Curt Brown](#); [Pat Clerget](#); [Pat Cole](#); [Andy Elfers](#); [Carla Bowman](#); [Earle Stuard](#)
Subject: Comp Plan Comments - Save the Ryan House
Date: Wednesday, March 27, 2024 4:03:24 PM

****EXTERNAL EMAIL****

Dear Ms. Siegenthaler, Mr. Windish, City of Sumner Planning Commission and City of Sumner City Council Members,

Please accept this email as my written comments to be included and considered as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. As a long time resident of Sumner, I appreciate you taking the time to hear my concerns and forwarding my comments to the Planning Commissioners.

My comments are as follows:

Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by removing any lines that contain the words Sumner Historical Society.

Why do you need to remove this volunteer organization who only supports the historical relevance of the City of Sumner? I strongly encourage the Planning Commission to retain the original wording in this section to include the Sumner Historical Society in the Comp Plan Updates. The Sumner Historical Society is a valued volunteer based organization within our community that helps to preserve, respect and educate our current and future residents about the history of our wonderful community. We need them to stay involved in planning efforts so that we do not forget our past.

Section 1.3 of the planning document. **The Comp Plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.**

Section 1.3 Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition. **Please continue to support historic and cultural education in my hometown.**

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

Section 1.3.1. 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. **My two children in the Sumner Bonney Lake School District want to have the experience of visiting the Ryan House Museum just as I did as a Maple Lawn Elementary student. Please do not take this opportunity away from my family and all of the other families in the school district.**

Section 1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others. **The City of Sumner needs to rebuild their relationship with the Sumner Historical Society in order to work together in partnership to better our community and preserve important elements of our history.**

Section 1.3.3. Encourage the collection and preservation of oral histories of the community,

through partnerships with schools, the senior center, and other groups. **The Sumner Historical Society could lead this collection of oral and written history so that our stories are available for future generations of Sumner Residents.**

I ask that the City of Sumner and Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

*Section 3.3. Improve the Ryan House and public access to the Ryan House....*Instead of replacing this statement with “Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area.” Any reference to “enliven and refresh historic downtown” and “adaptive reuse of buildings” MUST include the reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use. We all know that the Ryan House is a valued part of our community's heritage and MUST be saved for future generations. **PLEASE DO NOT REMOVE THE RYAN HOUSE FROM THE CITY OF SUMNER'S COMPREHENSIVE PLAN UPDATES - AS A CITIZEN OF THIS SMALL TOWN WHERE I WAS BORN AND RAISED - I AM ADAMANT THAT THE RYAN HOUSE REMAIN AS A PUBLICLY OWNED MUSEUM JUST AS LUCY RYAN HAD ALWAYS INTENDED IN THE DEED. PLEASE CONTINUE TO IMPROVE THE RYAN HOUSE AND PUBLIC ACCESS TO THE RYAN HOUSE. MY LITTLE GIRLS AND I DON'T WANT THE RYAN HOUSE DEMOLISHED FOR ANOTHER PARK - WE WANT THE RYAN HOUSE TO REMAIN STANDING AND WE RESIDENTS OF SUMNER WILL LOCATE AND APPLY FOR THE GRANTS TO FUND THE RESTORATION WORK NEEDED FOR THE RYAN HOUSE MUSEUM! PLEASE LISTEN TO YOUR COMMUNITY MEMBERS - OUR VOICES MATTER AND OUR HISTORY MATTERS.**

In Chapter 11 Historic and Cultural Resources, section 3.3, the proposed update again removes the Sumner Historical Society. The following line was completely removed:

Section 3.3. Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.

Why is the Sumner Historical Society consistently removed from the city's plan going forward? This is an unnecessary change. I encourage the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner's History and make our history accessible to the public.

Please, Planning Commissioners, do not make the mistake of erasing the Ryan House from our history. When she is gone, she is gone - and we will all suffer from regret. She needs some work, but together we can find the grants and funding to restore the Ryan House and then work together in partnership to preserve her for generations to come. As a successful grants writer - I am willing and able to seek out and apply for historic preservation grants in order to fund the improvements needed to Save the Ryan House - entirely pro bono. As a long time professional property manager - I am also willing and able to serve as the project manager to locate local contractors in engineering, structural, mechanical, plumbing, electrical (and more) and lead the building plans, permitting and construction - entirely pro bono. I have professional experience in community driven and grant funded development projects from concept, to plans/permitting and construction and am ready to help. Please contact me as soon as possible and I will be happy to explain my ideas and design a project timeline to Save the Ryan House. I am willing to donate my time and expertise in leading this effort - with your support I know we can do this together as a community.

Even though we are a small town - the City of Sumner and the Sumner/Puyallup Valley has the people with the appropriate capabilities (engineers, architects, interior designers, planners, grant writers, building code officials, structural contractors, plumbers, electricians and others) to take on the project of improving the Ryan House for the public benefit. Right now, we just need the City of Sumner's Planning Commission, Staff, City Council and Mayor to hear us, believe us and give us a chance to Save the Ryan House.

Thank you,
Laura Hendrix

Downtown Sumner Resident
PO Box 244
Sumner, WA 98390

From: [Lissa Hendrix](#)
To: [Ann Siegenthaler](#)
Subject: Save the Ryan House
Date: Wednesday, March 27, 2024 4:54:54 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

1.3. "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

Additionally, I respectfully ask that the Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

3.3. Improve the Ryan House and public access to the Ryan House....

Instead of replacing this statement with the more general "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Any reference to “enliven and refresh historic downtown” and “adaptive reuse of buildings” should include a specific reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use.

Similarly, also in Chapter 11 Historic and Cultural Resources, section 3.3, the proposed update literally crosses off the Sumner Historical Society. The following line was completely removed:

3.3. Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.

Why is the Sumner Historical Society being intentionally deleted from the city’s plan going forward? Please reconsider this drastic and unnecessary change. Instead, I urge the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner’s History and make our history accessible to the public.

Thank you for hearing these words and understanding the importance of the Ryan House to the entire Sumner community.

Signed a Sumner Puyallup Valley resident since 1968

Lissa Hendrix

From: [Chris Hill](#)
To: [Ann Siegenthaler](#)
Subject: Hill,C-Comprehensive Plan Changes and the Ryan House; CPA-2024-0001
Date: Wednesday, March 27, 2024 4:41:36 PM

****EXTERNAL EMAIL****

City of Sumner Leaders and Staff,

My name is Chris and my wife and I have owned our 1918 Craftsman house near Loyalty Park in Sumner since 2017. I am originally from Tulsa Oklahoma, but my wife was born in Sumner and raised in the greater Puyallup/Sumner area and she insisted that we settle in historic and charming Sumner. We have enjoyed the character and hometown feel of Sumner and appreciate the City's efforts to preserve that small-town feel yet move Sumner forward as a community.

Upon reviewing the 2024 Comprehensive Plan Changes, I have noticed several references to maintain and preserve the historic and cultural resources of the community. However, that same plan update also strikes the inclusion of preserving the Ryan House located at Sumner and Main St in the heart of the community. Despite several references throughout the comprehensive plan update to preserve the historic character of Sumner, the current plan removes the preservation of one of the most important remaining historic structures in downtown Sumner. The Ryan House has historic value serving both as a library and museum and is actually listed on the National Register of Historic places. I do not understand how the City states that they value the historic character of the City, but yet have seemingly abandoned one of the oldest true historic structures in Sumner.

How many communities in our area are fortunate to have structures that predate Washington statehood (1889)? How many communities in the area have the historic charm and hometown feel of Sumner? The City of Sumner has a chance to preserve its history by saving the Ryan House from demolition and coming up with a plan for restoration of the structure and inclusion of the property into the City's park system with the remaining grounds. There is federal financial support for preserving historic structures and I believe the citizens of Sumner would be interested in saving the Ryan House and including it as a downtown centerpiece to Sumner's commitment to preserving its history.

Please consider keeping the language of previous Comprehensive Plans that call for the preservation and maintenance of the Ryan House as part of the City's Comprehensive Plan moving forward. The inclusion of the Ryan House preservation in the plan launches funding opportunities to honor structures like the Ryan House. I am confident that there is support in the community to keep the Ryan House and I believe there are multiple unexplored options to save the Ryan House, preserve the City's history, and keep Sumner moving forward.

Thank you for your consideration,

Chris Hill

Park St
Sumner, WA

From: dri.losethusa.com
To: [Ann Siegenthaler](#)
Subject: City of Sumner WA Draft Comprehensive Plan, Summer 2024
Date: Tuesday, March 26, 2024 10:34:34 AM
Attachments: [DLoseth comp 2024.pdf](#)

****EXTERNAL EMAIL****

City of sumner WA

Draft Comprehensive Plan, Summer 2024

Sixteen comments on ten pages of the plan, please see the attachment with index and comments

Submitted via email to Senior Planner Ann Siegenthaler

Thank you

Dale Loseth
510 Kincaid Avenue
Sumner WA 98390
253-863-2623

March 26, 2024

Dale Loeth
510 Kincaid Avenue
Sumner WA 98390
253-863-2623
drl@loethusa.com

City of sumner WA
Draft Comprehensive Plan, Summer 2024
Sixteen comments on ten pages of the plan

Submitted via email to Senior Planner Ann Siegenthaler
annsi@sumnerwa.gov

History and Culture (page 19)

Stewardship (page 23)

2.2 (page 33)

3.3 and 3.4 (page 36)

Historic and Cultural Resources,
Introduction and 1.1.1 and 1.1.3 (page 80)

1.3 and 1.3.2 and 1.3.3 (page 81)

1.4.3 (page 82)

1.4.6 and 1.7 (page 83)

Figure 11.2 (page 84)

Deletion and Entry after 3.3 (page 85)

Sumner's visual, cultural and environmental connection to Mt. Rainier is celebrated in the arts and events.
The Sumner Historical Society finds support from a community aware The community supports
organizations that help further awareness of Sumner's history and heritage. History and heritage are also maintained through established landmark and historic programs that preserve the character of buildings in the downtown. The City will have an active Historic Preservation Board that also helps promote the preservation of the historic downtown as the heart of and collective memory of the community. The City, in partnership with the downtown business association and others, promotes events such as parades and festivals that strengthen the sense of community and place that is Sumner.

Revise to: Obtain approval from the City Council for a Historic Preservation Boasrd that, in partnership with the Sumner Historical Society and the Sumner Main street Association, will help promote..... (page 19)

19

communicate regularly and determine if we are achieving the vision we desire.

Stewardship

The ~~settlers of the~~ Sumner valley ~~left us is filled~~ with many beautiful and valuable resources. The rivers, streams, open spaces, historic buildings, parks, hillsides, watersheds, and downtown are all vital to the physical and mental well-being of our community. We use our skills, resources, and determination to preserve these as best we can as stewards for the future.

Revise to:historic buildings, including the Ryan House,.....(page 23)

Figure 6-1. Urban Village Concept



Add Local museum to this list (page 33)

2.2. Neighborhood Centers. Identify neighborhood centers for residential neighborhoods as a durable focal point for the neighborhood. This may be a singly important building or a multiple-block area that provides an important "community amenity" to the neighborhood. Examples of a community amenity are:

- Park or recreation facility, or community recreation center such as the YMCA;
- Library, City Hall, or other civic/cultural center;
- Schools;
- Commercial services (neighborhood commercial zones);
- Commuter transit station.

3.3. Continue Apply a form-based code and/or design review process for new and expanded uses in the Town Center. Any future amendments to the Sumner design guidelines ~~shall~~ should include consultation with ~~Sumner Downtown Association~~ the downtown business association(s), Chamber of Commerce, Sumner Historical Society historic preservation organizations, other civic groups, and ~~citizens residents~~. *[Policy revised since Planning Commission previous review.]*

3.4. Within the Town Center area, promote the core area as the historic "downtown." This is generally the area one block north and south of Main Street, within the Historic District and Station District boundaries.

Sumner Historical Society needs to stay in (page 36)

List the other historic preservation organizations (page 36)

Several historic buildings have been surveyed and placed on the National Register of Historic Places. 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 Adequate planning during a project is important, in order to avoid, where feasible or practical, development that could ~~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.

[NOTE: Several policies have been revised by staff since Planning Commission previous review, see notes]

The commission for this 2008 ordinance has never met or produced any historic register (page 80)

- 1.1. Preserve and maintain the historic, cultural, scientific, or educational integrity of known resources to the extent feasible, including properties listed on the National or State Register of Historic Places, if feasible. 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. *[Policy revised since Planning Commission previous review.]*

- 1.1.1. Through the permitting and environmental review process, consider and avoid document how impacts to archaeological, historic, and cultural sites and resources were considered and how impacts were avoided or how avoidance is infeasible. *[Policy revised since Planning Commission previous review.]*

leave consider
and avoid in
(page 80)

- 1.1.3. For demolition or construction projects subject to SEPA environmental review on sites located in Town Center, 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 the applicant to request a consultation with DAHP. *[Policy revised since Planning Commission previous review.]*

Note: 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. Proposed regulations will specify a more detailed process for this review.

Revise to: Obtain approval from the City Council for a Historic Preservation review process that, in partnership with the Sumner Historical Society and the Sumner Main Street Association, will require the applicant..... (page 80)

Sumner Historical Society and Ryan House needs to stay in (page 81)

- 1.3. Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition. *[Policy revised since Planning Commission previous review.]*

~~X.X Continue to support the Sumner Historical Society by providing the use of the Ryan House:~~
[Policy revised since Planning Commission previous review. Entire policy proposed to be deleted]

- 1.3.1. 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. *[Policy revised since Planning Commission previous review. Entire policy proposed to be deleted]*
- 1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others. *[Policy revised since Planning Commission previous review.]*
- 1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups. *[Policy revised since Planning Commission previous review.]*

Sumner Historical Society needs to stay in, SHS have most of the photos, maps, abstracts and Sumner's newspapers (page 81)

81

Leave in and add Sumner Historical Society as a partner (page 81)

Add the Pierce County Register of Historic Places,
Landmarks and Historic Preservation Commission (page 83)

~~structures, landscapes, plant gathering areas, etc.~~
~~structures, landscapes, plant gathering areas, etc.~~

- 1.4.5. ~~Nominate properties for listing in the Washington State and National Register of Historic Places. [Policy revised since Planning Commission previous review.]~~
- 1.4.6. ~~Develop~~ Encourage the creation of a local historic preservation plan, including conducting surveys of cultural resources, and preparing nomination documents for city-owned properties, and interested property owners, and assisting with listings in the Washington Heritage Register State and National Register of Historic Places. [Policy revised since Planning Commission previous review.]
- 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. [Policy revised since Planning Commission previous review.]~~
- 1.6. ~~Actively seek~~ Identify state and federal grants and other funding sources to support implement the historic preservation in Sumner program such as developing a local historic preservation plan; conducting surveys of cultural resources; preparing nomination documents for Washington State and National Historic Places Registers; performing public education activities including presentations to citizens, articles in the city newsletter, school presentations, and booths at city events festivals.
- 1.7. Encourage private property owners with eligible properties to voluntarily seek Register listing. Maintain a voluntary nomination program for single-family residential properties. [Policy revised since Planning Commission previous review.]

Note: Sumner does not have or maintain a program like this.
- 1.8. Protect or adapt significant historic sites prone to floods, extreme snow events, and other hazards worsened by climate change through building retrofits, green infrastructure, and other strategies.

on page 80 is a statement that this
program exists

Leave in, on page 80, the comp plan states that this program is
maintained by the 2008 historic preservation ordinance (page 83)

- 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, that creates a the local historic preservation commission, and pursue maintain Sumner's~~ designation as a Certified Local Government ~~for historic preservation purposes.~~ *[Policy revised since Planning Commission previous review.]*

Leave in, on page 80, the comp plan states that this program is maintained by the 2008 historic preservation ordinance (page 82)

Figure 11-2. Historic Downtown Sumner



this does not match the SMSA boundry that includes Traffic/Fryar Avenue (page 84)

- 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.

~~XX Analyze and consider a historic overlay zone in the Downtown area as a tool for preserving the character of Main Street.~~

- 3.2. ~~Ensure that the streets~~ Encourage in the historic downtown ~~utilize~~ incorporation of street furniture and features, such as streetlights and benches, that are compatible with the historic character of the area. *[Policy revised since Planning Commission previous review.]*
- 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.

~~XX 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.~~

Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means to preserving it.

~~XX Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

Note: Moved to general policies.

- 3.4. ~~Provide ongoing support and expansion of~~ Update walking tours that highlights public art, architecture, history, trees, and other icons of the historic downtown.

Note: Sumner has policies in the Community Character chapter in the Comprehensive Plan that promote beautification, events, and economic support of the Downtown Core.

Cannot find
general policies
(page 85)

Needs to be left in, the condition is still
being determined (page 85)

From: [Morrison, Blake](#)
To: [Ann Siegenthaler](#)
Subject: Public Comments for the 2024 Sumner Comprehensive Plan Amendments – Historic & Cultural Preservation Regulations
Date: Monday, March 25, 2024 2:19:58 PM

****EXTERNAL EMAIL****

In the section on Historic and Cultural Resources, the latest version of the comprehensive plan removes the following statement: "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."

I strongly oppose the removal of the Ryan House from the plan, as it constitutes a pivotal element of our town's Historic Downtown. If anything, the city should intensify its efforts to renovate the home and utilize it as a venue for both public and private events. The historical significance and prime location of this iconic home make it an invaluable asset from a planning perspective.

For far too long, the city has allowed the house to remain underutilized, to the extent that many residents believed it to be privately owned. This neglect must change drastically. The Ryan House has the potential to become a central hub of our community, a place to showcase our town's historical artifacts, offering opportunities for gatherings, picnics, leisurely chats over coffee, or simply enjoying the shade on the wraparound porch on a warm summer day. Additionally, incorporating a small stage on the lawn would allow for intimate concerts and performances, while encouraging both public and private events would generate revenue and attract new visitors to the heart of our town.

It is deeply disheartening that the council has voted to demolish the house with such little regard for the desires of the community. I never imagined that the city would fail so spectacularly in protecting this invaluable asset, which was generously given to us for FREE. Instead of demolition, I urge the city to continue the renovation of the Ryan House, adopting a phased approach until additional funding can be secured. The house is 150 years old, so what are a few extra years of construction if it means preserving this magnificent piece of our town's history?

The Ryan House boasts an unparalleled LOCATION on Main Street and holds a rich history, being the oldest home in Sumner, the residence of our first mayor, and the site where the first Platt of Sumner was drawn. It served as an early post office and later as a public library for 50 years. The significance of this landmark cannot be overstated.

Let us not allow financial constraints or fear to lead to the loss of this significant city asset. I implore the city to retain the Ryan House in the Comprehensive Plan and to foster collaboration between the city and the community to strengthen our historical ties and capitalize on the possibilities it offers.

Sincerely,

Blake Morrison

From: [Morrison, Blake](#)
To: [Ann Siegenthaler](#)
Subject: Public Comments -ADU - 2024 Comprehensive Plan Update
Date: Wednesday, March 27, 2024 11:46:16 AM
Attachments: [Corner Lot examples ADU.pdf](#)

****EXTERNAL EMAIL****

In general, I support the changes outlined in section 18.12.030 concerning Accessory Uses. However, I oppose the regulations that reduce the height of Accessory Dwelling Units (ADUs) located within 15-30 feet of the rear property line. Particularly in our lower density zones, where backyards tend to be shallow, such restrictions limit space for taller ADUs, especially with a 15-foot setback requirement. I suggest significantly reducing the rear setback requirements to be the same as side yards. Regarding height restrictions, I believe the maximum allowable height for an ADU should be based on a height that can accommodate an ADU over a garage.

Additionally, there should be specific considerations for corner lots concerning ADUs. Corner lots, with their dual street frontages, present excellent opportunities for ADUs. However, they currently face more restrictions due to the minimum street frontage setback in the backyard. The minimum rear yard setback for ADUs on corner lots requires tailored rules, as their rear yard often borders the side yard of the adjacent property. It's illogical for a corner lot to have a minimum 15-foot setback in the rear when, in reality, its rear yard functions as a side yard.. I propose that, for corner lots within lower density zones, the side yard setback should apply to the rear lot line, matching the setback of the neighboring property. To clarify this proposal, I am attaching a diagram for better understanding.

Regards,
Blake Morrison

Morrison, Blake

Here are a few examples of corner lots where the rear lot line aligns with the neighboring side yard. If the neighboring home can be built 5-7.5 feet away from the corner lot's property line, shouldn't the corner lot be allowed to build an ADU at equal or greater distance from the shared lot line?

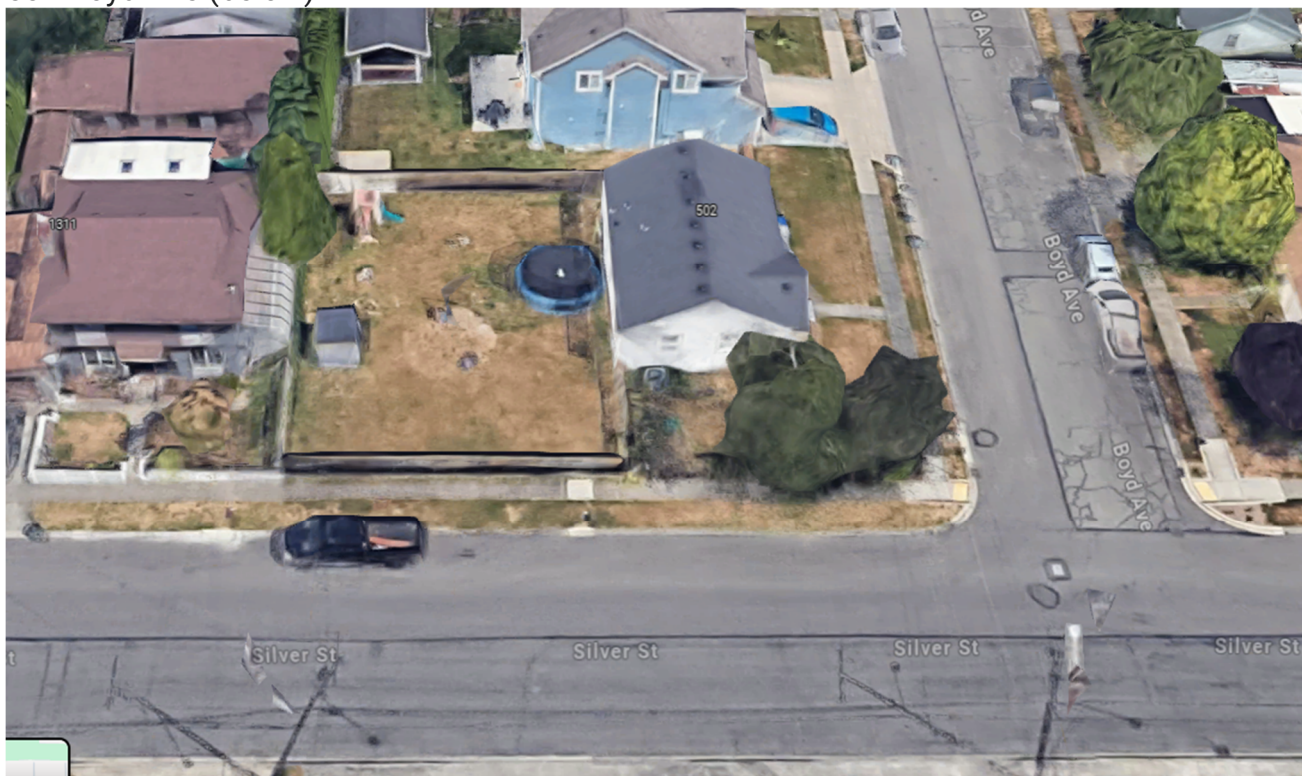
401 Sumner Ave (below)



404 Wood Ave (below)



502 Boyd Ave (below)



1620 Maple St (below)



From: [Hawa Abdi Morrison](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House Comments
Date: Wednesday, March 27, 2024 12:47:38 PM

****EXTERNAL EMAIL****

Hi,

I am writing to express my deep concern regarding the proposed removal of the Ryan House from the Historic and Cultural Resources section of the Comprehensive Plan. The significance of the Ryan House to our town's heritage cannot be overstated.

I strongly oppose its exclusion and urge the city council, planning commission and comp plan to prioritize its restoration, recognizing its potential as a venue for community events. The Ryan House's historical significance, coupled with its prime location, makes it a valuable asset that should not be overlooked.

The decision to demolish the Ryan House not only disregards the desires of the community but also squanders an opportunity to preserve our town's history for future generations. Instead of demolition, I would like the comprehensive plan to continue prioritizing the renovation efforts and seek a phased approach to ensure its long-term preservation.

The Ryan House holds a special place in the hearts of Sumner residents and serves as a reminder of our town's rich history and heritage. Its inclusion in the Comprehensive Plan is vital to safeguarding its future and honoring the contributions of the Ryan family to our community.

I urge you to reconsider the decision to remove the Ryan House from the plan and to work collaboratively with the community to ensure its preservation.

Sincerely,

Hawa Abdi

Sumner resident

From: [S PARRICK](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House
Date: Wednesday, March 27, 2024 1:36:56 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan.

My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

Section 1.3. "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

I encourage the Planning Commissioners to consider keeping the Ryan House in Sumner's Comprehensive Plan.

Thank you,
Lea Ann Parrick

From: [Amie Rang](#)
To: [Ann Siegenthaler](#)
Subject: Written Comments for Historic & Cultural Preservation
Date: Wednesday, March 27, 2024 10:56:17 AM

****EXTERNAL EMAIL****

I am submitting these written comments for your consideration regarding the Sumner Comprehensive Plan Amendments - Historic & Cultural Preservation Regulations.

As a lifelong resident of Sumner, I am encouraging the city to prioritize preserving Sumner's history. Sumner has a unique and interesting history and seems to be at a crossroads between its focus on industrial growth and historic preservation. It makes me sad to see how short-sighted this plan is. As a member of a family that has lived in Sumner for generations, my view is long-term. My children enjoy cherries from trees that were planted by my grandfather and my great-grandfather. We have walnuts from a tree planted by my parents in honor of my brother's 12th birthday. If the focus of city planning is on growth and industrialization Sumner loses its soul. What makes Sumner a unique and valuable place to live is the way that it has been able to preserve its unique charm and history. Over the last several administrations we have seen that commitment wane and I no longer see any political will with the exception of Mr. Brown to value and preserve this amazing unique culture that Sumner has created. We have all of the modern conveniences as well as a community pharmacy, independent shops, well-maintained parks, and walkable sidewalks. We have transportation that takes people easily to the city, and many great restaurants. Growth and change are a given, but how we do that makes all the difference in what our city becomes. I feel very strongly that our city government seems to have lost its way. Unfortunately, we all pay the price for this. A balance is possible, but it will take work and dedication by our city staff and city council and as I have been attending more meetings I see this sorely lacking.

I want Sumner to be a place where I want to continue to live. I want it to be a place that my children want to live. That my grandchildren can grow up in and benefit from the community systems in place. Such a big part of that is honoring and preserving the town's history. Wiping out agricultural lands, packing town with apartments without planning for traffic and parking, demolishing the Ryan house, and not valuing the decades of work the Sumner Historical Society has done to preserve our history is such a loss for our community. The Historical Society has served this community well for over 40 years. It has hosted daffodil teas, field trips, Boy Scouts and Girl Scouts and Rainbow Girls projects and meetings, passed out tens of thousands of candies at Halloween festivals, celebrated rhubarb, supported other community groups through volunteer hours and donations, gave countless tours of the Ryan House, researched and explored the histories of homes and buildings in our communities for their new owners and so much more. I benefited from this as a child at Maple Lawn when I got to experience a free field trip to the Ryan House and both of my children also enjoyed field trips to the house. The benefit to the children in our community is tremendous. As a past PTA President, I can assure you that there is not a great deal of funding for field trips. The PTA would often have to cover the cost of transportation for field trips and due to limited funds, not every class can take an off-campus field trip. The Ryan House is a free walking field trip for students at both Daffodil Elementary and Maple Lawn Elementary. There is no cost for transportation or for the tour and it appeals to all ages and can be tailored to any grade. Often on weekends families with young children would come and tour the house. Many from Sumner, but also many from out of town or the surrounding area. The idea that the Historical Society was not doing anything with the house and that it was not accessible and used by the public is erroneous and I can not imagine how this information began to circulate. Unfortunately, this information has been pushed very strongly by the city and is even promoted on its website.

When I joined the Historical Society Board John Galley from the city attended our board meetings. It wasn't always easy to get work on the house done, but it gave us an open line of communication, an opportunity to ask questions and make requests for repairs. John was always respectful and polite. Sometimes requests were completed, sometimes not. When John retired, the board was surprised when no one attended the meetings in his place and reached out to the city to request that someone from the city join the board meetings to open this line of communication and involvement in what was happening at the Ryan House. The response was that there was no one available to attend. Apparently, there are very few city staff members who live in Sumner and the new city administrator has a family and is not able to spend one hour on a Saturday, once a month at a board meeting. We

suggested another city staffer or maybe a city council member would attend. This has been common in the past and we have had (and do have) several past city council members on our board including Leroy Goff, Mike Connor and Ed Hannus (I'm sure there were others, this is just during my time on the board). We made no progress. Communication with the city became much more difficult. What we were told verbally was not matching with actions being taken by the city and I can only speak for myself, but it became very clear that the city no longer viewed the Historical Society as a partner but as an adversary. Without taking time to participate or learn about what we were doing or understanding what we had done for the community, we became a stumbling block to the city's plans. I now see things on the city website like, "By 2019 the house was rarely open to the public". That is simply not true. You can say it. You can be audacious enough to post it on your city website, but that does not make it true. In fact, the Historical Society had been trying to work with the city to determine if it might be possible to have a city intern spend part of their time in the summer at the museum to increase our open hours. We were also planning guest speakers and events for the evenings at the museum to bring in new community members to the house. Publishing on your website that the Historical Society was a "tenant" using the space "rent free" instead of a partner serving the city at no cost and the city desire to "get it back in service as a museum" when it was never out of service as a museum is frustrating. During Covid we were closed down just the same way city hall was. The whole premise that the Historical Society was extremely "reluctant to vacate the space"...of course! We are a small non-profit historical society and the city said we had to get everything out in a short period of time with no funding and excessive storage costs why wouldn't we be hesitant? We are a small group of volunteers and had to figure out how to get everything packed safely and securely and locate and fund heated storage to preserve items. Why wouldn't we try to look for ways that items could be moved within the home during the planned remodel? Why wouldn't we ask questions or try to find options?

I am grateful for this opportunity to provide input. I know that not everyone in Sumner is interested in preserving its history. Just like everyone is not interested in parks or libraries or schools or city government, but our history is a valuable resource and should be preserved for the benefit of everyone. Having the Ryan House, even if it is just the primary house, and the Sumner Historical Society as a part of Sumner's Comprehensive Plan Amendments - Historic & Cultural Preservation Regulations is important and I hope you will do right by the city and include them in the comprehensive planning.

Sincerely,
Amie L. Rang

From: [Adeline Rang](#)
To: [Ann Siegenthaler](#)
Subject: Feedback
Date: Wednesday, March 27, 2024 4:59:58 PM

****EXTERNAL EMAIL****

To whom It May Concern,
Please ensure a future for the Ryan House in your planning document and protect the history of our city. I can't stress to you enough how important this is.
Sincerely,
Adeline Rang

From: [Gary Rang](#)
To: [Ann Siegenthaler](#)
Subject: Ryan house
Date: Wednesday, March 27, 2024 5:08:01 PM

EXTERNAL EMAIL

Sent from my iPhone

Dear City of Sumner,

I am writing to express my strong support for the preservation of the historic Ryan House and to urge you to include the Sumner Historical Society in your revisions to the Sumner Comprehensive Plan. The Ryan House is not just a building; it is a piece of Sumner's history and identity that deserves to be protected and celebrated.

Preserving the Ryan House is important for several reasons. First and foremost, it is a tangible link to Sumner's past, reminding us of the people and events that have shaped our community. It serves as a valuable educational resource, allowing residents and visitors alike to learn about Sumner's history and heritage. Additionally, preserving historic buildings like the Ryan House can have economic benefits, attracting tourists and enhancing property values.

By including the Sumner Historical Society in your revisions to the Comprehensive Plan, you can ensure that the voices of those who care deeply about Sumner's history are heard. The Historical Society has a wealth of knowledge and expertise that can be invaluable in making decisions about the preservation of historic buildings like the Ryan House.

In conclusion, I urge you to prioritize the preservation of the Ryan House and to work closely with the Sumner Historical Society in your efforts. By doing so, you will not only be preserving a piece of Sumner's past but also ensuring that it remains a vibrant and thriving community for future generations to enjoy.

Sincerely,

Gary Rang

From: [Rogue Ronin](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House Public Comment
Date: Wednesday, March 27, 2024 2:50:24 PM

****EXTERNAL EMAIL****

Dear Ann Siegenthaler and Planning Commission,

I'm writing this to provide my input as part of the Public Comment Period on the proposed updates to the City of Sumner's Comprehensive Plan:

In Chapter 11 Section 1.1, the proposed revision removes specific references to the Sumner Historical Society by crossing out any lines that contain the words Sumner Historical Society. For what purpose? I strongly urge the Planning Commission to retain the original wording in Section 1.3 of the planning document. There are many ways you can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

I also respectfully ask that the Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed Comprehensive Plan:

3.3 - Improve the Ryan House and public access to the Ryan House

Rather than replacing it with the more generic "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area." A new building that "looks old" is not historic. This proposal would effectively eliminate "historic downtown".

Also, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1 - 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.

1.3.2 - Partner with the Sumner Historical Society's work with historical societies, historic preservation agencies and others to provide access to historic documentations such as maps, photos, and newspapers for landowners, citizens, residents, and others.

1.3.3 - Encourage the collection and preservation of oral histories of the community through partnerships with schools, the senior center, and other groups.

The Ryan house was built in 1865, making it the oldest structure in Sumner. Once history is demolished, it's gone forever. No more field trips for school kids. No more tourists coming to see the Ryan House and visiting all of the cool little shops downtown. I'll reference Mr. Yoder from the council meeting 3/18/24, Port Townsend

is the coolest little old town around. No one wants to visit Sumner with all of it's tearing down and removing pieces of history.

After the judges ruling, a spokesperson for the City of Sumner mentioned the Public Comment period. "This is an opportunity to comment on how we honor and celebrate Sumner's history and culture as a whole." My comment: You're destroying Sumner's history and culture. Sumner is at a crossroads. Either we embrace our history and founders (Ryans, Kincaids, Wollerys, Thompsons, Parkers, Orton, Knutsen, Van Leirop, Ota, Arima, Asahara, Matlack, Foster, Clerget, and many others), culture (including agricultural), or we start making our way to becoming Little Seattle. Filled with 3+ story overpriced apartments, citizens who have no clue about the rich history of where they live, and mindless zombies wandering to and from the train and bus stations.

In another quote by the same spokesperson, "The house (Ryan House) can only be saved if the city receives funding to effectively repair significant structural issues..." What has the city done? What has the Planning Commission done? There has been 1 (ONE) bid on repair costs. Mr. Biermann already researched potential grants and funding the city can apply for to start the repair process. Has the city applied for them? Has the city or planning commission contacted any contractors to get a second or third bid? Is there any chance for reconciliation between the city, citizens, and Ryan House, or is the city's agenda going to win out. So far, from what I've seen at every single council meeting and/or planning session, the city is uninterested in entertaining any thought of saving the Ryan House. That is very sad and concerning. A city council that just does whatever "staff recommends" without any thought of what the citizens who actually live here want, need, or care about. I pray the commission takes these comments to heart, and does what is right by the founders, the city, and it's citizens. Thank you.

Casey Henderson
162nd Ave E.

From: [marissa ryan](#)
To: [Ann Siegenthaler](#)
Subject: For Sumner's sake! Listen to the people!
Date: Wednesday, March 27, 2024 3:45:36 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

1.3. "Work with the Sumner Historical Society and other community groups to promote historic and cultural education and recognition."

Furthermore, please keep this wording below for subsections 1.3.1, 1.3.2, and 1.3.3:

1.3.1. 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.

1.3.2. Partner with the Sumner Historical Society Work with historical societies, historic preservation agencies and others to provide access to historic documentations, such as maps, photos, and newspapers, for landowners, citizens, residents, and others.

1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

Additionally, I respectfully ask that the Planning Commission keep this specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

3.3. Improve the Ryan House and public access to the Ryan House....

Instead of replacing this statement with the more general "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Any reference to "enliven and refresh historic downtown" and "adaptive reuse of buildings" should include a specific reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use.

Similarly, also in Chapter 11 Historic and Cultural Resources, section 3.3, the proposed update literally crosses off the Sumner Historical Society. The following line was completely removed:

3.3. Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.

Why is the Sumner Historical Society being intentionally deleted from the city's plan going forward? Please reconsider this drastic and unnecessary change. Instead, I urge the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner's History and make our history accessible to the public.

Regards, Marissa Ryan

From: [Leland Schmidt](#)
To: [Ann Siegenthaler](#)
Subject: Friends of SAVE THE RYAN HOUSE Sumner's Historical Roots
Date: Wednesday, March 27, 2024 4:39:45 PM

****EXTERNAL EMAIL****

Dear Senior Planner Ann Siegenthaler and City of Sumner Planning Commissioners,

Here is my submission on SAVING THE RYAN HOUSE!

If we were to benchmark other cities and how they handle historical landmarks. You would all be hero's.

Public input is far more important the meeting unfavorable decisions to the history and the future of the wonderful town of Sumner.

I am writing to provide my input as part of the public comment period on the proposed updates to the City of Sumner's Comprehensive Plan. My specific comments are included below:

In Section 1.1 of the Cultural and Historic Resources Chapter (Chapter 11), the proposed revision before the Planning Commission removes specific references to the Sumner Historical Society by literally crossing out any lines that contain the words Sumner Historical Society. Why is this? I strongly urge the Planning Commission to retain the original wording in section 1.3 of the planning document. I assert here that the plan can specifically mention the Sumner Historical Society and also make room for other community groups at the same time.

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1.3.3. Encourage the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups.

Additionally, I respectfully ask that the Planning Commission keep this

specific reference to the Ryan House in Section 3.3 of the proposed updates to the Comprehensive Plan:

3.3. Improve the Ryan House and public access to the Ryan House....

Instead of replacing this statement with the more general "Enliven and refresh historic downtown by allowing adaptive reuse of buildings and new construction that acknowledges the historic character of the area."

Any reference to "enliven and refresh historic downtown" and "adaptive reuse of buildings" should include a specific reference to the Ryan House as part of the historic downtown character and also in terms of buildings that can be restored for future community use.

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Why is the Sumner Historical Society being intentionally deleted from the city's plan going forward? Please reconsider this drastic and unnecessary change. Instead, I urge the City of Sumner to renew its commitment to this long-term partnership with the Sumner Historical Society to preserve Sumner's History and make our history accessible to the public.

Leland Schmidt Co-chair
Friends of SAVE THE RYANS HOUSE
206-707-2791

From: [Wendy Shinstine](#)
To: [Ann Siegenthaler](#)
Subject: Ryan House
Date: Wednesday, March 27, 2024 1:52:19 PM

****EXTERNAL EMAIL****

Hello Ann,

I am sure you are overwhelmed with Ryan House love emails, so I will keep this brief.

I grew up in Sumner at the Orton estate on Riverside Rd. History and the Sumner community has been important to me since I was just a child.

My mother, Gayle Shinstine - would bring me weekly to the Ryan House for children's library and we would talk about how lovely it was to be in the Ryan home.

My father, Douglas Shinstine was a General Contractor in the valley and beyond for 50 years... His company had built the current library along with schools, banks, churches, hospitals etc...

It is sincerely heartbreaking and unthinkable that the Ryan House should come to demise. My parents and I are wondering how the lack of maintenance could possibly have come to the point of demolition.

The Orton Estate which my father restored was also slated for destruction... It was definitely worthy of restoration and still enjoys a family today.

Sumner has parks ... PLEASE do not demolish the history of Sumner. Please look at saving the original home of the Ryan family as it was. If the additions are failing - remove those portions - but please keep and restore the original.

I promise you will see more volunteer efforts than even pre-covid.

Please don't hesitate to call if you have any questions or if I can give any service.

Wendy Shinstine
360 298 5950

From: [Suzanne Swarthout](#)
To: [Ann Siegenthaler](#)
Subject: Saving Ryan House
Date: Monday, March 25, 2024 8:03:02 AM

****EXTERNAL EMAIL****

To the City of Sumner:

I have been a resident of Sumner since the 1960's and there are things that have made Sumner a place that I have wanted to remain. Sumner's historical buildings are part of the reason that Sumner has the community atmosphere that makes people want to live here. Please keep the Ryan House and keep Sumner the Sumner we know and I love to live in. And not just the Ryan House! Please do not tear down the existing buildings on Main Street to put up apartments!

Listen to the citizens Save our City Buildings!!

Suzanne Swarthout

SUBJECT: Housing/Land Use Regulations - Staff Report

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Housing/Land Use Regulations - Staff Report-032724

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

During 2023-2024, the Planning Commission has been reviewing proposed updates to elements (chapters) of the 2024 Comprehensive Plan (Comp Plan), related plans and development regulations. This is the public hearing on proposed amendments. City staff, BERK Consulting and Parametrix consultants will present the amendments and background to the Planning Commission.

The purpose of this meeting is to take public testimony on the proposed amendments. The Commission will make recommendations at a future meeting after the end of the final public comment period (after April 30, 2024).

Please see the attached staff report for a summary of proposed changes to zoning code regulations for housing and land use. Note that this agenda item is related to the regulations only; policies related to housing and land use are contained in the Draft Comprehensive Plan, and are addressed under the overall Comprehensive Plan amendments. Also, more detailed information is contained in the Draft 2024 Comprehensive Plan and Environmental Impact Statement documents, located on the City's website at:

<https://connects.sumnerwa.gov/planning-summers-future>.

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

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Conduct the public hearing and receive testimony.



STAFF REPORT

DATE: March 27, 2024
TO: PLANNING COMMISSION
FROM: Ann Siegenthaler, Associate Planner and BERK Consulting
RE: **Zoning Code Text Amendment – HOUSING and LAND USE REGULATIONS**
File #CTA-2024-0001

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The State Growth Management Act (GMA) requires cities to complete a “10-year periodic update” of their Comprehensive Plans. Sumner’s 10-year update will involve extensive revisions to the Comprehensive Plan (Comp Plan) and regulations to reflect new State laws and changes that have occurred over the last decade.

The GMA, Countywide Planning Policies and the Regional Vision 2050 Plan include providing a variety of housing, and affordable housing, as one of many planning goals. The Pierce County Countywide Planning Policies and VISION 2050 emphasize equity, growth near transit, housing options, homeownership opportunities, infill development, and anti-displacement. In addition, there have been recent bills passed by the State legislature that require cities to update local codes with less-restrictive ADU standards, to allow 2 ADUs per single-family lot, and to allow 2 dwelling units per lot. New regional growth targets have been established by the State and County, requiring each city to plan for its fair share of jobs and housing growth. The assigned growth targets for Sumner for 2020-2044 are 1,985 housing units, 5,313 jobs, and 4,904 residents. The policies proposed in the 2024 Sumner Comprehensive Plan (Comp Plan) are intended to address GMA, new State laws and growth projections. New regulations described below are proposed to implement these policies.

The Planning Commission reviewed the proposed housing/land use amendments, along with other 2024 Comprehensive Plan and regulations updates, in September and November 2023. The public hearing on the Plan and regulations is scheduled for April 4, 2024. The City Council will also hold a public hearing later in 2024.

II. SUMMARY OF PROPOSAL

The proposed amendments to Sumner Municipal Code Title 18 Zoning Code would update regulations related to housing types and densities allowed in residential zones, Town Center and East Sumner. Key changes are described below.

- A. Updates to definitions for consistency with State law and case law, such as: Definition of family, which cannot limit the number of persons.
- B. Increased housing density in residential zones

- 1) Allowing 2 Accessory Dwelling Units (ADUs) per single-family residential lot (per State law).
 - 2) Update design standards for ADUs to simplify and make less restrictive (per State law), including:
 - Maximum size of 1,000 s.f.
 - Attached or detached allowed
 - Maximum building height of 24 feet or same as principal dwelling
 - Setbacks not more restrictive than for principal dwelling
 - Conversions of existing accessory structures allowed, with fewer restrictions.
 - 3) Allow duplexes on any one lot in lieu of one single family detached dwelling (per State law requirement to allow 2 dwelling units). Duplexes are already allowed in Medium Density Residential (MDR) and High Density Residential (HDR) zones.
 - 4) Prohibit new single-family homes in the HDR zone and establish a maximum lot size in MDR for new single-family homes.
 - 5) Allow multiplexes (duplex, triplex, fourplex) buildings on “larger” single-family lots:
 - OPTION A: In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, allow 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, allow multiplexes with up to four units.
 - 6) Allow small-scale (3-story) apartments in the MDR zone (see **Exhibit A** for reference).
 - 7) Increase the density allowed in Medium Density Residential zone to better accommodate multiplexes and small apartments:
 - OPTION A: maximum density would change in MDR from 15 to 22 dwelling units per acre.
 - OPTION B: maximum density would change in MDR from 15 to 17 du/ac.
- C. Increase future housing density on Cava Mine site to add capacity for “middle housing:”
- OPTION: Change current Low Density Residential designation to Medium Density Residential. This would add capacity for housing types such as multiplexes, zero lot line subdivisions, townhomes, and other “middle housing.”
- D. Clarify allowances for affordable housing developments by religious organizations:
- OPTION A: Allow affordable housing apartments by religious organizations through density and height bonuses (similar to affordable senior housing process).
 - OPTION B: Provide both density bonuses and fee waivers for affordable housing development by religious organizations.
- E. Remove several restrictions on manufactured homes to treat them more like other single-family homes.
- F. Change the current use of Multifamily Tax Exemptions (MFTE) credits in Town Center:*
- OPTION A: Offer the Multi-family Tax Exemption only for affordable housing in the Town Center, to create an *incentive* for affordable housing.
 - OPTION B: *Require* all multifamily housing developments in Town Center to include a minimum of 20% affordable units, making affordable housing mandatory.
 - Note: *Affordable means affordable to low-moderate income households, which are those whose income is between 80%-115% of the median income in Pierce County.
- G. Expand the current use of MFTE credits in East Sumner:
- OPTION A: Maintain and expand the MFTE allowance for targeted areas in the East Sumner Urban Village area to create *incentives* for affordable housing.

- OPTION B: *Require* all multifamily housing developments in the East Sumner Urban Village to include a minimum of 20% affordable units.
- H. Add regulations that protect tenants from displacement. The City is now required by State law to include policies and strategies for anti-displacement of vulnerable and low-income residents. Proposed options under consideration are:
- OPTION A: Adopt an ordinance for tenant relocation assistance, in which developers must pay an amount to displaced low-income renters.
 - OPTION B: Adopt a manufactured home park zoning designation and applies it to manufactured home parks at risk of displacement.
 - OPTION C: Adopt just cause eviction protections, in which landlords must give written notice stating the specific “just cause” and supporting facts for the eviction.
 - OPTION D: Adopt 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.
 - OPTION E: Connect residents with information on County and State tenant protections and programs, for example, through resources linked on the City website and targeted outreach through community organizations.
- I. Adopt regulations that waive or reduce fees for affordable units, such as:
- OPTION A: ADUs would be made exempt from impact fees. Per State, fees may be no more than 50% of single-family fees.
 - OPTION B: Religious organizations building affordable housing units would be exempt from impact fees.
 - Senior affordable housing fees would be waived or reduced.
- J. Also updates provisions (per State law) for permanent supportive housing, transitional housing, and emergency housing/shelters: Conditional Use Permit now required for housing of over 2 dwellings per lot (versus any number of units); removes current occupancy limits to instead be based on fire/building code; changes distance to no closer than 880 feet from another (versus 1,000 feet).

III. ANALYSIS

Sumner code requires that proposals to amend the Zoning Code include an explanation of how the proposed amendment implements the comprehensive plan (SMC 18.56.149(C)(2)). Relevant sections and policies related to the proposed text amendment are presented below.

LAND USE ELEMENT – DESIGNATIONS

- Purpose of medium density designation: The medium density designation is intended to provide for multi-family living to ensure that opportunities to obtain reasonable-cost housing exist for community residents...
- Purpose of high density designation: This designation 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.

- The Planned Residential Development (PRD) process...”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...”
- Proposed code updates to the uses, housing types, and densities in these zones are consistent with the stated purpose of these designations.

LAND USE ELEMENT

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

COMMUNITY CHARACTER ELEMENT

- 1.7 “Preserve the single-family residential scale and historic character of existing residential streetscapes through various means such as floor area ratio and setback requirements.”
- 2.6 “In recognition of the need for a variety of housing, allow through the Comprehensive Plan and Zoning Code a mix of residential uses as appropriate to the neighborhood character.”

HOUSING

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

- 1.4 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.
- 1.5 “Accommodate local non-profit housing agencies' efforts to purchase and rehabilitate housing to meet affordable housing needs and special needs of the community.”

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

- 2.1.1 “Develop a housing strategy to implement fair share objectives...” and a phased approach to meet the community’s fair share housing allocation.
- 2.2 “Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth.”
- 2.3 “Encourage a variety of housing available to all economic segments of the community.
- 2.3.1 “Review the Zoning Code, Subdivision Code, Building Codes, and other development-control ordinances to identify and remove excessive, duplicative, or unnecessary regulations...”
- 2.3.3 Consider implementing strategies such as an inclusionary housing program, minimum densities, density bonuses, adaptive re-use, and others to promote affordable housing.
- 2.4 Provide for a jobs and housing relationship that satisfies the local need for housing and affordability.
- 2.5 Promote fair and equal access to housing for all persons in accordance with state law.
- 2.8 Provide incentives for developing senior housing in the downtown such as permit fee waivers and reductions, parking requirement reductions, and multi-family tax exemptions.

Goal 4. Provide for a variety of housing types and densities in the town center 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.

- 4.7 Adopt a Multi-family Tax Exemption allowance per RCW 84.14 that would create substantial incentives for re-development in the Town Center by providing property tax relief for qualified multifamily and affordable housing developments for 8-12 years.

FAMILY AND HUMAN SERVICES

- 2.2 As prescribed in the City of Sumner's Housing Element, support the development and implementation of programs that offer housing for all stages of life.
- 2.2.1 Support programs that develop adequate access to emergency and temporary housing.

CONCLUSION

Sumner's Comprehensive Plan provides a general policy basis for promoting housing that offers a variety of options and types. Proposed code amendments will further the policies in the Comprehensive Plan by expanding opportunities for various types of housing and housing that is affordable to a range of incomes. The amendments bring Sumner's regulations into compliance with new State legislation's requirements for housing. The amendments also include development standards to minimize impacts of increased density, such as for ADUs, multiplexes, and small-scale apartments, and will support efforts of non-profit agencies to provide affordable housing and will help meet Sumner's housing targets. The amendments, overall, are consistent with the goals and policies related to the environment within the City's Comprehensive Plan, including the policies discussed above. Additional analysis is contained in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024.

IV. PUBLIC & AGENCY COMMENTS

The public notice for the EIS/Comp Plan was issued March 1, with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12. Comments received as of the date of this report have been included in the Staff Report for the 2024 Comprehensive Plan Amendments dated March 27, 2024. Any additional comments received during the public comment period will be transmitted to the Planning Commission.

V. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) establishes a process for SEPA review of Comprehensive Plan and regulations updates. The 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) were issued March 1, 2024 for public review through April 30, 2024. The EIS consists of an evaluation of the potential impacts of proposed policy and regulation changes. See Exhibits below.

VI. STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide recommendations on the proposed housing options presented, and recommend approval of the proposed regulations.

VII. EXHIBITS & REFERENCES

- A. Map: Current Medium- and High-Density Residential Zones in Sumner (for reference)
- B. Draft Housing and Land Use Regulations
- C. Proposed *policies* for Housing and Land Use are contained in the 2024 Draft Comprehensive Plan (Volume I), page 102
- D. 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) – Available for review on the City's website at:
<https://connects.sumnerwa.gov/planning-sumners-future>.

**Current Medium- and High-Density Residential Zones in Sumner
with Cava Mine Site shown as potential MDR designation (reference only)**



EXHIBIT B
Draft Housing and Land Use Regulations

DRAFT Proposed Code Changes

2024 Comprehensive Plan Periodic Update

March 1, 2024

Housing and Land Use

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.

18.04.XXXX Community Garden. "Community garden" means a garden for growing produce that serves the local community and is managed by and located on the premises of a public agency, non-profit organization, or private development.

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.

K. Community Gardens.

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. Repealed by Ord. XXXX;~~

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

4. The accessory dwelling unit shall contain a maximum floor area of 1,000 square feet, excluding any related garage area used for vehicle parking; provided, that if an attached accessory unit is completely located on a single floor, the director may allow increased floor area up to the minimum area necessary in order to efficiently use all floor area, so long as all other standards set forth in this section are met;
5. *Repealed by Ord. 2300;*
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 shall be subject to subdivision Design Review pursuant to SMC 18.40.020.

- ~~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. SINGLE FAMILY SUBDIVISIONS OF 9 OR FEWER UNITS REQUIRE ADMINISTRATIVE DESIGN 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.

~~c. 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. Single-family dwellings legally constructed prior to the adoption of this code 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. ~~Apartment~~ 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.

...

- O. Triplexes and fourplexes

NOTE: *This was added after Planning Commission initial review and discussion.*

- P. Community Gardens.

18.14.030 Accessory buildings and uses

ADUs allowed subject to 18.23.030.

NOTE: Since the MDR and HDR zones allow for single-family development, ADUs must also be allowed per HB 1337.

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" (MFH) 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. THE REQUIREMENT THAT A MFH BE NEW EXCLUDES MANY HOMEOWNERS FROM SINGLE FAMILY NEIGHBORHOODS.

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.

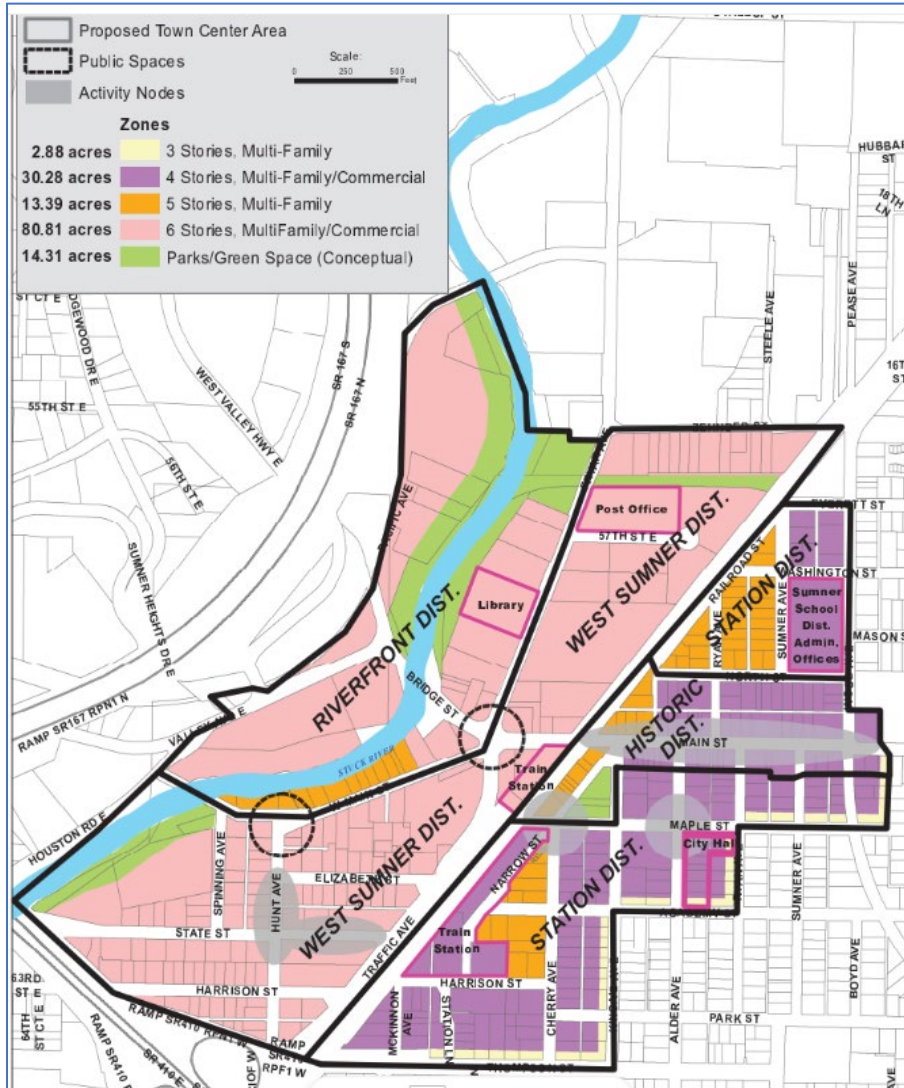
2. Affordable multifamily dwellings

- 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.

SEE TOWN CENTER MAP BELOW.



SMC 18.16.020, 18.30.030 - Permit Community Gardens in NC/GC/IC and ESUV

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:

1. Senior housing may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC...
2. [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)

To be consistent with State requirements, the City should consider incorporating into the code 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.
- OPTION E: The City connects residents with information on County and State tenant protections and programs, for example, through resources linked on the City website and targeted outreach through community organizations.

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 permanent supportive housing and transitional housing

Allowed in LDR, MDR/HDR, Commercial zones and Industrial zones. Update existing regulations to comply with State guidelines:

- Update occupancy limits (currently varies from 10 units per parcel to 25 du/acre) to occupancy based on the fire code.
- Update spacing (currently half-mile between facilities) to 880 feet per State.

Performance Standards for Emergency Shelters and Emergency Housing

Allowed in Commercial zones and Industrial zones only. Update existing regulations to comply with State guidelines:

- Update occupancy limits (currently 20 occupants) to occupancy based on the fire code.
- Update spacing (currently half-mile between facilities) to 880 feet per State.

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.

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.

18.40.020(2) Design Review ADUs.

...

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

...

~~2. Accessory units in residential zones:~~

NOTE: HB 1337 does not allow more restrictive design review for ADUs than for the principal unit. Only ADUs as part of a subdivision would be subject to design review, like the principal units.

SUBJECT: Environment/Critical Areas Regulations - Staff Report

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Environment/Critical Areas - Staff Report-032724

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

During 2023-2024, the Planning Commission has been reviewing proposed updates to elements (chapters) of the 2024 Comprehensive Plan (Comp Plan), related plans and development regulations. This is the public hearing on proposed amendments. City staff, BERK Consulting and Parametrix consultants will present the amendments and background to the Planning Commission.

The purpose of this meeting is to take public testimony on the proposed amendments. The Commission will make recommendations at a future meeting after the end of the final public comment period (after April 30, 2024).

Sumner's critical areas regulations apply to: wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas (e.g. streams). The main changes are related to streams and stream buffers. Please see the attached staff report and exhibits for a summary of proposed changes to the critical areas regulations.

Note that this agenda item is related to the regulations; policies related to the environment (the Environment chapter of the Comprehensive Plan) are addressed under the overall Comprehensive Plan amendments. Also, more detailed information is contained in the Draft 2024 Comprehensive Plan and Environmental Impact Statement documents, located on the City's website at:

<https://connects.sumnerwa.gov/planning-sumners-future>.

COUNCIL COMMITTEE/STUDY SESSION: n/a
--

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Conduct the public hearing and receive testimony.



STAFF REPORT

DATE: March 27, 2024
TO: PLANNING COMMISSION
FROM: Ann Siegenthaler, Senior Planner, and Parametrix consultant team
RE: **Zoning Code Text Amendment – CRITICAL AREAS ORDINANCE REVISIONS**
File #CTA-2024-0003

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The State Growth Management Act (GMA) requires cities to complete a “10-year periodic update” of their Comprehensive Plans. Sumner’s 10-year update will involve extensive revisions to the Comprehensive Plan (Comp Plan) and regulations to reflect new State laws and changes that have occurred over the last decade.

The GMA requires all cities and counties to adopt development regulations that protect critical areas. Critical areas are lands with 1) natural hazards or lands that can pose a risk to life and property; and 2) areas that support unique, fragile or valuable resources. Sumner’s critical areas regulations were first adopted in the early 1990s. RCW 36.70A.030(5) defines five types of critical areas:

- Wetlands
- Aquifer recharge areas
- Frequently flooded areas
- Geologically hazardous areas
- Fish and wildlife habitat conservation areas.

Critical areas regulations help preserve the natural environment, maintain fish and wildlife habitat, protect drinking water and help reduce exposure to risks, such as landslides or flooding. All critical areas must be designated, and their functions and values protected using the best available scientific information (BAS). As defined by WAC 365-195-900 through 925, BAS is derived from a process that includes peer-reviewed literature, standard methods, logical conclusions and reasonable inferences, quantitative analysis, and documented references to produce reliable information. The last substantial review of Sumner’s regulations for BAS was in 2015. The 2024 updates to Sumner’s regulations are based on current Best Available Science.

The Planning Commission reviewed the proposed amendments, along with other 2024 Comprehensive Plan and regulations updates, in October 2023 and January 2024. The public hearing on the Plan and regulations is scheduled for April 4, 2024. The City Council will also hold a public hearing later in 2024.

II. SUMMARY OF PROPOSAL

The proposed amendments to Sumner Municipal Code Title 16 Environment will update regulations related to protection of critical areas. See **Exhibit C** Draft Critical Areas Regulations. Key changes are:

- A. Definitions and Formatting:** Updated definitions section and section titles to be consistent with current state code, and to better address critical areas requirements from the state, agency guidelines and best practices, such as:
 - Changing “Wildlife Habitat Area” to “Fish and Wildlife Habitat Conservation Area”
 - Best available science definition
 - Clarifying best management practices (BMPs)
 - Clarifying that fish and wildlife habitat does not include artificial features.
- B. Exemptions:**
 - Existing code exempts minor development and habitat restoration activities that do not need a permit.
 - Added a section for “partial exemptions” for activities that only require a minimal amount of City review. This should facilitate faster processing time for minor projects.
- C. Variance/reasonable use**
 - Existing code allows a variance process when regulations may cause extraordinary hardship or remove reasonable use of a property. Buffer reduction for most development is covered in other code sections.
 - This section is updated to clarify criteria for variance approval.
- D. Non-Conforming Uses:**
 - Existing code allows non-conforming uses that legally exist prior to code adoption.
 - This section to be updated to clarify when non-conforming uses can continue. Generally, non-conforming uses can continue and can expand outside of critical areas or their buffers, if there are no further impacts to the critical area or its buffer.
- E. Buffer adjustments**
 - Added sections for wetlands and streams to allow a project to exclude functionally disconnected buffers (e.g. bisected by a street). Previously, this was allowed in practice but explicit text was not in the existing code.
- F. Buffer reductions for streams**
 - **See Exhibit A** Streams and Wetlands Map.
 - Existing code allows buffer reductions for wetlands and streams, if the critical area is adequately protected.
 - Fish Bearing Streams (Type F): Existing code allows reduction of a buffer to no less than 75 feet (from 100 feet). No change is proposed.
 - Non-Fish Bearing Streams (Type N): Existing code allows a buffer reduction by approximately 50%, to between 20-25 feet. New code removes this reduction and treats all streams the same (see section below).
 - New code changes the approval process for stream buffer reduction; instead of a more onerous variance permit, a buffer reduction would be approved administratively.
 - Existing approval criteria are updated:
 - Reductions would be allowed on all properties, not just smaller ones (less than 200 feet deep).
 - Applicants still have to show there are no feasible alternatives that reduce impacts before being granted a reduction.
 - Applicants must also comply with site design and management measures to minimize impacts to streams/buffers, similar to what is required for wetlands.
 - New language no longer limits impervious surface area to 10% in the extracted buffer area.

- Applicants are still required to enhance the existing buffer and follow measures to ensure enhancements are successful. This has been clarified by requiring a habitat management plan and oversight by a biologist, similar to wetlands requirements.

G. Updated buffer widths for streams

- This section has new buffer recommendations based on discussion with Washington Department of Fish and Wildlife (WDFW) and the Best Available Science (BAS). Jurisdictions are required to include BAS in regulating critical areas. WDFW's buffer recommendations are based on soil type, and tree species, among other factors. For Sumner the range of buffers recommended is 100-231 feet. 100 feet is the minimum recommended buffer for all streams as it is the minimum distance needed to provide habitat functions (e.g. 95% or more removal of phosphorus, sediment and most pesticides and 80% removal for surface runoff containing excess nitrogen).
- **Fish Bearing Streams:** All Sumner fish bearing streams (Type F) currently have a 100-foot buffer. Most of Sumner's Type F streams are on the valley floor and have a recommended buffer of 100 to 105 feet with a few areas of 225 feet. As the existing buffer is similar to WDFW's recommendation, no change is proposed.
- **Non-Fish Bearing Streams:** Based on BAS and WDFW recommendations, staff is proposing that non-fish bearing streams (Type N) also have a 100-foot buffer. This is an increase from the current 25-50-foot buffers.
 - **See Exhibit B** Non-Fish Bearing Stream Characteristics. Most of Sumner's Type N streams are located on the eastern and western forested slopes in landslide hazard areas, often within ravines, where steep slopes have development restrictions. Some have adjacent wetlands, which also are restricted. In these areas WDFW recommends 194 to 231-foot buffers. As current buffers for Type F streams are 100 feet, an increase to 100-foot buffer for Type N is recommended. This is much less than the 194 to 231 feet recommended by WDFW but is the minimum width for a viable buffer.
 - Characteristics of Type N streams: Type N streams in Sumner are primarily extensions of a Type F; they are the upper reaches of the same stream. All of these stream segments are tributaries to Sumner's major salmonid habitats, such as Salmon Creek and the White River. As tributaries, these streams are critical to the entire stream system, having an important role in protecting water quality (reducing high water temperatures and pollutants). BAS indicates that tributaries to Type F need the same protective buffers as Type F.
 - Given that Type N are extensions or tributaries to Type F that have a 100-foot buffer, having a consistent treatment in the code is recommended. Also, there is virtually no distinction on the ground between the water flowing from a Type N and where that water meets a Type F. Having a consistent buffer makes site design and permitting more straightforward.
 - Sumner's stream buffers have not been updated since 1992. As cities are required by the State to update their 2024 Comprehensive Plans for BAS, the proposed code will bring Sumner more in line with new BAS recommendations.
- **Effects on development:**
 - The proposed code maintains the 100-foot buffer for Type F.
 - Type N buffers are not proposed at the highest 231-foot recommended by WDFW, but will be held at a 100-foot width, consistent with other streams.
 - Buffer increases to Type N will occur primarily in areas of landslide and erosion hazard areas and wetlands that have restricted development already.
 - Type F and Type N will have a consistent treatment in the code in terms of buffer requirements and buffer reduction.
 - Buffer reduction provisions will allow for reasonable development, and for a streamlined administrative permit.

III. ANALYSIS

The regulations in SMC Title 16 Environment are considered development regulations that apply to property development and site management, similar to Zoning Code Title 18 regulations. Staff has reviewed the proposed regulations relative to the comprehensive plan, and evaluated how the proposed amendments implement the comprehensive plan. Relevant sections and policies related to the proposed amendments are presented below.

ENVIRONMENT ELEMENT

Goal 1. Practice environmental stewardship by protecting, enhancing and promoting the natural environment in and around the City of Sumner.

- 1.4 Protect surface water quality and quantity from significant degradation as required by state and federal law.
 - 1.4.1 Implement development regulations and a surface water quality management plan to protect water quality.
 - 1.4.3 Work with other agencies to educate the general public and developers on the potential surface water quality degradation resulting from development and human activity and how to reduce impacts.
 - 1.4.4 Maintain consistency with local, regional and federal water quality protection plans and permits.
 - 1.4.9 Work with residential and commercial developers to incorporate low impact development that preserves a site's natural hydrologic functions and practices that protect native vegetation and soils, facilitate reuse of resources, such as reclaimed water, and reduce impervious surface.
- 1.7 Incorporate the use of "best available science" as required by the Growth Management Act when implementing critical areas regulations.

Goal 2. Protect life and property in areas of natural hazards.

- 2.2 Minimize the potential for loss of life and damage to public and private investments resulting from flooding along the White (Stuck) and Puyallup Rivers.
 - 2.2.4 Continue to implement wetland protection and stormwater management regulations to help mitigate flooding impacts to the community.
- 2.5 Take measures to protect hillsides and hillside development from landslide failures and the impacts associated with building on steep slopes.
- 2.6 Take measures to reduce erosion in all areas, particularly in areas with high risk of erosion, and the associated impacts. 2.7 Implement land use and environmental regulations with flexibility to assist in protecting hazardous areas.

Goal 3. Protect and enhance unique, valuable, and critical plant and wildlife habitat and promote biodiversity.

- 3.1 Implement regulations and programs to protect unique, valuable and critical plant and wildlife areas, including flexible design standards.
- 3.2 Protect shorelines and wetlands through appropriate regulations, acquisition, and non-regulatory policies related to education, stewardship, density credits, restoration, etc.
- 3.4 Take measures to protect hillside areas from the impacts of development.
- 3.8 Give special consideration to conservation and protection measures necessary to preserve and enhance anadromous fisheries and listed or threatened endangered species.
- 3.11 Allow for the clustering of development at higher densities on a portion of a property when preserving fish and wildlife habitat or wetland areas on site.

COMMUNITY CHARACTER

Goal 5. Provide for open space and recreation and protect sensitive areas from degradation.

- 5.1 In reviewing plans and development proposals, consider both long and short term environmental impacts and encourage design which complements the area's natural and cultural features. Natural and significant cultural features should be integrated into the design of the community.

PARKS AND OPEN SPACE

Goal 2. Preserve, protect and enhance significant open space.

- 2.1 Control development and activity on hillside areas in order to preserve their aesthetic qualities, reduce impacts on the valley, protect habitat, and protect sensitive areas from degradation.
- 2.14 Through implementation of the State Shoreline Management Act and City environmental regulations, protect wetlands, riparian corridors, streams and wildlife areas.

CONCLUSION: The amendments would bring Sumner's regulations into compliance with Department of Ecology and Department of Fish and Wildlife recommendations, and would incorporate best available science (BAS) as required by the GMA. The amendments, overall, are consistent with the goals and policies related to the environment and other policies of the Comprehensive Plan, including the policies discussed above. Additional analysis is contained in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024.

IV. PUBLIC & AGENCY COMMENTS

The public notice for the EIS/Comp Plan was issued March 1, with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12. In addition, the notice of the Planning Commission public hearing was mailed for all parcels with a mapped non-fish-bearing stream (approx. 45 parcels with 20 owners). The postcard noted the increased stream buffer and that it would affect their property. Comments received as of the date of this report have been included with the Staff Report for the 2024 Comprehensive Plan Amendments dated March 27, 2024. Any additional comments received during the public comment period will be transmitted to the Planning Commission.

V. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) establishes a process for SEPA review of Comprehensive Plan and regulations updates. The 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) were issued March 1, 2024 for public review through April 30, 2024. The EIS consists of an evaluation of the potential impacts of proposed policy and regulation changes. See Exhibits below.

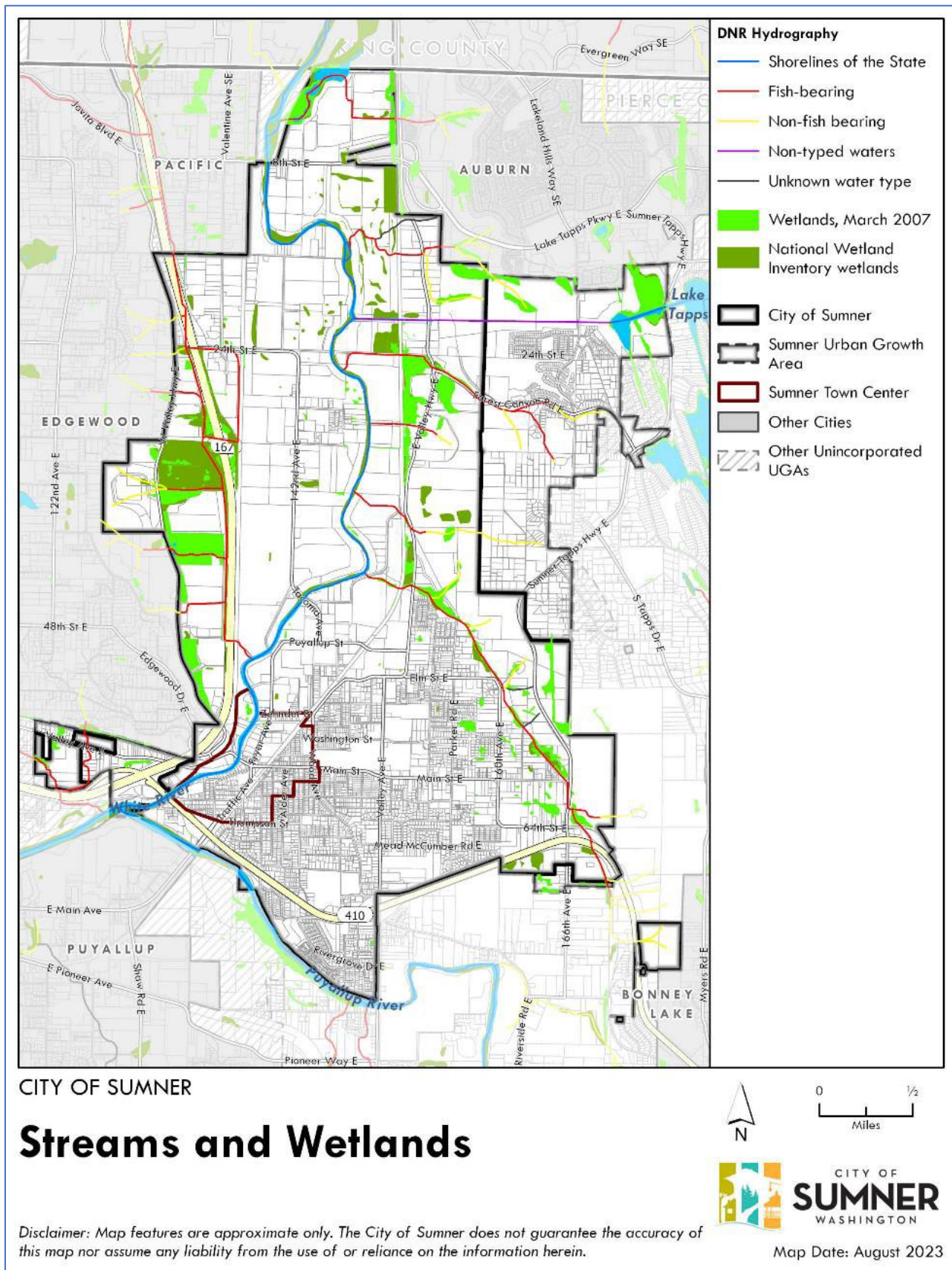
VI. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments.

VII. EXHIBITS & REFERENCES

- A. Streams & Wetlands Map – based on Department of Natural Resources (DNR)
- B. Non-Fish Bearing Stream Characteristics (List)
- C. Draft Critical Areas Regulations
- D. Proposed *policies* for the environment and critical areas are contained in the 2024 Draft Comprehensive Plan (Volume I), page 86
- E. 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) – Available for review on the City's website at:
<https://connects.sumnerwa.gov/planning-sumners-future>.

EXHIBIT A Streams and Wetlands Map



Source: Parametrix November 2023

EXHIBIT B
Non-Fish Bearing Stream Characteristics

NON-FISH BEARING STREAMS (TYPE N) LOCATION & CHARACTERISTICS

Source: Sumner GIS layers, Google Earth, Dept. of Natural Resources Stream Types – January 2024

EAST HILLSIDE - Non-Fish Bearing Streams						
Segment Location	Description	Landslide Hazard Area*	Wetlands	Development in City limits	Ownership	UGA
Tributaries to Salmon Creek						
1. East of Sumner-Tapps Hwy	Above gravel processing plant	yes	?	Industrial, quarry site	Private	Forested quarry
2. East of Van Tassel Rd	Within City watershed	yes	yes	Forested watershed	City-owned	x
3. East of Stuck Valley Ave	Within City watershed	yes	?	Forested watershed	City-owned	x
4. East of E Valley Hwy	Within Puyallup watershed	Yes	yes	Conservation tracts	City & Pierce County	x
Tributaries to White River						
5. East of E Valley Hwy at 150 th	Forested watershed	Yes	yes	Forested Cava quarry property, watershed	Private, City of Puyallup	SF dwellings
6. East of E Valley Hwy & South of 29th	Forested area below Cava quarry	Yes	yes	SF dwelling	Private	x
7. Along Forest Canyon Rd	Forested hillside	Yes	?	N/A	Private	Forested Cava quarry property, SF dwellings
8. Upper end Forest Canyon Rd	X	Yes	?	N/A	Private	SF dwellings
9. E Valley Hwy above Dieringer & E Valley along base of hill	Forested hillside, Ditch or seeps running N-S betw road & slopes	Yes	Yes	Industrial, SF dwellings, watershed	Private, Cascade Water Alliance	Forested PSE. Water Alliance, PSE, 8 SF dwellings along road
10. Above Dieringer in UGA	Forested hillside	Yes	?	N/A	CCWA, PSE	Forested, watershed

WEST HILLSIDE - Non-Fish Bearing Streams						
Segment Location	Description	Landslide Hazard Area*	Wetlands	Development in City limits	Ownership	UGA
Tributaries to Sotain Creek						
11. From hillside, crossing W Valley	Industrial site-Cascade Devel	No	No	Industrial/commercial fully developed	Private	x
12. W Valley Hwy at 24 th St	Vacant commercial	No	Yes	Grade/fill, mostly right-of-way	Private, Public ROW	x
13. W Valley Hwy - east side	Near Yusen Logistics	No	Yes	Undeveloped industrial, wetland	Private	x

14. W Valley Hwy – west side	Sumner Ridge industrial development	Yes	No	Warehouses fully developed	Private	x
15. 48XX W Valley Hwy – east side	Parking lot	No	No	Industrial fully developed		

**Landslide hazard areas generally include slopes greater than 15% with fault planes, water seepage, or historic land failures. Geotechnical studies are required for development.*

Type I = 25% or greater = Type I Type II = 15-25%

Type I and II: Development limited to 40% of lot area, or 50% for a residential subdivision.

EXHIBIT C
Draft Critical Areas Regulations

DRAFT Proposed Code Changes

2024 Comprehensive Plan Periodic Update

March 1, 2024

Critical Areas

Title 16. ENVIRONMENT

NOTE: SUMNER MUNICIPAL CODE CONTAINS "CRITICAL AREAS" PROTECTIONS IN TITLE 16 ENVIRONMENT. TITLE 16 IS DIVIDED INTO CHAPTERS THAT COVER TOPICS SUCH AS STATE SEPA ENVIRONMENTAL REVIEW, SHORELINE (RIVERS) MANAGEMENT, FISH AND WILDLIFE HABITAT (E.G. STREAMS, WETLANDS, FLOODPLAINS) AND OTHER CRITICAL AREAS SUCH AS AQUIFER RECHARGE AND STEEP SLOPE AREAS. THE FOCUS OF PROPOSED CODE CHANGES IS ON CHAPTERS RELATED TO FISH AND WILDLIFE HABITAT.

Chapters:

- 16.40 Resource, Wildlife and Hazard Area Regulation Framework**
- 16.42 *Repealed***
- 16.43 Right to Farm**
- 16.44 Mineral Resource Lands**
- 16.46 Wetlands Protection**
- 16.48 Critical Aquifer Recharge Area**
- 16.50 Landslide and Erosion Hazard Area**
- 16.52 Seismic Hazard Area**
- 16.54 Volcanic Hazard Area**
- 16.56 Fish and Wildlife Habitat Conservation Area**
- 16.58 *Repealed***

Chapter 16.40

RESOURCE, WILDLIFE AND HAZARD AREA REGULATION FRAMEWORK

NOTE: THIS CHAPTER PROVIDES A FRAMEWORK FOR PERMITS AND REVIEWS THAT APPLY TO ALL CRITICAL AREAS.

16.40.010 Short title.

The ordinance codified in this chapter, together with any amendments, shall be known as the "Resource, Wildlife and Hazard Area Regulation Framework Ordinance." (Ord. 1539 § 1 (part), 1992)

16.40.030 Purpose.

The purpose of this chapter is to regulate the use of land in and around critical areas and natural resource lands, ~~wildlife habitat, and natural hazard areas~~ lying within the corporate limits of the city, ~~to bring the city into compliance with the Washington State Growth Management Act (chapter 36.70A RCW).~~ RCW 36.70A requires cities to adopt development regulations to classify, designate, and protect critical areas and to assure the conservation of designated agricultural, forest, and mineral lands of long-term commercial significance. ‡ RCW 36.70A.172(1) requires to incorporate appropriate "best available science" be included in policies into the and regulations to protect the functions and values of critical areas and give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. ~~resource lands, wildlife habitat, and natural hazard areas(RCW 36.70A.172(1)) These regulations are,~~ and to promote the public health, safety and general welfare in accordance with the standards established by the federal government, state and the city, and to:

- A. Protect areas of land with valuable and nonrenewable resources for future generations...
- B. Regulate development on and around critical areas in order to protect lives, property and public infrastructure;
- C. Prevent development which is incompatible with certain critical areas which are particularly susceptible to water quality, noise, and air quality impacts associated with nearby development;
- D. Establish mechanisms to inform present and future landowners of their location on or near natural resource lands or critical ~~lands~~areas;
- E. Establish mechanisms to process and review development proposals for consistency with the new regulations...

...

NOTE: THESE UPDATED DEFINITIONS ARE RECOMMENDED FOR CLARITY WHEN EVALUATING CRITICAL AREAS AS THEY ARE CONSISTENT WITH AGENCY DEFINITIONS.

16.40.060 Definitions.

For the purpose of this title, the following definitions shall apply:

"Action" means any grading, clearing, filling, construction, dredging, removal of trees or use on a piece of property.

"Activity" means any application for the following actions: building permit creating additional habitable space in a residential structure as defined by the International Building Code; building permit for a nonresidential structure; conditional use approval; shoreline permit; rezone; planned residential development; planned mixed-use development; shoreline variance or conditional use; shoreline redesignation; subdivision of land; SEPA review or other similar land use or environmental discretionary review.

"Adaptive management" means using scientific methods to evaluate how well regulatory and nonregulatory actions protect the sensitive area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. Management policy may be adapted based on a periodic review of new information.

"Anadromous fish" means fish species that spend most of their lifecycle in salt water but return to freshwater to reproduce.

"Aquifer recharge area" or "Critical aquifer recharge area" means areas that have a critical recharging effect on groundwaters aquifers used for potable water, including areas where an aquifer that is a source of drinking water is supplies and/or that demonstrate a high level of susceptibility or vulnerability vulnerable to groundwater contamination that would affect the potability of the water, or is susceptible to reduced recharge from land use activities.

Examples of aquifer recharge areas include:

1. Wellhead protection areas delineated pursuant to the Federal Safe Drinking Water Act; and
 2. Recharge areas for sole source aquifers designated pursuant to the Federal Safe Drinking Water Act;
 3. Areas established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48, and 90.54 RCW, and chapters 173-100 and 173-200 WAC;
 4. Other areas meeting the definition of "areas with a critical recharging effect on aquifers used for potable water" in WAC 365-190.
- ~~Other areas with a high level of susceptibility or vulnerability to contamination as demonstrated through the use of the DRASTIC model.~~

"Best available science (BAS)" means information from research, inventory, monitoring, surveys, modeling, synthesis, expert opinion, and assessment that is used to designate, protect, or restore sensitive areas. As defined by WAC 365-195-900 through 925, best available science is derived from a process that includes peer-reviewed literature, standard methods, logical conclusions and reasonable inferences, quantitative analysis, and documented references to produce reliable information.

"Best management practices (BMPs)" mean physical, structural, and/or managerial practices, that when used singly or in combination, prevent or reduce water pollution, erosion, groundwater contamination, slope instability and similar impacts of construction, development and other actions. Source control BMPs include those which keep the pollutant from ever coming in contact with stormwater, and stormwater treatment BMPs include those

which consist of various methods of treating stormwater. BMPs could include, but are not limited to, use of hay bales and plastic coverings to reduce erosion, education programs for employees regarding the use and disposal of chemicals, signage for customers regarding use of gasoline fueling facilities, and use of grass-lined swales to reduce pollutants in stormwater.

(a) Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, or sediment;

(b) Minimize adverse impacts to surface water and ground water flow and circulation patterns and to the chemical, physical, and biological characteristics of wetlands;

(c) Protect trees, vegetation, and soils designated to be retained during and following site construction and use native plant species appropriate to the site for re-vegetation of disturbed areas; and

(d) Provide standards for proper use of chemical herbicides within critical areas.

"Building official" means the city staff person responsible for the administration of the International Building Code or his or her designee.

"Critical areas" are those areas established as wetlands, volcanic hazard areas, wetlands, critical aquifer recharge areas (CARAs), frequently flooded hazard areas (special flood hazard areas), fish and wildlife habitat areas, seismic hazard areas, landslide hazard areas, erosion hazard areas, seismic hazard areas, volcanic hazard areas, and fish and wildlife habitat conservation areas aquifer recharge areas.

Development. Refer to the definition in the zoning code, chapter 18.04 SMC.

"Director" means the development services director or his or her designee.

...

"Frequently flooded areas" means lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the city in accordance with WAC 365-190-080(3). Classifications of frequently flooded areas include, at a minimum, the one hundred (100) year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program. Also known as special flood hazard areas (see SMC 15.52).

"Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

...

"Landslide hazard area - Type I" means a slope of 25 percent or greater.

"Landslide hazard area - Type II" means a slope of less than 25 percent and equal to or greater than 15 percent.

...

"Riparian" means adjacent to a water body: stream, river, lake, or pond.

"Riparian management zone" means the regulated buffer area that includes the land from the ordinary high water mark to a specified distance as measured horizontally in each direction.

"Wellhead protection area" (WHPAs) means protective areas associated with public drinking water sources established by water systems and approved or assigned by the state department of health WAC-190-030, WAC 246-290-020, WAC 246-290-135. (Ord. 2788 § 13, 2021; 1Ord. 2439 § 11, 2013; Ord. 2071 § 2, 2003; Ord. 1539 § 1 (part), 1992). They are:

- Group A wells serve 15 or more service connections or 25 or more people at least 60 days per year.
- Group B wells serve fewer than 15 connections and fewer than 25 people per day. means the area within the 10-year time-of-travel zone boundary of a group A public water system well, as delineated by the water system purveyor or its designee, pursuant to WAC 246-290-135. (Ord. 2788 § 13, 2021; 1Ord. 2439 § 11, 2013; Ord. 2071 § 2, 2003; Ord. 1539 § 1 (part), 1992)

16.40.070 General application.

A. This division shall apply to all properties which are designated as critical areas or natural resource lands....

...

16.40.080 Mapping.

Maps have been developed to indicate the location of natural resource lands and critical areas by state and federal agencies. Maps may be developed by the city which show the general location of natural resource lands and critical areas for informational purposes. The actual presence of critical areas and natural resource lands shall be determined by the classification criteria established for each natural resource land and critical area. The burden and costs associated with further delineation of resource or critical lands shall be borne by project applicants.

16.40.090 Permitted uses.

Uses permitted on properties designated as critical areas or natural resource lands shall be the same as those permitted by the underlying zone classification and the Sumner shoreline master program unless specifically regulated by this division. (Ord. 1539 § 1 (part), 1992) See Section 16.40.135 Application and review process for RWHA (Resource, Wildlife, and Hazard) permit.

16.40.100 Exemptions.

The following activities shall be exempt from the application and permit requirements at SMC 16.40.135 unless specifically modified in SMC 16.46.090, SMC 16.56.100 or other sections of this division. All activities in critical areas must comply with SMC 16.40.110, Best best management practices, regardless of exemption status. These exemptions apply specifically to activities regulated by the city-City of Sumner. Other state and federal permits and approvals may still apply.

A. Agricultural activities ...

B. Forest practices regulated and conducted in accordance with the provisions of chapter 76.09 RCW...

C. Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife;

D. Outdoor recreational activities, including, but not limited to, fishing, birdwatching, hiking, boating, horseback riding, swimming, canoeing, and bicycling;

E. Education, scientific research, and use of nature trails;

F. ~~Operation, m~~Maintenance or ~~reconstruction~~ repair or improvements of existing structures or infrastructure (e.g. roads, bridges, and associated storm drainage facilities); provided, that reconstruction activities does not alter or increase impacts to critical areas and there is no increased risk to life or property involve expansion of facilities;

G. The following utility line activities, if there is no other practical alternative to the proposed development with less impact on the critical areas; when the proposal is consistent with other applicable regulations and standards; the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site; and the proposal attempts to protect and mitigates impacts to the critical area functions and values consistent with the best available science:

...

NOTE: EXISTING CODE EXEMPTS UTILITY LINE ACTIVITIES, SUCH AS NORMAL REPAIR, RELOCATION OF POLES/APPURTENANCES, ETC. WHEN WITHIN IMPROVED RIGHT OF WAY.

H. ~~Reconstruction, remodeling, Interior remodeling~~ or maintenance of existing single-family residential structures, accessory structures, where legally preexisting; provided, that a cumulative expansion of the building footprint, developed area and impervious surface area does not increase by more than 25 percent; and provided further, that the new construction or related activity does not further intrude into the activity does not impact the critical area or buffer;

I. ~~Reconstruction, remodeling, or maintenance of structures, where legally preexisting; other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the building footprint or height, or increase developed or impervious surface area;~~

NOTE: THE ABOVE "EXEMPTIONS" APPLY TO ALL CRITICAL AREAS, NOT JUST STREAMS AND WETLANDS. ALSO 1) THIS CLARIFIES INTERIOR CHANGES ARE EXEMPT; 2) EXEMPTIONS FOR EXISTING STRUCTURES HAVE BEEN MOVED TO "PARTIAL EXEMPTIONS" SECTION BELOW.

J. Minor site investigative work necessary for land use and building application submittals such as surveys...

K. Emergency action necessary to prevent imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation, in a timeframe too short to allow for compliance with the requirements of the critical areas regulations. The director shall review all proposed emergency actions to determine the existence of the emergency and reasonableness of the proposed actions taken. The action may require necessary permits after the fact, including any restoration or mitigation;

...

N. Projects with the primary purpose of restoring or enhancing wetlands, streams, or fish and wildlife habitat conservation areas; provided, that:

1. Such projects are part of an approved local, state, or federal restoration or enhancement plan; and
2. The project would not result in adverse impacts to any critical area;

...

16.40.105 Partial Exemptions.

The following activities require a RWA permit processed as a Type 4 I decision, pursuant to SMC 18.56.030(B):

NOTE: MOVED WORDING FROM 16.56.100 ABOVE TO THIS SECTION. RATHER THAN A BLANKET EXEMPTION, A PARTIAL EXEMPTION IS PROPOSED, WHICH IS A SIMPLE PERMIT PROCESS. WITHOUT SOME INPUT/OVERVIEW FROM STAFF, THE ACTIVITIES ABOVE HAVE THE POTENTIAL TO CAUSE HARM TO THE RESOURCE.

~~1. Reconstruction, remodeling, or maintenance of existing single-family residential structures; and accessory structures where legally preexisting; provided, that a cumulative expansion of the building footprint, developed area and impervious surface area does not increase by more than 25 percent; and provided further, that the new construction or related activity does not increase the building footprint, development area, impervious surface area or construction impacts further intrude into within the critical area or its buffer.~~

~~2. Reconstruction, remodeling, or maintenance of structures, where legally preexisting, other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the building footprint or height, or increase developed or impervious surface area.~~

NOTE: THIS SECTION IS UPDATED TO TREAT ALL MINOR DEVELOPMENT THE SAME (INSTEAD OF DISTINGUISHING SINGLE FAMILY STRUCTURES).

16.40.120 Variances.

NOTE: THE PURPOSE OF VARIANCE PROVISIONS IS TO ALLOW FOR ADJUSTMENTS DUE TO EXTRAORDINARY CIRCUMSTANCES, ATYPICAL SITE CHARACTERISTICS, AND SIMILAR SITUATIONS WHERE APPLYING THE CODE WOULD CREATE A SIGNIFICANT HARDSHIP. BUFFER REDUCTIONS FOR TYPICAL DEVELOPMENT PROJECTS ARE COVERED ELSEWHERE IN THE CODE.

- A. The purpose of a variance is strictly limited to granting relief to specific development standards set forth in this division. A variance is also appropriate where there are extraordinary or unique circumstances relating to the property such that the strict implementation of this division would impose unnecessary hardships on the applicant. These provisions should be applied in a manner, which while protecting the environment, will assure that a person will be able to use his/her property in a fair and equitable manner. Other state and federal permits and approvals may still apply.

- B. In all instances of granting a variance, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.
- C. An application for a variance shall be processed as a Type IV decision pursuant to chapter 18.56 SMC, Procedures for Land Use Permits...
- D. **Criteria for Granting Variances.** Variances for development that will be located landward of the ordinary high water mark, within a wetland buffer, stream buffer, or landslide or erosion hazard area may be authorized provided the applicant can demonstrate all of the following:
 1. That the strict requirements of the development standards set forth in this division preclude or significantly interfere with a reasonable use of the property...
 2. That the hardship described above is specifically related to the property, and is the result of unique conditions ...and not, for example, from deed restrictions, ~~or~~ and not from the applicant's own actions.
 3. That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the critical area.
 4. That the variance authorized does not constitute a grant of special privilege not enjoyed by other properties in the area, and will be the minimum necessary to afford relief.
 5. That the public interest will suffer no substantial detrimental effect, and the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site.

E. Criteria for Granting In-water and Wetland Variances. Variances for development that will be located either waterward of the ordinary high water mark or within regulated wetlands may be authorized provided the applicant can demonstrate compliance with all the criteria stated above as well as the following:

- a. That the strict application of the development standards set forth in this division precludes all reasonable use of the property; and
- ~~b. That the proposal is consistent with the criteria established under subsections (D)(1) through (4) of this section;~~
- b. The impact is both unavoidable and necessary due to site-specific constraints not caused by the applicant.
- c. The proposal is consistent with other applicable regulations and standards, at the local, state and federal levels.

E.F. In the granting of all variances, consideration shall be given to the cumulative impact of additional requests for like actions in the area...

F. G. U.S. Fish and Wildlife Service and the National Marine Fisheries Service or agencies with jurisdiction shall be sent a notice of application for any variance requesting the reduction of buffer widths on Type ~~III~~ E streams. (Ord. 2071 § 4, 2003: Ord. 1695 § 20, 1995: Ord. 1539 § 1 (part), 1992)

NOTE: THE VARIANCE CRITERIA ABOVE SET A HIGHER STANDARD IF THE IMPACT OCCURS IN ACTUAL WETLAND/SURFACE WATERS, BECAUSE THE RESOURCE IMPACTS ARE MUCH

GREATER AND IRREVERSIBLE. THEREFORE, A DEVELOPMENT MUST DEMONSTRATE THAT **ALL** REASONABLE USES IS PRECLUDED, NOT JUST A HARDSHIP.

16.40.125 Nonconforming uses, structures, activities

A. A structure, use or activity legally preexisting on the effective date of this title or at the time of any amendments thereto that does not conform to this title is considered nonconforming with the provisions of this title.

B. Expansion, reconstruction, maintenance or modification of ~~a nonconforming an existing structure, accessory~~ structure, use or activity, where legally preexisting, located in a critical area or its associated buffer may be allowed, provided, that the structure, use or activity does not remove native vegetation, or increase the activity footprint, developed area, or impervious surfaces, or create other construction impacts within the critical area or its associated buffer.

- ~~1. Further expand or intensify the footprint of activity; or~~
 - ~~2. Increase impervious surface area; or~~
 - ~~3. Remove vegetation;~~
- ~~within the critical area or its associated buffer area.~~

C. Routine repair and maintenance of nonconforming uses or structures, where legally preexisting within a critical area or buffer, may be allowed, provided it does not further impact the critical area or increase the degree of nonconformity.

16.40.135 Application and review process for RHWHA permit.

A. Activities which require resource, wildlife and hazard area (RWHA) approval shall be processed as Type I or Type II decisions pursuant to chapter 18.56 SMC, Procedures for Land Use Permits. ...

16.40.150 Relationship to other regulations.

...

D. Whenever conflicts exist between federal, state, or local laws, ordinances, or rules, the more restrictive provision shall apply.

...

WETLANDS PROTECTION

NOTE: THROUGHOUT THIS CHAPTER, NEW CODE WILL UPDATE TERMS FOR WETLANDS TO REMOVE THE TERM "REGULATED" WETLAND, SINCE ALL WETLANDS DEFINED IN THIS CHAPTER ARE REGULATED.

16.46.030 Definitions.

...

~~22. "Regulated wetlands" means ponds 20 acres or less, including their submerged aquatic beds, and those lands defined as wetlands under the federal Clean Water Act, 33 U.S.C. 1251 et seq., and rules promulgated pursuant thereto, and shall be those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Regulated wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands created as mitigation and wetlands modified for approved land use activities shall be considered as regulated wetlands. Regulated wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities.~~

NOTE: THE TERM "REGULATED" DOES NOT EXPLAIN WHO IS REGULATING. SOME WETLANDS ARE NOT REGULATED FEDERALLY BUT ARE STILL REGULATED BY THE STATE.

...

16.46.060 Mapping.

A. The approximate location and extent of wetlands in the city is displayed on the [City of Sumner, WA Public Webmap](#), the [National Wetland Inventory \(US Fish and Wildlife Service\)](#), and the [Priority Habitat and Species Map \(Washington Department of Fish and Wildlife Service\)](#) map titled ~~"Wetland Inventory Map, 2007."~~ ~~This~~ ~~These maps are inventory is~~ general and not designed to support permit applications and ~~does~~ not establish jurisdictional boundaries. Furthermore, as site conditions change (due to natural and human processes), wetland areas and characteristics may change as well.

...

16.46.070 Wetlands rating.

A. Identification and Delineation. Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplement...

B. Rating. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication No. 14-06-029...

1. Category I. ...
2. Category II. ...
3. Category III. ...
4. Category IV. Category IV wetlands have the lowest levels of functions (scoring fewer

than 16 points) and are often heavily disturbed. These are wetlands that are good candidates for replacement and improvement. However, we should be able to replace, or in some cases to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and should be protected to some degree.

...

16.46.080 Regulated activities.

A resource, wildlife, and hazard area (RWHA) approval shall be obtained prior to undertaking the following in a regulated wetland or its buffer unless authorized by SMC 16.46.090:

- A. The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind;
- B. The dumping, discharging, or filling with any material;
- C. The draining, flooding, or disturbing of the water level or water table;
- D. The driving of pilings;
- E. The placing of obstructions;
- F. The construction, reconstruction, demolition, or expansion of any structure, unless specifically exempted under SMC 16.46.090(B);
- G. The destruction or alteration of wetlands vegetation through clearing, harvesting, shading, intentional burning, or planting of vegetation within a regulated wetland or its buffer that would alter the character of a regulated wetland...
- H. Activities adjacent to a regulated wetland or its buffer that result in a significant change of water temperature, a significant change of physical or chemical characteristics of wetlands water sources...

16.46.090 Exemptions and allowed uses in wetlands.

A. The following wetlands may be exempt from the requirement to avoid impacts (SMC 16.46.170(A)(1)), and they may be filled if the impacts are fully mitigated based on the remaining actions in SMC 16.46.170(A)(2) through (6)...

1. All isolated Category IV wetlands less than 4,000 square feet that:

- a. Are not associated with riparian fish and wildlife habitat conservation areas or their buffers.
- b. Are not associated with shorelines of the state or their associated buffers.

...

B. In addition to those activities listed in SMC 16.40.100, the following activities shall be allowed within a wetland or wetland buffer without having to obtain a RWHA permit provided they are conducted using best management practices, except where such activities result in the conversion of a regulated wetland or wetland buffer to a use to which it was not previously subjected or have the potential to result in a loss of the functions, values or area of a wetland or wetland buffer:

1. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops...or the wetland by changing existing topography, water conditions or water sources...
2. Ongoing agricultural activities, provided they implement applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or develop a farm conservation plan in coordination with the local conservation district, and forest clearing and other forest practices regulated under the State Forest Practices Act.
- ...
3. The maintenance of drainage facilities and new drainage facilities provided they are an integral part of an ongoing agricultural activity and approved by the director;
4. The following uses are allowed within wetlands and/or wetland buffers; provided, that written notice at least 10 days prior to the commencement of such work has been given to the director; and provided, that wetland impacts are minimized and that disturbed areas are immediately restored:
 - a. Normal maintenance, repair, or operation of existing serviceable legally established structures, facilities, or improved areas. Maintenance and repair does not include any modification that changes the character, scope, or size of the original structure, facility, or improved area and does not include the construction of a maintenance road;
 - b. Minor modification of existing serviceable legally established structures within a wetland buffer zone where modification does not adversely impact wetland functions or increase the size of the structure's footprint;
 - c. Utility line activities listed under SMC 16.40.100(G); provided, that BMPs are used and impacts are mitigated; and
 - d. Normal and routine maintenance and repair of any legally preexisting public or private facility within an existing improved right-of-way...
5. Emergency actions which must be undertaken immediately...
6. Drilling for utilities/utility corridors under a wetland, with entrance/exit portals located completely outside of the wetland buffer...
7. Enhancement of a wetland through the removal of nonnative invasive plant species...
8. Normal and routine maintenance and repair of any legally established existing public or private facilities within an existing right-of-way; provided, that the maintenance or repair does not expand the footprint of the facility or right-of-way; and has no adverse effect on the wetland or buffer.
9. Stormwater Management Facilities. A wetland or its buffer can be physically or hydrologically altered to meet the requirements of a LID, runoff treatment or flow control BMP if all of the following criteria are met:
 - ...

d. The hydrologic functions of the wetland can be improved as outlined in questions 3, 4, 5 of Chart 4 and questions 2, 3, 4 of Chart 5 in the "Guide for Selecting Mitigation Sites Using a Watershed Approach" ([Ecology Publication No. 09-06-032](http://www.ecy.wa.gov/biblio/0906032.html), or as revised and approved by [Ecology available here: http://www.ecy.wa.gov/biblio/0906032.html](http://www.ecy.wa.gov/biblio/0906032.html)); or the wetland is part of a **priority** restoration plan that intended to achieves restoration goals identified in a shoreline master program or other local or regional watershed plan; and

...

NOTE: THE OTHER CRITERIA IN THIS SECTION RELATE TO AREAS WITH LESS HABITAT VALUE AND WHERE WETLAND FUNCTIONS WILL NOT BE IMPAIRED.

16.46.150 Buffer requirements.

The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication No. 14-06-029, or as revised and approved by Ecology)...

...

J. Except as otherwise specified, wetland buffer zones shall be retained in their natural condition...

K. Regulated activities as specified in SMC 16.46.080 shall not be allowed in a buffer zone except...

L. A building setback line of 10 feet is required from the edge of any wetland buffer...

M. Buffer Establishment.

...

N. Functionally Disconnected Buffer Area. Buffers may exclude areas that are functionally and effectively disconnected from the wetland by an improved public street or legally established development, as determined by the director. Functionally and effectively disconnected means that the street or other significant development blocks the protective functions provided by a buffer. The director shall evaluate whether the interruption will affect the entirety of the buffer, considering the following:

1. Significant development includes public streets and railroads, and private developments such as homes or commercial structures and parking lots.
2. Linear development extending across a buffer results in a different variation of buffer interruption than isolated features such as houses or accessory structures. Linear development such as roads and continuous parking lots typically result in the greatest interruption of buffer functions.
3. Individual structures, such as a house, often do not fully interrupt buffer functions. In such cases, the allowable buffer exclusion should be limited to just the portion of the buffer that is within the footprint of the isolated structure and its contiguous improvements such as a paved driveway.

4. A critical area report (CAR) shall be submitted to the director, evaluating the buffer functions and impact of intervening structures. If the CAR demonstrates that functions are greatly reduced by the intervening structure, the director may waive or reduce the required buffer width based on the information provided in the CAR.
5. Any future modifications to buffers shall be consistent with regulations outlined in SMC 16.46.150(A).

...

16.46.170 Minimizing and replacing wetlands impacts.

...

H. Wetland Mitigation Ratios.¹

Category and Type of Wetland	Creation or Reestablishment	Rehabilitation	<u>Preservation^a or Enhancement</u>
Category I: Bog, natural heritage site ^a	<u>Case by case^b Not considered possible</u>	Case by case ^b	Case by case ^b
Category I: Mature forested	6:1	12:1	24:1
Category I: Based on functions	4:1	8:1	16:1
Category II	3:1	6:1	12:1
Category III	2:1	4:1	8:1
Category IV	1.5:1	3:1	6:1

1 Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1a, *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance – Version 1* (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006 or as revised). See also subsection (C)(4) of this section for more information on using preservation as compensation.

a Areas proposed for preservation must be unique, high quality wetlands systems such as bogs, meeting criteria found in *Wetland Mitigation in Washington State Part I (version 2) and II* (Ecology Publication No. 21-06-003 and 06-06-011b, or as revised)

b Complete avoidance of bogs and natural heritage sites is required unless overriding project need and lack of practicable options results in unavoidable impacts. In those cases, the proposed mitigation must include 24:1 preservation of the same wetland type (e.g., bog) at a minimum of a 24:1 ratio, plus protective buffer of sufficient width to protect the unique water quality conditions that support these unique wetlands. Additional wetland creation, rehabilitation and enhancement would be considered in determining the final mitigation ratios.

I. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance *Wetland Mitigation in Washington State Part I (version 2) and II* (Ecology Publication No. [21-06-003 and 06-06-011a-b, Olympia, WA, March 2006 or as revised](#)), the administrator may allow mitigation based on the “credit/debit” method developed by the Department of Ecology in *Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report* (Ecology Publication No. 10-06-011, Olympia, WA, March 2012, or as revised).

...

K. Advance Mitigation. Mitigation for projects with pre-identified impacts to wetlands may be constructed in advance of the impacts if the mitigation is implemented according to federal rules, state policy on advance mitigation, and state water quality regulations consistent with *Interagency Regulatory Guide: Advance Permittee-Responsible Mitigation* (Ecology Publication No. 12-06-015, [Olympia, WA, December 2012 or as revised](#)).

L. Alternative Mitigation Plans. The administrator may approve alternative wetland mitigation plans that are based on best available science...

The administrator shall consider the following for approval of an alternative mitigation proposal:

G. The proposal uses a watershed approach consistent with *Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington)* (Ecology Publication No. 09-06-32, [Olympia, WA, December 2009 or as revised](#)).

...

16.46.180 Mitigation plans.

All wetland and buffer restoration, creation, and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan prepared by qualified wetland professionals...

...

C. Establish specific criteria/[performance standards](#) (including water quality standards, survival rates of planted vegetation, species abundance and diversity targets, or other ecological, geological or hydrological criteria) for evaluating the mitigation proposal relative to the objectives of this chapter and the goals and objectives of the city’s comprehensive plan;

...

2. Monitoring shall begin by the designated consultant with a wetland analysis of the wetland being altered. Consultants will use the same data sheets within this analysis as will be used in the monitoring procedure; and ...

3. Five years of monitoring and maintenance shall be required for mitigation of impacts. Monitoring reports shall be submitted by the qualified wetland professional to the city during the following years: one, three, and five for a five-year monitoring period. [Monitoring and maintenance may be extended if performance standards are not met, the applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved.](#) (Ord. 2212 § 14, 2007: Ord. 1542 § 1 (part), 1992)

Chapter 16.50

~~LANDSLIDE AND EROSION~~ GEOLOGICALLY HAZARDOUS AREAS

NOTE: THERE ARE NO CHANGES TO THIS CHAPTER, JUST THE TITLE

Sections:

16.50.010 through 16.50.140:

Short title. General authority. Purpose. Exemptions. Relationship to framework ordinance.

Applicability. Mapping. Title notification. Plat notification. Submittal requirements.

Regulations. Performance standards. Buffers. Subdivision regulations. Erosion control

Chapter 16.56

FISH AND WILDLIFE HABITAT CONSERVATION AREAS

Sections:

- 16.56.010 Short title.
- 16.56.020 General authority.
- 16.56.030 Purpose.
- 16.56.040 Relationship to framework ordinance.
- 16.56.050 Applicability.
- 16.56.060 Mapping and documentation.
- 16.56.070 Habitat assessments.
- 16.56.080 Habitat management plans.
- 16.56.090 Regulations.
- 16.56.100 Buffers.

...

16.56.030 Purpose.

The purpose of this chapter is to regulate development and the use of land in order to preserve and protect areas of critical and endangered fish, including anadromous or resident salmonid species, and wildlife habitat; and to conform with the Washington State Growth Management Act. (Ord. 2071 § 33, 2003: Ord. 1546 § 1 (part), 1992)

...

16.56.050 Applicability.

Fish and wildlife habitat conservation areas are those areas identified as being of critical importance to sustain needed habitats and species for the functional integrity of the ecosystem and which, if altered, may reduce the likelihood that the species will persist over the long term...

NOTE: THESE AREAS INCLUDE CRITICAL HABITAT FOR LISTED FISH, WILDLIFE OR PLANTS.

...

H. Fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

NOTE: DEFINITION IS TO BE UPDATED TO BE CONSISTENT WITH NEW STATE RCWs AND WACs.

16.56.060 Mapping and documentation.

Fish and wildlife habitat conservation areas shall be identified in the following documents:
[list of agency-prepared maps]

...

NOTE: THE ENVIRONMENT REGULATIONS PLACE THE ULTIMATE RESPONSIBILITY ON THE PROPERTY OWNER TO VERIFY ACTUAL LOCATIONS OF WETLANDS AND STREAMS (SMC 16.40.080). THE CITY AND AGENCIES PROVIDE GENERAL MAPS AS A RESOURCE, AND OWNERS CAN GET SITE-SPECIFIC ASSISTANCE FROM AGENCIES.

16.56.070 Habitat assessments.

A habitat assessment, prepared by a professional fisheries or wildlife biologist, shall be submitted for all nonexempt activities proposed on a site which contains or is within: (A) 300 feet of documented habitat for threatened, endangered, or sensitive fish or wildlife species as identified by documents listed under SMC 16.56.060...

16.56.080 Habitat management plans.

A. If the habitat assessment demonstrates to the satisfaction of the director that fish and wildlife habitat areas are not present within the potential habitat site, then the development can proceed without further requirements ...

B. The habitat management plan for sites within 300 feet of documented habitat for threatened, endangered, or sensitive fish or wildlife species (SMC 16.56.070(A)), or sites containing a wetland, wetland buffer, stream, or stream buffer (SMC 16.56.070(B)), shall contain at a minimum:

...

7. A discussion of ongoing management practices which will protect fish and wildlife habitat after the project site has been fully developed, including proposed monitoring, adaptive management, and maintenance programs;

8. An assessment of habitat recommendations proposed by resource agencies...

...

E. Annual monitoring reports shall be provided to the city by the property owner until the mitigation and/or restoration has been in place for at least 10 years and the success standards have been met. Monitoring and maintenance may be extended if performance standards are not met. The applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved. The city shall forward the monitoring reports annually to the federal agencies with expertise regarding the particular fish or wildlife identified in the HMP along with the following:

...

16.56.100 Buffers.

NOTE: THESE BUFFERS DO NOT APPLY TO AREAS SUBJECT TO THE SUMNER SHORELINE MASTER PROGRAM (GENERALLY WITHIN 200 FEET OF THE WATER'S EDGE (the Ordinary High Water Mark); SHORELINE BUFFERS ARE ESTABLISHED IN THE SHORELINE MASTER PROGRAM APPROVED BY THE STATE.

...

C. Buffers, consisting of undisturbed native vegetation, shall be required along all streams; ~~lakes and ponds~~ as classified by the DNR water typing classification system (WAC 222-16-030).

1. The buffer shall extend landward from the ordinary high water mark of the water body with the width of the buffer established by the chart below, except as provided in Subsections D and E below. The buffer shall not extend landward beyond a public right-of-way that contains an improved street.

DNR Water Type	Buffer Width in Feet
<u>Fish Bearing (F)</u>	100 <u>feet</u>
<u>Non-Fish Bearing perennial (Np)</u>	50 <u>100 feet</u>
<u>Non-Fish Bearing seasonal (Ns)</u>	25 <u>100 feet</u>

NOTE: "DNR" IS STATE DEPARTMENT OF NATURAL RESOURCES. BASED ON DISCUSSIONS WITH THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REGARDING BUFFERS, SUMNER'S STREAMS SHOULD HAVE A BUFFER OF BETWEEN 100'-225' ON THE VALLEY FLOOR AND A BUFFER BETWEEN 194'-231' ALONG FORESTED HILLSIDES

- *WDFW RECOMMENDATIONS BASED ON TREE SPECIES AND SOIL TYPE.*
- *THE MAJORITY OF THE STREAMS IN SUMNER CONTAINS TREE SPECIES AND SOIL TYPES WITH 100' OR 105' WDFW-RECOMMENDED BUFFERS, WITH JUST A FEW AREAS OF 225'.*
- *100' IS THE MINIMUM RECOMMENDED BUFFER -*
 - *95% or more removal efficacy of phosphorous, sediment, and most pesticides; and*
 - *80% removal efficacy for surface runoff containing excess nitrogen.*

ALL NON-FISH BEARING STREAMS SHOULD HAVE THE SAME BUFFER AS FISH-BEARING, DUE TO THE CRITICAL ROLE THESE TRIBUTARIES PLAY IN PROTECTING WATER QUALITY (TEMPERATURE, SEDIMENT, POLLUTANTS, BANK STABILITY, NUTRIENT INPUT [LEAF LITTER]) IN STREAMS IDENTIFIED AS CRITICAL SPECIES (SALMONID) HABITAT.

2. The buffer shall be separated from adjacent private property by a physical barrier such as, but not limited to, a pathway, berm, vegetation, or fence. The barrier shall be designed to allow for the movement of fish, including salmonid habitat, and wildlife and shall be approved by the director.
3. The buffer shall be established by a permanent protective easement, public or private land trust dedication, or similar protective mechanism as approved by the director. An easement shall also be provided by the underlying property owner that grants the city access to the buffer for the placement of further conservation/restoration measures.
4. Enhancement of the buffer shall not be required unless a buffer reduction is proposed pursuant to SMC 16.56.100(G).

D. Functionally Disconnected Buffer Area. The director may waive or reduce the required buffer due to intervening structures, pursuant to SMC 16.46.150(N).

~~DE.~~ For projects in areas subject to the requirements of the Sumner Shoreline Master Program, the buffer widths and applicable regulations shall be established in the Sumner Shoreline Master Program.

~~E. Buffers for Type Np and Ns streams which are not required by other regulations may be modified by the director upon a showing that the following are satisfied:~~

- ~~1. Fish, wildlife and plant habitat will not be harmed by the reduction in buffer area based on the proposed use and site development proposed;~~
- ~~2. The buffer area includes enhancement measures to improve the functional attributes of the buffer through the use of plantings of native plant species. The improvements must be shown to improve the habitat conditions for wildlife;~~
- ~~3. A best management practices plan addressing the proper design, layout, construction and use of the site is provided which is sufficient to mitigate impacts to wildlife and habitat areas;~~
- ~~4. Under no circumstance shall the buffer be reduced below those shown in the table below:~~

DNR Water Type	Buffer Width in Feet
Np	25
Ns	20

F. Buffers for Non-Typed or Unknown Waters shall be the same as those for fish bearing streams. Applicants or landowners may apply for a water type modification as outlined by Washington State Department of Natural Resources.

GF. **Buffer reductions.** Buffers for ~~Type F~~ streams which are not required by other regulations may be modified upon approval ~~of a variance per SMC 16.40.120 by the director, under procedures for Type II permits in chapter 18.56 SMC, Procedures for Land Use Permits~~ and a showing that the following are satisfied:

NOTE: STAFF PROPOSES MAKING STREAM BUFFER REDUCTION PROCESS LESS ONEROUS THAN A VARIANCE. PROPOSED LANGUAGE IS THE SAME AS A PERMIT FOR WETLAND BUFFER REDUCTIONS WHICH DO NOT REQUIRE A VARIANCE PROCESS. THIS IS AN ADMINISTRATIVE DECISION BY THE DEPARTMENT DIRECTOR.

- ~~1. The subject parcel is less than 200 feet in depth as measured perpendicular from the ordinary high water mark~~ There are no feasible alternatives to the site design or development that could be accomplished without buffer reduction; and

NOTE: THIS IS SIMILAR TO WHAT IS ALLOWED FOR WETLAND BUFFER REDUCTION/AVERAGING, AND REMOVES THE ARBITRARY 200-FOOT "SMALL PROPERTY" REQUIREMENT TO MAKE BUFFER REDUCTION AVAILABLE TO ALL PROPERTIES IF APPROPRIATE.

2. The buffer is not reduced below 75 feet ~~and there is not net loss of buffer function; and~~

3.6. The buffer area includes enhancement measures to improve the functional attributes of the buffer through the use of plantings of native plant species and removal of invasive species. The improvements must be shown to improve the habitat conditions for fish and wildlife and shall be monitored per SMC 16.56.080(C); and

4. Buffers shall provide conservation or protection measures necessary to preserve or enhance anadromous fisheries including measures that protect habitat important for all life stages of anadromous fish, including, but not limited to, spawning and incubation, juvenile rearing and adult residence, juvenile migration downstream to the sea, and adult migration upstream to spawning areas. Habitat protection measures should be based on the best available science relevant to stream flows, water quality and temperature, spawning substrates, instream structural diversity, migratory access, estuary and nearshore marine habitat quality, and the maintenance of salmon prey species.

5. Design and management measures in Table 1 are implemented; and

Table 1 - Required Measures to Minimize Impacts to Streams

<u>Disturbance</u>	<u>Required Measures to Minimize Impacts</u>
<u>Lights</u>	<u>Direct lights away from stream</u>
<u>Noise</u>	<u>Locate activity that generates noise away from stream</u> <u>If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source</u> <u>For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer stream buffer</u>
<u>Toxic runoff</u>	<u>Route all new, untreated runoff away from stream while ensuring stream is not dewatered</u> <u>Establish covenants limiting use of pesticides within 150 feet of stream</u> <u>Apply integrated pest management</u>
<u>Stormwater runoff</u>	<u>Retrofit stormwater detention and treatment for roads and existing adjacent development</u> <u>Prevent channelized flow from lawns that directly enters the buffer</u> <u>Use low intensity development techniques (for more information refer to the drainage ordinance and manual)</u>
<u>Change in water regime</u>	<u>Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns</u>

<u>Disturbance</u>	<u>Required Measures to Minimize Impacts</u>
<u>Pets and human disturbance</u>	<u>Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion</u> <u>Place stream and its buffer in a separate tract or protect with a conservation easement</u>
<u>Dust</u>	<u>Use best management practices to control dust</u>

NOTE: THE ABOVE TABLE IS SIMILAR TO WHAT IS REQUIRED FOR WETLAND BUFFER REDUCTION. REDUCING A STREAM BUFFER BY ONE-FOURTH OF THE MINIMUM BUFFER COULD STILL IMPACT THE STREAM, UNLESS THESE ADDITIONAL PROTECTIVE MEASURES ARE IMPLEMENTED ON THE SITE.

- ~~3. The impervious surface of the reduced portion of the buffer shall not exceed 10 percent unless the following measures are taken:~~
- ~~a. The removal of an equivalent amount of existing impervious surface within the sub-basin of the Type F stream; and~~
 - ~~b. The permanent setting aside and habitat restoration of area(s) where impervious surface has been removed;~~

NOTE: THE ABOVE REQUIREMENT #3 IS PROPOSED TO BE DELETED. A 10% IMPERVIOUS LIMIT FOR THE AREA REMOVED FROM THE BUFFER ESSENTIALLY PROHIBITS DEVELOPMENT IN THE REMOVED AREA, WHICH DEFEATS THE PURPOSE OF A BUFFER REDUCTION. OTHER REQUIREMENTS IN SECTION (F) PROVIDE ADEQUATE RESOURCE PROTECTION.

- ~~4.~~ 5. Appropriate state and federal agencies shall be consulted if requirements of subsection (F)(2) or (3) of this section are not possible and appropriate state agencies may be consulted; and
- 5.6. Documentation provided demonstrates that Ffish, wildlife and plant habitat will not be harmed by the reduction in buffer area based on the proposed use and site development proposed; and
7. A best management practices plan addressing the proper design, layout, construction and use of the site is provided which is sufficient to mitigate impacts to wildlife and habitat areas; and
8. Monitoring of mitigation actions ~~is required~~ shall be implemented to verify long-term functional improvement of the enhanced buffer area per SMC 16.56.080(~~€~~) (E); and
9. The proposal includes a habitat management plan prepared by qualified professional biologist approved by the director that includes the submittal requirements in 16.56.080 Habitat Management Plans; and
10. The stream buffer shall be retained in an undisturbed or enhanced condition for the life of the project.

GH. Partial Exemptions. The following uses are allowed in fish and wildlife habitat buffers:

1. Activities directly related to the cultural, recreational, scientific and educational aspects of the stream...
2. Public utility corridors and large-scale public recreational facilities such as regional trails and parks may be allowed in buffer areas, through obtaining a RWHA permit, provided that the proposal is subject to review under the State Environmental Policy Act, and that the structure and function of impacted fish and wildlife habitat is replaced and restored and mitigated; and that appropriate federal and state agencies are notified of the project.

SUBJECT: Historic/Cultural Resources - Staff Report

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Historic/Cultural Resources-Staff Report-032724

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

During 2023-2024, the Planning Commission has been reviewing proposed updates to elements (chapters) of the 2024 Comprehensive Plan (Comp Plan), related plans and development regulations. This is the public hearing on proposed amendments. City staff, BERK Consulting and Parametrix consultants will present the amendments and background to the Planning Commission.

The purpose of this meeting is to take public testimony on the proposed amendments. The Commission will make recommendations at a future meeting after the end of the final public comment period (after April 30, 2024).

Please see the attached staff report for a summary of proposed changes to zoning code regulations for historic preservation. Note that this agenda item is related to the regulations only; policies related to historic preservation (primarily the Historic/Cultural Resources chapter of the Comprehensive Plan) are addressed under the overall Comprehensive Plan amendments. Also, more detailed information is contained in the Draft 2024 Comprehensive Plan and Environmental Impact Statement documents, located on the City's website at: <https://connects.sumnerwa.gov/planning-summers-future>.

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

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Conduct the public hearing and receive testimony.



STAFF REPORT

DATE: March 27, 2024
TO: PLANNING COMMISSION
FROM: Ann Siegenthaler, Senior Planner
RE: **Zoning Code Text Amendment – HISTORIC & CULTURAL RESOURCE REGULATIONS**
File #CTA-2024-0002

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The State Growth Management Act (GMA) requires cities to complete a “10-year periodic update” of their Comprehensive Plans. Sumner’s 10-year update will involve extensive revisions to the Comprehensive Plan (Comp Plan) and regulations to reflect new State laws and changes that have occurred over the last decade.

The GMA lists Historic Preservation as one of its many planning goals: “Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance” (RCW 36.70A.020). The GMA does not require that cities adopt specific regulations to protect historic/cultural resources. However, policies proposed in the 2024 Sumner Comprehensive Plan (Comp Plan) are intended to strengthen and promote the review, consideration and avoidance of potential impacts to historic/cultural resources. New regulations are proposed to implement these policies.

The Planning Commission reviewed the proposed amendments, along with other 2024 Comprehensive Plan and regulations updates, in August and September 2024. The public hearing on the Plan and regulations is scheduled for April 4, 2024. The City Council will also hold a public hearing later in 2024.

II. SUMMARY OF PROPOSAL

The proposed amendments to Sumner Municipal Code Title 18 Zoning Code will update regulations related to protection of historic and cultural resources. Currently, the City does not have historic preservation regulations. Key changes include:

- New regulations apply only to Town Center Plan area (i.e. downtown) (see **Exhibit A**).
- Add a requirement that applicants proposing a building demolition or significant new construction in the Town Center Plan area, on sites with structures more than 45 years old, must request a consultation with the State Department of Archeology and Historic Preservation (DAHP). Projects would not be considered “significant” if exempt from SEPA environmental review (e.g. a new porch, minor repairs, window replacement, etc.).

- Add a requirement that DAHP’s recommended mitigation measures (if received within 28 days) must be considered and implemented only if appropriate to the site/project. The 28-day timeline is tied to current code's completeness review timeline for permits.
- Require Inadvertent Human Remains Discovery Language to be included in permits; require provisions in permits to immediately stop work and notify appropriate agencies if artifacts are uncovered during site work.

III. ANALYSIS

Sumner code requires that proposals to amend the Zoning Code include an explanation of how the proposed amendments implement the comprehensive plan (SMC 18.56.149(C)(2)). Relevant sections and policies related to the proposed text amendments are presented below.

HISTORIC ELEMENT

Goal 1. Identify, preserve, and enhance the historic and prehistoric cultural resources of Sumner.

- 1.2 Through the environmental review process, consider potential impacts to archaeological resources.
- 1.4 Coordinate with community organizations, property owners and local citizens to protect, acquire, and/or restore key historic properties.

Goal 3. Recognize the heart and historic meaning of Downtown. 3.1 Ensure Downtown’s historic character is retained as new businesses and buildings are established, such as through design standards, historic preservation ordinances, or other means.

- 3.1 Ensure Downtown’s historic character is retained as new businesses and buildings are established, such as through design standards, historic preservation ordinances, or other means.

ECONOMIC DEVELOPMENT ELEMENT

Goal 5. Promote downtown as the town’s cultural, historic and activity center of the entire community.

COMMUNITY CHARACTER ELEMENT

- 1.5 Encourage in the community a continuous commitment to maintaining Sumner's character and quality of place, including land conservation and stewardship, wise management of streetscapes and public viewsheds, property maintenance, and historic preservation.
- 3.20 Adopt a “form-based code” in the Town Center to ensure that the design standards for multi-family and mixed use development are specific enough to create high quality designs and were appropriate to be compatible with the historic architectural context, and scale of Main Street.
- 5.1 In reviewing plans and development proposals, consider both long and short term environmental impacts and encourage design which complements the area's natural and cultural features. Natural and significant cultural features should be integrated into the design of the community.
- 6.1 Promote a compact development pattern that exhibits variety in building types and scale. Historic and vernacular architectural styles should be respected. Both sides of the streetscape should complement each other.

CONCLUSION:

The amendments would make Sumner’s regulations consistent with State guidelines for the protection of historic and cultural resources. The amendments, overall, are consistent with the goals and policies related to historic preservation within the City’s Comprehensive Plan, including the policies discussed above. Additional analysis is contained in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024. See Exhibits below.

IV. PUBLIC & AGENCY COMMENTS

The public notice for the EIS/Comp Plan was issued March 1, with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12. Comments received as of the date of this report have been included with the Staff Report for the 2024 Comprehensive Plan Amendments dated March 27, 2024. Any additional comments received during the public comment period will be transmitted to the Planning Commission.

V. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) establishes a process for SEPA review of Comprehensive Plan and regulations updates. The 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) were issued March 1, 2024 for public review through April 30, 2024. The EIS consists of an evaluation of the potential impacts of proposed policy and regulation changes. See Exhibits below.

VI. STAFF RECOMMENDATION

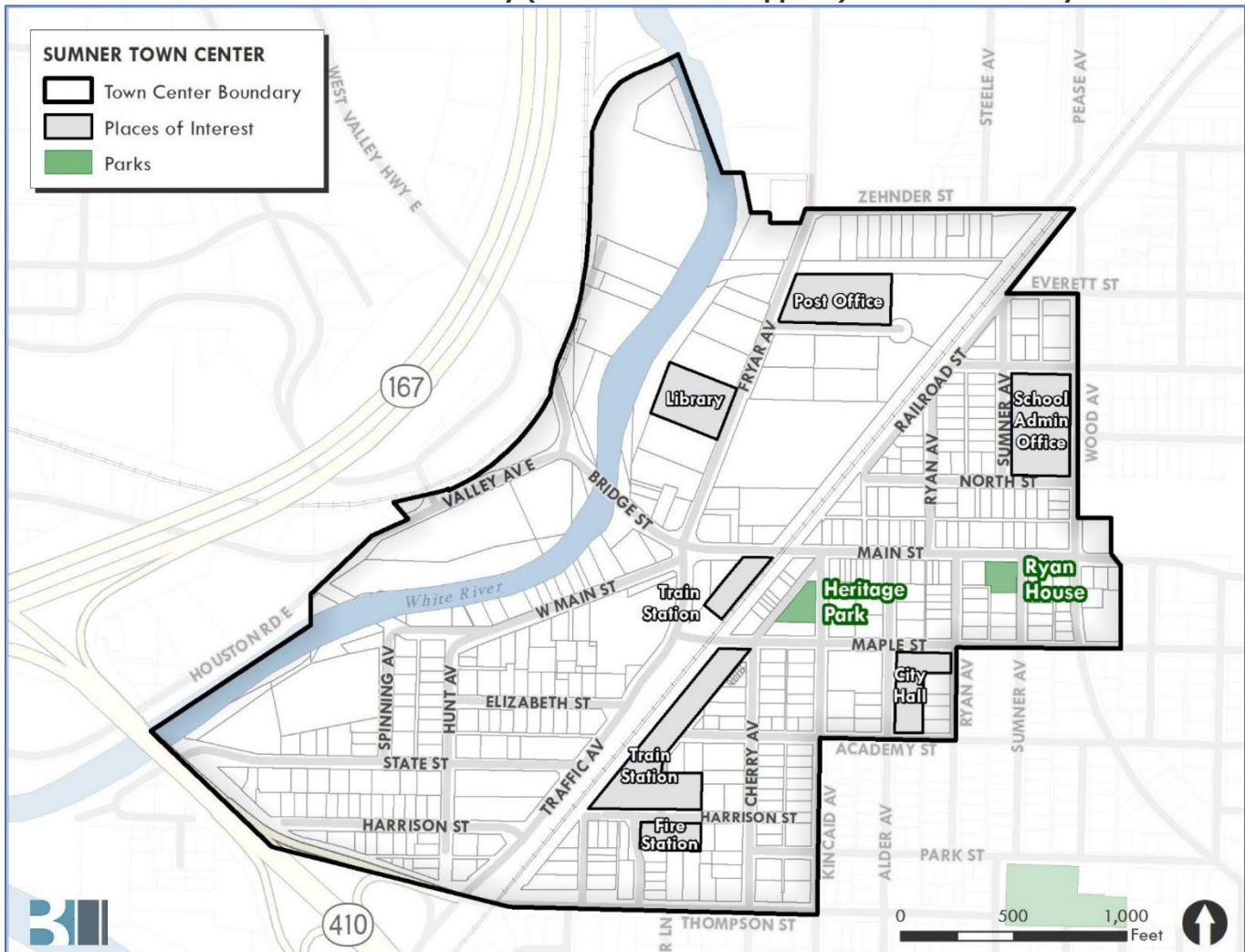
Staff recommends approval of the proposed amendments.

VII. EXHIBITS & REFERENCES

- A. Town Center Plan boundary for reference
- B. Draft Historic and Cultural Resources Regulations
- C. Proposed *policies* for Historic & Cultural Resource preservation are contained in the 2024 Draft Comprehensive Plan (Volume 1), page 80.
- D. 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) – Available for review on the City’s website at:
<https://connects.sumnerwa.gov/planning-sumners-future>.

EXHIBIT A

Town Center Plan Boundary (area where code applies) for reference only



Source: Town Center Plan adopting ordinance 2018

EXHIBIT B
Draft Historic and Cultural Resources Regulations

DRAFT Proposed Code Changes

2024 Comprehensive Plan Periodic Update

March 1, 2024

Historic and Cultural Resources

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..."

[Note: Code text below in highlight was revised by staff since last Planning Commission review]

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

1. Developers of projects on sites Applicants for projects involving demolition of a building or new construction not categorically exempt from SEPA environmental review, on sites located in Town Center, with structures more than 45 years old or identified by the State Department of Archeology and Historic Preservation (DAHP) as potentially eligible for listing, shall request a project review consultation 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 mitigation measures recommended by DAHP within 28 days of a requested consultation will be considered and implemented only as appropriate.
 - 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 DAHP REVIEW IS REQUIRED. THE STATE SEPA ENVIRONMENTAL RULES DISTINGUISH BETWEEN SMALL "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). THE 28-

DAY TIMELINE MIRRORS SUMNER'S CODE THAT REQUIRES THE CITY TO DETERMINE A COMPLETE PERMIT APPLICATION WITHIN 28 DAYS.

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.

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